

FACTSHEET

TITLE: USE PERMIT NO. 152, Pioneer Pointe Plaza, requested by Brian D. Carstens and Associates on behalf of John, Janice and Gary VerMaas, for 49,900 square feet of medical, financial and office floor area, with associated waiver requests, on property generally located northeast of the intersection of Pioneers Blvd. and Highway 2.

STAFF RECOMMENDATION: Conditional approval, as revised on 8/06/03.

ASSOCIATED REQUESTS: Change of Zone No. 3414 (03-148).

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 07/23/03 and 08/06/03
Administrative Action: 08/06/03

RECOMMENDATION: Conditional Approval, with amendments (9-0: Bills-Strand, Larson, Duvall, Carlson, Krieser, Taylor, Marvin, Steward and Schwinn voting 'yes').

FINDINGS OF FACT:

1. This use permit and the associated Change of Zone No. 3414 were heard at the same time before the Planning Commission.
2. The applicant has submitted the following waiver requests:
 - A. Front yard setback along South 13th Street.
 - B. Sidewalk along Highway 2 south of Pioneers Blvd.
 - C. Design Standards for private roadways to eliminate the crown from the pavement cross-section.
 - D. Parking lot screening along South 13th Street.
 - E. Sanitary Sewer flow opposite street grades
3. The staff recommendation of conditional approval was revised on August 6, 2003, and is based upon the "Analysis" as set forth on p.4-6, concluding that the request generally complies with the Zoning Ordinance. While the Land Use Map of the Comprehensive Plan designates public and semi-public uses for this site, the proposed use can be served with municipal services and can be supported by existing infrastructure. The Comprehensive Plan also encourages infill development to maximize the utilization of existing infrastructure. This request is an appropriate use of land at this location and the waivers are justified. The staff has recommended approval of all waiver requests.
4. On July 23, 2003, this application was deferred for two weeks to allow proper advertising of an additional waiver request (#2.E above).
5. The minutes of the Planning Commission are found on p.9-11. The applicant submitted proposed amendments to the conditions of approval (p.23-24).
6. There was no testimony in opposition.
7. On August 6, 2003, the Planning Commission voted 9-0 to agree with the revised staff recommendation of conditional approval, with the amendments as requested by the applicant. The conditions of approval, as recommended by the Planning Commission are found on p.6-8.
8. The Site Specific conditions of approval required to be completed prior to scheduling this application on the City Council agenda have been satisfied.

FACTSHEET PREPARED BY: Jean L. Walker
REVIEWED BY: _____
REFERENCE NUMBER: FS\CC\2003\UP.152

DATE: September 15, 2003
DATE: September 15, 2003

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for July 23, 2003 PLANNING COMMISSION MEETING

(**As Revised by Planning Commission: 8/06/03**)

P.A.S.: Change of Zone #3414 - from P to O-3
Use Permit 152 - Pioneer Pointe Plaza

PROPOSAL: To allow up to 49,900 square feet of medical, financial and office floor area.

LOCATION: Northeast of the intersection of Pioneers Blvd and Highway 2.

WAIVER REQUESTS:

1. Front yard setback along South 13th Street.
2. Sidewalk along Highway 2 south of Pioneers Blvd.
3. Design Standards for private roadways to eliminate the crown from the pavement cross-section.
4. Parking lot screening along South 13th Street.
5. Sanitary Sewer flow opposite street grades (**As revised by staff on 8/06/03**)

LAND AREA: Approximately 4.79 acres.

CONCLUSION: This request generally complies with the Zoning Ordinance. While the Land Use Map of the Comprehensive Plan designates public and semi-public uses for this site, the proposed use can be served with municipal services and can be supported by existing infrastructure, and the Comprehensive Plan encourages infill development to maximize the utilization of existing infrastructure. This request is an appropriate use of land at this location and the waivers are justified. However, an additional waiver was identified during the review and must be included in the legal notice so staff is recommending deferral to allow time for this to occur. (**As revised by staff on 8/06/03**)

<u>RECOMMENDATION:</u>	Change of Zone #3414	Deferral Approval
	<u>Use Permit #152</u>	<u>Deferral Conditional Approval</u>
	Waivers:	
	Front Yard Setback	Deferral Approval
	Sidewalk	Deferral Approval
	Roadway Design Standard	Deferral Approval
	Parking Lot Screening	Deferral Approval
	<u>Sanitary Sewer flow opposite</u>	
	<u>street grades</u>	<u>Approval</u>
	(**As revised by staff on 8/06/03**)	

GENERAL INFORMATION:

LEGAL DESCRIPTION: Change of Zone #3414 - See attached.
Use Permit #152 - See attached.

EXISTING ZONING: P Public Use, O-3 Office Park.

EXISTING LAND USE: Undeveloped.

SURROUNDING LAND USE AND ZONING:

North:	Public (U.S. Post Office)	O-3
South:	Highway 2, State Penitentiary	P
East:	Office, Commercial	O-3
West:	Undeveloped, Commercial	I-1

HISTORY:

AFP#02083 - USPS Addition, approved **March 12, 2003**, was an administrative final plat to create a lot for the Post Office facility, and Outlot A for future development (this project).

CZ#2372 - Approved **January 18, 1988**, a change of zone from P to O-3 for the northern portion of this site including the U.S.P.S. lot.

COMPREHENSIVE PLAN SPECIFICATIONS:

Page F17 - Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. This can be accomplished in many ways including encouraging appropriate new development on unused land in older neighborhoods, and encouraging a greater amount of commercial space per acre and more dwelling units per acre in new neighborhoods.

Page F24 - The Land Use Plan designates public uses for this site.

Page F27 - This site is within the City's Future Service Limit.

Page F38 - General Principles for all Commercial and Industrial Uses - Commercial and industrial districts in Lancaster County shall be located:

- within the City of Lincoln or incorporated villages
- outside of saline wetlands, signature habitat areas, native prairie and floodplain areas (except for areas of existing commercial and industrial zoning)
- where urban services and infrastructure are available or planned for in the near term
- in sites supported by adequate road capacity – commercial development should be linked to the implementation of the transportation plan
- in areas accessible by various modes of transportation (i.e. automobile, transit and pedestrian)
- so that they enhance entryways or public way corridors, when developing adjacent to these corridors
- in a manner that supports the creation and maintenance of green space as indicated in the environmental resources section of this Plan.

UTILITIES: All utilities are available to this site.

TOPOGRAPHY: The topography is relatively flat across the site. There is a change in grade up to the Post Office facility of approximately between 4 - 10' on the north, and also up to South 13th Street along the east boundary of approximately between 12 to 16'.

TRAFFIC ANALYSIS: Access to the site is provided at the intersection of Highway 2 and Pioneers Blvd. This intersection is signalized but must be modified to accommodate this development. Full-turning movement access will be provided to the site. Internal access is provided by private roadways. Adjacent to this site Highway 2 is a principal arterial, and South 13th Street is a minor arterial.

ENVIRONMENTAL: Highway 2 is a major entryway and the development along its frontage should recognize this and provide additional landscaping.

