City Council Introduction: **Monday**, November 19, 2012
Public Hearing: **Monday**, December 3, 2012, at **3:00** p.m.

Bill No. 12R-281

FACTSHEET

TITLE: **SPECIAL PERMIT NO. 06001B,** requested by Fox Hollow, LLC, for authority to amend the **Grand Terrace Community Unit Plan** to add 4.6 acres and up to 31 additional dwelling units, on property generally located at South 84th Street and Amber Hill Road.

STAFF RECOMMENDATION: Conditional Approval.

ASSOCIATED REQUESTS: Annexation No. 12004 (12-142) and Change of Zone No. 12027 (12-143).

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 10/03/12, 10/17/12 and 10/31/12
Administrative Action: 10/31/12

RECOMMENDATION: Conditional Approval, as amended (7-0: Hove, Lust, Francis, Gaylor Baird, Sunderman, Weber and Cornelius voting 'yes'; Butcher absent).

FINDINGS OF FACT:

1. This proposed amendment to Grand Terrace Community Unit Plan and the associated Annexation No. 12004 and Change of Zone No. 12027 were heard at the same time before the Planning Commission.

2. This is a request to expand the community unit plan by approximately 4.6 acres to allow up to 31 additional dwelling units, for a total of 539 units. The applicant is also requesting a waiver of the Design Standards for cul-de-sac bulb radius from 43.5' to 30'. The property is generally located at South 84th Street and Amber Hill Road.

3. The staff recommendation of conditional approval, including approval of the waiver of Design Standards, is based upon the "Analysis" as set forth on p.10-12, concluding that the proposed land use of attached single-family dwellings serves as an appropriate transition between the acreages adjacent to the west, and the apartment complex and South 84th Street to the north and east. This expansion also facilitates better traffic movement in the area by connecting Renatta Drive to Amber Hill Road via South 83rd Street, which provides a shorter route for northbound South 84th Street traffic. Subject to the conditions of approval, this request complies with the Zoning Ordinance and is an appropriate use of land at this location. The staff presentation is found on p.16-17.

4. The applicant's testimony is found on p.17-19, including proposed amendments to the conditions of approval (p.32). There was discussion about the separation from the underground natural gas pipeline to the east. The applicant is proposing a 200' separation, while the Health Department is recommending a 220' separation. It was explained that there are no design regulations in place that require a setback from the pipeline and that the Health Department calculation is a recommendation. The staff report accepts the 200' separation (See p.18 and 20-21).

5. Testimony in opposition is found on p.19-20. The concerns of the opposition include insufficient access points into the Grand Terrace development, resulting in traffic being diverted south into a 3-acre lot subdivision; lack of green space; and allowing 31 units as the transition next to an acreage development. The record also consists of five letters in opposition, three of which are from the Krombergs who testified in opposition (See p.33-41).

6. On October 31, 2012, the Planning Commission agreed with the staff recommendation and voted 7-0 to adopt Resolution No. PC-01307 (p.3-7), approving Special Permit No. 06001B, with conditions, including the amendments requested by the applicant, finding that the proposed use is reasonable in the context of the surrounding properties, and that the Future Land Use map reflects that the determination was made that urban residential is a good transition between the existing acreage land use and the proposed future commercial use. It was also noted that the applicant has made a good faith effort to locate the residential units as far from the pipeline as possible.

7. On October 31, 2012, the Planning Commission also voted 7-0 to recommend approval of the associated Annexation No. 12004 (Bill #12-142) and Change of Zone No. 12027 from AGR to R-3 (Bill #12-143)

8. On November 9, 2012, a letter of appeal was filed by Russ Kromberg, 8201 Amber Hill Road (p.2).

FACTSHEET PREPARED BY: Jean L. Preister **DATE**: November 13, 2012
REVIEWED BY: Marvin Krout, Director of Planning **DATE**: November 13, 2012
REFERENCE NUMBER: FS\CC\2012\SP06001B+ Appeal

FILED
CITY CLERK'S OFFICE
2012 NOV 9 AM 9 23
CITY OF LINCOLN
NEBRASKA

APPEAL

of Planning Commission action to City Council

Today's Date 11-8-12 (this form must be received by the City Clerk within 14 days of the action by the Planning Commission)

To: City Clerk
Joan Ross
555 S. 10th St., Ste. 103
Lincoln NE 68508
402-441-7436
jross@lincoln.ne.gov

Dear Clerk:

I am submitting this letter of appeal to Resolution No. PC-01307, adopted by the Lincoln-Lancaster County Planning Commission on (Date) Oct 31, 2012, approving Special Permit No. SP06001B on property generally located at South 84th & Amber Hill Rd.

Please advise me of the hearing date before the City Council.

Signature of person requesting appeal: Russ Kromberg

Printed Name Russ Kromberg

Address 8201 Amber Hill Rd. Lincoln, NE 68516
Street *City* *State* *ZIP*

Phone Number 402-560-2615

Email russk@neb.rr.com

cc: Planning Department
Jean Preister
555 S. 10th St., Ste. 213
Lincoln NE 68508
402-441-6365
jpreister@lincoln.ne.gov

Access this form on the web: http://www.lincoln.ne.gov/city/plan/databank/apforms/cityappeal.pdf
Updated: January 13, 2011

RESOLUTION NO. PC-01307

SPECIAL PERMIT NO. 06001B

WHEREAS, Fox Hollow, LLC has submitted an application designated as Special Permit No. 06001B for authority to amend the Grand Terrace Community Unit Plan to add 4.6 acres and up to 31 additional dwelling units, with a waiver of the Design Standards for cul-de-sac bulb radius from 43.5' to 30' on property generally located at South 84th Street and Amber Hill Road and legally described as:

> Lot 1, Amber Hill Estates 2nd Addition, Lancaster County, Nebraska;

WHEREAS, the Lincoln City-Lancaster County Planning Commission has held a public hearing on said application; and

WHEREAS, the community as a whole, the surrounding neighborhood, and the real property adjacent to the area included within the site plan for this amendment to the community unit plan will not be adversely affected by granting such a permit; and

WHEREAS, said site plan together with the terms and conditions hereinafter set forth are consistent with the Comprehensive Plan of the City of Lincoln and with the intent and purpose of Title 27 of the Lincoln Municipal Code to promote the public health, safety, and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Lincoln City-Lancaster County Planning Commission of Lincoln, Nebraska:

That the application of Fox Hollow, LLC, hereinafter referred to as "Permittee" to amend the Grand Terrace Community Unit Plan to add 4.6 acres and up to 31 additional dwelling units, on the property described above, be and the same is hereby granted under the provisions of Section 27.63.320 and Chapter 27.65 of the Lincoln Municipal Code upon condition that construction of said community unit plan be in substantial compliance with said application, the site plan, and the following additional express terms, conditions, and requirements:

1. This permit approves a 4.6 acres expansion of the Community Unit Plan and increases the total number of allowed dwelling units from 508 to 539 dwelling units, an increase of 31 dwelling units, and grants a waiver to the Design Standards to reduce cul-de-sac bulb radius from 43.5' to 30'.

2. Before receiving building permits or before a final plat is approved:

   a. The Permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including **5** copies with all required revisions as listed below:

      i. Revise General Note #12 to include the correct lots. Lots 16-20, Block 2, and Outlot G are not correct.

      ii Delete General Note #14.

      iii. Add General Note #24 which states, "Signs to be reviewed at the time of sign permit in accordance with the requirements of LMC Title 27."

      iv. Revise the Waivers Table by: Deleting Waiver #4; adding the waiver to cul-de-sac radius from 43.5' to 30'; and noting which blocks Waivers #2 and #3 apply to as previously approved.

v. Revise the apartment site layout by removing the detail shown and instead including the building and setback envelopes, and the number of units approved per AA#12028.

vi. Propose a name for the new private roadway.

vii. Show required right-of-way to be dedicated as noted by Public Works and Utilities.

viii. Show a pedestrian sidewalk connection from South 83rd Street to South 84th Street along the north edge of the detention cell through the cul-de-sac bulb or from the private roadway to Amber Hill Road.

ix. Add a general note which states, "The garage for the dwellings facing the private roadway shall be set back 22' from the back of the sidewalk. The sidewalk should be at least 8' from the curb along the private roadway.

b. The Permittee shall submit grading, drainage, and utility plans, including plans for improvements in Amber Hill Road to the satisfaction of Public Works and Utilities. The following improvements will be phased as follows:

i. Sidewalks and street trees on the west side of 83rd Street will be installed upon development of the land to the west. This property will be platted as an outlot for future development and deeded to the owner to the west.

ii. Urban curb and gutter segment on the south side of Amber Hill Road will be the responsibility of any future redevelopment of the land to the south.

iii. Urban curb and gutter segment and associated grading on north side of Amber Hill Road will occur once buildable lots are platted on this development.

iv. The water main in Amber Hill Road will not be constructed as part of this project, but the owner agrees to not object to a special assessment district for this improvement if it is proposed in the future.

v. That the water main in the private roadway will not be extended to the future water main in Amber Hill Road.

c. The property shall be annexed and appropriately re-zoned.

d. The construction plans shall substantially comply with the approved plans.

e. Final plats shall be approved by the City.

4. Before occupying the dwelling units all development and construction shall have been completed in substantial compliance with the approved plans.

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

6. The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.

7. The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.

8. The Permittee shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City 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 Permittee. Building permits will not be issued until the letter of acceptance has been filed.

9. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however the terms and conditions of all prior resolutions approving this permit shall remain in full force and effect as specifically amended by this resolution.

The foregoing Resolution was approved by the Lincoln City-Lancaster County Planning Commission on this 31 day of OCTOBER, 2012.

ATTEST:

/S/ Michael Cornelius
Chair

Approved as to Form & Legality:

Chief Assistant City Attorney

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for October 3, 2012 PLANNING COMMISSION MEETING

****As Approved, with conditions, as amended, by Planning Commission****
October 31, 2012

PROJECT #: Special Permit #06001B - Grand Terrace

PROPOSAL: A request to expand the Grand Terrace community unit plan (CUP) to allow up to an additional 24 dwelling units

LOCATION: South 84th Street and Amber Hill Road

LAND AREA: 4.6 acres more or less (area of expansion)

WAIVERS: 1. Reduce cul-de-sac radius design standard from 43.5' to 30'

CONCLUSION: The proposed land use of attached single-family dwellings serves as an appropriate transition between the acreages adjacent to the west, and the apartment complex and South 84th Street to the north and east. This expansion also facilitates better traffic movement in the area by connecting Renatta Drive to Amber Hill Road via South 83rd Street, which provides a shorter route for northbound South 84th Street traffic. Public Works and Utilities recommends approval of the lone waiver to Design Standards to reduce the cul-de-sac radius. Subject to the recommended conditions of approval, this request complies with the Zoning Ordinance and is an appropriate use of land at this location.

RECOMMENDATION: Conditional Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 1, Amber Hill Estates 2nd Addition, Lancaster County, Nebraska.

EXISTING ZONING: AGR Agricultural Residential

PROPOSED ZONING: R-3 Residential

SURROUNDING LAND USE AND ZONING:

North:	Multiple-family Residential under development	R-3
South:	Single-family residential	AGR
East:	Open Space	B-5
West:	Single-family Residential	AGR

EXISTING LAND USE: Single-family Residential

HISTORY:

JUN 2004 - CPA#04011, a Comprehensive Plan Amendment, was approved to change the land use designation in the Comprehensive Plan on the site of this proposed development from Low Density Residential to Urban Density Residential

MAR 2006 - AN#06001 was approved annexing approximately 70 acres of land, subject to the owner entering into an annexation agreement with the City of Lincoln.

MAR 2006 - CZ#06001 was approved changing the zoning from AG to R-3.

JAN 2006 - SP#06001 was approved for the Grand Terrace CUP.

APR 2012 - SP#06001A was approved for an expansion of the Grand Terrace CUP to include a three acre parcel adjacent to the north.

ASSOCIATED APPLICATIONS:

Annexation #12004 - A request to annex the subject 4.6 acre tract.
Change of Zone #12027 - A request to change the zoning of the subject tract from AGR to R-3.

