

FACTSHEET

TITLE: WAIVER OF DESIGN STANDARDS NO. 02017, requested by Susan J. Johnson, to waive sidewalks on the west side of South 70th Street adjacent to Lots 1 and 2, Hickory Crest 4th Addition, and to waive the sidewalk within the pedestrian easement between Lots 1 and 2, Hickory Crest 4th Addition from King's Court to South 70th Street.

STAFF RECOMMENDATION: Approval of the waiver of sidewalk adjacent to Lot 1; denial of the waiver of sidewalks within the pedestrian easement and adjacent to Lot 2 along South 70th Street.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 09/18/02
Administrative Action: 09/18/02

RECOMMENDATION: **Approval** of the waivers as requested by the applicant (7-2: Steward, Duvall, Krieser, Bills-Strand, Taylor, Larson and Schwinn voting "yes"; Newman and Carlson voting 'no').

FINDINGS OF FACT:

1. The Planning staff recommendation to approve the waiver of sidewalk adjacent to Lot 1, but to deny the waiver of the sidewalks within the pedestrian easement adjacent to Lot 2 along South 70th Street, is based upon the "Analysis" as set forth on p.3-4, concluding that there are no unusual circumstances that would warrant the approval of the waiver of sidewalk within the pedestrian easement or adjacent to Lot 2. Due to the retaining wall north of the subject area, a waiver to the sidewalk adjacent to Lot 1 is acceptable.
2. The applicant's testimony and other testimony in support is found on p.5-6, and the exhibits submitted by the applicant are found on p.19-25.
3. Testimony in opposition is found on p.6.
4. On September 18, 2002, the Planning Commission disagreed with the staff recommendation and voted 7-2 to recommend approval of the waivers as requested by the applicant. (Commissioner Newman and Carlson dissenting). See Minutes, p.6-7.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: September 24, 2002

REVIEWED BY: _____

DATE: September 24, 2002

REFERENCE NUMBER: FS\CC\2002\WDS.02017

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Waiver of Design Standards #02017

DATE: September 4, 2002

PROPOSAL: Waive sidewalks on the west side of S. 70th Street adjacent Lots 1 & 2, Hickory Crest 4th Addition and within the pedestrian easement between Lots 1 & 2, Hickory Crest 4th Addition from King's Court to S. 70th Street.

CONCLUSION: There are no unusual circumstances that would warrant the approval of the waiver to sidewalk within the pedestrian easement or adjacent to Lot 2. Due to the retaining wall north of the subject area, a waiver to the sidewalk adjacent Lot 1 is acceptable.

RECOMMENDATION Approval to waiving sidewalk adjacent Lot 1.
Denial to the waiver of sidewalks within the pedestrian easement and adjacent Lot 2 along S. 70th Street.

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 1 & 2, Hickory Crest 4th Addition, located in the SE 1/4 of Section 9, Township 9 North, Range 7 East, Lincoln, Lancaster County, Nebraska.

LOCATION: Old Cheney Rd. & S. 70th Street

APPLICANT: Susan J. Johnson
6801 Hickory Crest Rd.
Lincoln, NE 68516

OWNER: same as applicant

CONTACT: same as applicant

EXISTING ZONING: R-1 Residential

EXISTING LAND USE: Residential

SURROUNDING LAND USE AND ZONING:

North: R-1 Residential Single family residential
South: R-3 Residential Vacant
East: R-1 Residential Single family and two-family residential
West: R-1 Residential Single family residential

HISTORY:

- July 1, 2002** Hawkswood Estates 1st Addition Preliminary Plat was approved by City Council.
- January 15, 1997** Hickory Crest 4th Addition Final Plat was approved by Planning Commission.
- July 29, 1994** City Council waived the requirement for sidewalks on the west side of S. 70th Street abutting Lots 5 & 6, Hickory Crest Addition.
- May 18, 1992** Hickory Crest 1st Addition was approved by City Council.
- February 10, 1986** Hickory Crest Addition was approved by City Council.
- October 28, 1985** City Council waived the requirement for sidewalks on S. 70th Street south of Antler Dr. abutting Colonial Hills 11th Addition.
- February 22, 1977** Colonial Hills 11th addition was approved by City Council.

COMPREHENSIVE PLAN SPECIFICATIONS:

The 2025 Comprehensive Plan specifies this area as Urban Residential.