ANALYSIS:

1. This area has been designated for public land uses in recognition of the fact the U.S. Post Office owned the land for many years and built a distribution facility at the north end of the property. The Postal Service determined that they had no use for Outlot A and sold it.
2. The site can be served by municipal utilities, and the necessary infrastructure exists to support the development. Surrounding land uses are public to the north and south, and office/commercial to the east and west. The site is bounded on the west by Highway 2, and by South 13th Street on the east. Understanding that Outlot A is not needed for public use, the office uses being proposed are consistent with the Comprehensive Plan. The layout provides an efficient use of the land, and proposes uses that are a 'good fit' and are compatible with surrounding development.
3. A waiver to the front yard setback along South 13th Street from the required 20' to the proposed 10' is requested due to the width of the street right-of-way and the change in grade from the street to the site. The South 13th Street right-of-way varies in width from 115' at the Calvert Street intersection to 195' at the Highway 2 intersection, with no planned changes in the design of this portion of South 13th Street through the year 2025. Given the width of the right-of-way and the change of grade along this boundary of the site, this waiver is appropriate.
4. A waiver to the private roadway design standard is requested to accommodate the grading and drainage plan for the site. During review, Public Works could not find any deviation from design standards for private roadway design and apparently the waiver is not necessary. Either the plans need to be revised to show the design waiver, or the waiver request should be withdrawn.
5. A waiver to the requirement for a sidewalk along Highway 2 is requested south of Pioneers Blvd along Highway 2. However, as noted in the application, a public sidewalk is already required to be built along Highway 2 as a requirement of the recently approved administrative final plat. As a result, a sidewalk is shown along the extent of the property adjacent to Highway 2, with three connections to sidewalks internal to the site. A sidewalk connection to South 13th Street is desirable, but would likely not meet design requirements considering the slope along the east boundary.

6. The bike trail is shown in the Comprehensive Plan extending along South 13th Street in this area. Parks and Recreation noted that this site plan must be revised to accommodate the trail along the west side of the site which would require a crossing at South 13th Street and Highway 2. Staff has now learned that the intersection of South 13th Street and Highway 2 was not designed to accommodate pedestrian traffic and a crossing is not desirable. As a result, the sidewalk shown on the west side of South 13th Street has limited utility as it does not really go anywhere. Rather than having the trail cross South 13th Street at Highway 2 and extend across this site, a more feasible alternative may be to build the trail on the east side of South 13th Street. This would benefit the public by eliminating a dangerous street crossing, and would benefit this developer by not requiring the trail to be located on this site. The escrow funds set aside to build the sidewalk on the west side of South 13th Street would be better used to build the trail on the east side of South 13th Street, with a crossing, perhaps at Calvert Street, to be determined at a later time. Planning, Parks and Recreation, and Public Works are agreeable to work with the applicant to find an acceptable alternative for the trail in this area.
7. A waiver to parking lot screening is requested for the South 13th Street frontage - the requirement per Design Standards is a 60% screen from 2'-4' in height. As noted previously, there is a change in grade along the east boundary of the site that varies from between 12' to 16'. This earthen berm will effectively screen any parking lot located adjacent to it, and additional low screening is not necessary provided additional trees are planted along 13th Street and in the parking lots. The landscape plan shows the required screening for the remaining sides of the parking lots.
8. The required landscaping for each individual lot is not shown on the landscape plan. This is acceptable provided a note is added to the plan that states the landscape plans for individual lots will be reviewed at the time of building permits.
9. Public Works notes that sanitary sewer is acceptable, provided the Nebraska Department of Roads (NDOR) approves the use of right-of-way as shown. Additionally, it was noted that the sanitary sewer runs opposite street grades, contrary to design standards. This is a waiver to Design Standards that was not requested and was not part of the legal notice. As a result, staff is recommending deferral to allow the legal notice to be modified to include it. Public Works supports the waiver provided the sewer depth does not exceed the 15' maximum depth.
10. The grading and drainage must be revised per Public Works' review. Additionally, NDOR must also approve the grading and drainage plan due to proposed grading within the right-of-way.
11. Access to this site is at the intersection of Pioneers Blvd and Highway 2. The traffic signal and controllers will have to be modified to accommodate this access, an expense which is the responsibility of the developer.
12. The Fire Department review notes that additional fire hydrants are needed to serve this site. The plans must be revised to show any additional hydrants deemed necessary by the Fire Department to provide adequate fire protection to this site.

13. The landscape plan shows two sign envelopes for 8' high signs, 32 square feet in area. Only one sign envelope of this size for office park identification is allowed in the O-3 district. The sign envelope on Lot 8 must be removed as it exceeds what is allowed by the district; the other sign envelope is designated as an identification sign for the development and is allowed, but the location of the envelope must be clearly delineated.

CONDITIONS:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:

- 1.1 Revise the site plan to show:
 - 1.1.1 Additional fire hydrants as required by the Fire Department.
 - 1.1.2 A signed surveyor's certificate.
 - 1.1.3 Note #21 revised to state "THE FLOOR AREAS SHOWN IN THE LAND USE AND TRAFFIC SUMMARY TABLE AND ON THE SITE PLAN MAY BE ADJUSTED BY ADMINISTRATIVE AMENDMENT PROVIDED THE TOTAL TRIPS GENERATED DO NOT EXCEED THE TRIPS SHOWN IN THE LAND USE AND TRAFFIC SUMMARY TABLE."
 - ~~1.1.4 A roadway cross-section consistent with the waiver request for staff to review.~~
(Per Planning Commission, at the request of the applicant and agreed upon by staff, 08/06/03**)**
 - 1.1.5 A revised grading and drainage plan approved by Public Works and Utilities and the Nebraska Department of Roads.
 - 1.1.6 A revised landscape plan showing:
 - 1.1.6.1 Kentucky Coffeetree as the street tree along Highway 2, and that substitutes Autumn Blaze Maple for Emerald Queen Maple.
 - 1.1.6.2 Additional trees at the drive entrance to the development, at the south end of Outlot A, and along the east boundary and in the parking lots.
 - 1.1.6.3 The sign envelope for the 32 square foot, 8' high sign on Lot 8 deleted, and the remaining center identification sign envelope clearly identified.

1.1.7 A note that states "LANDSCAPE PLANS FOR INDIVIDUAL LOTS WILL BE SUBMITTED AND REVIEWED AT THE TIME OF BUILDING PERMITS IN COMPLIANCE WITH THE REQUIREMENTS OF THE CITY DESIGN STANDARDS."

1.2 Adequate provisions to accommodate the bike trail through this area to be determined by and subject to approval of City staff, including the use of the escrow fund set aside for the construction of that portion of the sidewalk along South 13th Street as shown on the site plan.

2. This approval permits 49,900 square feet of financial, medical and office floor area with waivers to front yard setback, sidewalks, and parking lot screening and sanitary sewer running opposite street grades. (****As revised by staff on 8/06/03****)

General:

3. Before receiving building permits:

3.1 The permittee shall have submitted a revised and reproducible final plan including 5 copies showing the following revisions and the plans are acceptable:

~~3.2 The traffic signal and controller improvements at the intersection of Pioneers Blvd and Highway 2 have been completed.~~ (****Moved to Condition #4.1, per Planning Commission, at the request of the applicant and agreed upon by staff, 8/06/03****)

3.3 The construction plans shall comply with the approved plans.

3.4 Final Plats shall be approved by the City.

Standard:

4. The following conditions are applicable to all requests:

4.1 Before occupying any building all development and construction shall have been completed in compliance with the approved plans, including the traffic signal and controller improvements at the intersection of Pioneers Boulevard and Nebraska Highway 2. (****Moved from Condition #3.2, per Planning Commission, at the request of the applicant and agreed upon by staff, 8/06/03****)

4.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established owners association approved by the City Attorney.

4.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.

- 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the applicant.