COMPREHENSIVE PLAN SPECIFICATIONS:

Pg 2.7 - The community's present infrastructure investment should be maximized by planning for well-designed and appropriately-placed 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 existing neighborhoods, redevelopment of underperforming commercial areas into mixed use redevelopment areas that include residential, retail, office and entertainment uses, and encouraging a greater amount of commercial space per acre and more dwelling units per acre in new neighborhoods.

Pg 2.8 - Mixed use redevelopment, adaptive reuse, and well-designed and appropriately-placed infill development, including residential, commercial and retail uses, are encouraged. These uses may develop along transit routes, at major nodes, and near employment centers to provide residential opportunities for persons who do not want to or cannot drive an automobile.

Pg 7.1 - One of the essential elements of the community and LPlan 2040 is housing. Ensuring safe, adequate, and affordable housing is an important function in maintaining the vitality of neighborhoods and the city as a whole.

Pg 7.2 - Guiding Principles
-Promote sustainability and resource conservation by preserving and improving housing in existing neighborhoods.
-Distribute and preserve affordable housing throughout the community to be near job opportunities and to provide housing choices within existing and developing neighborhoods.
-Provide a wide variety of housing types and choices for an increasingly diverse and aging population.
-Provide flexibility to the marketplace in siting future residential development locations.

Pg 7.4 - Provide adequate spacing from pipelines and areas where hazardous chemicals could be used and stored; notify property owners and residents along the pipeline about hazards and emergency actions.

Pg 12.3 - The Future Land Use Plan identifies this area as Residential-Urban Density.

UTILITIES & SERVICES:

A. **Sanitary Sewer/Water:** Both utilities exist in the Grand Terrace development adjacent to the north and can be extended to serve this property. Water is currently provided by a private well, as the land is outside the boundary of the rural Water District. Upon annexation the well can continue to be used for domestic use (both household and irrigation) but will require an annual well permit.

B. **Roads:** The property is bounded on three side by public streets. To the north is Renatta Drive, a local street inside the city limit improved to City standards as part of the Grand Terrace development adjacent to the north. To the east is South 84th Street, an arterial street also inside the city limit improved to City standards Amber Hill Road. To the south is Amber Hill Road, an asphalt road outside the city improved to County standards. Renatta Drive has right-in, right-out only turning movements onto South 84th Street. Amber Hill Road is located at a median opening in South 84th Street and offers full-turning movement access. This request includes creating South 83rd Street which makes a connection between Renatta Drive and Amber Hill Road. The proposed dwelling units are accessed off both South 83rd Street and an unnamed private roadway.

C. **Fire Protection:** Fire protection is currently provided by the Southeast Rural Fire District. Once annexed by AN#12004, fire protection will be provided by Lincoln Fire Rescue.

ANALYSIS:

1. This is a request to expand the existing Grand Terrace community plan by approximately 4.6 acres. The applicant/owner is the same developer of the apartment complex to the north across Renatta Drive in the Grand Terrace community unit plan. With the associated applications both annexation of the subject tract, and a change of zone from AGR to R-3 are requested.

2. The proposed site plan shows 31 attached single-family dwelling units. Lots 1-10 front onto South 83rd Street, a public street. Lots 20-31 front onto an unnamed private roadway which terminates in a cul-de-sac at the southern end of the development. The only waiver requested is to the Design Standard for the radius of the cul-de-sac bulb, from 43.5' to 30. Provided no parking is allowed in the bulb, Public Works and Utilities is recommending approval of the request.

3. The impetus for this amendment at this time is so a public street can be created making a connection between Renatta Drive and Amber Hill Road. As public streets are typically created via the platting process after review and approval of preliminary plats (or by community unit plan or planned unit development in lieu of a preliminary plat), the City requested that the associated annexation and change of zone requests be delayed to allow all three applications to be considered by the Planning Commission at the same time. This allows the project to be viewed in the broader context of the overall development, and allows the applications to be considered during the same public hearing.

4. The South 83rd Street connection is intended to provide improved access for traffic from the apartment complex to the full median opening at Amber Hill Road at South 84th Street, and to provide a more direct route for traffic headed north on South 84th Street. Today, the apartment dwellers would need to travel west on Renatta Drive, south on South 80th Street, and then east on Amber Hill Road, or east on Renatta Drive and south on South 84th Street to Amber Hill Road, then east on Amber Hill Road to Amber Hill Court, then west on Amber Hill Court to South 84th Street. With the proposed street, cars would be able to exit the apartment complex and travel straight south using the proposed connection, then east to the Amber Hill Road/South 84th Street intersection.

5. Amber Hill Road is a paved asphalt street, not built to City standards. An urban level of development requires that it be improved. Public Works and Utilities recommends that it be improved to an urban cross-section with curb and gutter, and should also include standard grading of the north half of the right of way. They would allow the grading of the south one-half to be substandard, as full grading will be required to occur when the south half develops. This concept needs to be shown on the yet to be submitted grading and drainage plans, and approved as part of those plans.

6. In their comments the Health Department noted an underground, high-pressure gas pipeline located near the centerline of South 84th Street. The Health Department's calculated hazard area is 221' either side of the pipeline. In response to this concern the applicant revised the site plan during the review process by moving the detention to the south edge of the site, and by leaving open space along South 84th Street. The arrangement was intended to maximize the separation between the pipeline and the dwellings, which is now shown to be approximately 200'.

   There was a question initially regarding the location of the pipeline, as is noted in the Health Department's review comments. It appears that Black Hills Energy has updated their pipeline location map since the information was last provided to the City. Based upon the updated information, it appears the pipeline is located further east than initially thought, and results in the increased separation to the proposed development. The applicant has stated that the proposed layout provides the maximum separation possible, while still ensuring the site grading, drainage, and sanitary sewer function properly. In their revised comments dated 9/25/12, the Health Department acknowledges the updated pipeline location information, but still does not support development inside the calculated 221' hazard area.

7. A detailed grading and drainage plan has not yet been prepared, but is required. Public Works and Utilities had identified this deficiency in their review. Given the lack of requested waivers, they assume the plan will meet the applicable design standards. A condition that it must be approved before either final platting or building permits is included the recommendation.

8. The Future Land Map of the Comprehensive Plan designates urban density land uses for the subject property. As the city continues to grow and surround the acreages in this area, it is anticipated there will be additional voluntary annexation requests. Similar requests to annex and re-zone to allow higher density residential development which allow more efficient use of land and infrastructure would be consistent with the Comprehensive Plan. Additionally, the proposed R-3 zoning allows a range of uses compatible with the surrounding AGR zoning and acreage development.

9. Several minor corrections or revisions were noted during the review, and they are noted as recommended conditions of approval. This request complies with the Zoning Ordinance and Comprehensive Plan subject to the recommended conditions of approval.

CONDITIONS OF APPROVAL:

This approval allows expansion of the Grand Terrace CUP by approximately 4.6 acres for up to 31 additional dwelling units for a total of 539 units in the CUP with a waiver to the Design Standard for cul-de-sac bulb radius from 43.5' to 30'.

Site Specific:

1. The developer shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 5 copies with all required revisions and documents as listed below upon approval of the community unit plan before receiving building permits:

    1.1 Revise the plans as follows:

        1.1.1 Revise General Note #12 to include the correct lots. Lots 16-20, Block 2 and Outlot G are not correct.

        1.1.2 Delete General Note #14, it is not required.

        1.1.3 Add General Note #24 which states “Signs to reviewed at the time of sign permit in accordance with the requirements of LMC Title 27.”

        1.1.4 Revise the Waivers Table by: Deleting Waiver #4; adding the waiver to cul-de-sac radius from 43.5' to 30'; and, noting which blocks Waivers #2 and #3 apply to as previously approved.

        1.1.5 Revise the apartment site layout by removing the detail shown and instead including the building and setback envelopes, and the number of units approved per AA#12028.

        1.1.6 Propose a name for the new private roadway.

1.1.7 Show required right-of-way to be dedicated as noted by Public Works and Utilities.

1.1.8 Show a pedestrian sidewalk connection from South 83rd Street to South 84th Street along the north edge of the detention cell through the cul-de-sac bulb, or from the private roadway to Amber Hill Road.

1.1.9 Add a general note which states "The garage for the dwellings facing the private roadway shall be setback 22' from the back of the sidewalk. The sidewalk should be at least 8' from the curb along the private roadway.

1.2 Submit grading, drainage, and utility plans, including plans for improvements in Amber Hill Road to the satisfaction of Public Works and Utilities. <u>The following improvements will be phased as follows:</u>

<u>1.2.1 Sidewalks and street trees on the west side of 83rd Street will be installed upon development of the land to the west. This property will be platted as an outlot for future development and deeded to the owner to the west.</u>

<u>1.2.2 Urban curb and gutter segment on the south side of Amber Hill Road will be the responsibility of any future redevelopment of the land to the south.</u>

<u>1.2.3 Urban curb and gutter segment and associated grading on north side of Amber Hill Road will occur once buildable lots are platted on this development.</u>

<u>1.2.4 The water main in Amber Hill Road will not be constructed as part of this project, but the owner agrees to not object to a special assessment district for this improvement if it is proposed in the future.</u>

<u>1.2.5 That the water main in the private roadway will not be extended to the future water main in Amber Hill Road.</u>

General:

2. Before receiving building permits:

2.1 The property shall be annexed and appropriately re-zoned.

2.2 The construction plans shall comply with the approved plans.

2.3 Final plats shall be approved by the City.

Standard:

3. The following conditions are applicable to all requests:

   3.1 Before occupying the dwelling units all development and construction shall have been completed in compliance with the approved plans.

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

   3.3 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.

   3.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.

   3.5 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefore to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.

4. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Prepared by:

Brian Will, 441-6362, bwill@lincoln.ne.gov
September 19, 2012

OWNER/ APPLICANT: Fox Hollow, LLC
3409 Golf View Drive
Norfolk, NE 68701
402-372-7808

CONTACT: Mike Eckert
Civil Design Group
8535 Executive Woods Drive
Lincoln, NE 68512
402-434-8494

ANNEXATION NO. 12004
CHANGE OF ZONE NO. 12027
and
SPECIAL PERMIT NO. 06001B

PUBLIC HEARING BEFORE PLANNING COMMISSION: September 5, 2012

Members present: Gaylor Baird, Butcher, Cornelius, Francis, Hove, Lust, Sunderman and Weber.

Staff recommendation: Approval, subject to submittal of a preliminary plat or community unit plan.

There were no ex parte communications disclosed.

The Clerk announced that the applicant has requested a deferral of the public hearing until October 3, 2012.

Francis moved deferral, with continued public hearing and action scheduled for October 3, 2012, seconded by Lust and carried 8-0: Gaylor Baird, Butcher, Cornelius, Francis, Hove, Lust, Sunderman and Weber voting 'yes'.

There was no public testimony.

CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION October 3, 2012

Members present: Hove, Sunderman, Gaylor Baird, Francis, Lust, Weber and Cornelius; Butcher absent.

Staff recommendation: Approval of the annexation and change of zone; conditional approval of the amendment to the special permit.

There were no ex parte communications disclosed.

Mike Eckert of Civil Design Group appeared on behalf of **Fox Hollow LLC,** the owner of the lot in question, and requested a two-week deferral due to some discussions that the applicant continues to have with staff related to the conditions of approval in the community unit plan.

Lust moved to defer, with continued public hearing and action scheduled for October 17, 2012, seconded by Francis and carried 7-0: Hove, Sunderman, Gaylor Baird, Francis, Lust, Weber and Cornelius voting 'yes'; Butcher absent.

There was no other public testimony.

CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION: October 17, 2012

Members present: Butcher, Francis, Lust, Hove and Cornelius; Sunderman, Weber and Gaylor Baird absent.

The Clerk announced that the applicant has requested an additional two-week deferral of the public hearing.

Lust moved to defer, with continued public hearing and action scheduled for Wednesday, October 31, 2012, seconded by Francis and carried 5-0: Butcher, Francis, Lust, Hove and Cornelius voting 'yes'; Sunderman, Weber and Gaylor Baird absent.