The Transportation section of the Community Form chapter of the 2025 Comprehensive Plan includes: “Interconnected networks of streets, trails and **sidewalks** should be designed to encourage walking and bicycling, reduce the number and length of automobile trips, conserve energy and for the convenience of the residents.” (page F18)

The Mobility and Transportation section of the 2025 Comprehensive Plan includes: “Continuity-The sidewalk system should be complete and without gaps.” (page F89)

Guiding Principles for Existing Neighborhoods in the 2025 Comprehensive Plan include: “Maintain and enhance infrastructure and services in existing neighborhood.” (page F68)

TRAFFIC ANALYSIS: S. 70th St. and Old Cheney Rd. are arterial streets.

ANALYSIS:

1. This request is to waive the requirement for sidewalks. (Sec. 26.23.095)
2. There is no sidewalk from Antler Dr. south to Old Cheney Rd. on the west side of S. 70th Street.

3. Sidewalks were required along the west side of S. 70th Street from Antler Dr. south to Old Cheney Rd. with the approval of Colonial Hills 11th Addition, Hickory Crest Addition, Hickory Crest 1st Addition and Hickory Crest 4th Addition. Sidewalks were later waived by city council for Colonial Hills 11th Addition and Hickory Crest Addition.
4. Hawkswood Estates 1st Addition Preliminary Plat, located at the southwest corner of S. 70th Street & Old Cheney Rd., requires sidewalk along the west side of S. 70th Street.
5. A 10-foot wide bike path will be constructed on the north side of Old Cheney Rd. from Highway 2 to S. 70th Street as part of the street improvement project. The 2025 Comprehensive Plan shows this bike trail continuing along Old Cheney Rd. to S. 84th Street.
6. There is a retaining wall on the west side of S. 70th Street that ends just north of Hickory Crest 4th Addition.
7. Public Works Department recommends waiving the requirement for sidewalk along S. 70th Street adjacent Lot 1. Public Works **does not** support waiving the requirement for sidewalks along S. 70th Street adjacent Lot 2 or within the pedestrian walkway between Lots 1 & 2 from King's Court to S. 70th Street.
8. Parks and Recreation Department **does not** support the waiver of sidewalks along S. 70th Street adjacent Lot 2 or within the pedestrian easement between Lots 1 and 2 from King's Court to S. 70th Street.
9. The applicant states that a sidewalk heading north would run into a retaining wall and therefore is not needed. Planning staff agrees that a sidewalk leading north from the pedestrian easement is not needed because of the retaining wall.
10. The construction of the pedestrian walkway between Lots 1 & 2 and a sidewalk on S. 70th Street adjacent Lot 2 would provide residents in Hickory Crest subdivision a direct route to S. 70th Street & Old Cheney Rd. Without the pedestrian walkway, residents must use Hickory Crest Rd. to access Old Cheney Rd. The intersection of Old Cheney Rd. & Hickory Crest Rd. is approximately 700 feet west of the intersection of S. 70th Street & Old Cheney Rd.
11. There are no physical barriers along the pedestrian easement and along S. 70th Street adjacent Lot 2 that would prohibit the construction of sidewalks.
12. Due to the large lots, the homes can be situated more than the required 10' minimum setback from the pedestrian easement.

Prepared by:

Tom Cajka
Planner

WAIVER OF DESIGN STANDARDS NO. 02017

PUBLIC HEARING BEFORE PLANNING COMMISSION:

September 18, 2002

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

Staff recommendation: Approval of the waiver of sidewalk adjacent to Lot 1; denial of the waiver of sidewalks within the pedestrian easement and adjacent to Lot 2, along South 70th Street.

Proponents

1. **Susan Johnson**, 6801 Hickory Crest Road, presented the application. She and her husband developed the field behind their house into 4 lots, Hickory Crest 4th Addition. Her husband passed away just before Thanksgiving last year and she is now completing what needs to be done in that development, and that includes the sidewalks. Johnson submitted that the sidewalks called for in the final plat are no longer necessary. She is requesting the waiver of the sidewalk requirements that would go along 70th Street and the short sidewalk that would come out of the cul-de-sac to 70th Street.

With respect to the sidewalk along 70th Street, Johnson noted that there is no other sidewalk along 70th Street from Old Cheney Road up to Antler Drive. Those sidewalk requirements have been waived. If Johnson were to build the sidewalk along 70th Street as it was originally approved, it would end up running into a retaining wall. And pedestrians then could not go further north past that retaining wall because there are ornamental plantings between the retaining wall and So. 70th Street. Johnson believes it would be unsafe to invite pedestrians to go there. They also could not cross 70th Street safely at that point because there is no traffic control system there.

Johnson noted that the staff is recommending waiving the sidewalk along Lot 1, but still recommend that the short sidewalk out from the cul-de-sac to 70th Street be built, and then building a sidewalk from that cul-de-sac sidewalk down south to Old Cheney Road. The reason that is given by the staff is that it would provide residents of Hickory Crest Subdivision direct access to Old Cheney Road. Johnson pointed out that in the subdivision, there is direct access to Old Cheney Road which goes right down Hickory Crest Road to Old Cheney Road. In fact, it is shorter and more direct than the proposed sidewalk. Johnson submitted that there is a more direct route which already exists, and the proposed route would be longer and more costly.