Prepared by:

Brian Will
Planner
July 9, 2003

**APPLICANT/
OWNER:**

John, Janice and Gary Vermaas
PO Box 6227
Lincoln, NE 68512

CONTACT:

Brian Carstens
601 Old Cheney Road Suite C
Lincoln, NE 68512

**CHANGE OF ZONE NO. 3414
and
USE PERMIT NO. 152**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

July 23, 2003

Members present: Larson, Bills-Strand, Taylor, Marvin, Carlson and Schwinn; Duvall, Krieser and Steward absent.

Planning staff recommendation: Deferral.

Ex Parte Communications: None.

Brian Will of Planning staff submitted a letter from the applicant requesting a two-week deferral to allow opportunity to modify the legal notice to include additional waiver requests.

Bills-Strand moved to defer, with continued public hearing and administrative action scheduled for August 6, 2003, seconded by Taylor and carried 6-0: Larson, Bills-Strand, Taylor, Marvin, Carlson and Schwinn voting 'yes'; Duvall, Krieser and Steward absent.

CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION:

August 6, 2003

Members present: Bills-Strand, Larson, Duvall, Carlson, Krieser, Taylor, Marvin, Steward and Schwinn.

Staff recommendation: Deferral, revised to approval of the change of zone and conditional approval of the use permit as of today, August 6, 2003.

Ex Parte Communications: None.

Brian Will of Planning staff submitted a revised staff report and recommendation. Previously, the applicant had requested a two week delay to allow for an additional waiver to be advertised. What is now submitted is a revised recommendation from the staff taking into account that additional waiver and modifying the conclusion, recommendation and conditions of approval. The staff is now recommending approval of the change of zone and conditional approval of the use permit, including approval of the waiver requests.

Proponents

1. Brian Carstens appeared on behalf of **Gary and John VerMaas**. This is a project just south of the existing Indian Village postal substation at 15th & Calvert. It is a vacant parcel recently sold to the applicant. The northern 3 acres is already zoned O-3 and the southern tip is zoned P Public. They are requesting a change to O-3 on the southern piece with a use permit for 49,900 sq. ft. of office uses, including a bank, two-story office building and six small 2500 sq. ft. buildings.

Carstens advised that this applicant has been working with the State and Public Works for over a year and the applicant finally has access at Hwy 2 and Pioneers with turn lanes and new signalization.

With regard to the request to waive sidewalks, Carstens pointed out that because of the unsafe access for pedestrians at the southern end on the west side of 13th Street, the applicant is willing to contribute the funds to be posted with the final plat to go toward a bike path on the east side of 13th Street.

With regard to the request to waive screening for the parking lot, Carstens pointed out that the parking lot is anywhere from 12-16 feet below the pavement.

With regard to the request to reduce the setback along 13th Street from 20 feet to 10 feet, Carstens pointed out that along 13th Street, one will be looking over the tops of the single story buildings.

With regard to the sidewalk along Hwy 2 and private roadway south of Pioneers, Carstens suggested that there is no safe pedestrian access. Carstens stated that the applicant will put in sidewalk from Pioneers north to Calvert.

Carstens requested to delete Condition #1.1.4 because the roadway cross-section waiver is not necessary.

Carstens requested that Condition #3.2 be deleted and added to the conditions required to be completed at the time of occupancy.

Carstens also requested to add language to Condition #4.1 "...including the traffic signal and controller improvements at the intersection of Pioneers Boulevard and Nebraska Highway 2."

Carstens believes that staff is in agreement with the proposed amendments.

Marvin asked the applicant to speak about the signalization at Hwy 2 and Pioneers. Carstens stated that it is currently a three-legged intersection. There will be additional traffic lights on the west side of Hwy 2 for people coming out onto Hwy 2 from this project. There will be three lanes of northbound traffic all the way from 13th and Hwy 2 to Calvert, and then a new left turn lane in Hwy 2. Marvin's main concern is shortening the duration of the light for the through traffic on Hwy 2. Dennis Bartels of Public Works could not answer specifically, but as part of the process they did an impact study and looked at the signal. Since we already have commercial movement to the west, this project didn't effectively change the level of service at this intersection.

Marvin then asked whether there will be a green light or an arrow for turning left into the property. Bartels stated that without looking at the study he did not know what the assumptions were.

Marvin inquired as to whether the sidewalks are capable of carrying bicycle traffic. Carstens indicated that the bike path on the east side of 13th would be wide enough for bicycle traffic. Marvin wondered if the bikers would be able to get to Pioneers. Carstens stated that right now there is not any real pedestrian connection from this center back up to 13th. Marvin's concern is how to get onto Pioneers Blvd. Carstens believes the route would be to come on Calvert and then back down to the south.

Carlson asked about the sign envelopes. Carstens pointed them out on the map. They had originally shown a free-standing sign for the bank and staff has requested it be removed. They also had shown another sign in the island on the private roadway as an identification sign for the office center. That would be the only freestanding sign. The remainder would be wall signs.

Carlson asked about the southern tip of the property. Carstens advised that there is a detention cell in that tip. Carlson noted that previously there was some talk about trying to do some degree of aesthetics on the triangle to the southeast as a drive-by feature. Carstens stated that the detention cell is a dry cell with no standing water. Carlson inquired as to the motorist view on Hwy 2 moving north-- will it be a view into the parking area? Carstens indicated that a motorist will see the parking area, but it will all be screened along Hwy 2. The detention cell is basically a depression and is not built up above the existing grade. There are street trees all along the three streets and then a lot of shrubbery along the west side of the parking along Hwy 2. As this project moves forward, Carlson thinks it would be nice for the view-scape to be considered.

There was no testimony in opposition.

Staff agreed with the proposed amendments to the conditions of approval.

CHANGE OF ZONE NO. 3414

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

August 6, 2003

Bills-Strand moved approval, seconded by Krieser and carried 9-0: Bills-Strand, Larson, Duvall, Carlson, Krieser, Taylor, Marvin, Steward and Schwinn voting 'yes'.

