City Council Introduction: **Monday**, February 4, 2013
Public Hearing: **Monday**, February 11, 2013, at **3:00** p.m. Bill No. 13-14

FACTSHEET

TITLE: **CHANGE OF ZONE NO. 12029, the Ascentia Planned Unit Development,** requested by Continuum Partners, LLC, on property generally located at North 1st Street and Cornhusker Highway.

STAFF RECOMMENDATION: Conditional approval.

ASSOCIATED REQUESTS: Comprehensive Plan Amendment No. 12003 (13R-34); 1st & Cornhusker Redevelopment Plan (13R-35); and Directed Arterial Street Impact Fee Transportation Improvement Agreement (13R-36)

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 12/12/12
Administrative Action: 12/12/12

RECOMMENDATION: Conditional approval (6-0: Lust, Weber, Gaylor Baird, Butcher, Hove and Cornelius voting 'yes'; Francis and Sunderman absent).

FINDINGS OF FACT:

1. This proposed ***Ascentia Planned Unit Development*** and the associated Comprehensive Plan Amendment and 1st & Cornhusker Redevelopment Plan were heard at the same time before the Planning Commission.

2. This proposed ***Ascentia Planned Unit Development*** requests a change of zone from H-3 Highway Commercial District and R-2 Residential District to R-3 Residential District PUD on approximately 72 acres, more or less, and approval of a development plan, including modifications to the Zoning and Land Subdivision Ordinance, to allow approximately 392,000 sq. ft. of commercial floor area, 450 dwelling units and a 100-room hotel. The area currently consists primarily of two mobile home parks, generally located northeast of the intersection of North 1st Street and Cornhusker Highway.

3. The staff recommendation of conditional approval, including approval of the waiver requests, is based upon the "Analysis" as set forth on p.4-6, concluding that the proposed PUD will enhance the I-180 and Cornhusker Highway entryway corridors as well as improve a blighted area. The mixed use plan is consistent with the goals for mixed use development in the Comprehensive Plan, and a special 6-page section of the proposed PUD specifies "design standards" for development.. The staff presentation is found on p.12-15.

4. The applicant's testimony is found on p.15-18. There was considerable discussion about a plan for relocation and relocation assistance.

5. Testimony in opposition is found on p.18-20, and the record consists of three letters in opposition (p.34-36). The main issues of the opposition were concerns about proper notification and relocation assistance for the owners and tenants in the existing mobile home parks.

6. On December 12, 2012, the Planning Commission agreed with the staff recommendation and voted 6-0 to recommend conditional approval of the PUD, with the understanding that the applicant would attempt further public outreach with the mobile home park residents and owners, and arrange another neighborhood meeting prior to the public hearing before the City Council (See Minutes, p.20-21). ***Note***: An additional neighborhood meeting was held by the applicant on January 22, 2013.

7. On December 12, 2012, the Planning Commission also voted 6-0 to recommend approval of the associated Comprehensive Plan Amendment No. 12003 (Bill #13R-34), and voted 6-0 to find the proposed 1st & Cornhusker Redevelopment Plan to be in conformance with the 2040 Comprehensive Plan (Bill #13R-35).

8. The Directed Arterial Street Impact Fee Transportation Improvement Agreement, which is a condition of approval of this Planned Unit Development, is also being introduced on February 4, 2013, as Bill #13R-36. This agreement specifies that the cost of impact fee-eligible improvements along North 1st Street and Cornhusker Highway, estimated at $980,000, which are required to support the proposed development, shall be reimbursed to the developer out of the impact fees generated by this development within a 10-year period.

FACTSHEET PREPARED BY: Jean L. Preister **DATE**: January 28, 2013

REVIEW ED BY: Marvin Krout, Director of Planning **DATE**: January 28, 2013

REFERENCE NUMBER: FS\CC\2013\CZ12029 PUD+

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for DECEMBER 12, 2012 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone No.12029 Ascentia Planned Unit Development(PUD)

PROPOSAL: From H-3, Highway Commercial and R-2, Residential to R-3, Residential PUD.

LOCATION: N. 1st St. and Cornhusker Hwy.

LAND AREA: 72 acres, more or less

EXISTING ZONING: H-3, Highway Commercial and R-2, Residential

WAIVER /MODIFICATION REQUEST:

1. For information accompanying a preliminary plat for a PUD to be submitted with an administrative amendment
2. To allow block lengths to exceed 1,320 feet.
3. to allow parking in the side yard setback in Area One except when abutting a residential district.
4. to allow cross parking between lots in Area One to meet minimum parking requirements.

CONCLUSION: The proposed PUD will enhance the I-180 and Cornhusker Highway entryway corridors as well as improve a blighted area. The mixed use plan of this PUD is consistent with the goals for mixed use development in the Comprehensive Plan.

RECOMMENDATION:		Conditional Approval
Waivers:		
1.	For information accompanying a preliminary plat for a PUD to be submitted with an administrative amendment	Approval
2.	To allow block lengths to exceed 1,320 feet	Approval
3.	To allow parking in the side yard setback in Area One except when abutting a residential district.	Approval
4.	to allow cross parking between lots in Area One to meet minimum parking requirements.	Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 82, 92 and 94 all Irregular Tracts and Lots 88,104 thru110 and the west 52 feet of Lot 103, Woods Bros North Acres; all located in the NW 1/4 of Section 14, Township 10 North, Range 6 East, Lancaster County, NE

EXISTING LAND USE: Two Mobile home courts

SURROUNDING LAND USE AND ZONING:

North:	R-3, Residential	Church and single family houses
South:	H-3, Highway Commercial	Retail
	P-Public (south of Cornhusker Hwy)	Oak Lake Park
East:	R-2, Residential	Single and two-family dwellings
West:	R-2 & R-4, Residential	Mobile home court, apartments & undeveloped
	P-Public	West Lincoln Park

ASSOCIATED APPLICATIONS:

Comprehensive Plan Conformance #12020 for a Redevelopment Plan.

Comprehensive Plan Amendment #12003 to amend the Future Land Use Plan in the 2040 Comprehensive Plan.

HISTORY:

October 29, 2012: City Council approved Miscellaneous #12008 for the 1st and Cornhusker Redevelopment Area Blight and Substandard Determination Study.

COMPREHENSIVE PLAN SPECIFICATIONS:

The 2040 Lincoln and Lancaster County Comprehensive Plan identifies this area as Urban Residential and Commercial in the Future Land Use Plan. (p.1.9)

The community's present infrastructure investments should be maximized by planning for well-designed and appropriately-placed residential and commercial development in areas with available capacity. (p. 2.7)

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. (p. 2.8)

Major entryways to Lincoln including Interstate 80 and its exits (especially I-180), Highways 77 and 34 from the north, Cornhusker Highway from the east and from the Airport on the west, O Street from the east and west, Homestead Expressway/Highway 77/Rosa Parks Way from the southwest and west, and Highway 2 from the southeast, should be studied, protected, and enhanced to create and express community pride. (p. 4.6)

Establish clear urban design standards and an efficient, expeditious review process for development and redevelopment of mixed use commercial/residential areas, especially focusing on the interface with residential neighborhoods, attractive streetscapes, and safe and comfortable movement of people — whatever their mode of travel. (p. 4.7)

The corridors along I-180 from Interstate 80 to the entry into Downtown, and from Lincoln Municipal Airport along Cornhusker Highway to the interchange with I-180 should be a special focus for public/private partnerships to identify special themes and appropriate sites for public art. (p. 4.7)

Strengthen design standards for commercial and mixed-use development along major travel corridors, to reflect a positive visual image that engenders community pride and identity. (4.8)

Cornhusker Highway and Interstate 180 adjacent to this site are identified as "Secondary and Primary Entryway Corridors", respectively. (p. 4.8)

Provide flexibility to the marketplace in siting future commercial and industrial locations. (p. 5.2)

Encourage commercial centers to encompass a broad range of land uses with the integration of compatible land use types. (p. 5.2)

It is the policy that Commercial Centers in Lancaster County be located:

- Where urban services and infrastructure are available or planned for in the near term.
- In sites supported by adequate road capacity– commercial development should be linked to the implementation of the transportation plan.
- In existing underdeveloped or redeveloping commercial areas in order to remove blighted conditions and to more efficiently utilize existing infrastructure. (p. 5.5)

The Plan identifies the potential for 8,000 new dwelling units to be located within the existing built-out portion of the City by 2040. (p. 6.1)

Mixed Use Redevelopment should:

- Target existing underdeveloped or redeveloping commercial and industrial areas in order to remove blighted conditions and more efficiently utilize existing infrastructure.
- Occur on sites supported by adequate road and utility capacity.
- Enhance entryways when developing adjacent to these corridors.
- Encourage residential mixed use for identified corridors and redeveloping Regional, Community, Neighborhood and Mixed Use Office Centers identified as nodes.