Upon receipt of the staff comments and recommendation, Johnson contacted residents in Hickory Crest and they do not want this sidewalk. The neighbors think the sidewalk is unnecessary and they also believe it is a security risk.

Johnson did inquire of the Planning staff why the sidewalk from the cul-de-sac to 70th Street is required. She was told that there is a policy that whenever you have a cul-de-sac that abuts an arterial street, there needs to be egress. Johnson drove around the area and counted seven cul-de-sacs in that

immediate area on streets that abut 70th Street and Old Cheney Road. None of them have a pedestrian walkway or a sidewalk that goes from the cul-de-sac to the arterial.

In addition, Johnson believes that the sidewalk from the cul-de-sac to 70th Street will create a security problem. She provided photographs. 70th Street and Old Cheney Road have an enormous amount of vehicular traffic. To provide visual and noise buffers to the owners, pine trees were planted along the back part of Lot 1 and scores of cedar trees were planted along the periphery of Lot 2. So now, in order to provide that visual and noise barrier, there are two rows of mature trees and a solid wood fence. If we now put a sidewalk between Lots 1 and 2 we are inviting the security risk for burglary and for the safety of our children. One of Johnson's neighbors asked her to ask the Commission not to invite vandalism.

In conclusion, Johnson stated that this final plat made sense when it was developed in 1997, but things have changed. There is no sidewalk along 70th Street and there is a perfectly good way to get to Old Cheney Road from the subdivision, i.e. along Hickory Crest Road. The installation of this sidewalk would be an unnecessary expense and it is no longer reasonable.

2. Tim Artz, 6948 Kings Court, which is directly south of the proposed pedestrian easement from the cul-de-sac to 70th Street, testified in support of the waivers. His concerns are vandalism and the safety of their children. He would prefer not to have access into his back yard where his children are going to be playing.

3. Tom Jackman, 6936 Kings Court, testified in support. The sidewalk would be directly on his property and he has similar reasons to support the waiver. His children play in the side area of his house to the south of his home. The fence line had to be brought in about 20-30 feet in order to give an easement for the turn lane on 70th Street. The turn lane takes about 15'. The fence is in another 15', so the back yard is very, very narrow. Therefore, his children play on the south side where the sidewalk would be built. It would also be a financial burden because he will be required to move about 4-5 water sprinkler heads. He does not see the justification for this sidewalk. Security is also a concern because the large trees would provide a good hiding place.

Opposition

1. Craig Groat testified in opposition. Lincoln is known as a pedestrian city. Sidewalks are required and a necessity. He does not want to walk across people's grass. A few years ago there was a strong requirement by the city to build sidewalks. He believes that people that use the trails are very, very responsible. If anything, Groat believes that this sidewalk would probably increase the security. Sidewalks are a necessity to the city and part of our long term plan.

Staff questions

Steward noted this to be a relatively new subdivision. Why do we not have sidewalks on 70th Street? Tom Cajka of Planning staff explained that there are four different final plats in the area where there is no sidewalk between Old Cheney Road and Antler Drive. When all the plats were approved they were required to have sidewalks. Two of the plats later came back with waiver requests and the sidewalks were waived by the City Council. Hickory Crest 1st Addition, immediately to the north, is still

required to build sidewalks. Dennis Bartels of Public Works pointed out that the retaining wall exists because the city was restricted on right-of-way. These plats were approved when 70th Street was a county road right-of-way. Hickory Crest is considerably lower than 70th Street and Old Cheney Road and as you went further north there was a grade difference. When Colonial Hills was approved, there was only 40' of right-of-way so the city was limited. The decision was to forego the sidewalk on the west side of 70th Street in the interest of preserving private property. We needed the retaining wall to make up some of the grade difference. There is sidewalk on the east side of 70th Street.

Carlson inquired about the future trail. Cajka advised that there is a 10' wide bike trail shown on the north side of Old Cheney Road as part of the street improvements. It is shown going further east of 70th Street in the Comprehensive Plan.

Public hearing was closed.

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

September 18, 2002

Larson moved approval of the waivers as requested by the applicant, seconded by Bills-Strand.

Carlson moved to amend to require the pedestrian easement between Lots 1 and 2 on Hickory Crest (which would be the staff recommendation). Upon further discussion, Carlson withdrew the motion to amend so that the original motion could be voted up or down.