USE PERMIT NO. 152

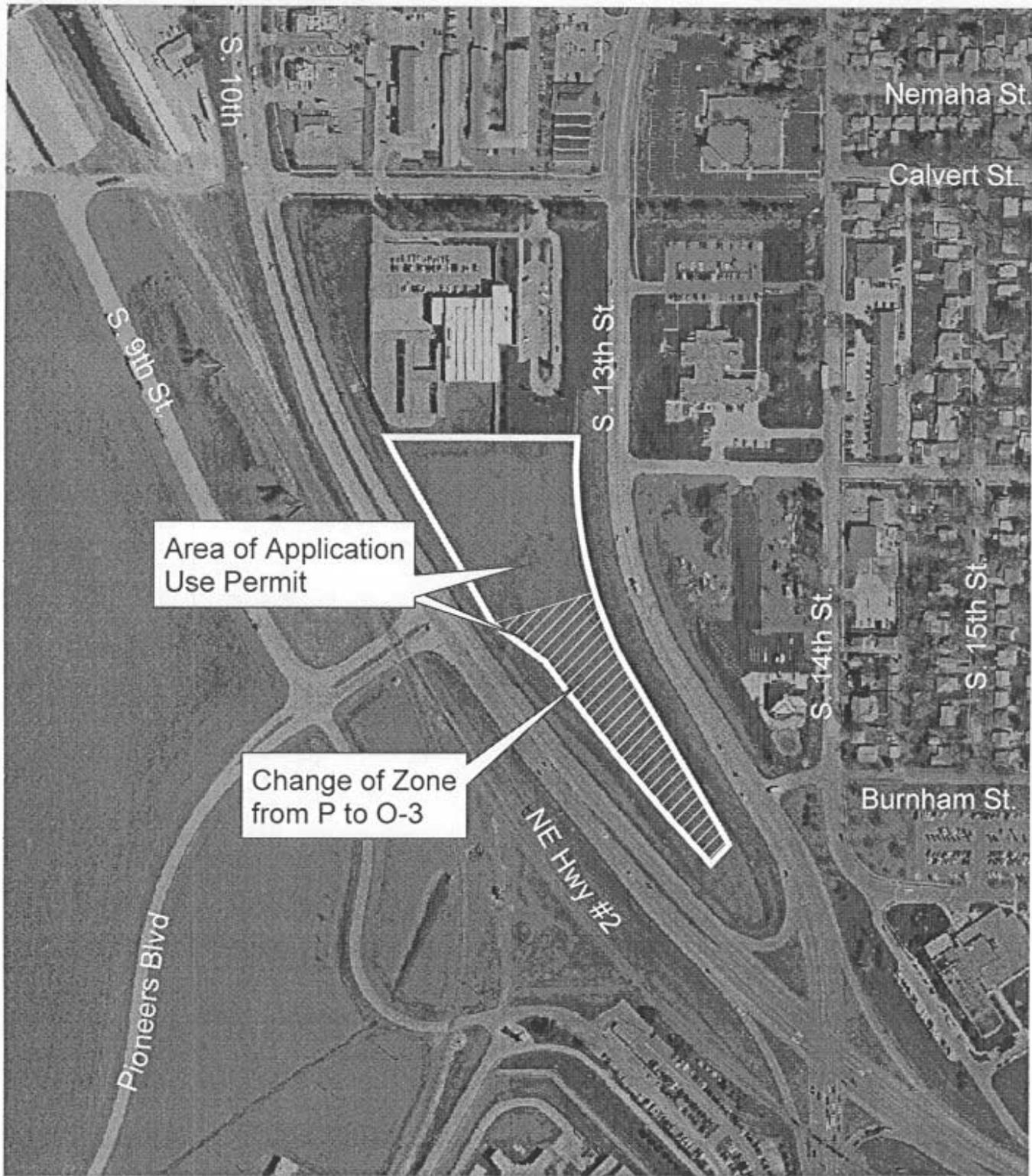
ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

August 20, 2003

Larson moved to approve the revised staff recommendation of conditional approval, with the amendments as requested by the applicant, seconded by Bills-Strand.

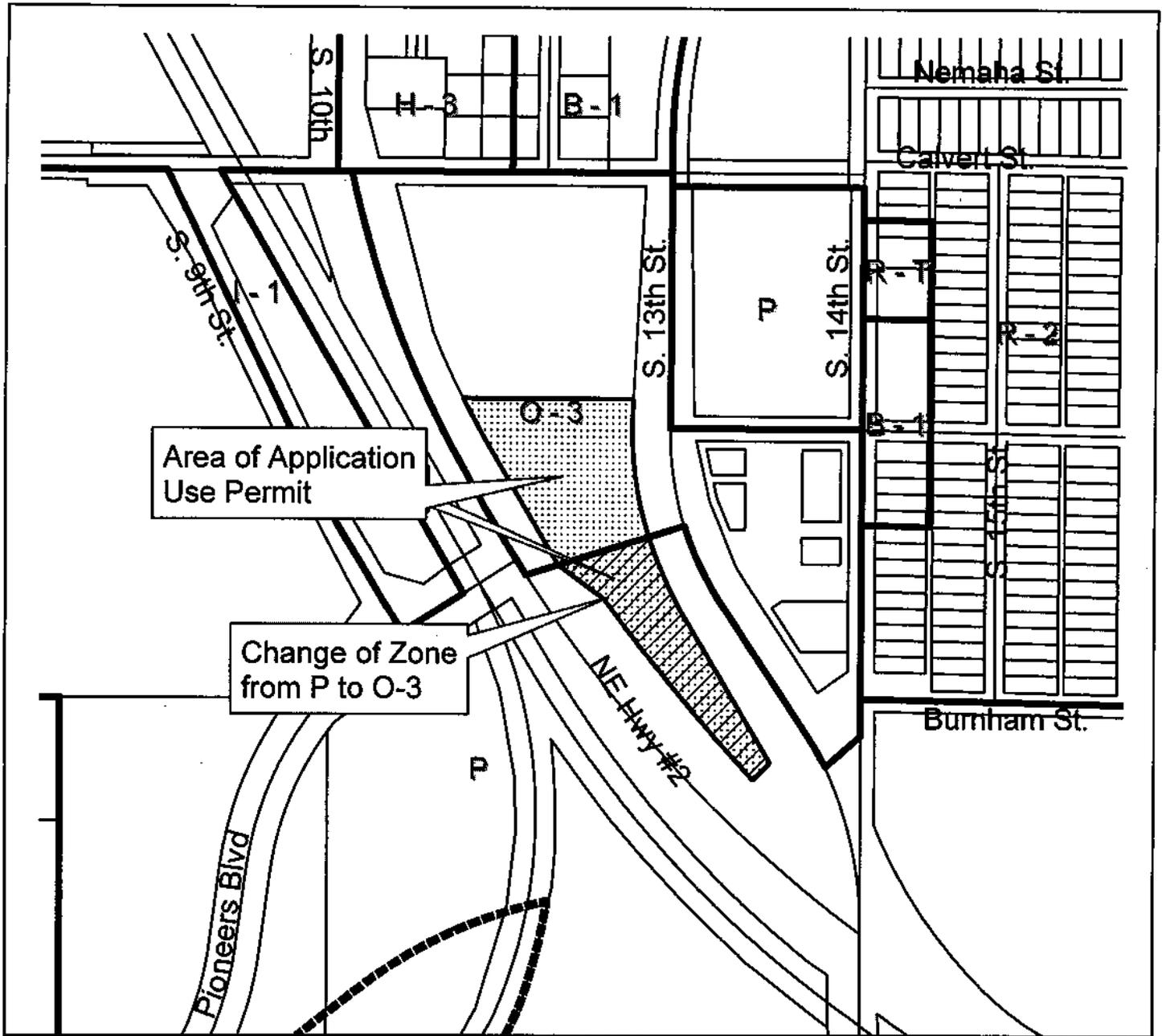
Carlson agrees with the staff report that we have infrastructure in place and he is hoping that as this moves forward, it will have nice aesthetics.

Motion for conditional approval, with amendments, carried 9-0: Bills-Strand, Larson, Duvall, Carlson, Krieser, Taylor, Marvin, Steward and Schwinn voting 'yes'.