Nodes are Commercial Centers that are five acres or larger that are encouraged to be redeveloped into walkable residential mixed use centers. (p. 6.4)

As the foundation of a great new neighborhood, nodes should provide services and retail goods oriented to the residents in and adjacent to the development, with significant pedestrian orientation and access.(p. 6.4)

The project area is shown as a node on the Mixed Use Redevelopment Nodes and Corridors Map. (p. 6.5)

UTILITIES: All utilities are available to serve this property.

TRAFFIC ANALYSIS: N. 1st St. is classified as a minor arterial and Adams St. a collector on the Existing Functional Classification Map in the 2040 Comprehensive Plan.

PUBLIC SERVICE:
The nearest fire station is located at N. 14th St. and Adams St.
West Lincoln Elementary School is located at NW 7th St. and West Dawes Ave.

ANALYSIS:

1. This is a request for a change of zone from H-3, Highway Commercial and R-2, Residential to R-3 Planned Unit Development (PUD) over approximately 72 acres located northeast of the intersection of N. 1st St. and Cornhusker Highway. Currently, there are two mobile home parks on the site.

2. Although the underlying zoning will be R-3 PUD, the commercial area will conform to the B-2 district regulations and the residential area will conform to the R-5 District regulations unless otherwise specified.

3. The site is adjacent to single family and two family residential to the north and west. There is a mobile home park and single family residential to the west. To the south, across Cornhusker Highway, is Oak Lake Park.

4. The PUD site plan identifies access points, setbacks and drainage ways. A specific site plan is not being approved at this time since the developer does not have any tenants and is early in the process. Final site layout, including grading, drainage, landscaping and other site related details are proposed to be reviewed by administrative amendment in the future. The final site layout must be in substantial compliance with the approved planned unit development.

5. The developer has agreed to design standards for the PUD. Proposed design standards are attached. The design standards will help to enhance the entryway corridor and meet the goals established in the Comprehensive Plan for mixed use developments. They will also guide the future site plan development since a specific plan is not being approves at this time.

6. The PUD proposes a 450 unit apartment complex, 100 room hotel, 190,000 sq. ft. of office space, 201,000 sq. ft. of retail and 1,000 sq. ft. fast food restaurant. This site is shown as a Mixed Use Redevelopment Node in the 2040 Comprehensive Plan. The proposed uses meet the goals of mixed use development in the Comprehensive Plan.

7. The developer has met with residents of both mobile home parks and has sent a letter to the residents. The letter is attached.

8. Although the proposed PUD will remove 273 mobile homes, 155 (56.4%) were determined to be dilapidated or had major deterioration per the blight study. The loss of mobile homes will be replaced with a 450 unit apartment complex. The Comprehensive plan encourages higher residential densities in redevelopment areas. The mobile home park owner also owns vacant lots in the mobile home park to the west. The owner ha stated they will assist mobile home owners in relocation.

9. The proposed PUD is adjacent to a Entryway Corridor. Cornhusker Highway is identified as a Secondary Entryway Corridor and I-180 is a Primary Entryway Corridor to Lincoln. Projects adjacent entryway corridors should encompass design standards that reflect a positive visual image. One of the Guiding Principles for Mixed Use Development is to enhance entryways when developing adjacent to these corridors.

10. The City is currently working on a master plan to provide more detailed guidance regarding the I-180 and Cornhusker Highway entryway. The master plan will include strategies to preserve and enhance corridors into the City.

11. Currently the Future Land Use Plan in the Comprehensive Plan identifies the majority of the site as urban residential with the southern portion as commercial. Comprehensive Plan Amendment #12003 proposes to align the future land use map with the proposed uses of the Planned Unit Development. Additionally, this area is proposed to be identified as a “Community Center” on Page 5.6 of the Comprehensive Plan. The staff report for CPA #12003 addresses the proposed changes in greater detail.

12. Community Centers are identified as commercial centers that range in size from 250,000 to 600,000 square feet. Community Centers are intended to be smaller than regional centers and serve a more targeted market and geographic area. Community Centers

should include a mix of retail and service activities, as well as residential. There are no Community Centers in the northwest part of the City.

13. This development will require street improvements to N. 1st St; Adams St. and Cornhusker Highway. The improvements will be phased in as needed. An agreement between the City and the developer, detailing the finances of improvements that are eligible for impact fee reimbursement will be determined in a separate agreement. The traffic study prepared by Iteris recommends that N. 1st St. be improved to 4 lanes from Cornhusker Highway. Other improvements include:
    - a traffic signal at N. 1st St. and Belmont Ave
    - westbound dual left turn lanes at N. 1st St. and Belmont Ave.
    - a right turn lane from N. 1st St. to Belmont Ave.
    - a right turn lane from west bound Cornhusker Highway onto N. 1st St.
    - turn lanes at West Dawes and N. 1st St.
    - turn lanes at Furnas Ave. and N. 1st St.

14. This proposal for a mixed use development along with the proposed design standards could be a significant improvement to the area and entryway into Lincoln. The development would provide needed services in northwest Lincoln. This site would be the only Community Center in northwest Lincoln.

Since the City Staff finds the Developer's request to waive or modify the requirements of the Land Subdivision Ordinance is justified and acceptable the Planning Commission has the authority to grant the following waivers or modifications:

- For information accompanying a preliminary plat for a PUD to be submitted with an administrative amendment

- To allow block lengths to exceed 1,320 feet.

- to allow parking in the side yard setback in Area One except when abutting a residential district.

- to allow cross parking between lots in Area One to meet minimum parking requirements.

<u>CONDITIONS OF APPROVAL:</u>

This approval permits a 450 dwelling units, 100 room hotel, and 392,000 sq. ft. of commercial space.

<u>Site Specific Conditions:</u>

1. The Developer signs a transportation improvement agreement before the City Council approves the change of zone.

2. The City Council approves associated request:

    2.1 Comp. Plan Amendment #12003

2.2 Comp Plan Conformance #12020

3. Before a final plat is approved 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 planned unit development by the City Council.

3.1 Change Note #3 to read, “All permitted, conditional, and special permitted uses of the B-2 District are permitted by right in Area 1&2 and of the R-5 District are permitted by right in Area 3.

3.2 Rewrite Note #4 to say, “By administrative amendment the minimum parking requirement may be reduced by up to 25% due to mixed use, shared parking and/or non-concurrent parking use.”

3.3 Change Note #14 to read, “In Area 1and 2 the B-2 sign regulations shall apply and in Area 3 the R-5 sign regulations shall apply. Signs need not be shown on the site plan.”

3.4 Add a note that the transportation improvements and notes 25-29 shown on the site plan, as well as the phasing of improvements must be approved by Public Works & Utilities Department.

3.5 Add a note that the proposed Ascentia Design Standards are part of the Ascentia PUD Development Plan.

4. Before receiving building permits, the developer shall provide the following documents to the Planning Department:

4.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the planned unit development has been recorded.