There was no public testimony.

CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION: October 31, 2012

Members present: Lust, Francis, Gaylor Baird, Sunderman, Weber, Hove and Cornelius; Butcher absent.

Staff recommendation: Approval of the annexation and change of zone, and conditional approval of the amendment to the CUP.

There were no ex parte communications disclosed.

Staff presentation: **Brian Will of Planning staff** explained that these three applications represent an amendment to the existing CUP adding a 4.6-acre parcel located northwest of Amber Hill Road and South 84th Street. The proposed site plan shows up to 24 units. The Future Land Use map shows this area as future urban residential with the commercial across the street. Will reviewed the proposed site plan which shows South 83rd Street connecting from Renatta Drive to Amber Hill Road and then internally the development of 31 lots being served by what is currently an unnamed private road.

Will pointed out that there is a waiver to design standards requested for the radius of the cul-de-sac. In reducing that radius, Public Works is supportive provided there is no parking on the cul-de-sac.

Will also pointed out that the Health Department noted the proximity of the property to the existing high pressure gas line. The separation from that gas line to the rear of the proposed structures is 200'. Based upon their calculations, the Health Department is recommending a separation of 220'. The Planning staff is still supportive of the application with the 200' separation because the applicant has revised the site plan to the extent possible to maintain the 200' separation. The applicant is providing as much separation as they can and staff is recommending approval, subject to conditions.

Francis inquired whether the 2030 Future Land Use map showed the same designation. Will believes the amendment was actually to the 2030 Plan and brought forward in the 2040 Plan.

Lust inquired about notification to property owners about the proximity of the gas line. Will acknowledged that there is no regulatory notification. He suggested that there are signs or markers

along the gas line location and they are typically in an undeveloped area. There is no requirement that there be some written notice or as part of the deed or covenants. It will be shown on the site plan and any approved plans for the CUP, which will be recorded and part of the public record.

Gaylor Baird asked how the Planning staff wrestled with the Health Department recommendation, i.e. at what point was the Planning Department uncomfortable with the separation? Will stated that it is reaching a point where we have a comfort level. The original plan did not provide as much separation. Staff worked with the applicant to modify the site plan to the extent possible, while providing the same number of units. Staff believes that 200' gets pretty close to the ultimate goal. It is not a hard and fast standard, but a calculation that provides a goal. The language is more "to the extent possible", and staff believes the 200' meets the intent of the language.

Proponents

1. Mike Eckert of Civil Design Group appeared on behalf of **Fox Hollow LLC,** the owner of the property that is a part of this amendment. He expressed appreciation to the Commission for allowing the previous deferrals, which gave the developer an opportunity to go back to the drawing board to look at some things differently on the site plan and potential changes in 84th Street; however, they ended up back exactly where they were before the deferrals.

Eckert stated that this piece of property was purchased by the owners of the apartment complex that is being built to the north of Renatta Drive. Fox Hollow, LLC, purchased the property with the intent of putting in a street to extend down to Amber Hill Road. This was shown in general concept in the approved CUP in 2006. This street will be constructed between 84th and 80th and will comply with block length. The applicant began this process with this 5-acre parcel in order to put in the road to a full access intersection. Then staff wanted more detail. At one point, the neighbors were shown three 25-plexes. The plan now is to develop "duplex-style" – some two-plexes, some four-plexes; two-story maximum height. The duplexes will front on 83rd Street and some on the private roadway. The detention has been modified such that in the future, there will be a detention cell which will be green space and lower than the existing grade of Amber Hill Road.

Eckert also observed that they worked with the neighbor to leave an outlot to preserve some trees. They also met with neighbors to the south about extra trees on their properties when the road is constructed.

Eckert submitted proposed amendments to the conditions of approval to which he believes staff is in agreement:

1.2 Submit grading, drainage, and utility plans, including plans for improvements in Amber Hill Road to the satisfaction of Public Works and Utilities. The following improvements will be phased as follows:

1.2.1 Sidewalks and street trees on the west side of 83rd Street will be installed upon development of the land to the west. This property will be platted as an outlot for future development and deeded to the owner to the west.

1.2.2 Urban curb and gutter segment on the south side of Amber Hill Road will be

the responsibility of any future redevelopment of the land to the south.

1.2.3 Urban curb and gutter segment and associated grading on north side of Amber Hill Road will occur once buildable lots are platted on this development.

1.2.4 The water main in Amber Hill Road will not be constructed as part of this project, but the owner agrees to not object to a special assessment district for this improvement if it is proposed in the future.

1.2.5 That the water main in the private roadway not be extended to the future water main in Amber Hill Road.

Eckert advised that this property is being brought in as a R-3 CUP. The density on a typical R-3 CUP is 6.96 units per acre, or, in this case, 32 lots on 4.6 acres. This proposal promotes one less unit than what is allowed in the standard R-3. It will be owned by the owners of the apartment complex, but the density is equivalent to R-3 CUP residential density. They want to get the road built and will come back at some point and do a final plat.

Lust inquired how soon the developer anticipates building the 32 units. Eckert stated that the developer is going through a phasing in the apartment complex – one phase next year and the next in 2014. It would be after that that they would anticipate building this area. This also provides some diversity of units. The road will be built as soon as possible. It will be a fully conforming paved road done by standard executive order.

Gaylor Baird asked Eckert to explain why the Commission should disregard the recommendation of the Health Department with regard to the gas line. Eckert suggested that it is a recommendation based on a formula that in his understanding is not widely accepted across the country as far as a standard that we have to deal with. It was only three months ago that the developer realized the proximity of the gas line. The developer did revisit the site plan and layout and did do some things differently and made the effort. They even considered putting the roadway in that setback area, but the sewering was then going to be problematic. Eckert believes this development has come a long way in this regard, now generally providing a 200' separation, while Health wants 220'. Eckert reiterated that there is nothing in the subdivision regulations or standards that require this setback. There is no easement for it. There is nothing of record on the property.

Weber referred to Renatta Drive and asked whether the developer ever discussed bringing Renatta Drive out and making an intersection on 84th Street. Eckert explained that part of the delay was to meet with the city to discuss a potential roundabout there, which would require relocating some streets. Public Works determined that it was not the optimum place due to several factors, and Public Works is waiting to make decisions on roundabouts in relation to the Access Management policy that was just passed. They wanted to look at the intersection on Amber Hill for a roundabout, which at least provides a safer u-turn movement. From a design perspective it did not work well on Renatta. The streets need to be loaded equally from all four sides. Weber wondered about a stop light, doing away with 83rd Street and moving the whole development to the west to give more space to the gas line. Eckert observed that for over 10 years before the Access Management standards were passed, signals have been focused on the 1/4 mile. This was closer to 1/8 mile.

Opposition

1. Russ Kromberg, 8201 Amber Hill Road, testified in opposition. In 2006, Grand Terrace was approved with the condition that there would ultimately be at least three other access points to this development besides Renatta Drive and South 84th Street. As of now, there are only two access points. All of this traffic flows out Amber Hill Road, and they either have to make a u-turn or they have to do a right turn to head north at 84th & Amber Hill Road. The original plan showed one exit going to the north through Portsche Heights and one to the west at around 75th Street. As of now, these accesses have not happened and there is no plan to make them happen, so we are ultimately going to have all of the traffic coming out one exit. To help ease that, the developer wants to put 83rd Street in there, but Kromberg does not believe that is going to help the traffic. It will still come out the same area. This development needs more access points.

In a letter dated January 5, 2005, from Engineering Design Consultants to the Planning Department it read, "The developer has worked diligently with the surrounding homeowners to bring forward a development that meets the City of Lincoln's goals for residential density and is conducive to the existing homes." That original developer, Steve Champoux, did do that, including a payment of $285,000 towards paving the roads.

The annexation policy of the Comprehensive Plan states that the character of existing residential areas should be respected as much as possible. When low density acreage areas are proposed for annexation, additional steps should be taken to ease the transition as much as possible, such as public meetings, notices, etc. Kromberg does not believe putting 31 units up next to an acreage development eases the transition.

Kromberg then referred to the pile of dirt depicted in a photograph sent by Kristy Kromberg. That pile of dirt is still there; however, it has been moved to the north. He does not know how long it is going to be there. He has not had any communication with the developer on that.

Kromberg stated that he understands that this area will be developed in the near future and he is on-board with that, but he does have an issue with 83rd Street going right into his driveway. There will be 200+ cars traveling down there with lights coming into his house.

Kromberg also expressed concern about green space. The only green space will be the detention cells, which is going to be smaller than a normal cul-de-sac with no parking. If two of the units have a party, there will be people parking on Amber Hill Road, which means it should have curb and gutter and sidewalks.

Kristy Kromberg is concerned about the huge volume of traffic being diverted south onto a 3-acre lot subdivision.

Staff questions

Weber asked for confirmation about the access points for the entire CUP. Will stated that there are multiple connections in and out of the development in the overall approved plan for Grand Terrace, acknowledging that some will occur in the future. There is a connection to the north coming forward. It is true that the whole development has not yet been platted so not all of the streets have

been constructed. As the development is platted and additional lots are created and homes are built, those connections will be made. There is one connection dependent upon the acreage lots to the west being developed, but there are multiple connections planned and shown in the CUP. Will concurred that there are only two outlets at this time because there is only a portion of the development that has been platted.

Will observed that what is driving this application is building the street connection down to Amber Hill Road and South 84th Street.

Weber wondered whether there are any benchmarks for when more outlets have to be built. Will believes that is up to the developer and the market demand.

Lust inquired about what is now developed. Will stated that the apartment buildings are under construction now. Will then showed on the map what has been final platted but not yet fully built out with homes.

Gaylor Baird inquired more about whether this is an appropriate transition from the land to the east. Why does the Planning Department believe this is an appropriate transitional change of zone? Will referred to the Future Land Use map which shows the urban density designation. The area designated as low density residential is not an attempt to represent a desire but more than anything, it merely recognizes the acreages that exist. The Planning staff does not see an inherent conflict between the lower density and the acreages next door to residential. There is not an inherent incompatibility – it is residential next to residential. Given the location, Will would suggest that it is just a matter of time before this area is developed in a like manner that Grand Terrace is developing, and staff will find that to be consistent with the Comprehensive Plan. It will make better use of infrastructure as that area develops. The future is going to be urban residential for this area. The area designated as commercial was part of the rationale for making the change to urban residential.

Will agreed with the applicant's proposed amendments to the conditions of approval.

Sunderman inquired whether there are any design regulations that require a setback from the pipeline. Will stated that there is nothing in the Lincoln Municipal Code that regulates or requires some specific setback from those facilities. The Health Department calculation is a recommendation.

Francis assumes that there are currently other subdivisions that are closer than 200' to a gas line. Will concurred. A classic example is one mile north in Vintage Heights.

Cornelius wondered where the discussion stands about imposing some sort of requirement or regulations with regard to proximity to the pipelines. Will believes that there was a report from the Joint City-County Planning Commission and the Board of Health suggesting some guidelines. The calculation of the Health Department is taken into consideration – it is not treated as a hard and fast standard – but to the extent we can achieve that goal, that is what we intend to do.

Lust remembers some briefings where the Health Department was going to advise the Commission of some guidelines. The process Will previously discussed occurred longer ago. There was some

discussion a few years ago where the issue was revisited and there was discussion about formulating some standards, but that has not been done.

Response by the Applicant

Eckert addressed the concerns of the opposition by talking about the connection points. His firm has been directed by the developer to begin the next phase of development of 30 lots; however, only 6 are currently under purchase agreement. Sewer and water will be brought in from Highway 2 in the next phase. The next phase after the water and sewer will require a connection for those on the western part. We've got 80th Street and 83rd Street, but we must not overlook that eventually people can get to 70th Street. Not all of the traffic will be going up to 84th Street. Part of the reason the developer was asked to pay $285,000 for the roads was that Portsche Lane and Amber Hill Road were paved to an 8" asphalt standard rather than 6" anticipating that urban residential use. There has been some foresight in how that would be handled and traffic can go both directions. The two connections meet the typical fire, safety, and access standards.