Use Permit #152
Change of Zone #3414
S. 13th & Pioneers Blvd
Pioneers Pointe Plaza

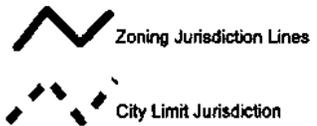
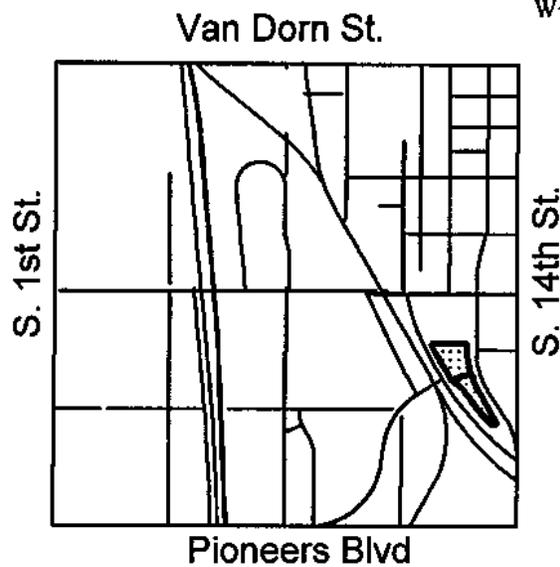




Use Permit #152
Change of Zone #3414
S. 13th & Pioneers Blvd
Pioneers Pointe Plaza
Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile
 Sec. 2 T9N R6E



013

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USE PERMIT

LEGAL DESCRIPTION

ALL OF OUTLOT 'A', USPS ADDITION, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 2, TOWNSHIP 9 NORTH, RANGE 6 EAST OF THE 6th P.M., LINCOLN, LANCASTER COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTHERLY RIGHT OF WAY LINE OF CALVERT STREET AND THE WESTERLY RIGHT OF WAY LINE OF SOUTH 13th STREET, SAID POINT BEING THE NORTHEAST CORNER OF LOT 1, SAID USPS ADDITION; THENCE SOUTHERLY ON SAID WESTERLY RIGHT OF WAY LINE, ON AN ASSIGNED BEARING OF S 3°03'08"W A DISTANCE OF 522.99', TO THE POINT OF BEGINNING; THENCE SOUTHERLY CONTINUING ON SAID WEST RIGHT OF WAY LINE, S 3°03'08"W 59.35', TO A POINT ON A CIRCULAR CURVE TO THE LEFT, HAVING A RADIUS OF 913.51' AND A CENTRAL ANGLE OF 32°45'12"; SAID CURVE ALSO BEING SAID WESTERLY RIGHT OF WAY LINE; THENCE SOUTHEASTERLY ON THE CHORD OF SAID CURVE, S 16°16'35"E 515.13'; THENCE SOUTHEASTERLY CONTINUING ON SAID WESTERLY RIGHT OF WAY LINE, S 30°32'35"E 393.83'; THENCE SOUTHWESTERLY, S 46°14'06"W 58.49', TO A POINT ON A CIRCULAR CURVE TO THE RIGHT, HAVING A RADIUS OF 5032.74' AND A CENTRAL ANGLE OF 6°37'26". SAID CURVE ALSO BEING THE EASTERLY RIGHT OF WAY LINE OF HIGHWAY #2; THENCE NORTHWESTERLY ON THE CHORD OF SAID CURVE, N 40°14'19"W 581.50'; THENCE NORTHWESTERLY CONTINUING ON SAID EASTERLY RIGHT OF WAY LINE, N 54°52'44"W 139.99'; THENCE NORTHWESTERLY CONTINUING ON SAID EASTERLY RIGHT OF WAY LINE, N 30°50'12"W 313.35', TO A POINT ON A CIRCULAR CURVE TO THE RIGHT, HAVING A RADIUS OF 2022.22' AND A CENTRAL ANGLE OF 4°33'36"; THENCE NORTHWESTERLY ON THE CHORD OF SAID CURVE, N 29°35'31"W 160.90', TO THE NORTHWEST CORNER OF SAID OUTLOT 'A'; THENCE EASTERLY ON THE NORTH LINE OF SAID OUTLOT 'A', N 90°00'00"E 431.10', TO THE POINT OF BEGINNING, SAID TRACT CONTAINING AN AREA OF 4.79 ACRES, MORE OR LESS.

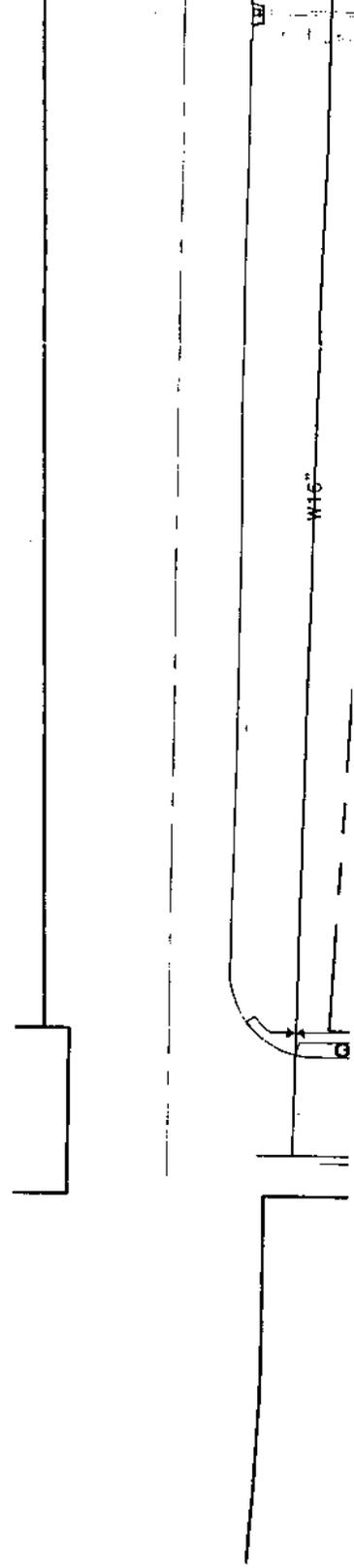
SURVEYOR'S CERTIFICATE:

I hereby certify, that I Billy Joe Kerr, a duly Registered Land Surveyor under the laws of the State of Nebraska, did hereby perform or under my direct supervision the above survey. And that Iron Pipes 1" x 24" were set at all points marked O. All distances are in feet and hundredths of a foot.

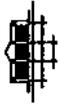
Signed this _____ day of _____ 2003.