5. Prior to the issuance of a building permit:

5.1. The construction plans must substantially comply with the approved plans.

6. Before issuance of building permits, final plat(s) shall be approved by the City.

If any final plat on all or a portion of the approved planned unit development is submitted five (5) years or more after the approval of the planned unit development , the city may require that a new planned unit development be submitted, pursuant to all the provisions of section 26.31.015. A new planned unit development may be required if the subdivision ordinance, the design standards, or the required improvements have been amended by the city; and as a result, the planned unit development as originally approved does not comply with the amended rules and regulations.

Before the approval of a final plat, the public streets, private roadway improvements, sidewalks, public sanitary sewer system, public water system, drainage facilities, land preparation and grading, sediment and erosions control measures, storm water detention/retention facilities, drainageway improvements, street lights, landscaping screens, street trees, temporary turnaround and

barricades, and street name signs, must be completed or provisions (bond, escrow or security agreement) to guarantee completion must be approved by the City Law Department. The improvements must be completed in conformance with adopted design standards and within the time period specified in the Land Subdivision Ordinance. A cash contribution to the City in lieu of a bond, escrow, or security agreement may be furnished for sidewalks and street trees along major streets that have not been improved to an urban cross section. A cash contribution to the City in lieu of a bond, escrow, or security agreement may be furnished for street trees on a final plat with 10 or fewer lots.

Before a final plat may be approved, Developer agrees, as subdivider, must enter into an agreement with the City whereby Developer agrees:

to complete the street paving of public streets, and temporary turnarounds and barricades located at the temporary dead-end of the streets shown on the final plat within two (2) years following the approval of the final plat.

To complete the paving of private roadway, and temporary turnarounds and barricades located at the temporary dead-end of the private roadways shown on the final plat within two (2) years following the approval of this final plat.

to complete the installation of sidewalks along both sides of the streets (private roadways) as shown on the final plat within four (4) years following the approval of the final plat.

to complete the installation of sidewalks along N. 1st St. as shown on the final plat within two (2) years following the approval of this final plat.

to construct the sidewalk in the pedestrian way easements

to complete the public water distribution system to serve this plat within two (2) years following the approval of the final plat.

to complete the public wastewater collection system to serve this plat within two (2) years following the approval of the final plat.

to complete the enclosed public drainage facilities shown on the approved drainage study to serve this plat within two (2) years following the approval of the final plat.

to complete the enclosed private drainage facilities shown on the approved drainage study to serve this plat within two (2) years following the approval of the final plat.

to complete land preparation including storm water detention/retention facilities and open drainageway improvements to serve this plat prior to the installation of utilities and improvements but not more than two (2) years following the approval of the final plat

to complete the installation of public street lights along streets within this plat within two (2) years following the approval of the final plat.

to complete the installation of private street lights along private roadways within this plat within two (2) years following the approval of the final plat.

to complete the planting of the street trees along streets/private roadways within this plat within six (6) years following the approval of the final plat.

to complete the planting of street trees along N. 1st St. as shown on the final plat within two (2) years following the approval of this final plat.

to complete the installation of the street name signs within two (2) years following the approval of the final plat.

to complete the installation of the permanent markers prior to construction on or conveyance of any lot in the plat.

to timely complete any other public or private improvement or facility required by the Land Subdivision Ordinance which inadvertently may have been omitted from the above list of required improvements.

to submit to the Director of Public Works a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.

to comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.

to complete the public and private improvements shown on the Planned Unit Development.

to keep taxes and special assessments on the outlots from becoming delinquent.

to maintain the outlots on a permanent and continuous basis.

to maintain the private improvements in good order and condition and state of repair, including the routine and reasonable preventative maintenance of the private improvements, on a permanent and continuous basis.

to maintain the street trees along the private roadways including replacement and replanting as reasonably necessary, on a permanent and continuous basis.

to maintain the sidewalks in the pedestrian way easements in good order and condition, including repair and replacement as reasonably necessary, on a permanent and continuous basis.

to maintain the private facilities which have common use or benefit in good order and condition and state of repair, including the routine and reasonable preventive maintenance of the private improvements, on a permanent and continuous basis.

to recognize that there may be additional maintenance issues or costs associated with the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development and that these additional maintenance issues or costs are the responsibility of the permittee.

to retain ownership of and the right of entry to the outlots in order to perform the above-described maintenance of the outlots and private improvements on a permanent and continuous basis. However, Developer(s) may be relieved and discharged of such maintenance obligations upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance subject to the following conditions:

(1) Developer shall not be relieved of Developer's maintenance obligation for each specific private improvement until a registered professional engineer or nurseryman who supervised the installation of said private improvement has certified to the City that the improvement has been installed in accordance with approved plans.

(2) The maintenance agreements are incorporated into covenants and restrictions in deeds to the subdivided property and the documents creating the association and the restrictive covenants have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

to inform all purchasers and users of land located within the 100 year floodplain and that the grading of the lots and outlots within the 100 year floodplain shall be in conformance with the grading plan approved with the Ascentia PUD Change of Zone #12029 or as amended by the Director of Planning. The volume of fill material brought into each lot and outlot from outside the floodplain shall not exceed that shown on the approved grading plan accompanying the PUD.

to relinquish the right of direct vehicular access to N. 1st St. and Adams St..

Standard Conditions:

7. The following conditions are applicable to all requests:

7.1 Before occupying the dwelling units/buildings all development and construction shall substantially comply with the approved plans.

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

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

7.4 The terms, conditions, and requirements of the ordinance shall run with the land and be binding upon the permittee, its successors and assigns.

7.5 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.

Prepared by:

Tom Cajka
Planner

DATE: November 29, 2012

APPLICANT: Continuum Partners
7171 W. Alaska Dr.
Lakewood, CO 80226
720-946-4649

OWNER: Countryside Mobile Home Park, LLP and
Lincoln Mobile Home Parks, LLP
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COMPREHENSIVE PLAN AMENDMENT NO. 12003, COMPREHENSIVE PLAN CONFORMANCE NO. 12020, and CHANGE OF ZONE NO. 12029, ASCENTIA PLANNED UNIT DEVELOPMENT

PUBLIC HEARING BEFORE PLANNING COMMISSION: December 12, 2012

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

There were no ex parte communications disclosed.

Staff recommendation: Approval of the Comprehensive Plan amendment; a finding of conformance with the Comprehensive Plan on the redevelopment plan; and conditional approval of the planned unit development.

Staff presentation: **David Landis, Director of Urban Development,** addressed the Redevelopment Plan, which is the second of three steps the City would take along with the owner in movement towards an ultimate redevelopment of the land. The first step was that the land has been declared blighted and substandard. The second is to outline a general area for the redevelopment area with plans representing a higher and better use than what is there today, and, if approved, the City would then negotiate a Redevelopment Agreement which would go before the City Council for approval of the use of TIF to assist in the public benefits and public enhancements that would accrue should there be redevelopment of the property.

The proposed Redevelopment Plan contains all the statutory elements and describes the public improvements that are identified as being appropriate. The public improvements are a series of changes in the roads. The roads are private inside the two developments other than Nance Avenue, which is a city road but it is gravel. The public improvements would include a right turn lane at 1st & Cornhusker Highway; conversion of 1st Street from three to four through lanes; right turn lane at 1st & Belmont; realign existing intersection between Saunders Avenue and W. Dawes Avenue; allow right-in, right-out at intersection of 1st and Furnas Avenue; and construct turn lanes on Adams Street. These improvements would handle any significant increase in traffic.