Eckert purported that this development does comply with the Comprehensive Plan in that it provides some green space with the detention cells, as well as an attempt to stay away from the pipeline as far as possible, even though not a required standard. At one point the distance was 120' and they have been able to bring that to 200'. "When there is not a design standard, you do what you can", and Eckert believes they have done so.

Eckert further observed that this application follows the CUP by putting in the road and it follows the Comprehensive Plan by putting in urban residential. The developer has worked some of the design issues out with staff and it is adjacent to a major arterial.

Lust inquired about the Portsche access which the Krombergs are concerned has not occurred. Eckert explained that it was modified. The note on the 2006 site plan said to either take access to Portsche Lane or provide some other access to Portsche Lane. So when that amendment to the CUP was done, it was determined that the access would go "here" (pointing to the map). That property owner of that 5-acre parcel was the applicant on the CUP and has shown that as a future right-of-way. That is where the sewer and water will come through for the next phase and that road connection will not be made. That connection would be determined by that landowner at the time he decides to subdivide his property.

ANNEXATION NO. 12004
ACTION BY PLANNING COMMISSION: October 31, 2012

Francis moved approval, seconded by Hove.

In looking at the Future Land Use map, Cornelius believes this is a reasonable use of the property in the context of the surrounding properties. It is intended to be urban residential and is actually forming a transition between commercial to the east and north and the acreages that are currently existing. The acreages as shown on the Future Land Use map reflect not necessarily the future intended use but the existing use. As the planning process looked at this area, it was determined that urban residential made a good transition between that existing acreage land use and the proposed future commercial. For that reason alone, this is a reasonable plan for this area.

Motion for approval carried 7-0: Hove, Lust, Francis, Gaylor Baird, Sunderman, Weber and Cornelius voting 'yes'; Butcher absent. This is a recommendation to the City Council.

CHANGE OF ZONE NO. 12027
ACTION BY PLANNING COMMISSION: October 31, 2012

Francis moved approval, seconded by Lust and carried 7-0: Hove, Lust, Francis, Gaylor Baird, Sunderman, Weber and Cornelius voting 'yes'; Butcher absent. This is a recommendation to the City Council.

SPECIAL PERMIT NO. 06001B
ACTION BY PLANNING COMMISSION: October 31, 2012

Lust moved to approve the staff recommendation of conditional approval, with the amendments proposed by the applicant, provided that Condition #1.2.5 reads, "That the water main in the private roadway will not be extended to the future water main in Amber Hill Road.", seconded by Francis.

Cornelius indicated that his comments on the annexation apply to this application as well. Of particular concern was the proximity of the high pressure natural gas pipeline to the east. What he has concluded as a result of this discussion is that it might be worth the effort to revisit that discussion to see if we can come up with some kind of standards to apply in these situations. The Health Department recommendation is not a standard but is generated based on formulas. Cornelius makes his livelihood off of basing things on formulas so puts a lot of stock in them, but he will support this application because of the good faith effort made on the part of the developer to locate the residential units as far from the pipeline as possible.

Motion for conditional approval, as amended, carried 7-0: Hove, Lust, Francis, Gaylor Baird, Sunderman, Weber and Cornelius voting 'yes'; Butcher absent. This is final action unless appealed to the City Council within 14 days.

2010 aerial

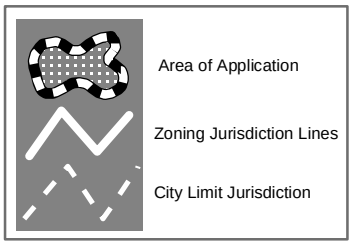
Special Permit #06001B
S 84th St & Amber Hill Rd

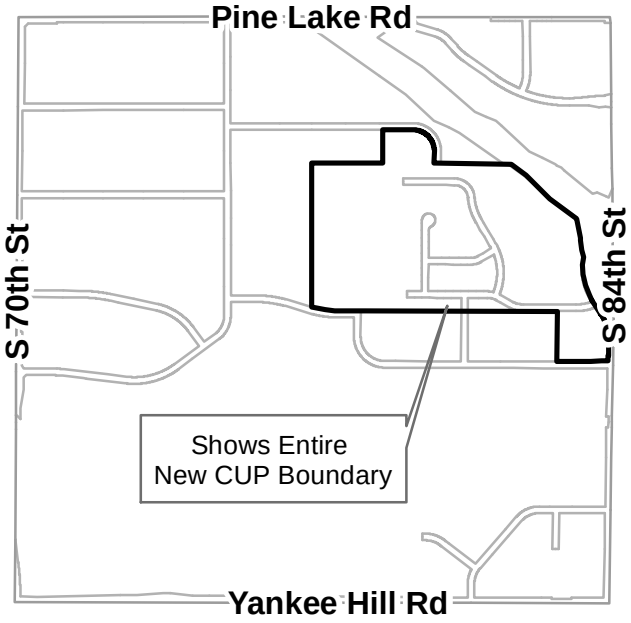
Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential 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

m:\plan\arcview\Agendadrawings.mxd (SP06001B)

One Square Mile
Sec. 22 T09N R07E





GRAND TERRACE AMENDED COMMUNITY UNIT PLAN

GENERAL SITE NOTES

1. LOT DIMENSIONS SHOWN ARE APPROXIMATE AND MAY VARY UP TO 10 FEET.
2. ALL DIMENSIONS ALONG CURVES ARE CHORD DISTANCES.
3. EASEMENTS AS SHOWN SHALL BE GRANTED FOR PUBLIC USE AND FOR SIDEWALKS. ALL SIDEWALKS ADJACENT TO STREETS ARE TO BE IN PUBLIC R.O.W. EXCEPT AS NOTED ALL OTHER WALKS ARE TO BE IN PEDESTRIAN EASEMENTS. PEDESTRIAN EASEMENTS TO BE 5 FEET WIDE IN PEDESTRIAN AREAS AND BIKE PATH EASEMENTS ARE TO BE 20 FEET WIDE. ALL SIDEWALKS ARE TO BE 4 FEET WIDE AND BIKE PATHS ARE TO BE 8 TO 10 FEET WIDE.
4. SANITARY SEWER AND WATER LINES TO BE 8 INCH PIPE AND 6 INCH PVC PIPE RESPECTIVELY UNLESS OTHERWISE SHOWN AND TO BE BUILT TO CITY OF LINCOLN SPECIFICATIONS.
5. ALL ELEVATIONS ARE BASED ON NAVD 1988 DATUM.
6. WITH EXCEPTION OF INSTALLATION, REPAIR AND DEVELOPMENT OF ROAD IMPROVEMENTS, STORM WATER AND DRAINAGE IMPROVEMENTS, UTILITIES, PEDESTRIAN SIDEWALKS, AND TRAILS APPROVED WITH A PLAT OR COMMUNITY UNIT PLAN, ALL WETLANDS ON THE SITE NOT SHOWN TO BE MITIGATED ARE TO BE PRESERVED SUBJECT TO ANY WETLANDS IMPROVEMENT OR WETLANDS EXPANSION. THE WETLANDS, NATURAL DRAINAGE WAYS, AND FLOOD CORRIDOR SHOWN ON THE GRADING AND DRAINAGE PLAN SHALL BE PROTECTED AND PRESERVED AND FUTURE MAINTENANCE AND STORM WATER/DRAINAGE IMPROVEMENTS CARRIED OUT WITH MINIMUM IMPACT.
7. THE WETLANDS, NATURAL DRAINAGE WAYS AND FLOOD CORRIDOR SHOWN ON THE GRADING AND DRAINAGE PLAN SHALL BE PROTECTED AND PRESERVED SUBJECT TO GENERAL NOTE 12 AND FUTURE MAINTENANCE AND STORM WATER/DRAINAGE IMPROVEMENTS CARRIED OUT WITH MINIMUM IMPACT.
8. FINAL DESIGN FOR GRADING OF THE OPEN DITCHES AND DETENTION FACILITIES SHALL CONFORM TO THE CITY OF LINCOLN DESIGN STANDARDS REQUIRING PROVISIONS TO LIMIT DEGRADATION OF THE CHANNEL AND TO MAINTAIN A STABLE SLOPE BASED ON URBANIZED RUNOFF FROM THE WATERSHED.
9. ANY CONSTRUCTION CHANGES OR GRADE CHANGES IN L.E.S. TRANSMISSION LINE EASEMENT CORRIDOR ARE SUBJECT TO L.E.S. APPROVAL AND MUST BE IN ACCORDANCE WITH L.E.S. DESIGN AND SAFETY STANDARDS.
10. ANY RELOCATION OF EXISTING L.E.S. FACILITIES WILL BE AT THE DEVELOPERS EXPENSE.
11. EVES, OVERHANGS, WINDOW SWINGS, DOOR SWINGS, AIR CONDITIONER UNITS ETC. MAY ENCROACH OVER THE SETBACK LINES. ENCROACHMENTS ARE NOT ALLOWED OVER PROPERTY LINES AND MUST CONFORM TO BUILDING AND LIFE SAFETY CODES.

SITE SPECIFIC NOTES

1. THE EXISTING ZONING IS AG. THE PROPOSED ZONING IS R-3
2. TOTAL USAGE TABLE
   a. SINGLE FAMILY LOTS - 187
   b. APARTMENTS - 200
   c. SINGLE FAMILY ATTACHED LOTS - 31
   d. OUTLOTS - 8
   e. TOTAL BLOCKS - 10
   f. TOTAL LOTS - 218
   g. TOTAL UNITS - 418
3. OUTLOTS AND USE
   a. OUTLOT "A" - DETENTION / WETLANDS / OPEN SPACE / BLANKET UTILITY EASEMENT
   b. OUTLOT "B" - OPEN SPACE / BLANKET UTILITY EASEMENT
   c. OUTLOT "C" - DETENTION / FUTURE DEVELOPMENT
   d. OUTLOT "D" - DETENTION / WETLANDS / OPEN SPACE / BLANKET UTILITY EASEMENT
   e. OUTLOT "E" - FUTURE DEVELOPABLE AREA TO BE ADDED TO LOT 5, BLK 1, PORTSCHE HT. 3RD
   f. OUTLOT "F" - PUBLIC PARK / BLANKET UTILITY EASEMENT
   g. OUTLOT "G" - ACCESS TO PUBLIC PARK (TO BE DEEDED TO CITY OF LINCOLN)
   h. OUTLOT "H" - OPEN SPACE/BLANKET UTILITY EASEMENT
4. LOTS 1-8, BLOCK 1 AND LOTS 1-4, BLOCK 7 SHALL HAVE 25' FRONT YARD SETBACKS, 10' SIDE YARD SETBACKS, A MINIMUM LOT AREA OF 9,000 S.F. AND BE LIMITED TO TO SINGLE FAMILY DWELLINGS. LOT 30, BLOCK 7 SHALL HAVE A 35' APARTMENT BUILDING SETBACK AND A 20' SITE SETBACK WHICH INCLUDES EVERYTHING EXCEPT THE APARTMENT BUILDING.
5. LOTS AND USE TABLE
   a. LOTS 1 - 8, BLK 1 - SINGLE FAMILY
   b. LOTS 1 - 16, BLK 2 - SINGLE FAMILY
   c. LOTS 1 - 22, BLK 3 - SINGLE FAMILY
   d. LOTS 1 - 28, BLK 4 - SINGLE FAMILY
   e. LOTS 1 - 48, BLK 5 - SINGLE FAMILY
   f. LOTS 1 - 12, BLK 6 - SINGLE FAMILY
   g. LOTS 1 - 29, BLK 7 - SINGLE FAMILY
   h. LOTS 30, BLK 7 - APARTMENT UNITS
   i. LOTS 1 - 16, BLK 8 - SINGLE FAMILY
   j. LOTS 1 - 2, BLK 9 - SINGLE FAMILY
   k. LOT 1-31, BLK 10 - SINGLE FAMILY ATTACHED
6. C.U.P. DENSITY CALCULATIONS