Schwinn commented that since the major bike path is being built on Old Cheney Road, he believes it would probably be better to move that pedestrian traffic to that major bike path rather than between those lots on a busy street. There is a grade difference that would encourage kids on bicycles to go down that hill and slam into the intersection. He believes it is a safety issue.

Steward indicated that he is normally opposed to any change that eliminates sidewalks, but in this case he believes there are extenuating circumstances. He does not want to be judged as softening his position on sidewalks, but in this case he believes the waiver is justified.

Carlson disagrees with the motion with regard to waiving the pedestrian easement. The testimony that there are five cul-de-sacs that don't have an easement make it even more important that one should have an easement to get egress out of there. He gets concerned when we have plats that get approved, then items get built in that dedicated right-of-way and then the owners later think it is a burden to remove those improvements. The plat was approved in 1997 and it is workable. It is still important to be able to get out of the cul-de-sac on to the street.

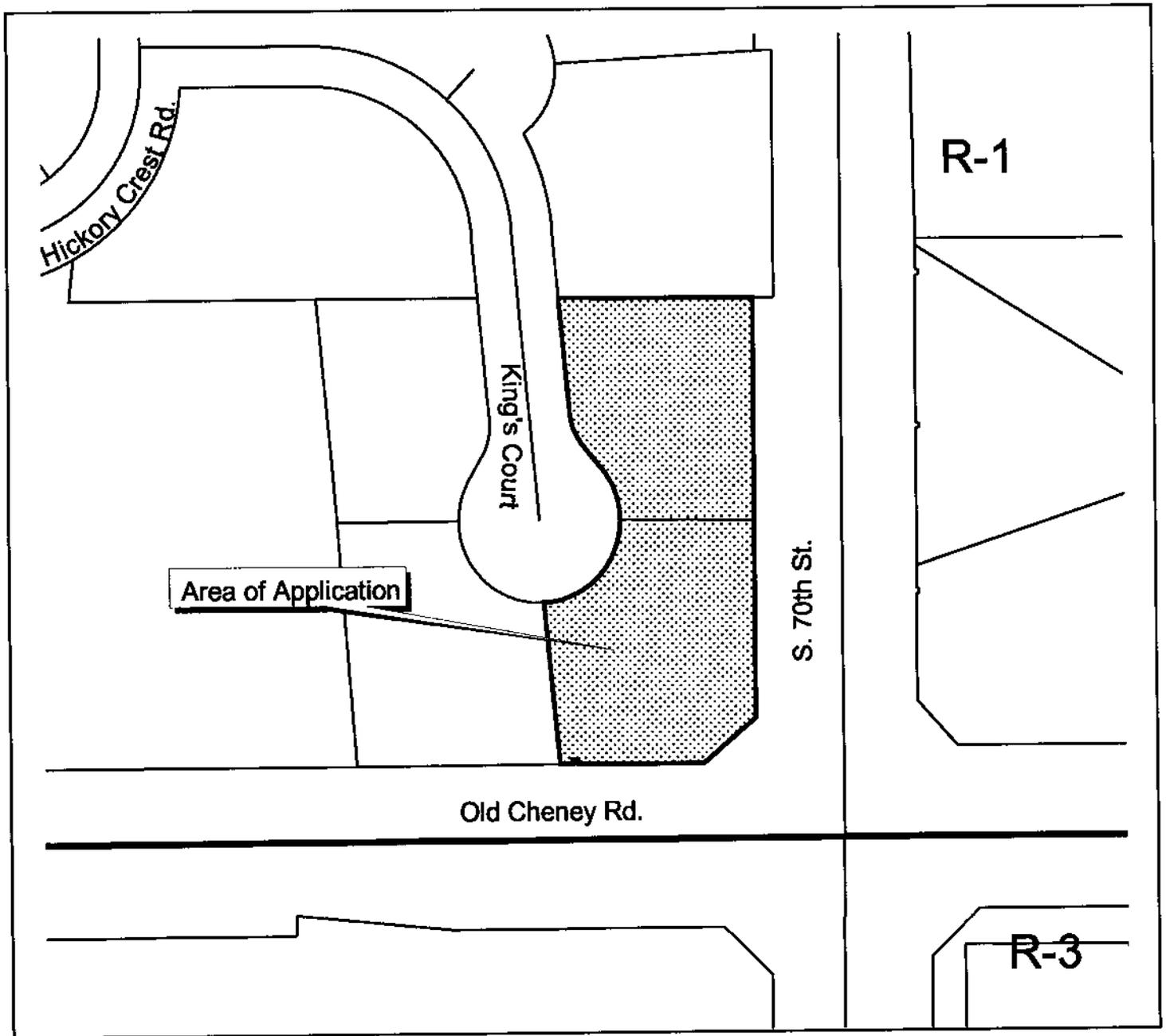
Motion to approve the waivers as requested by the applicant carried 7-2: Steward, Duvall, Krieser, Bills-Strand, Taylor, Larson and Schwinn voting 'yes'; Newman and Carlson voting 'no'.