The private improvements which are outlined in the Redevelopment Plan which are necessary to be in the Plan include free-standing retail of up to 150,000 sq. ft., specialty retail at a little over 5,000 sq. ft.; 100-room hotel, fast food restaurant, and office space of 190,000 sq. ft. The reason it is important to have these improvements in the Redevelopment Plan is that should a developer step forward, should financing be available and should they wish to use TIF, the improvements must be outlined in the Plan as it is today. It is possible to amend the plan, but this is a vision for what could be done with this land. And if a developer was found, the City would be able to act consistent with this plan and then undertake the negotiation of a Redevelopment Agreement. If the developer wants to do something different, the Redevelopment Plan would have to be brought back to the Planning Commission.

Landis stated that there is no developer at the present time, but there is an owner who wishes to prepare to redevelop.

Landis pointed out that there are two controversial questions: 1) this is important land with 200+ household uses – changing that use which dispossesses those 200+ housing units – that is a considerable impact on the residents; and 2) what are the relocation options that are available? In the event the City was a party by offering TIF, and there were people living at this location at the time of the redevelopment agreement, the City would be responsible for relocation consistent with the Relocation Act and it would be a TIF expense. The City would have the obligation to see that relocation standards are met. If there are changes before there is a redevelopment agreement, the responsibility for relocation assistance would be the responsibility of the owner.

What about the change of land use? Landis pointed out that most of the mobile home owners have the situation of a 30-day lease, and if we were to describe the worst case scenario, it would be for the owner to say he was going to get out of business and the tenants would be required to move in 30 days. That is within the legal framework the owner would have. Landis also indicated that no one is suggesting this is what is going to happen, but that is what happens with leased land. That's the underlying relationship.

Landis reiterated that there is not a specific plan today, but the land is very well positioned for being consistent with improvement for entryway purposes; there is a property owner that can vision a higher and better use, and that higher and better use is consistent with what the City would want to have happen; that is, nodes like this at a major intersection on the entryway with mixed use development.

Lust commented that if there are no TIF funds used or if the City is not involved in the redevelopment process, there is no guarantee of any relocation assistance. Landis acknowledged that there is not a relocation provision in existing leases. The underlying agreement is between the landlord and the tenant. Lust inquired whether it is the redevelopment agreement which is the point at which the City would work with the owner on relocation assistance. Landis suggested that the applicant should respond to this question; however, if somebody came to Urban Development for a Redevelopment Agreement and it required the relocation, it would be the City's obligation to have a relocation plan in place that meets federal and state law; however, that is only if the Redevelopment Agreement includes TIF financing. Landis does not have an example of any Redevelopment Agreement without TIF financing. Landis does not see that there is a requirement to use TIF in a Redevelopment Agreement but we would have every reason to do so because the purpose of the agreement is to access a financing tool.

Brandon Garrett of Planning staff discussed the Comprehensive Plan Amendment. The applicant has requested a land use map change. The current land use designation on the 2040 Comprehensive Plan future land use map is Urban Residential. The request is to change a portion of that area from Urban Residential to Commercial. The southern portion of the site is zoned H-3 and currently does have a commercial designation. The proposed PUD is showing a Commercial designation for the now Urban Residential area.

Garrett pointed out that page 6.5 of the Comprehensive Plan refers to mixed use redevelopment and the Nodes and Corridors Map does identify this general area as an appropriate site for mixed use redevelopment.

Garrett also pointed out that the Comprehensive Plan outlines different types of centers. There are neighborhood centers, community centers, regional centers, etc. In this case, the square footage proposed would fall in the range of a "community center", so the proposed Comprehensive Plan Amendment would also be adding a community center designation at this site at 1st & Cornhusker. It is a type of commercial center. Community centers are to be spaced throughout the community. There are no community centers designated in the whole general area of northwest Lincoln. The nearest is on North 84th Street. After that you would look to 14th & Yankee Hill Road.

Garrett stated that the staff has determined that the applicant's proposal for a land use map change from Urban Residential to Commercial and to add the community center designation would be appropriate.

Lust commented that just because we change the zoning and the land use map doesn't mean that anything will change immediately in the area. In other words, the existing dwelling units just become a nonconforming use at that point. Garrett responded, stating that the Comprehensive Plan outlines the future appropriate land use, so we are not talking about zoning. The Comprehensive Plan Amendment just covers the future appropriate use of the land.

Tom Cajka of Planning staff presented the proposed Ascentia Planned Unit Development. This application is for a change of zone from H-3 Highway Commercial and R-2 Residential to R-3 PUD on approximately 72 acres. The property is north of Cornhusker Highway; the west boundary is 1st Street; the east boundary is 4th Street; and the north boundary is Adams Street. Currently, there are two mobile home parks on this property. The site is adjacent to single-family and two-family residential on the north and east; there is single-family residential and another mobile home park and some vacant property to the west; there is a small park; and to the south across Cornhusker Highway is Oak Lake Park.

Cajka explained that the proposed PUD proposes a 450-unit apartment complex, a hotel and 392,000 sq. ft. of commercial floor area, including both retail and office use. The site is shown as a mixed use redevelopment node in the Comprehensive Plan today. The proposed PUD would be classified as a "community center", which can range in size from 250,000 sq. ft. to 600,000 sq. ft. Currently, there are no community centers in the northeast part of Lincoln.

Cajka also explained that the proposed PUD will require street improvements, including a traffic signal at 1st & Belmont; westbound dual left turn lanes at 1st & Belmont; right turn lane from N. 1st Street to Belmont Avenue; right hand turn lane from Cornhusker Highway to N. 1st Street; turn lanes in other interior streets and widening of 1st Street.

The PUD proposes design standards including pedestrian orientation, streetscapes, landscaping, siting of buildings and facades, and types of building materials to be used. This is an entryway corridor into Lincoln so the staff believes that some site design standards are appropriate to enhance this area.

Cajka then addressed the waivers being requested by the applicant:

1) information accompanying a preliminary plat to be submitted with an administrative amendment. This information would be more detailed plans such as grading and drainage, street profiles, utility plans and a more detailed site plan – this is a typical waiver with a PUD.

2) allow block lengths to exceed 1,320 feet. This waiver is acceptable due to the large commercial center plus there is a large drainageway that cuts through the property. Being bounded on one side by Cornhusker Highway prohibits any access to Cornhusker Highway.

3) parking in side yard. This waiver is standard in large commercial areas.

4) to allow cross-parking between lots in Area 1. This is common in large commercial centers where the parking does not necessarily have to be on your own lot with shared parking across lot lines.

Cajka stated that this proposal for a mixed use development and the proposed design standards could be a significant improvement to the area and entryway to Lincoln. It will provide needed services in northeast Lincoln.

Gaylor Baird understands the waiver of the block length on the side of the property that is along Cornhusker Highway, but she wonders whether it makes sense to have those sorts of waivers on the interior connected to the commercial areas which are supposed to be pedestrian-oriented. Cajka suggested that the internal street pattern could change in the future, but they are limited to access points on 1st Street and creating more streets crossing the drainage ditch is a substantial cost. A large apartment complex would not have a lot of streets.

Proponents

1. Mike Eckert of Civil Design Group appeared on behalf of the applicant. His firm was engaged by the applicant over a year ago to begin the process of looking at this property, i.e. how can we go about the process of getting the zoning in place so that they are ready to market the property at some point in the future. The off-site improvements have been determined and they have already agreed with staff on some design standards.

The role of Civil Design Group was to do the traffic study with more traffic study issues requested by staff, and they also worked on some design issues in order to establish hypothetical uses for the traffic study. As part of that, Eckert feels very good about the agreements they have reached with staff on the off-site improvements and believes this was a

good approach. What is going to happen is out in the future. The developer will decide when to market this property.

Gaylor Baird inquired as to why the block length waiver is necessary. Eckert stated that it depends on how the block lengths get set up in the commercial area. It is unlikely that it will be broken but the applicant wanted to be able to do that if it becomes necessary.

Eckert also pointed out that there was a significant amount of work done on the hydrology. The drainage areas are shown as preserved minimum corridor areas.