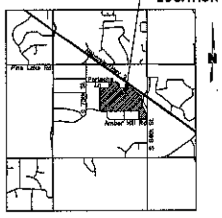
ZONE	TOTAL ACRES	MULTIPLIER	NUMBER OF UNITS
R-3	69.70	6.98	485
TOTAL PREVIOUSLY APPROVED UNITS			485
ZONE	TOTAL ACRES	MULTIPLIER	NUMBER OF UNITS
R-3	3.31	6.98	23
TOTAL APPROVED UNITS			508
ZONE	TOTAL ACRES	MULTIPLIER	NUMBER OF UNITS
R-3	4.59	6.88	31
TOTAL APPROVED UNITS			539

TOTAL UNITS USED 418
TOTAL UNASSIGNED UNITS 121

7. ALL SINGLE FAMILY LOTS ABUTTING THE OPEN CHANNEL IN OUTLOT 'A' SHALL HAVE A MINIMUM OPENING ELEVATION OF 1 FOOT ABOVE THE 100 YEAR FLOOD ELEVATION, AS SHOWN ON THE GRADING AND DRAINAGE PLAN SHEET.
8. BLANKET UTILITY EASEMENTS ARE GRANTED ON OUTLOTS A, B, D, F, G AND H.
9. DIRECT VEHICULAR ACCESS TO S. 84TH STREET IS RELINQUISHED EXCEPT WHERE SHOWN.
10. DIRECT VEHICULAR ACCESS TO HWY 2 IS RELINQUISHED.
11. SINGLE FAMILY LOTS MAY BE USED AS A TWO-FAMILY LOT PROVIDED THAT THE LOT MEETS THE MINIMUM LOT AREA REQUIREMENT FOR A TWO-FAMILY LOT LOCATED IN THE R-3 ZONE.
12. LOT 18-27, BLOCK 3 (SHOWN AS OUTLOT 'C') AND LOT 1, BLOCK 1 SHALL BE FINAL PLATTED AS AN OUTLOT UNTIL THE BEAL SLOUGH TRUNK SEWER IS MADE AVAILABLE FOR USE.
13. THE SITE LAYOUT OF THE MULTI-FAMILY AREA MUST BE APPROVED BY ADMINISTRATIVE AMENDMENT PRIOR TO FINAL PLAT.
14. OUTLOT "F" SHALL BE USED AS A PUBLIC PARK FOR THE DEVELOPMENT. SPECIFIC PLAN FOR PARK AND LANDSCAPE PLAN TO BE SUBMITTED AT TIME OF THE FINAL PLAT FOR LOTS 27 - 44, BLOCK 5.
15. DEVELOPER RESERVES THE RIGHT TO USE ALL REMAINING UNASSIGNED UNITS.
16. OUTLOT 'B' SHALL BE SUBJECT TO ROAD DEDICATION EASEMENT IN FAVOR OF THE CITY OF LINCOLN. IN EVENT THE REDEVELOPMENT OR SUBDIVISION OF A TRACT OF LAND ADJOINING OUTLOT "B" ("PARCEL") THE CITY MAY REQUIRE THE DEDICATION OF A ROAD ACROSS OUTLOT "B" IN ONE OR MORE LOCATION TO ENABLE A PARCEL TO CONNECT TO RENATTA DRIVE. THIS DEDICATION REQUIREMENT SHALL BE SUBJECT TO THE OBLIGATION OF THE OWNER OF THE PARCEL TO REIMBURSE THE OWNER OF OUTLOT 'B' ALL OF THE COST AND EXPENSES REASONABLY INCURRED IN THE DEDICATION OF THE ROAD TOGETHER WITH AN AMOUNT REFLECTING A FAIR PORTION OF ANY VALUE ADDED TO THE PARCEL BY MAKING THE CONNECTION TO RENATTA DRIVE.
17. OUTLOT 'B' SHALL BE SUBJECT TO SANITARY SEWER DEDICATION EASEMENT IN FAVOR OF THE CITY OF LINCOLN. IN THE EVENT THE REDEVELOPMENT OR SUBDIVISION OF A TRACT OF LAND ADJOINING OUTLOT "B" ("PARCEL") THE CITY MAY REQUIRE THE DEDICATION OF A SANITARY SEWER EASEMENT ACROSS OUTLOT 'B' IN ONE OR MORE LOCATIONS AT NO COST TO THE CITY.
18. CONTRACTORS SHALL MAKE BEST EFFORTS TO USE RENATTA DRIVE AND SOUTH 84TH STREET AS THE SOLE ENTRANCE AND EXIT WHILE CONSTRUCTING ALL PHASES OF THE GRAND TERRACE DEVELOPMENT.
19. THE PORTIONS OF LOT 16 I.T. ABUTTING LOT 5, BLOCK 1, PORTSCHE HEIGHTS 3RD ADDITION AND LOT 2, PORTSCHE HEIGHTS 4TH ADDITION SHALL BE PLATTED AS TWO OUTLOTS TO BE DEEDED TO THE OWNERS OF THE ABUTTING AFOREMENTIONED LOTS AT NO COST AT THE TIME THE ADJACENT PROPERTY WITHIN THE GRAND TERRACE CUP IS PLATTED.
20. THE TWO OUTLOTS CREATED FROM LOT 16 I.T. SHALL BE MADE PART OF DEVELOPABLE LOTS AT THE TIME LOT 5, BLOCK 1, PORTSCHE HEIGHTS 3RD ADDITION AND LOT 2, PORTSCHE HEIGHTS 4TH ADDITION ARE PLATTED AND SUBDIVIDED.
21. ALL REQUIRED SCREENING AND LANDSCAPING TO BE PROVIDED AT THE TIME OF BUILDING PERMITS.
22. PARKING IS TO BE PROVIDED IN COMPLIANCE WITH TITLE 27 AND CITY OF LINCOLN DESIGN STANDARDS AT TIME OF BUILDING PERMIT.
23. THE GRADING AND DRAINAGE DETAILS FOR BLOCK 10 WILL BE DONE BY ADMINISTRATIVE AMENDMENT PRIOR TO FINAL PLATTING TO THE SATISFACTION OF PUBLIC WORKS AND UTILITIES.

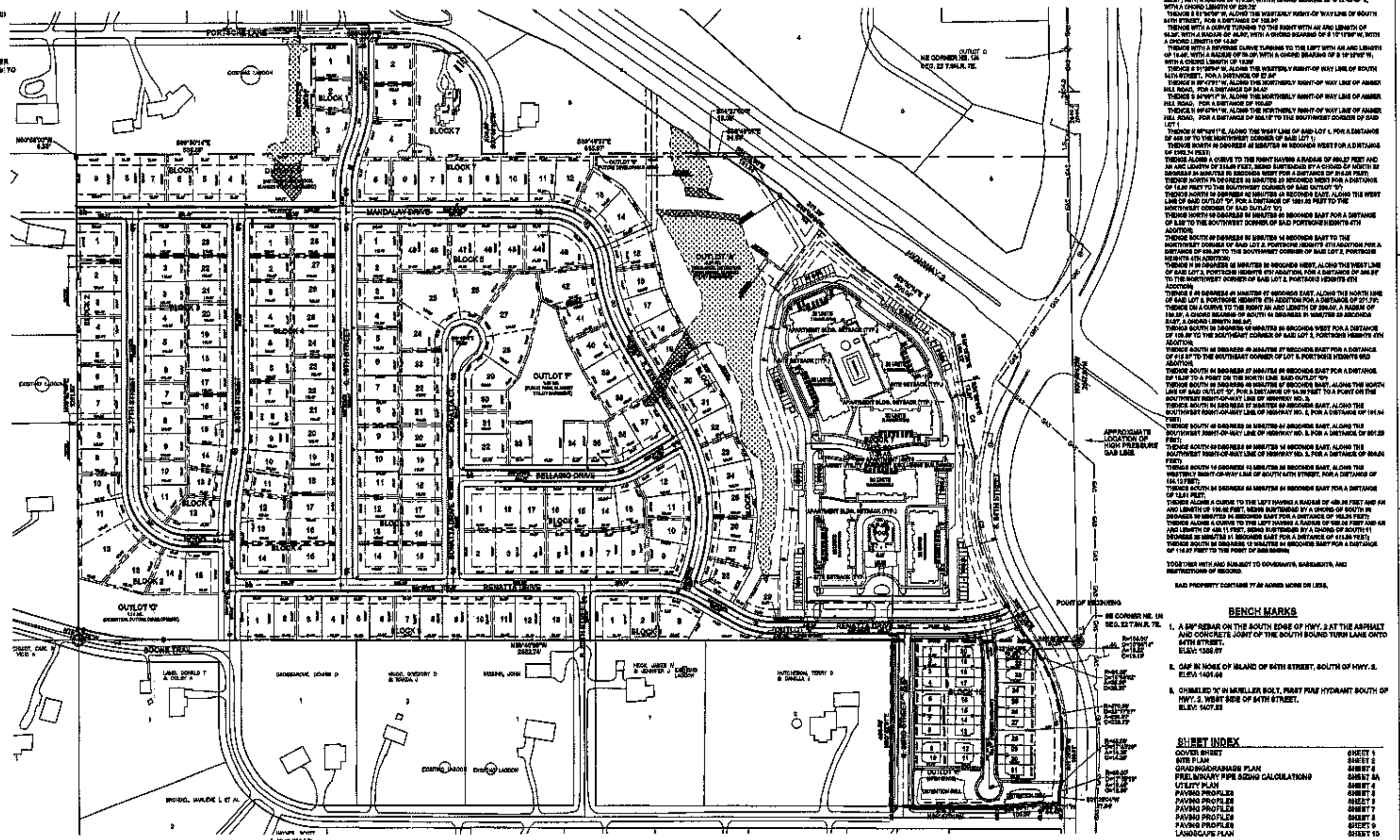
WAIVERS - (CITY OF LINCOLN SUBDIVISION REGULATIONS AND DESIGN STANDARDS)

1. LINCOLN DESIGN STANDARDS, TITLE 2, CHAPTER 2.00, SECTION 3.9 TO ALLOW SANITARY SEWER TO RUN OPPOSITE OF STREET GRADE.
2. TITLE 26, SECTION 26.23.130 - TO ALLOW BLOCK LENGTHS TO EXCEED 1,320 FEET.
3. TITLE 26, SECTION 26.23.125 - TO NOT PROVIDE A PEDESTRIAN EASEMENT FOR A BLOCK LENGTH THAT EXCEEDS 1,000 FEET.
4. TO ALLOW HAMMERHEAD TURN-AROUNDS AS AN ACCEPTABLE TURN-AROUND FOR THE TOWNHOME AREA.
5. TITLE 27, THE MAXIMUM HEIGHT IS ADJUSTED ADMINISTRATIVELY TO 45 FEET FOR LOT 30, BLOCK 7.



VICINITY MAP
NO SCALE

NOT TO SCALE



LEGAL DESCRIPTION

GRAND TERRACE ADDITION, LOT 2, PORTSCHE HEIGHTS 4TH ADDITION, REMAINING PORTION OF LOT 1, AMBER HILL ESTATES 2ND ADDITION AND THE REMAINING PORTION OF LOT 16 OF IRREGULAR TRACTS ALL LOCATED IN THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., LINCOLN, LANCASTER COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF SAID SECTION 22; THENCE IN A WESTERLY DIRECTION, ALONG THE SOUTH LINE OF THE SOUTH ONE-HALF OF THE NORTHEAST QUARTER OF SAID SECTION 22, ON AN ASSUMED BEARING OF NORTH [illegible] DEGREES [illegible] MINUTES [illegible] SECONDS WEST FOR A DISTANCE OF [illegible] FEET TO THE SOUTHEAST CORNER OF SAID GRAND TERRACE ADDITION AND POINT OF BEGINNING;
[illegible]

TOGETHER WITH AND SUBJECT TO COVENANTS, EASEMENTS, AND RESTRICTIONS OF RECORD.

SAID PROPERTY CONTAINS 77.[illegible] ACRES MORE OR LESS.