**Waiver of Design Standards #02017
S. 70th & Old Cheney Rd.**



008

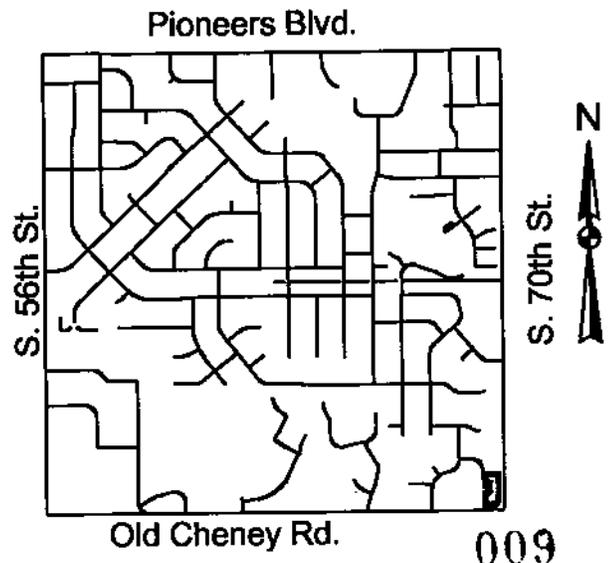
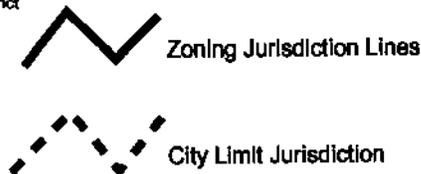


Waiver of Design Standards #02017 S. 70th & Old Cheney Rd.

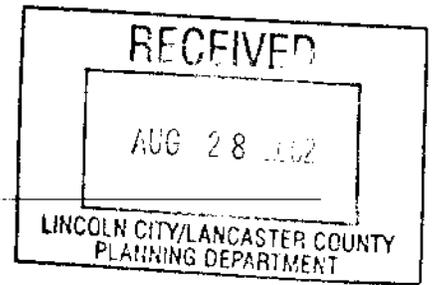
Zoning:

- | | |
|------------|--|
| 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. 9 T9N R7E



M e m o r a n d u m



[Redacted]

To: Tom Cajka, Planning Dept.

From: ^{BB} Bruce Briney, Public Works and Utilities

Subject: Waiver of Design Standards #02017, Hickory Crest 4th Addition

Date: August 28, 2002

cc: Nicole Fleck-Tooze
Randy Hoskins
Doug Blum
Harry Kroos

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the Application for Waiver of Design Standards #02017 for waiver of sidewalk and pedestrian walkway requirements in Hickory Crest 4th Addition and has the following comments:

- Public Works has no objection to waiving the requirement for sidewalk construction along South 70th Street adjacent to Lot 1.
- Public Works does not support a waiver of the requirement for sidewalk construction along South 70th Street adjacent to Lot 2.
- Public Works does not support a waiver of the requirement for construction of a pedestrian walkway between Lot 1 and Lot 2 from King's Court to South 70th Street.

Memo



To: Tom Cajka, Planning Department

From: Mark Canney, Parks & Recreation

Date: September 10, 2002

Re: Hickory Crest 4th Addition WDS 02017

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

1. Per requirements of the final plat, which depict a pedestrian easement running through lots 1 and 2, the request for a sidewalk running parallel to 70th street shall not be granted. However, the sidewalk is only required to run south to Old Cheney from the point of intersection with the pedestrian walk running between lots 1 & 2.

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

**SUSAN JOHNSON
6801 Hickory Crest Road
Lincoln, Nebraska 68516
402/423-1792**

August 20, 2002

Planning Department
City of Lincoln
555 South 10th Street
Lincoln, Nebraska 68508

Re: Application for Waiver
Proposal to delete sidewalk requirements on Lots 1 and 2, Hickory Crest 4th Addition, along 70th Street, and to delete pedestrian walk on Lot 1 (between lots 1 and 2) on Kings Court to 70th Street in Hickory Crest 4th Addition.