With regard to the block length waiver, Cornelius believes they are usually discussed with respect to things like pedestrian easements and orientation. He is concerned about the design standard for pedestrian orientation and how that may or may not conflict with the waiver. He is hearing that there are separate conceptual units of development with pedestrian movements internally that might be divided by roadways that exceed the block length limit. Is that correct? Eckert responded yes, potentially, but the standard for pedestrian way easements is different than block length. We are not asking for a waiver of the pedestrian way easement, which is 1,000 ft.

2. Tom Huston, 233 S. 13th Street, Suite 1900, appeared on behalf of **Ascentia Real Estate** and its affiliates, **Countryside Mobile Home Park and Lincoln Mobile Home Park.** The PUD is a conceptual PUD – it does not have specific site planning tools, which is intentional. Rarely do we have clients with this kind of foresight – with a 5- to 10-year perspective in a planning process. That's what is happening here. The real matters of interest deal with the property, his client's plan for the property and the effect on the residents of the two mobile home parks. His client does not have a project planned or contemplated at this point. He is taking a 5- to 10-year perspective in planning for the future. His client recognizes it is unrealistic that the property will remain as it exists today, and he is trying to plan for higher and better use at some point in the future. He is trying to get some perspective on the requirement for internal and off-site improvements. It has been a planning exercise. He understands the concerns of the residents.

Huston stated that to date, his client has informed him that originally there was a letter sent to the residents in March, accompanied by a community meeting held on April 3rd. Another letter was sent in August, with another meeting held on August 29th. At those meetings, the owner pledged: 1) that they would continue to communicate with the residents; 2) that there are no current plans for the property; 3) that there would be a minimum of three months notice before any change would occur; 4) that any redevelopment would occur in phases, if at all; and 4) promised that the residents will be provided assistance with several options, including financial support.

Huston acknowledged that if his client asks for TIF funding, that would implicate the relocation rights; however, his client plans to implement a private relocation plan, excluding involvement of the City. His client has also pledged that any private relocation would comply with all statutory requirements.

Huston advised that there are a total of 420 lots or pad sites within the property. As of December 1, 2012, 274 of those lots are occupied, leaving 146 vacant lots. The owners of the property also own the adjacent mobile home park located west of N. 1st Street, i.e. Gaslight Village, with 137 vacant lots as of December 1, 2012. There are 274 occupied lots within the two mobile home parks,

of which 14 of those lots contain mobile homes that are owned by the property owner. What are the rights relative to the residents that could be affected? Huston interprets that there are three possible profiles and scenarios:

1) pure renters – individuals that do not own the mobile home, renting as it is situated on a lot owned by the owner. Under the regulations, there are two aspects that would be available. There is a supplemental to cover the differential in the cost of rent and utilities for up to 42 months, capped at $5,250. For example, if the existing rent for a mobile is $1,000/month, and for a comparable property in a different mobile home park the rent is $1,100/month, that $100 differential is a part of the supplement calculated for up to 42 months, i.e. $4,200 available as part of the relocation package. In addition, the statute makes clear that the renter is also entitled to actual and reasonable costs to move personal property within a 50-mile radius.

2) moving homeowners – homeowners that own the mobile home that would be moving the mobile home to a different facility, hopefully Gaslight Village. This type of homeowner would be entitled to a similar type of benefit, i.e. a supplement to cover the differential of increased rent and utilities for 42 months, capped at $5,250. In addition, they are entitled to actual and reasonable costs to move the mobile home and personal property. The base cost starts around $1500 to move the mobile home – in addition, there are costs to moving decks, fences, car ports, etc. This type of profile that would be relocating the mobile home is entitled to that cost plus the rent differential.

3) remaining owners - because of the condition of the property or because they choose not to move the mobile home. There are mobile homes that are in deteriorating condition that are not capable of being moved. The statute provides a third level of benefit including the two above, plus a supplement to cover increased cost of acquiring a comparable replacement mobile home, subject to cap of $22,500. Huston interprets that it is really the cost of a comparable mobile home, less any salvage value of a home that cannot be moved.

Before his client considers repositioning this property, Huston stated that he wants to design and implement his own private relocation plan based upon the federal and state standards before a redevelopment project would move forward. His client has promised to stand by these standards.

Lust appreciates the outline of relocation benefits, but when the words “pledge and promise” are used, what enforcement mechanism is available for that pledge or promise? How do we have any guarantees? Huston suggested that the City does not have to approve any redevelopment agreement unless his client has honored the commitment and pledge. Without a private relocation plan, then all of the residents would be eligible for the benefits described. Lust pointed out that if the City is not involved in the redevelopment agreement, the City does not have to come up with a relocation plan. The private owner can do what he wants. Huston’s response was that he has never met a developer that would walk away from the TIF opportunity. The cost of the infrastructure will necessarily implicate TIF. Lust confirmed then that there is no enforcement mechanism. Huston suggested that his client would not be going through this process if TIF were not involved.

Eckert offered that the off-site improvements are over one million dollars. The developer anticipates the TIF will be used to assist in the payment of that. Would he forego potential TIF dollars and still be stuck with those obligations? Eckert suggested that it would be very unusual for someone to not utilize that tool.

Butcher wondered whether there are properties which might fall under multiple categories, such as some subleasing? Huston thinks that is possible but his client does not have any knowledge of any subleases. The benefits may be allocated a little differently but they would still be basically the same.

Cornelius asked Huston about the level of resident participation in the neighborhood meetings. Huston did not have the information.

Cornelius inquired whether there is an estimate or projection for the cost to implement the private relocation plan. Huston believes it would be over seven million dollars.

Lust inquired about the letters that were distributed to the mobile home owners. Huston did not have them with him to share. Huston did not know how the letters were distributed.

Opposition

1. Raul Alvarado, 267 Belmont Avenue, testified in opposition. He has lived there for three years. He owns his trailer and pays $350/month for lot rent. He lives there because it is cheap. He can't afford anything more. He suggested that the issue should be fixing the dirt road that makes everything look like a ghetto and dusty. His parents work hard and his father just built a shed for his house and now they are talking about us having to leave. It is not right. Please take this into consideration. He did receive the notice on his windshield. He did not receive anything in the mail. He did not attend the neighborhood meeting because he did not know about it.

2. Ema Gonzales, 275 Furnas Avenue, testified in opposition. She has lived there for eight years. She suggested that there are not very many people at this hearing because many of the residents do not speak English and they do not understand what the letters says. What can I do? Where do I move? I have three children.

3. Helen (?), resident of 258 Garber Avenue, testified in opposition. She purchased the mobile home for $2,000. It was in a very disgusting situation and she has remodeled and spent all of her savings ($8,000) to remodel. People do not understand the language. They need to at least take the time to make them understand. They need to understand that we are low income families.

Butcher asked how many of the residents are Latinos. Helen did not know but some are from Honduras, Guatemala, Mexico. She has been there for one year. The biggest concern is that the owner needs to understand that they do not speak the language. Why do they not take time to have a good meeting and talk about it? It is like someone is coming to destroy our home with a bomb and we don't know when. She knocked on doors to tell people about this hearing but they cannot take off work.

4. Steve Rogers, 2612 N. 3rd, testified in opposition. He has lived in the neighborhood for 15 years. His is an older home, which he fears will not be able to be moved. It is a double-wide and

he does not know the condition underneath. The house is 35 years old. He has been somewhat reassured today with at least the appearance that there may be relocation plans or help. If they said, “let’s relocate you today, we’ll pay for it and get you moved,” he would go for it today. It sounds positive, at least more than he thought, but he is still concerned. He would like more reassurance.