Billy Joe Kerr

RLS # 483



BLOCK	1
UNASSIG	1



BRIAN D. CARSTENS & ASSOCIATES
 LAND USE PLANNING
 RESIDENTIAL & COMMERCIAL DESIGN

600 OLD CHEROKEE ROAD
 SUITE 100
 LINCOLN, NE 68512

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PIONEERS POINTE PLAZA

CHANGE OF ZONE #5414

AND

US PERMIT #132

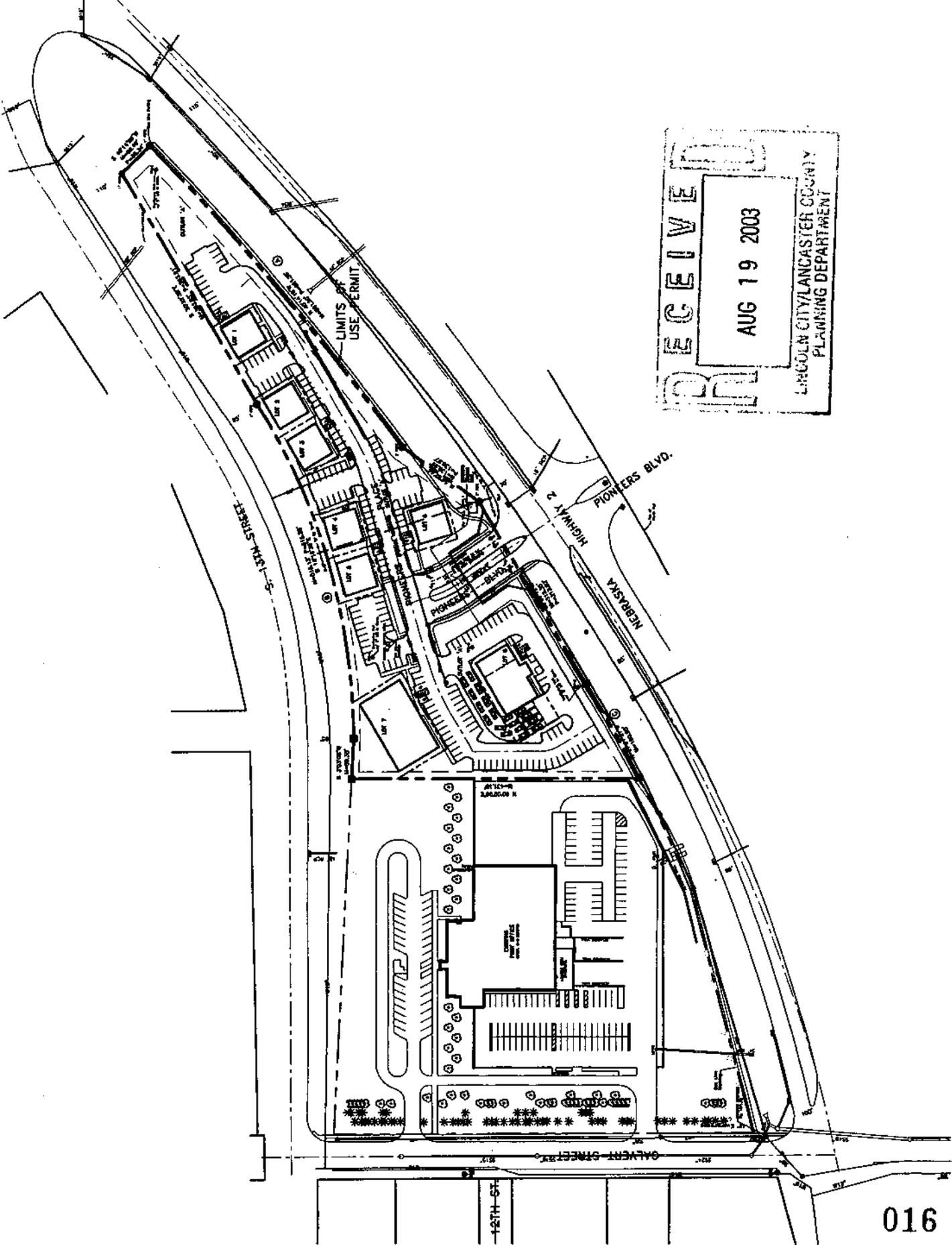
HIGHWAY 2 & PIONEERS BLVD.
 LINCOLN, NE

UTILITY PLAN



SCALE: 1"=50'

PROJECT: PIONEERS POINTE PLAZA
 DATE: 08/19/2003



RECEIVED
 AUG 19 2003
 LINCOLN CITY/LANCASTER COUNTY
 PLANNING DEPARTMENT

RECEIVED
 AUG 19 2003
 LINCOLN CITY/LANCASTER COUNTY
 PLANNING DEPARTMENT

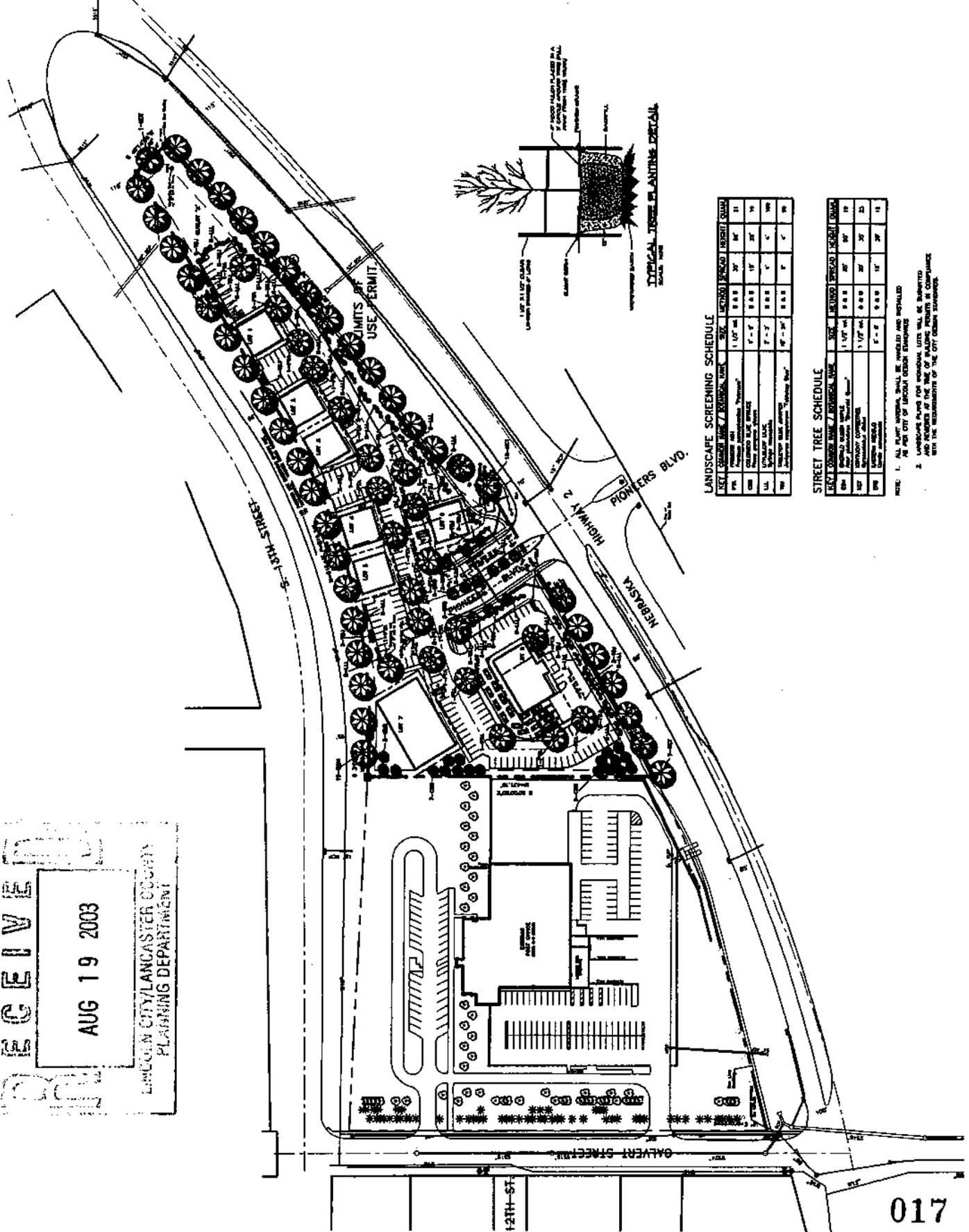
BRIAN D. CARSTENS & ASSOCIATES
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 FAX: (402) 434-0467
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PIONEERS POINTE PLAZA
 CHANGE OF ZONE #0414
 AND
 USE PERMIT #132
 HIGHWAY 2 & PIONEERS BLVD.
 LINCOLN, NE

LANDSCAPE PLAN

 SCALE: 1"=40'
 PROJECT NUMBER: 02-001
 DATE: 08/05/03
 REVISIONS: 000

3 OF 5



LANDSCAPE SCREENING SCHEDULE

NO.	LANDSCAPE SCREENING SCHEDULE	SIZE	QUANTITY
01	Red Oak	1.0' x 1.0'	30
02	White Oak	1.0' x 1.0'	30
03	Green Ash	1.0' x 1.0'	30
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NOTE: 1. ALL PLANT MATERIALS SHALL BE UNWEIGHED AND INSTALLED BY THE CITY OF LINCOLN DESIGN DEPARTMENT.
 2. LANDSCAPE PLANS FOR APPROVAL MUST BE SUBMITTED TO THE CITY OF LINCOLN DESIGN DEPARTMENT FOR REVIEW AND APPROVAL WITH THE REQUIREMENTS OF THE CITY DESIGN STANDARDS.