Proposal submitted by:

Susan J. Johnson, developer of Hickory Crest 4th Addition

Thomas A. Jackman, owner of Lot 1, Hickory Crest 4th Addition

Timothy and Marsha Artz, owners of Lot 2, Hickory Crest 4th Addition

My husband and I developed land at 70th and Old Cheney Road into four lots, which development is known as Hickory Crest 4th Addition. The final plat requires a sidewalk along the west side of 70th Street, extending the lengths of lots 1 and 2. Additionally, it requires a pedestrian walk from the cul-de-sac on King's Court to the sidewalk on 70th Street, which pedestrian walk would run along the south boundary of lot 1.

As the developer of this subdivision (my husband died in November, 2001), I am seeking a waiver of the requirements to construct the sidewalk along 70th Street and the pedestrian walk leading to it.

Reasons supporting the waiver of sidewalk requirement along 70th Street:

- There is no other sidewalk along the west side of 70th Street from Old Cheney Road to Antler Drive. From Antler Drive south to Old Cheney, there is no sidewalk along the west side of 70th Street. [See Exhibit 1]

- If this sidewalk is constructed, it will run into a retaining wall abutting the properties in Hickory Crest 1st Addition.
- Pedestrians could not proceed further north safely at the point of that retaining wall because ornamental grasses and flowers are planted between the retaining wall and 70th Street, leaving no safe place for pedestrians to walk.
- Pedestrians proceeding north to that retaining wall could not cross 70th Street safely (to reach the sidewalk on the other side of the street) because there is no traffic control signal until you proceed north of Antler Drive (between Antler and Glynoaks).

Photographs in Exhibit 2 illustrate the difficulty pedestrians would have in proceeding on foot north of the presently-required sidewalk.

- Given that the presently-required sidewalk would lead nowhere and, in fact, would leave pedestrians in greater peril than safety, it should not be required.

Reasons supporting waiver of the requirement for pedestrian walk from the cul-de-sac in Hickory Crest 4th Addition to 70th Street:

- If the requirement for a sidewalk along the west side of 70th Street is waived as requested here, there is no reason to require pedestrian egress from the cul-de-sac to 70th Street.
- I was informed at one point that there is a policy that every cul-de-sac abutting an arterial must provide pedestrian egress to that arterial. But no other cul-de-sac abutting 70th Street, between Antler Drive and Old Cheney Road has a sidewalk providing egress from the cul-de-sac to 70th Street. Specifically, there are 5 public cul-de-sacs abutting 70th Street between Antler Drive and Old Cheney Road:

- Berrywood Court: west of 70th Street
- Tanglewood Place: west of 70th Street
- Sinclair Court: east of 70th Street
- Bradock Court: east of 70th Street
- Humann Court: east of 70th Street

None of these has a sidewalk or other pedestrian walk for egress to 70th Street.

- Additionally, there are two cul-de-sacs that abut Old Cheney Road in our immediate vicinity. Neither of these has a sidewalk for egress:
 - Jack Pine Court
 - Culwells Court
- There is no public cul-de sac abutting either 70th Street or Old Cheney Road in our vicinity that provides a sidewalk for egress from the cul-de-sac to the abutting arterial street.
- Since none of these other seven public cul-de-sacs has a sidewalk for egress, it is unfair to require one from the Hickory Crest 4th Addition cul-de-sac.

In sum,

- The sidewalk requirement along the west side of 70th Street abutting Hickory Crest 4th Addition should be waived because that sidewalk would not connect to any other pedestrian walkway; it would create a hazardous and unsafe route for pedestrians who were thus invited and attempted to proceed north along 70th Street among ornamental plantings or on the outside of them within just a foot or two of 70th Street; and it would leave pedestrians with no alternative except to proceed through or to the side of the ornamentation, retrace their steps back to Old Cheney Road, or cross 70th Street at a point where there is no traffic control device to protect their crossing.
- The pedestrian walk requirement from the cul-de-sac in King's Court to 70th Street should be waived because that walk would not lead to a sidewalk if the sidewalk requirement discussed above is waived; and because no other cul-de-sac in the vicinity has a pedestrian walk such as required here.

Thank you for your consideration of this application for waiver of requirements for construction of sidewalks. I understand a public hearing before the Planning Commission will be required. Please let me know the time and place of that hearing.