5. Yolande, DeLeon, 2700 N. 2nd Street in Woodlawn Estates, testified in opposition. She has lived there about 3 years and she is on disability. She had to retire from teaching and she has used her entire retirement fixing up her mobile home. It might not be able to be moved because it is a 1974 trailer and she is sick to her stomach because she has put $15,000 into it. She found a letter underneath a rock on her steps. She just had her bathroom redone for $5,000. This is not right.

6. Jaime Gomez, 2734 Candlewood Lane, testified in opposition. He has lived there for 14 years, and he lives week-to-week. He does not have any money to move the trailer. The other people didn’t come because they don’t speak English.

7. April Robinson, 318 Countryside Lane, agreed with the opposition. She moved in a year go and her husband has remodeled the whole trailer. They purchased it for $2,000 and it’s probably now worth $8,000 or $9,000.

8. Rosa Hernandez, 2320 N. 3rd, testified in opposition. She has four children and they are very sad and worried about what is going to happen.

9. Kathleen Jenkins, testified on behalf of her parents who live at 215 Belmont. Basically, if they can be assured that the owner has honorable intentions and wishes to comply with what has been presented, then that will take their worries away. Unfortunately, things change and you cannot make people be honorable. Her parents are retired, on a very limited income and not well. They worry about these things and by the manner of communication, they do not know what is going on. It would help if they could have clear direction of what’s happening.

Cornelius asked Jenkins how the owner should communicate. Jenkins suggested that the letter should be mailed several weeks in advance. Putting the letter on the windshield just doesn’t work.

10. Yolanda Arroyo, 245 Alexander Road, testified in opposition. She came to the meeting because she does not know what is going to happen. She has lived there for 22 years, and she knows Lincoln is growing and getting beautiful. She is a single parent with two children, and she works really hard to have what she has. She is afraid. She would like to know more information of what’s going to happen by turning that into a commercial area. It will look beautiful but what’s going to happen to us? She is comfortable where she is. She has remodeled. She has put everything into the house. What is going to happen with all of that? What am I going to do? If they will tell me there is a beautiful house for my children, I am happy. But who is going to provide it? Are they going to buy the mobile homes? There are a lot of Latinos that do not speak or read English. Where am I going to go when they tell me I have 30 days to move out?

Cornelius wondered whether Ms. Arroyo feels better now after the information that has been provided at this hearing. Ms. Arroyo stated that she needs more information.

Ms. Arroyo had the letter from the Planning Department advising her of this hearing. Butcher asked whether she had received any of the letters from the owner. She does not remember seeing any other letters. She heard from people talking about it.

Response by the Applicant

If the Planning Commission supports these applications today, Huston stated that he will recommend to his client that the City Council hearing be deferred until at least one more resident meeting is held where they can do a better job of notifying people and have some interpreters available.

COMPREHENSIVE PLAN AMENDMENT NO. 12003
ACTION BY PLANNING COMMISSION: December 12, 2012

Hove moved approval, seconded by Cornelius for purposes of discussion.

Lust stated that she is really torn on this action. When the Planning Commission discussed the blight study, they were all very concerned that the finding of blight wasn't going to benefit the residents that were living there. She certainly understands the existing situation that all of these people could be evicted with 30 days notice anyway, but it is very concerning that we're going forward with a process that is likely to use city tax dollars that is likely to displace people that are trying to do the right thing by investing in their own homes that they can afford; they have improved those homes; and just because the land use wants to change they may be displaced. She is somewhat comforted that there is relocation assistance available and happy that the owner's counsel is gong to recommend additional neighborhood meetings. If the residents have some reassurance about what is going to happen; that this is long term planning – years in the future; that there is relocation assistance available; if they had an understanding of how their homes could be moved, etc., Lust believes that would eliminate a lot of the concerns she has about the process. That said, she is going to support the applications that are before the Commission today, with the understanding that the applicant will defer City Council approval while they meet with the residents and explain to them what is going to happen, with interpreters present. She is hearing a lot of fear. If that can be alleviated, this process may turn out well for everyone involved.

Weber agreed. There is a lot of fear and confusion, and a lot of miscommunication. A lot of the fears can be helped by better communication in the future and explaining in detail what could happen whenever this might redevelop and that there is assistance available. Right now, a lot of people think they will be out on the street and no one here wants that to happen. He will vote in favor with the hope that the owner will communicate and answer questions and help people with their fears.

Gaylor Baird agreed with Lust. It might be helpful to the residents if the applicant would also provide more interpretation and if the letters about the meeting would be bilingual as well so that they can be mailed and understood.

Weber suggested that the time of the meetings with the residents ~~the Council hearing~~ be considered in terms of residents who work during the day, etc. **(**As amended on 1/09/13****

Hove stated that he will support the motion, also with the understanding that there will be relocation plans and following through with communication.

Butcher pointed out that the Commission is not here to define the contractual agreements between the homeowners and the landowner. It is an unfortunate situation that exists. Clearly, he also agrees that there needs to be as much open communication as possible in regard to the meetings, but his hope is that we don't find ourselves in a situation where a few months down the line some of these expectations are not followed through. He strongly, strongly encouraged the applicant to follow through on the guarantees and hold true.

Cornelius agreed. It is unfortunate that the Commission has been very focused on the relocation issue because the other side of the coin is that the applicant should be commended on the foresight to look into the future – to take a very long planning horizon of five to ten years and to try to line up everything to make this happen with the minimal amount of upheaval for the residents. It is unfortunate that because of barriers to communication, we have arrived at this moment where we are asked to vote with a fair amount of opposition and fear. He will support with the understanding that there will be letters in the languages involved delivered through the mail, and that the meetings will be at times when people can attend and that their fears can be allayed as this project moves forward.

Motion for approval carried 6-0: Lust, Weber, Gaylor Baird, Butcher, Hove and Cornelius voting 'yes'; Francis and Sunderman absent. This is a recommendation to the City Council.