BENCH MARKS

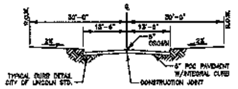
1. A 5/8" REBAR ON THE SOUTH EDGE OF HWY. 2 AT THE ASPHALT AND CONCRETE JOINT OF THE SOUTH BOUND TURN LANE ONTO 84TH STREET. ELEV: 1358.57
2. CAP IN NOSE OF ISLAND OF 84TH STREET, SOUTH OF HWY. 2. ELEV: 1401.98
3. CHISELED "X" IN MUELLER BOLT, FIRST FIRE HYDRANT SOUTH OF HWY. 2, WEST SIDE OF 84TH STREET. ELEV: 1407.53

SHEET INDEX

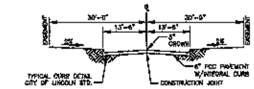
COVER SHEET	SHEET 1
SITE PLAN	SHEET 2
GRADING/DRAINAGE PLAN	SHEET 3
PRELIMINARY PIPE SIZING CALCULATIONS	SHEET 3A
UTILITY PLAN	SHEET 4
PAVING PROFILES	SHEET 5
PAVING PROFILES	SHEET 6
PAVING PROFILES	SHEET 7
PAVING PROFILES	SHEET 8
PAVING PROFILES	SHEET 9
LANDSCAPE PLAN	SHEET 10

LEGEND

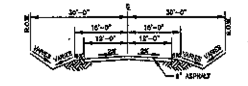
- PROPOSED ROW
- PROPOSED CENTERLINE
- COMMUNITY UNIT PLAN BOUNDARY
- LIMITS OF THE AMENDMENT
- APARTMENT AREA SETBACKS
- EASEMENT
- EXISTING WETLANDS
- EXISTING WETLANDS TO BE REMOVED
- PROPOSED OUTFALL/TRUNK SEWER
- GAS — APPROXIMATE LOCATION OF EXISTING HIGH PRESSURE GAS LINE
- FOUND PROPERTY CORNER
- SET PROPERTY CORNER



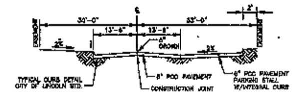
RESIDENTIAL PAVEMENT CROSS SECTION
NO SCALE



PRIVATE PAVEMENT CROSS SECTION
NO SCALE



RURAL PAVEMENT CROSS SECTION
NO SCALE



PRIVATE PAVEMENT CROSS SECTION WITH PARKING STALL
NO SCALE

OWNER & DEVELOPER:
STAROSTKA LEWIS, LLC
429 INDUSTRIAL LANE
GRAND ISLAND, NE 68803
308-384-5448

STEPHEN & CAROLYN NICKEL
7941 PORTSCHE LANE
LINCOLN, NE 68516
402-420-0659

FOXHOLLOW, LLC
3409 GOLF VIEW DRIVE
NORFOLK, NE 68701
402-372-7509

ENGINEER:
CIVIL DESIGN GROUP, INC.
8535 EXECUTIVE WOODS DRIVE
SUITE 200
LINCOLN, NE 68512
(402)434-8494

SURVEYOR:
ALLIED SURVEYING & MAPPING, INC.
8535 EXECUTIVE WOODS DRIVE
SUITE 200
LINCOLN, NE 68512
(402)464-2926

Civil Design Group, Inc.
CONSULTING ENGINEERS • LAND USE PLANNERS
CIVIL DESIGN • SITE DEVELOPMENT • PLANNING AND ZONING

REVISIONS

COVER SHEET

GRAND TERRACE
SPECIAL PERMIT #06001C

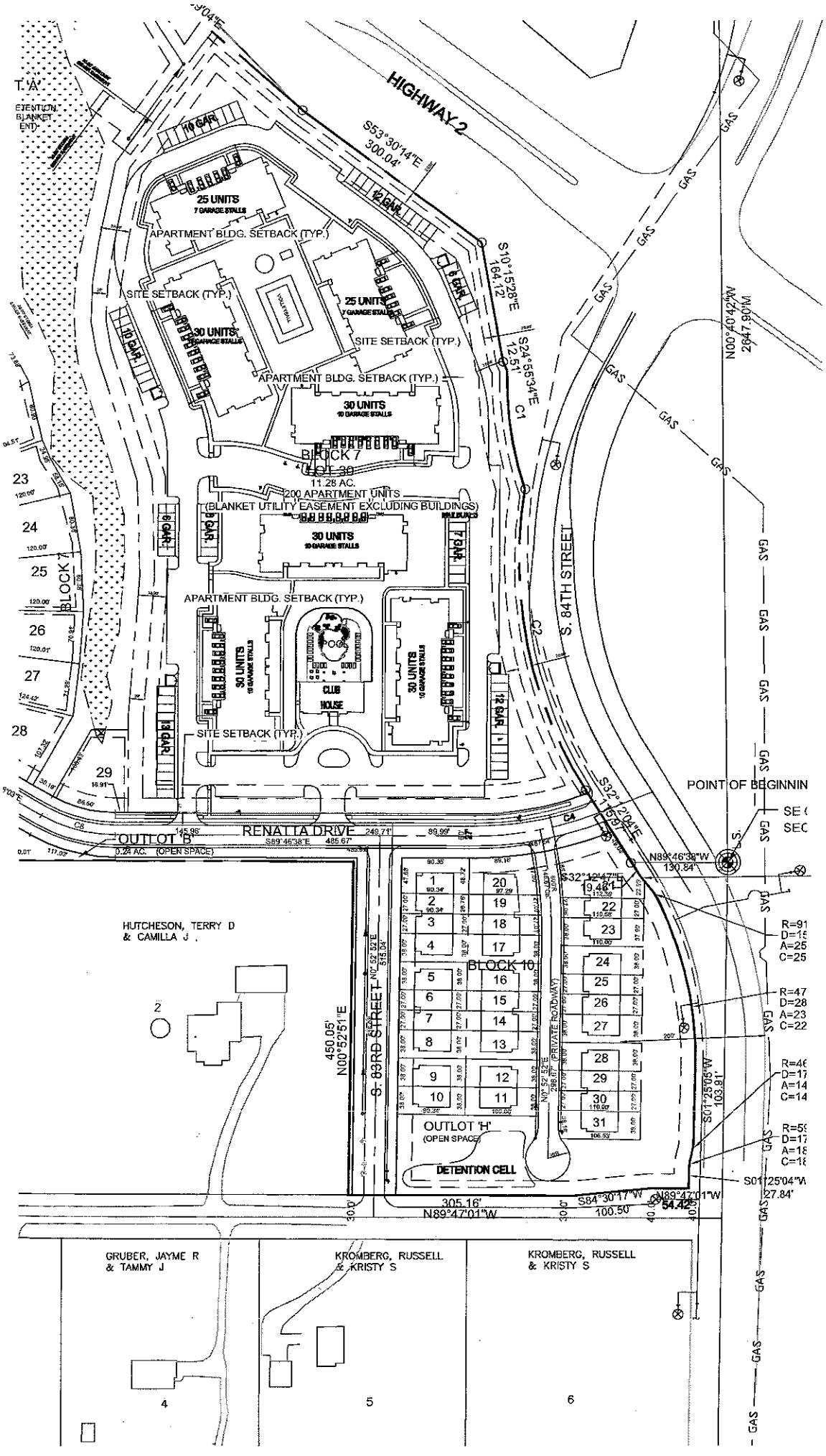
LINCOLN, NE

2012

drawn by: jds
checked by: –
approved by: –
project no.: 2012-0102
drawing no.: –
date: 09/25/2012

SHEET 1 OF 10

024


HIGHWAY 2
S53°30'14"E
300.04'
S10°15'28"E
164.12'
S24°55'34"E
12.51'
C1
C2
S. 84TH STREET
N00°40'42"W
2847.90'M
GAS
T. 'A'
DETENTION BLANKET END
10 GAR.
25 UNITS
7 GARAGE STALLS
APARTMENT BLDG. SETBACK (TYP.)
SITE SETBACK (TYP.)
VOLLEYBALL
30 UNITS
10 GARAGE STALLS
BLOCK 7
LOT 30
11.28 AC.
200 APARTMENT UNITS
(BLANKET UTILITY EASEMENT EXCLUDING BUILDINGS)
POOL
CLUB HOUSE
12 GAR.
13 GAR.
6 GAR.
7 GAR.
BLOCK 7
23
24
25
26
27
28
29
POINT OF BEGINNIN
SE
SEC
S32°12'04"E
115.87'
N89°46'38"W
130.84'
S32°12'47"E
19.48'
RENATTA DRIVE
S89°46'38"E
485.67'
249.71'
89.99'
OUTLOT 'B'
0.24 AC. (OPEN SPACE)
HUTCHESON, TERRY D
& CAMILLA J.
450.05'
N00°52'51"E
S. 83RD STREET
N00°52'52"E
515.04'
BLOCK 10
OUTLOT 'H'
(OPEN SPACE)
DETENTION CELL
(PRIVATE ROADWAY)
S01°25'05"W
103.91'
S01°25'04"W
27.84'
305.16'
N89°47'01"W
S84°30'17"W
100.50'
N89°47'01"W
54.42'
GRUBER, JAYME R
& TAMMY J
KROMBERG, RUSSELL
& KRISTY S
KROMBERG, RUSSELL
& KRISTY S
4
5
6

025

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Consulting Engineers & Land Use Planners
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www.civildg.com

September 20, 2012

Mr. Marvin Krout
Director of Planning
City of Lincoln /Lancaster County
555 South 10th Street, Room 213
Lincoln, NE 68508

Re: Amended Special Permit #06001B - Grand Terrace Community Unit Plan (CUP)
CDG Project No. 2012-0102

Dear Mr. Krout:

In working with staff on the above mentioned project we have made some revisions to our proposed layout for the amendment area and as such we are now requesting a waiver of the design standards for the size of a cul-de-sac on the private roadway between 83rd Street and 84th Street. In order to attempt to comply with a recommendation from the Health Dept that we maintain more distance than originally shown from a high pressure gas main in 84th Street, we have moved the units on the site around and adjusted the detention cell location. As such, we have a large green space area on the east side of this lot to provide a larger setback to the high pressure gas main and in order to maintain the desired density of this project we would like to be able to install a non-standard size cul-de-sac on the future private roadway as shown in our latest site plan exhibit.

Please call me at (402) 434-8494 if you have questions.

Sincerely,

Mike Eckert, AICP

Encl

cc: Fox Hollow, LLC

F:\Projects\2012\20120102\landplanning\Doc\CUP Amendment-Planning 09-20-12.doc

Office 402-434-8494 8535 Executive Woods Dr., Suite 200 • Lincoln, NE 68512 Fax 866-215-8747

Civil Design Group, Inc.
Consulting Engineers & Land Use Planners
Civil Design • Site Development • Planning & Zoning
www.civildg.com

August 5, 2012

Mr. Marvin Krout
Director of Planning
City of Lincoln /Lancaster County
555 South 10th Street, Room 213
Lincoln, NE 68508

Re: Amended Special Permit #06001B - Grand Terrace Community Unit Plan (CUP)
CDG Project No. 2012-0102

Dear Mr. Krout:

On behalf of Fox Hollow, LLC, we submit the above mentioned project for your review and approval. With this Amended Special Permit we are requesting to add the five acre lot at the northwest corner of S. 84th Street & Amber Hill Road to the Grand Terrace CUP. This lot is otherwise known as Lot 1, Amber Hill Estates 2nd Addition, or 7901 S. 84th St. This application is in connection with the Change of Zone and Annexation submitted to the department on August 8, 2012 that is being held for public hearing to coincide with this special permit on October 3, 2012.

The additional lot yields an R-3 CUP density of 31 units. The current site plan shows a total of 28 four-plex units.

In conjunction with this submittal we submit the following information:

Special Permit Plan - Uploaded via Project Dox
Special Permit Application Fee - $1,101.60

I hope that this letter and the plans provide you with enough information to review this Special Permit. In an effort to facilitate the review process, please call me at (402) 434-8494 if you have questions.