Very truly yours,

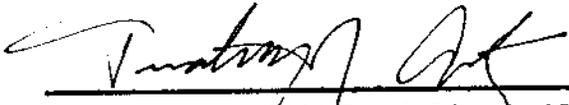


Susan J. Johnson

The undersigned are owners of Lots 1 and 2 in Hickory Crest 4th Addition and hereby give permission to Susan J. Johnson, as developer of Hickory Crest 4th Addition, to file and pursue a waiver for requirement of construction of sidewalk along the west side of 70th Street abutting our properties, and for waiver for requirement of construction of pedestrian walk on Lot 1 (between Lots 1 and 2) from King's Court to 70th Street



Thomas A. Jackman, 6936 King's Court, Lincoln, Nebraska
Owner of Lot 1, Hickory Crest 4th Addition



Timothy J. Artz, 7121 So. 33, Lincoln, Nebraska
Owner of Lot 2, Hickory Crest 4th Addition

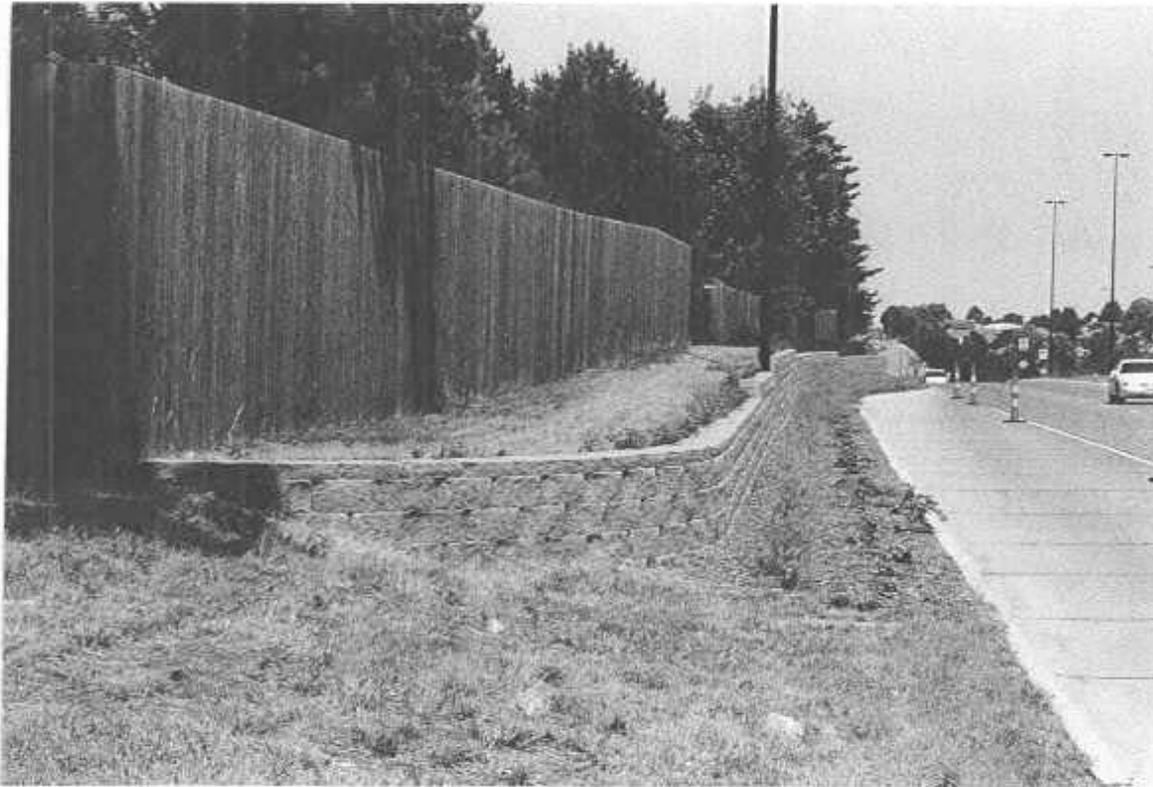


Marsha E. Artz, 7121 So. 33, Lincoln, Nebraska
Owner of Lot 2, Hickory Crest 4th Addition

Dated this 20th day of August, 2002



Area abutting
Lots 1 & 2,
Hickory Crest 4th
on 70th Street

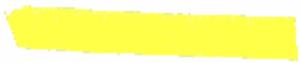


Retaining wall
north of Hickory
Crest 4th on 70th
Street



Retaining wall and no pedestrian walkway north of Hickory Crest 4th Addition and continuing north on 70th Street to Antler Drive





SIDEWALKS HAVE BEEN WAIVED
 (OR WAIVER RECOMMENDED)