COMPREHENSIVE PLAN CONFORMANCE NO. 12020
ACTION BY PLANNING COMMISSION: December 12, 2012

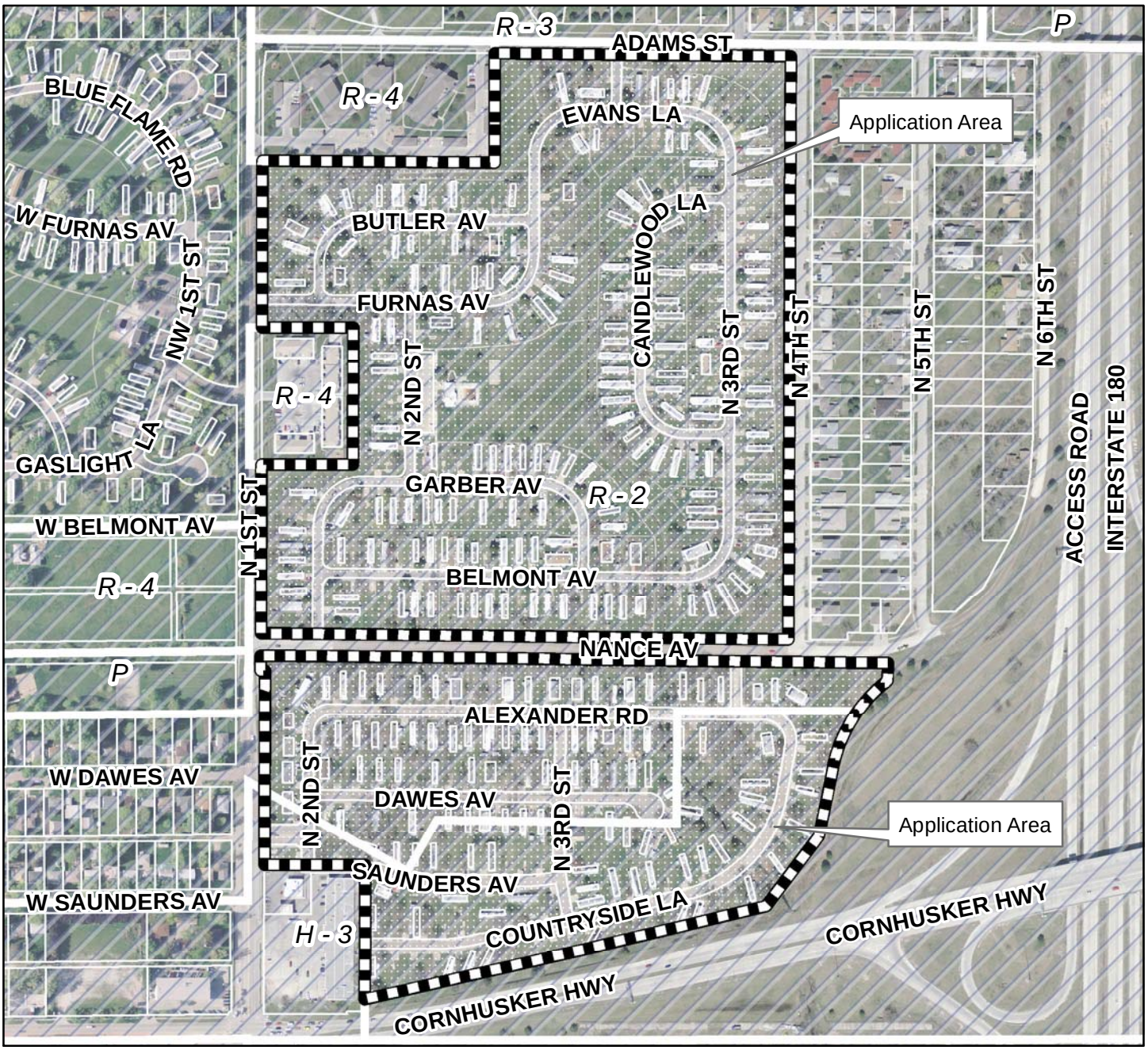
Lust moved to approve a finding of conformance with the Comprehensive Plan, seconded by Hove and carried 6-0: Lust, Weber, Gaylor Baird, Butcher, Hove and Cornelius voting 'yes'; Francis and Sunderman absent. This is a recommendation to the City Council.

CHANGE OF ZONE NO. 12029
ASCENTIA PLANNED UNIT DEVELOPMENT
ACTION BY PLANNING COMMISSION: December 12, 2012

Lust moved to approve the staff recommendation of conditional approval, seconded by Hove.

Cornelius expressed his frustration with not being able to provide reassurance to the residents because of language barriers. He stated that he will still support the proposal but it does give him pause.

Motion for conditional approval carried 6-0: Lust, Weber, Gaylor Baird, Butcher, Hove and Cornelius voting 'yes'; Francis and Sunderman absent. This is a recommendation to the City Council.



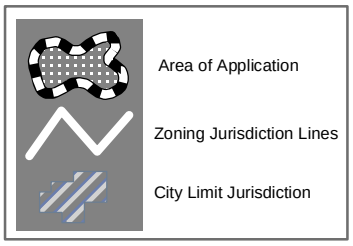
2010 aerial

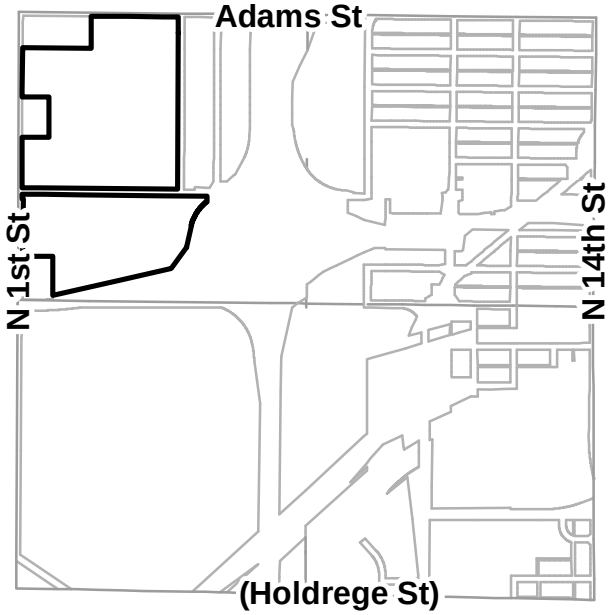
Change of Zone #12029
Ascentia PUD
N 1st St & Cornhusker Hwy

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

One Square Mile
Sec. 14 T10N R06E





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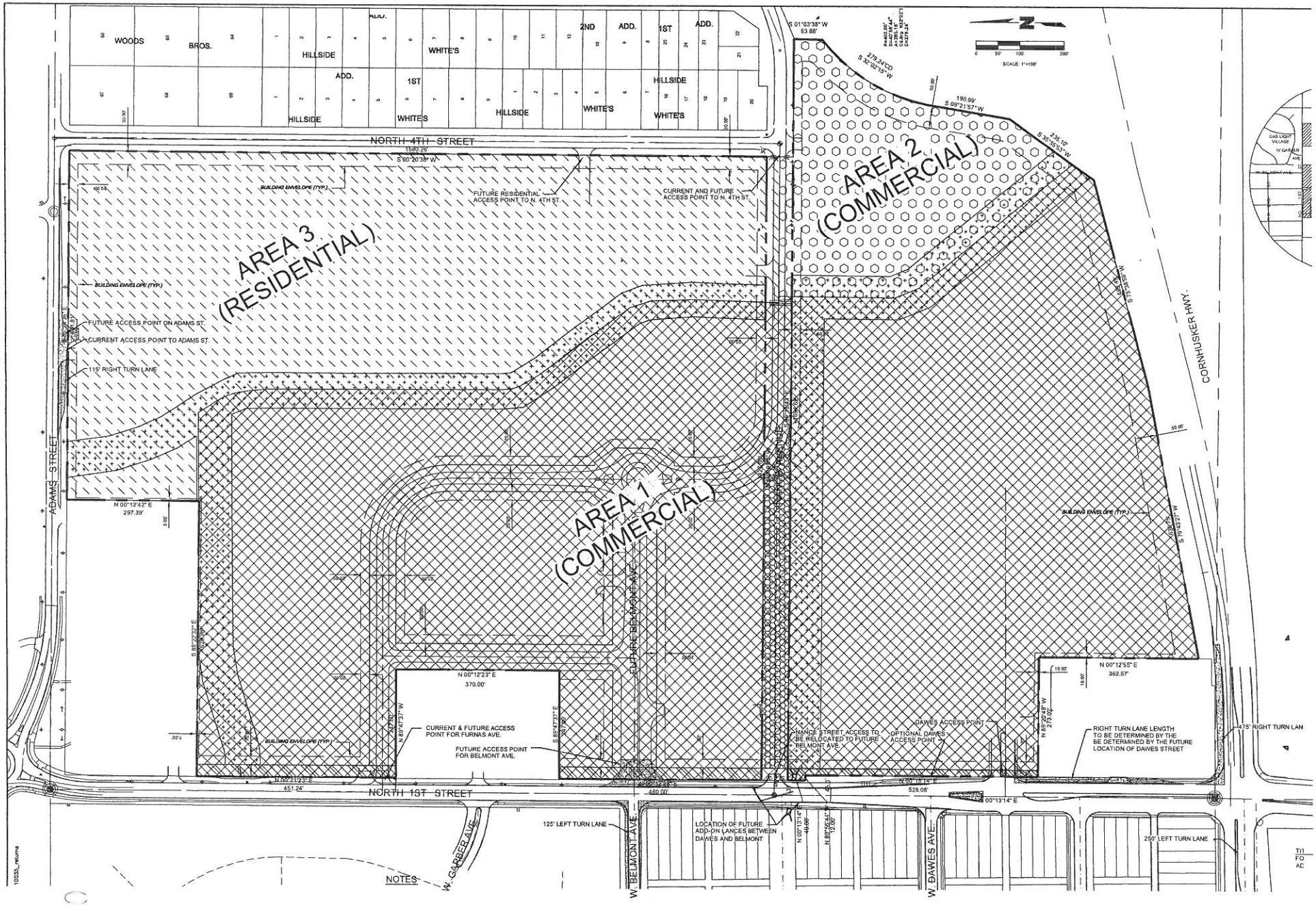
ASCENTIA
PLANNED UNIT DEVELOPMENT CZ#12029



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ASCENTIA
PLANNED UNIT DEVELOPMENT CZ#12029

NOTES

1. THE EXISTING ZONING IS R-2 & H-3, THE PROPOSED ZONING IS R-3 P.U.D. AREA 1 AND AREA 2 WILL CONFORM WITH THE B-2 ZONING DISTRICT REGULATIONS AND AREA 3 WILL CONFORM WITH THE R-5 DISTRICT, UNLESS OTHERWISE SPECIFIED.