Sincerely,

Mike Eckert, AICP

Encl

cc: Fox Hollow, LLC

F:\Projects\2012\20120102\landplanning\Doc\CUP Amendment-Planning 09-05-12.doc

027

Brian Will

From: Chris M. Schroeder
Sent: Tuesday, September 25, 2012 11:10 AM
To: Brian Will
Cc: Scott E. Holmes; Judy A. Halstead
Subject: Grand Terrace - revised comments
Attachments: Chris Schroeder MCRP.vcf

Brian,

After reviewing the revised GIS data from Black Hills Energy, it appears the applicant is providing, on average, a 195 foot setback from the pipeline to the proposed town homes. Since I'm unable to edit our comments in PDox, below is our revised comments.

"According to the Lincoln-Lancaster County Health Department's (LLCHD) Geographic Information System (GIS) records, a high pressure underground natural gas pipeline is located adjacent to the eastern edge of this proposed development underneath South 84th Street. The LLCHD calculated a hazard area of approximately 221 feet on each side for this pipeline using the hazard area equation from report entitled, "A Model for Sizing High Consequence Areas Associated with Natural Gas Pipelines" prepared by Mark J. Stephens from C-FER Technologies. A hazard area or high consequence area is defined as the area within which the extent of property damage and the chance of serious or fatal injury would be expected to be significant in the event of a worst case scenario rupture failure. According to the V4 site-plan provided by the applicant, approximately 195 feet, on average, is provided between the pipeline and the proposed town homes which locates town homes 21-31 within the projected hazard area. The LLCHD will not support developments that locate occupied dwellings within hazard areas. This agrees with the final report submitted by the Planning Commission and Board of Health Joint Committee on Health and Land Use which recommended that, in new developments, developers should avoid the Hazard Area as much as possible. "

Thanks,

Chris Schroeder, MCRP
Supervisor, Air Quality Program

Lincoln-Lancaster Co. Health Dept.
3140 'N' Street
Lincoln, NE 68510-1514

(402) 441-6272 Work
(402) 441-3890 Fax
cschroeder@lincoln.ne.gov

028

City of Lincoln - Lancaster County
PLANNING DEPARTMENT

555 S. 10th Street, Suite 213
Lincoln, NE 68508
Ph: (402) 441-7491
Fax: (402) 441-5377

ePlan
ePlan Submittal

Application Information			
Application #	SP06001B	Title	GRAND TERRACE
Associated Requests	AN12004, CZ12027		

Planning Department Use Only			
Submission Date	9/7/2012	Review Due	9/17/2012
Project Planner	Brian Will		

Review Comments		
Planning	(●) Corrections Needed for Review ( ) Insufficient Information for Review ( ) Recommend Denial ( ) Recommend Approval with Conditions ( ) Recommend Approval ( ) No Review Required Review 1:	
County Health (Chris Schroeder)	( ) Corrections Needed for Review ( ) Insufficient Information for Review (●) Recommend Denial ( ) Recommend Approval with Conditions ( ) Recommend Approval ( ) No Review Required Review 1: According to the Lincoln-Lancaster County Health Department's (LLCHD) Geographic Information System (GIS) records, a high pressure underground natural gas pipeline is located adjacent to the eastern edge of this proposed development underneath South 84th Street. The LLCHD calculated a hazard area of approximately 221 feet on each side for this pipeline using the hazard area equation from report entitled, "A Model for Sizing High Consequence Areas Associated with Natural Gas Pipelines" prepared by Mark J. Stephens from C-FER Technologies. A hazard area or high consequence area is defined as the area within which the extent of property damage and the chance of serious or fatal injury would be expected to be significant in the event of a worst case scenario rupture failure. According to the V2 site-plan provided by the applicant, only approximately 160 feet is provided between the pipeline and the proposed town homes which locates town homes 23-32 within the projected hazard area. The LLCHD will not support developments that locate occupied dwellings within hazard areas. This agrees with the final report submitted by the Planning Commission and Board of Health Joint Committee on Health and Land Use which recommended that, in new developments, developers should avoid the Hazard Area as much as possible.	
Development Review Manager (Steve Henrichsen)	( ) Corrections Needed for Review ( ) Insufficient Information for Review ( ) Recommend Denial ( ) Recommend Approval with Conditions ( ) Recommend Approval ( ) No Review Required	

029

	Review 1:	
LES (Mike Petersen)	○ Corrections Needed for Review ○ Insufficient Information for Review ○ Recommend Denial ○ Recommend Approval with Conditions ◉ Recommend Approval ○ No Review Required Review 1: 9-17-2012; LES has no additional requests at this time. MIke P.	
Public Works (Ben Higgins)	○ Corrections Needed for Review ◉ Insufficient Information for Review ○ Recommend Denial ○ Recommend Approval with Conditions ○ Recommend Approval ○ No Review Required Review 1: General note 23 states that the grading and drainage details for block10 will be done prior to final platting. However, need more information than is shown for drainage (e.g. will the shown detention pond be large enough, will it be able to drain, is there an impact to the private acreage to the south, will the surrounding townhomes be high enough, etc).	
Public Works (Buff Baker)	○ Corrections Needed for Review ○ Insufficient Information for Review ○ Recommend Denial ○ Recommend Approval with Conditions ○ Recommend Approval ○ No Review Required Review 1:	
Public Works (Dennis Bartels)	○ Corrections Needed for Review ○ Insufficient Information for Review ○ Recommend Denial ◉ Recommend Approval with Conditions ○ Recommend Approval ○ No Review Required Review 1: The CUP information is incomplete and will require a full set of plans to be approved prior to final plats and construction of the townhouses shown. The following are a list of comments, concerns and requirements based upon the incomplete submittal. Additional comments and concerns may be raised when a complete set of plans meeting subdivision and special permit requirements is submitted for review. 1. S 84th Street adjacent to this development is a major arterial. Right of way must be dedicated to provide 60' of right of way west of the pavement centerline and 70' of right of way for a right turn lane for Amber Hill Road for a turn lane that meets requirements of the Access Management Policy. 2. Amber Hill Road needs to be paved to an urban cross section curb and gutter street. This should include standard grading of the north half of the right of way. Potentially the south half grading can be substandard and the full grading to occur when the south half develops. This concept needs to be shown on the yet to be submitted grading and drainage plans. The plans as submitted show a corrugated culvert pipe beneath Amber Hill Road which will likely need to be replaced with concrete pipe to meet design standards. 3. Sidewalk are required along both sides of 83rd Street, the unnamed private roadway, the south side of Renatta Drive and the north side of Amber Hill Road. Sidewalks in easements should be built to 84th and 83rd Streets east and west of the south side of the unnamed private roadway. 4. The 30' diameter culdesac turn around at the south end of the private road is satisfactory to Public Works provided that parking is prohibited. 5. The utility plans are incomplete and cannot be fully reviewed. Sewer mains flowing opposite the street grades are satisfactory provided the depth of any portion of the pipe does not excede 15 feet and the minimum depth of the pipe is satisfactory to Public Works. This information is not provided. The required water main is not shown in Amber Hill Road. I also recommend the water main in the dead end private road be extended to the required main in Amber Hill Road to eliminate the dead end. 6. No grading and drainage plan including storm water detention has been	

030

	submitted. Since nothing has been submitted and no deviations requested, I assume that the final plans and construction will meet all design standards.	
Windstream (Bill Lange)	○ Corrections Needed for Review ○ Insufficient Information for Review ○ Recommend Denial ○ Recommend Approval with Conditions ○ Recommend Approval ○ No Review Required Review 1:	

031

October 31, 2012
PLANNING COMMISSION AGENDA ITEM4.1c
SPECIAL PERMIT #06001B – GRAND TERRACE CUP

MOTION TO AMEND CONDITIONS OF APPROVAL
Per agreement with City staff

1.2 Submit grading, drainage, and utility plans, including for improvements in Amber Hill Road to the satisfaction of Public Works and Utilities. The following improvements will be phased as follows:

1.2.1 Sidewalks and street trees on the west side of 83rd Street will be installed upon development of the land to the west. This property will be platted as an outlot for future development and deeded to the owner to the west.

1.2.1 Urban curb & gutter segment on the south side of Amber Hill Road will be the responsibility of any future redevelopment of the land to the south.

1.2.3 Urban curb & gutter segment and associated grading on north side of Amber Hill Road will occur once buildable lots are platted on this development.

1.2.4 The water main in Amber Hill Road will not be constructed as part of this project, but the owner's agree to not object to a special assessment district for this improvement if it is proposed in the future.

1.2.5 That the water main in the private roadway will not be extended to the future water main in Amber Hill Rd.

Submitted on behalf of the applicant, Fox Hollow, LLC

Mike Eckert

Jean Preister

From: Russ Kromberg [russk@neb.rr.com]
Sent: Monday, October 15, 2012 9:48 PM
To: Brian Will; Jean Preister; Mayor; UrbanDev
Subject: SP06001A, Grand Terrace, 84th & Amber Hill Rd.
Attachments: sp06001.pdf

The way the plan is now I am opposed to the annexation and rezoning of this property and the addition of this 5 acres to the Grand Terrace community unit plan.

In 2006 the Grand Terrace development was proposed and accepted with the condition that "there will ultimately be three other connections in and out of this development, besides Renatta Dr. and S 84th"
As of now there is only two, one at 80th St. and one at Renatta and 84th.
The original plan shows one going into Portsche heights and one going to the west towards 75th St.
There are no plans in the near future to put these access points in. The property owner in Portsche has no plans on allowing that road to go through in the near future; when he sub divides the road will go through.
This sounds like very poor planning to have all this traffic exit on Amber Hill Rd or turn south on 84th and make a U turn at the median of 84th and Amber Hill Rd.

To get another access point to Grand Terrace the developer wants to put in 83rd st which will also send traffic down Amber Hill. So with over approx 200 units in this CUP the majority of them will be exiting at 84th and Amber Hill, sounds like a traffic back up. There needs to be an access point on the north before another one on the south.

In a letter dated Jan 5 2005 from Engineering Design Consultants to the planning department, it stated **"The developer has worked diligently with the surrounding homeowners to bring forward a development that meets both the City of Lincoln's goals for residential density and is conducive to the area and existing homes."** (see page 26 of attached file) I believe they did do this including $285K to pave the acreage roads. Putting in 31 town houses in 5 acres does not follow this plan.

We understand the this area will develop in the near future but I do not believe this is the right plan. There needs to be an access point to this development from the north to alleviate the traffic burden at 84th and Amber Hill. If 83rd St does get put

in it needs to move to the east so it is not in line with our existing driveway. The way the plan is now the majority of the of traffic from this entire CUP will be exiting down 83rd St. and there will be traffic from approximately 200 home, apartments and town homes coming down 83rd street directly into our driveway. I would propose that 83rd street be moved to the east so that is does not line up with our existing driveway.

Finally, when this 5 acres is annexed and developed I believe Amber Hill Rd will need to be brought up to city standards including curb, gutter and sidewalks on both north and south sides of the road to support the additional traffic from 84th St. to the end of the proposed annexation.

Russ, Kristy Kromberg
8201 Amber Hill Rd.