09-09-07

EXH. 1



Area abutting
Lots 1 & 2,
Hickory Crest 4th
on 70th Street

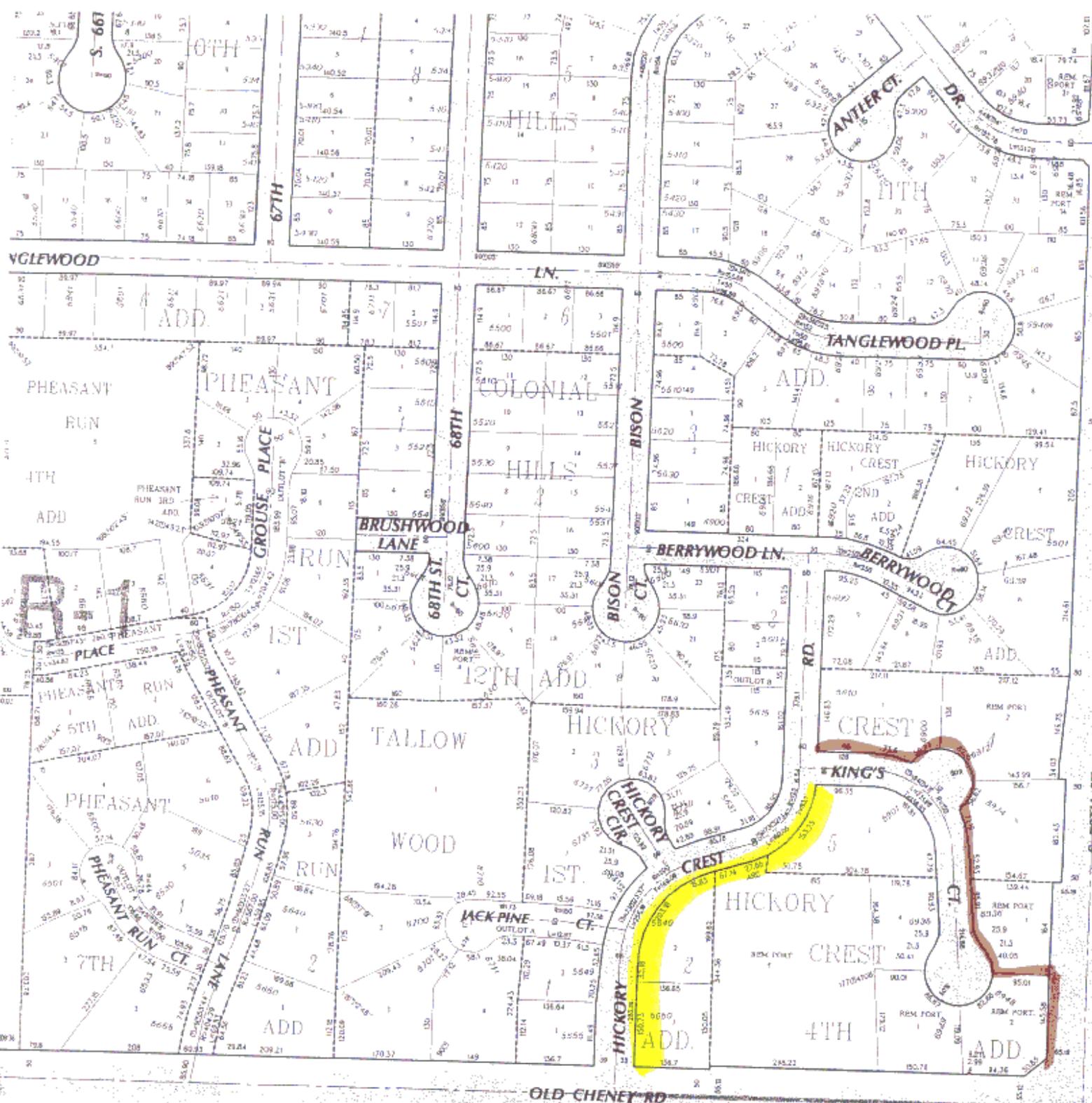


Retaining wall
north of Hickory
Crest 4th on 70th
Street



Retaining wall and no pedestrian walkway north of Hickory Crest 4th Addition and continuing north on 70th Street to Antler Drive





477' EXISTING ROUTE TO OLD CHENEY
 894' PROPOSED ROUTE TO OLD CHENEY

09-09-07

EXH. 3

022

Exhibit 4

There are 5 public cul-de-sacs abutting 70th Street between Antler Drive and Old Cheney Road.

None of these has a sidewalk or other pedestrian walk for egress to 70th Street.

Berrywood Court: west of 70th Street

Tanglewood Place: west of 70th Street

Sinclair Court: east of 70th Street

Bradock Court: east of 70th Street

Humann Court: east of 70th Street

There are 2 public cul-de-sacs that abut Old Cheney Road in our area. Neither of these has a pedestrian walkway:

Jack Pine Court

Culwells Court

Exhibit 5, pg. 1

Partial view of Lots 1 and 2, between which the proposed pedestrian walkway would go:



Exhibit 5, pg. 2

Two rows of pine trees behind Jackman's home on Lot 1.



Two rows of cedar trees on the back side (70th Street) of Artz' property on Lot 2.
The proposed pedestrian walkway would go right along the mowed portion of grass shown in this picture.