BRIAN D. CARSTENS & ASSOCIATES
 LAND USE PLANNING
 ARCHITECTURAL
 & CIVIL DESIGN

600 OLD CHERRY ROAD
 SUITE 1
 LINCOLN, NE 68512
 PHONE: (402) 441-0300
 FAX: (402) 441-0300
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**PIONEERS
 POINTE
 PLAZA**

CHANGE OF
 ZONE
 69414

AND
 USE
 PERMIT
 #132

HIGHWAY 2 &
 PIONEERS BLVD.
 LINCOLN, NE

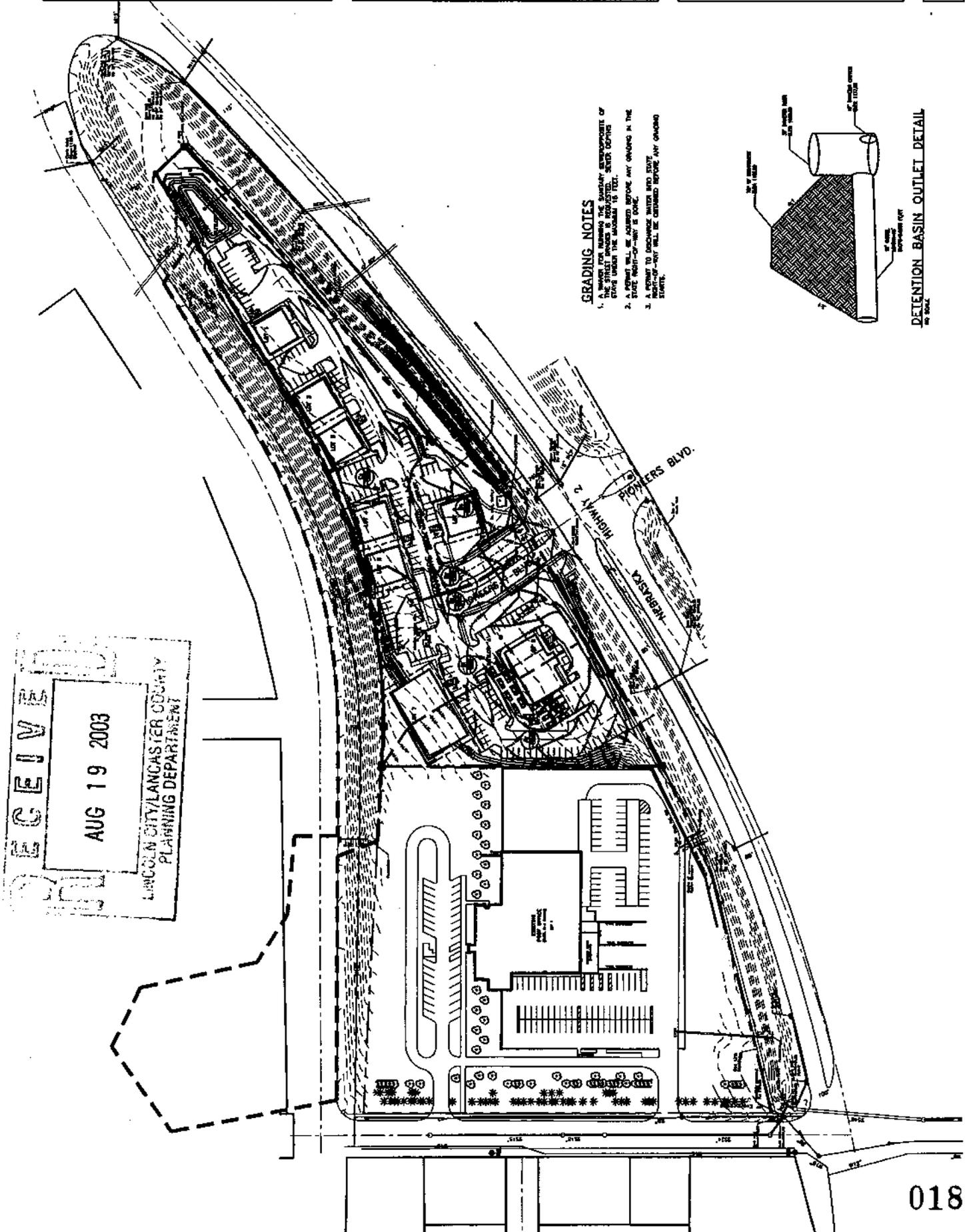
**GRADING
 PLAN**



SCALE: 1"=30'

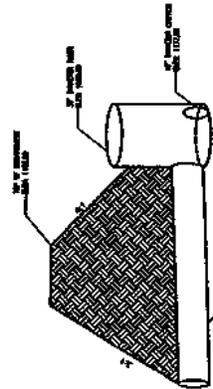
PROJECT NUMBER
 DATE: 08/05/2003
 0303000000

4 OF 5



GRADING NOTES

1. GRADES FOR EXISTING AND PROPOSED ARE SHOWN BY DASHED LINES. THE SETBACK DIMENSIONS ARE SHOWN BY SOLID LINES.
2. GRADES WILL BE ADJUSTED BEFORE ANY GRADING IN THE STATE RIGHT-OF-WAY IS DONE.
3. A REPORT TO DETERMINE WHETHER THE EXISTING RIGHT-OF-WAY WILL BE OBTAINED BEFORE ANY GRADING STARTS.



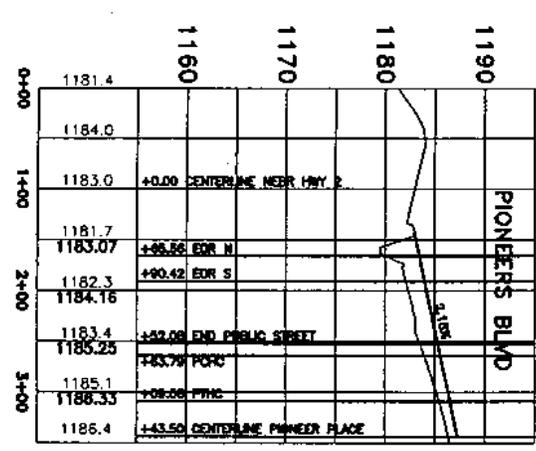
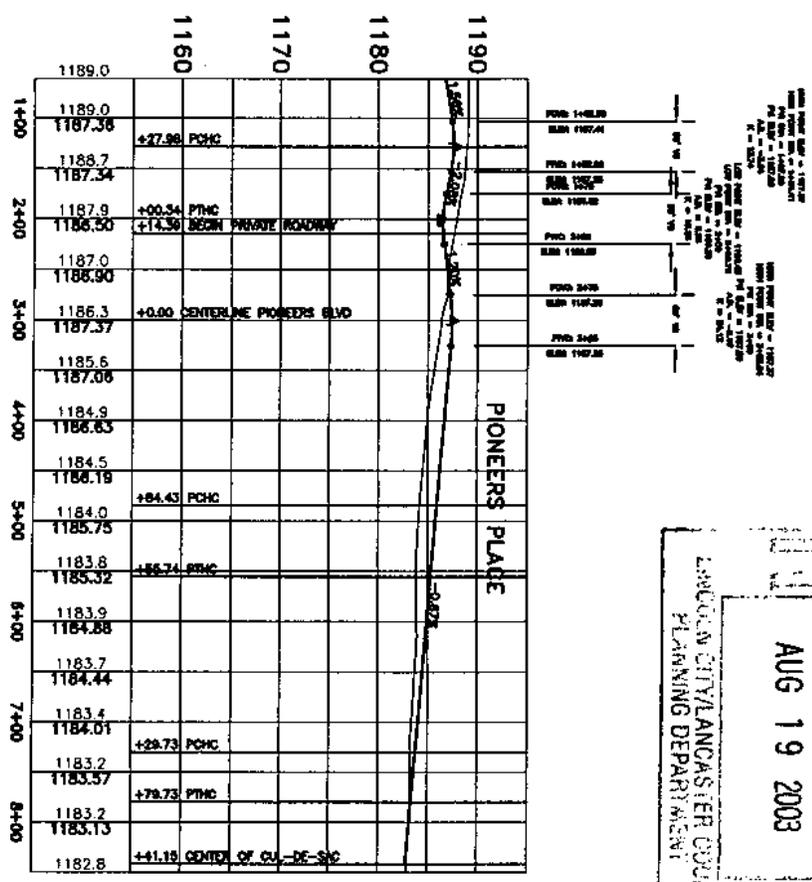
RETENTION BASIN OUTLET DETAIL
 IN SCALE