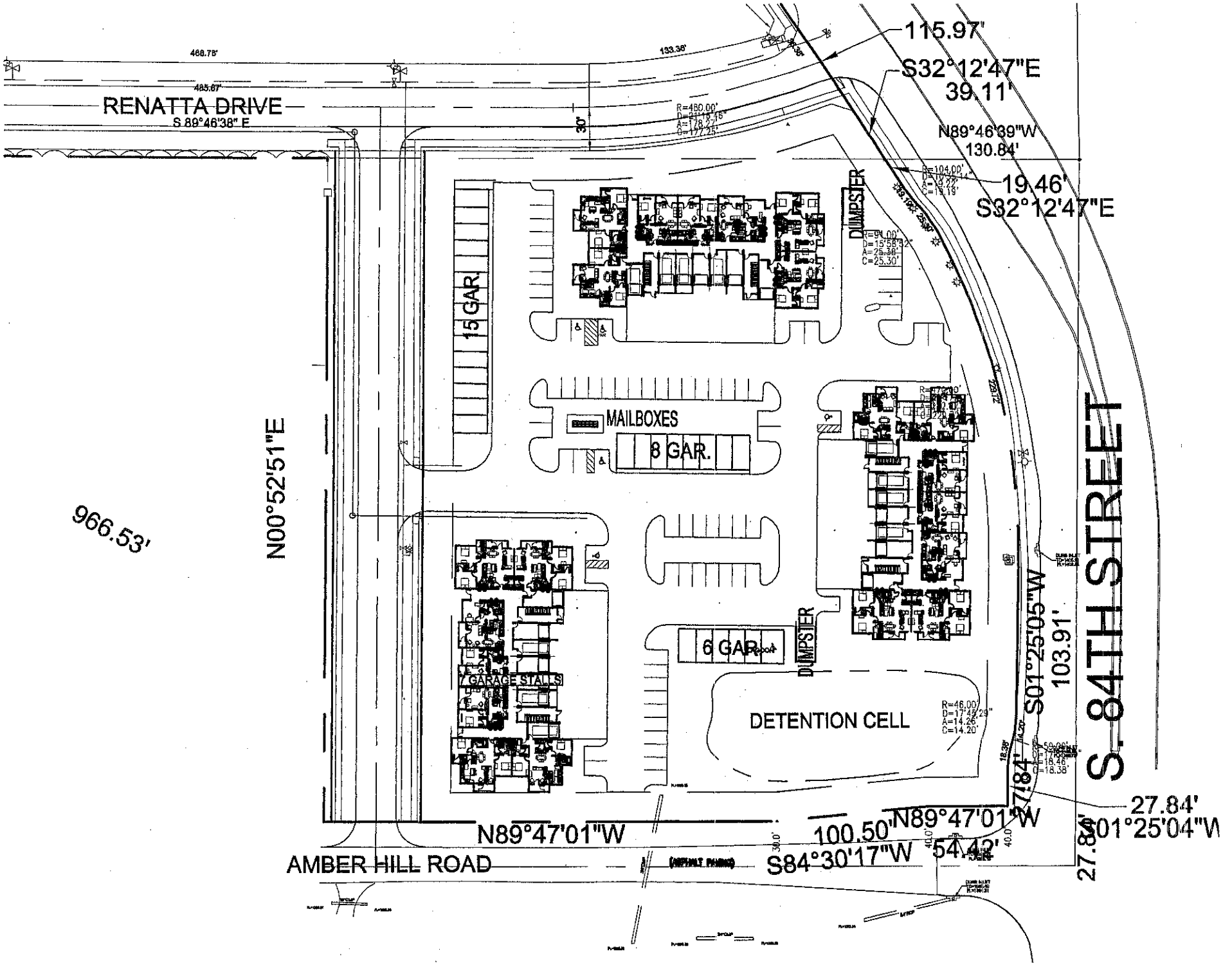
Jean Preister

From: russk@neb.rr.com
Sent: Friday, August 31, 2012 12:29 PM
To: Brian Will; Jean Preister
Subject: Annexation No. 12004
Attachments: 110038_acreage_site.pdf

In response to the application to annex the 5 acres of land at 7901 S. 84th street.
The way the application has been filed I am against the annexation and rezoning of this property. There has not been a plan submitted with this request and we do not know what the developer wants to do with this property other than put a road in.
As it is shown on the plan the road will come directly into our driveway at 8201 Amber Hill Rd. and I have a concern with vehicles coming down a hill directly into a driveway.
What are the plans for Amber Hill road from 84th street to the new road being put in? Will this section of Amber Hill Rd. be required to be brought up to city standards? Who will be required to pay for this?
In April of 2012, Mr. Larry Bayer with Fox Hollow LLC provided me with a proposed layout of this 5 acres that shows three apartment buildings with 25 units in each building and no green space within this development. (see attached layout). I do not believe that this development would flow into the existing Amber Hill Estates acreage development.
There has been excessive dirt work completed on this property without any notification of the neighbors or a building permit.
There is currently a lagoon on this property. Is there a process to abandon this in accordance with the department of health?
What is the plan for sewer and water? How will it be provided to this property?
What about storm water run off? Where is this going to flow?

I believe these questions and concerns need to be addressed before this property can be annexed or rezoned.

Russ Kromberg
8201 Amber Hill Rd.
Lincoln, NE 68516
402-560-2615


RENATTA DRIVE
S 89°46'38" E
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R=460.00'
D=21°18'46"
A=178.27'
C=177.25'
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S32°12'47"E
39.11'
N89°46'39"W
130.84'
19.46'
S32°12'47"E
R=104.00'
D=10°22'14"
A=18.77'
C=18.73'
DUMPSTER
R=64.00'
D=15°58'32"
A=25.36'
C=25.30'
15 GAR.
MAILBOXES
8 GAR.
6 GAR.
DUMPSTER
7 GARAGE STALLS
DETENTION CELL
R=46.00'
D=17°45'29"
A=14.26'
C=14.20'
N00°52'51"E
966.53'
S01°25'05"W
103.91'
S 84TH STREET
27.84'
27.84'
S01°25'04"W
N89°47'01"W
100.50'
N89°47'01"W
S84°30'17"W
54.42'
AMBER HILL ROAD
(ASPHALT PAVING)
30.0'
40.0'
40.0'

036

Sent: Friday, August 31, 2012 11:30 AM
To: Jean Preister
Subject: Kristy Kromberg shared "2012-08-28 16.47.17.jpg" with you - CZ#12004 AN#12027

From: Dropbox [mailto:no-reply@dropbox.com]
Sent: Tuesday, August 28, 2012 5:21 PM
To: Brian Will
Subject: Kristy Kromberg shared "2012-08-28 16.47.17.jpg" with you

Dropbox

Kristy used Dropbox to share an image with you!

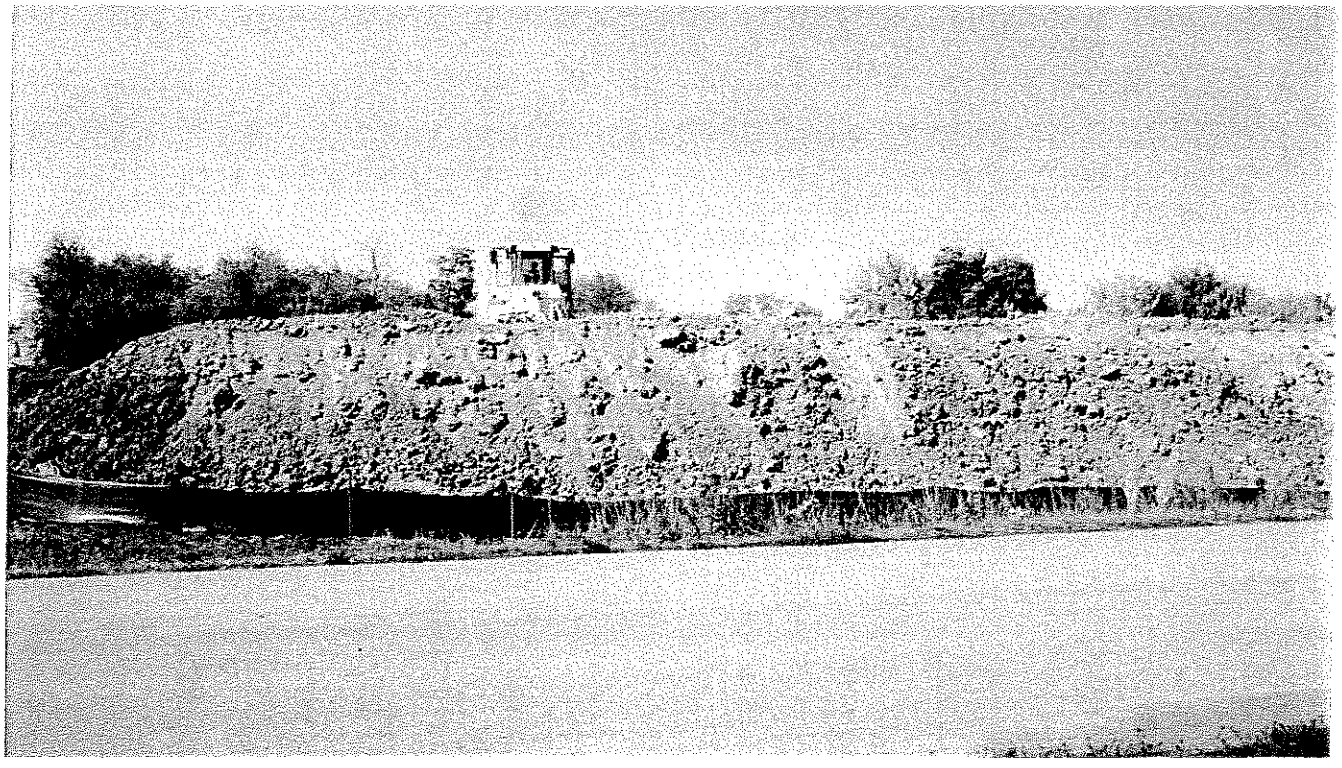
Message from Kristy: "This is a view today of what is occurring regarding annexation number 12004. We live directly across the street and have some concerns regarding the changes in elevation that are occurring daily. This does not seem to be in line with our urban residential setting and is already approx 20 feet higher that the surrounding area. It is not in alignment with the topical or visual lines of the surrounding area. At this point there has been no changes in zoning or building permit I appreciate your assistance.

Kristy Kromberg
8201 Amber Hill Road
402-560-2614"

Click here to view the image.

© 2012 Dropbox

Dropbox 2012-08-28 16.47.17.j Download Sign in



038

Jean Preister

From: Shelly Noerrlinger [noerrlinger@gmail.com]
Sent: Monday, September 03, 2012 7:45 PM
To: Jean Preister
Subject: Annexation No. 12004 and Change of Zone No. 12027

Planning Department
555 South 10th, Room 213
Lincoln, NE 68508

To Whom It May Concern:

I'm am submitting a comment prior to the public hearing in regards to the September 5,2012 Planning Commission Agenda items mentioned below.

ANNEXATION WITH RELATED ITEMS:

4.1a Annexation No. 12004, to annex approximately 5 acres, more or less, generally located at S. 84th Street and Amber Hill Road.

Staff recommendation: Approval, subject to submittal of a preliminary plat or community unit plan
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov

4.1b Change of Zone No. 12027, from AGR Agricultural Residential District to R-3 Residential District, on property generally located at S.
84th Street and Amber Hill Road.

Staff recommendation: Approval, subject to submittal of a preliminary plat or community unit plan
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov

I would like to express my concern for the amount of traffic that would be entering and exiting Renatta Drive and in the near future Amber Hill Road due to the building of the apartment complexes and/or townhouses. When sitting at the Amber Hill Road and 84th street intersection, there is a blind corner to the north. I have pulled out in front of someone a handful of times when using this intersection around 7:45 a.m. I'm a cautious driver when taking my son to school at this time of day but there is no way to see the south bound traffic coming around the corner on 8th street.

Furthermore, since you cannot make a left turn onto 84th street at the intersection of Renatta Drive and 84th street, the traffic flow is forced to travel south and make a u-turn at the Amber Hill Road intersection. Again, it's very busy during the morning rush hour.

My suggestion would be to research the design of the traffic flow during this planning process. Please feel free to contact me at (402) 429-6887 if you have any further questions.

Sincerely,
Shelly Noerrlinger

Jean Preister

From: Russ Kromberg [russk@neb.rr.com]
Sent: Monday, October 15, 2012 9:48 PM
To: Brian Will; Jean Preister; Mayor; UrbanDev
Subject: SP06001A, Grand Terrace, 84th & Amber Hill Rd.
Attachments: sp06001.pdf

The way the plan is now I am opposed to the annexation and rezoning of this property and the addition of this 5 acres to the Grand Terrace community unit plan.

In 2006 the Grand Terrace development was proposed and accepted with the condition that "there will ultimately be three other connections in and out of this development, besides Renatta Dr. and S 84th,"
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Finally, when this 5 acres is annexed and developed I believe Amber Hill Rd will need to be brought up to city standards including curb, gutter and sidewalks on both north and south sides of the road to support the additional traffic from 84th St. to the end of the proposed annexation.

Russ, Kristy Kromberg
8201 Amber Hill Rd.