RECEIVED

AUG 19 2003

LINCOLN CITY/LANCASTER COUNTY
 PLANNING DEPARTMENT

RECEIVED
AUG 19 2003
LINCOLN CITY/LINCOLN COUNTY
PLANNING DEPARTMENT



BRANDT, CARSTENS & ASSOCIATES
LAND USE PLANNING
RESIDENTIAL & COMMERCIAL DESIGN

801 OLD CEMETARY ROAD
SUITE C
LINCOLN, NE 68513
PHONE: (402) 642-2424
FAX: (402) 642-2424
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PIONEERS
POINTE
PLAZA

CHANGE OF
ZONE
AND
USE
PERMIT

BOBWAY 2 &
PIONEERS BLVD,
LINCOLN, NE

STREET
PROFILES

SCALE: 1"=40'

PROJECT: BOBWAY
DEVELOPMENT

5 OF 5

M e m o r a n d u m

To: Brian Will, Planning Department
From: Chad Blahak, Public Works and Utilities
Subject: Pioneer Pointe Plaza Use Permit #152
Date: 7/09/03
cc: Randy Hoskins
Devin Biesecker

Engineering Services has reviewed the Use Permit #152 for Pioneer Pointe Plaza, located east of Nebraska Hwy #2 at Pioneers Blvd, and has the following comments:

Sanitary - The sanitary system is satisfactory contingent on the NDOR's review and approval of the use of its right of way for sanitary sewer construction.

A waiver for running sanitary sewer opposite street grade needs to be requested for sewer in Pioneers Place. Public works would support this waiver provided that sewer depth stays under the maximum 15' as per design standards.

Water - The water system for this plat is satisfactory.

Grading/Drainage - Grading is shown outside of the property line inside the NDOR right of way. State approval will have to be obtained in order to conduct grading activities in the right of way.

The proposed detention cell is located directly in front of an outlet for an existing 42" storm sewer. The proximity of the 42" outlet to the bank fo the cell velocities for the 42" outlet should be calculated and energy dissipation and/or bank stabilization measures will be required if the velocities prove to be erosive.

Although the detention calculations show that the proposed storm water discharge into the state right of way is less than or equal to the existing flow, a permit to discharge water into state right of way will still need to be obtained from the NDOR.

Streets - The intersection of Pioneers Blvd. and Hwy #2 will need to accommodate WB-50 vehicle movements from all four legs. The geometry shown is satisfactory for the preliminary plat, however, modifications will need to be made to the proposed and existing medians and end of returns during the intersection geometry design.

Hwy #2 will need to be completed, at the developers expense, prior to the opening of the east leg

Brian Will, Planning Department

Page 2

July 9, 2003

of the intersection.

The letter accompanying the application stated a requested waiver for street cross section, specifically eliminating the roadway crown. The grading plan shows a crowned section the entire length of the roadway. If this is the case the waiver is not needed.

General - The information shown on the special permit relating to the public water main system, public sanitary sewer system, and public storm sewer system has been reviewed to determine if the sizing and general method providing service is satisfactory . Design considerations including, but not limited to, location of water main bends around curves and cul-de-sacs, connection of fire hydrants to the public main, temporary fire hydrant location, location and number of sanitary sewer manholes, location and number of storm sewer inlets, location of storm sewer manholes and junction boxes, and th method of connection storm sewer inlets to the main system are not approved with this review. These and all other design considerations can only be approved at the time construction drawings are prepared and approved.

C:\Windows\TEMP\t.notesusr.city.ncsbjw\Pioneerpoint-memo.wpd

Memo



To: Brian Will, Planning Department

From: Mark Canney, Parks & Recreation

Date: July 1, 2003

Re: Pioneers Pointe Plaza CZ 3414

Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and have the following comments:

1. Please provide a graded platform for a 10" trail with a 20' trail easement.
2. It is recommended that the trail/trail easement parallel the property line on private property as much as possible.
3. Please use Kentucky Coffeetree as street tree along Highway 2.
4. Emerald Queen Maple struggles during establishment period. Please consider using Autumn Blaze Maple as an alternative.

If you have any additional questions, comments or concerns, please feel free to contact me at 441-8248. Thank you.

MOTIONS TO AMEND

USE PERMIT #152

~~1.1.4 A roadway cross section consistent with the waiver for staff to review.~~

~~3.2 The traffic signal and controller improvements at the intersection of
Pioneers Blvd and Highway 2 have been completed.~~

4.1 Before occupying any building, all development and construction shall have been completed in compliance with the approved plans, **including the traffic signal and controller improvements at the intersection of Pioneers Boulevard and Nebraska Highway 2.**

Notes:

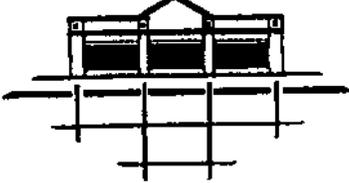
Condition 1.1.4 is no longer required.

Condition 3.2 is being added to condition 4.1 –“at the time of occupancy”

Condition 4.1 is being expanded to include condition 3.2

ITEM NO. 3.1a&b: CHANGE OF ZONE NO. 3414

(p.17 - Public Hearing - 7/23/03)



BRIAN D. CARSTENS AND ASSOCIATES
 LAND USE PLANNING RESIDENTIAL & COMMERCIAL DESIGN
 601 Old Cheney Road, Suite C Lincoln, NE 68512 Phone: 402.434.2424

cc: Planning Commission
 Dennis Bartels
 Rick Peo

July 21, 2003

Mr. Marvin Krout,
 Planning Director
 City of Lincoln/ Lancaster County
 555 South 10th Street
 Lincoln, NE 68508

RE: USE PERMIT #152- PIONEER POINTE PLAZA

Dear Marvin,

On behalf of the owners, we are requesting two additional waivers to the design standards for the above mentioned application.

1. Waiver to allow the sanitary sewer to run opposite of the street grade in Pioneers Place.
2. Waiver of public sidewalks on the West side of South 13th Street. We agree with staff to place the proposed bike path on the East side of South 13th Street. The Vermaas' are willing to contribute the equivalent cost of a 4 foot sidewalk along South 13th Street to be put towards construction of the bike path on the East side of South 13th Street.

Also, we are requesting a 2 week deferral in order to 're-advertise' the Use Permit with the additional above mentioned waivers.

Please feel free to contact me if you have any further questions.

Sincerely,

Brian D. Carstens