2. DIRECT VEHICULAR ACCESS SHALL BE RELINQUISHED FROM NORTH 1ST STREET AND ADAMS STREET EXCEPT AS SHOWN.

3. ALL PERMITTED, CONDITIONAL, AND SPECIAL PERMITTED USES AS DEFINED IN LMC CHAPTER 27.06 FOR THE R-5 AND B-2 ZONING DISTRICTS ARE ALLOWED AS PERMITTED USES.

4. MINIMUM PARKING REQUIREMENTS MAY BE REDUCED BY 25% FOR MIXED USE REDUCTION, SHARED PARKING CONFIGURATION OR OPPOSING USE TIMES.

5. ALL OUTLOT AREAS AND OPEN SPACE SHALL BE MAINTAINED BY THE DEVELOPER UNTIL SUCH TIME THAT AN ASSOCIATION IS CREATED.

6. ADMINISTRATIVE AMENDMENTS SHALL BE REQUIRED FOR FUTURE CHANGES TO GRADING, DETENTION, STREET ALIGNMENTS, UTILITY LOCATIONS, STREET PROFILES, ETC. ADMINISTRATIVE AMENDMENTS ARE NOT REQUIRED REGARDING COMMERCIAL SQUARE FOOTAGE ALLOCATION. SITE PLANS FOR OFFICE/COMMERCIAL USES, SITES FOR OTHER THAN RESIDENTIAL USES, TO BE APPROVED BY ADMINISTRATIVE AMENDMENT.

7. LOTS MAY BE CREATED WITHOUT FRONTAGE TO A PUBLIC STREET IF THEY ABUT A PUBLIC ACCESS EASEMENT.

8. EXISTING AND PROPOSED EASEMENTS TO BE IDENTIFIED AND SHOWN AT TIME OF FINAL PLATTING.

9. EXACT LOCATIONS OF WATER, SEWER, DRAINAGE AND PAVING WILL BE SUBMITTED WITH INDIVIDUAL SITE PLANS AT TIME OF BUILDING PERMIT IN ACCORDANCE WITH CITY OF LINCOLN DESIGN STANDARDS.

12. FENCES, DUMPSTERS, DECORATIVE STRUCTURES AND ACCESSORY BUILDINGS ARE NOT SHOWN ON THE PLANS BUT ARE ALLOWED IF THEY ARE OUTSIDE OF THE SIGHT TRIANGLES AND SETBACKS AND ARE IN CONFORMANCE WITH ALL APPLICABLE ORDINANCES AND CODES.

13. STREET TREES TO BE REVIEWED AT TIME OF FINAL PLAT AND ASSIGNED BY PARKS AND RECREATION.

14. ALL SIGNAGE SHALL CONFORM TO SECTION 27.69.340 OF THE L.M.C., UNLESS SPECIFICALLY MODIFIED BY THE CITY COUNCIL. DETAILS OF SIGNAGE SHALL BE SHOWN AT THE TIME OF BUILDING PERMITS.

15. PRIVATE ROADWAYS ARE PERMITTED.

16. ALL TOPOGRAPHICAL ELEVATIONS ARE BASED ON NAVD 1988.

17. LOCATIONS OF WATER, SANITARY SEWER, STORM SEWER, GRADING & DRAINAGE, PAVING, STREETS, LOT LINES AND SIDEWALKS SUBJECT TO APPROVAL BY ADMINISTRATIVE AMENDMENT IN COMPLIANCE WITH THE LINCOLN MUNICIPAL CODE AND THE DESIGN STANDARDS EXCEPT AS SPECIFICALLY MODIFIED BY THE CITY COUNCIL WITH THIS P.U.D.. MINIMUM OPENING ELEVATIONS SHALL BE SET AT TIME OF ADMINISTRATIVE AMENDMENT FOR THOSE LOTS ADJACENT TO FLOODPLAIN/ELOOD PRONE AREAS, FLOOD CORRIDORS AND/OR OTHER DRAINAGE DITCHES. THE PARKING AND LANDSCAPING TO BE APPROVED AT THE TIME OF BUILDING PERMITS IN COMPLIANCE WITH LINCOLN MUNICIPAL CODE AND THE DESIGN STANDARDS.

18. THE SALE OF ALCOHOL FOR CONSUMPTION ON AND OFF THE PREMISES SHALL BE PERMITTED IN THOSE AREA DESIGNATED FOR COMMERCIAL USES CONSISTENT WITH LMC FOR COMMERCIAL USES. FOR THE PURPOSE OF SEPARATION DETERMINATION, AREAS NOT DESIGNATED FOR COMMERCIAL/OFFICE USES SHALL BE CONSIDERED RESIDENTIAL DISTRICTS AS DEFINED IN LMC SECTION 27.31.040.

19. AREA BOUNDARIES ARE APPROXIMATE AND MAY BE ADJUSTED BY ADMINISTRATIVE AMENDMENT.

20. 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 ALL SIDEWALKS ARE TO BE 4 FEET WIDE. EXACT LOCATION OF ALL EASEMENTS SHALL BE SHOWN AT THE TIME OF FINAL PLATS.

21. 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.

22. 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.

23. EVES, OVERHANDS, WINDOW SWINGS, CANOPIES AND OUTDOOR SEATING MAY ENCROACH INTO THE PEDESTRIAN ZONE IN THOSE AREA GOVERNED BY THE P.U.D. DESIGN STANDARDS.

24. PRIOR TO GRANTING OCCUPANCY PERMITS FOR ANY BUILDINGS THAT WILL ACCESS NORTH 1ST STREET VIA THE DAWES AVENUE, THE DEVELOPER WILL BE RESPONSIBLE FOR RELOCATING DAWES AVENUE SO THAT IT ALIGN WITH THE DAWES AVENUE ROW ON THE WEST SIDE OF N. 1ST ST. THIS RE-ALIGNMENT WILL THEN ALLOW A FULL ACCESS NON-SIGNALIZED INTERSECTION AT THIS LOCATION. IF THE ACCESS POINT IS NOT MOVED, IT WILL THEN BE LIMITED TO A RIGHT-IN, RIGHT-OUT. IF FUTURE TRAFFIC WARRANTS A SIGNAL, THIS ACCESS POINT MAY BE LIMITED TO A LEFT-IN, RIGHT-IN, RIGHT-OUT ONLY. DEVELOPER WILL ALSO INSTALL A RIGHT-HAND TURN LANE FOR NORTHBOUND TRAFFIC AT THIS INTERSECTION THAT WILL BEGIN IMMEDIATELY NORTH OF THE CURRENT RIGHT-IN, RIGHT-OUT ACCESS POINT ON N. 1ST STREET FOR 2310 N. 1ST ST.

25. ONCE THE PERMITTED OCCUPANCY OF USERS WITHIN THE PUD GENERATE OVER 200 PM PEAK-HOUR TRIPS, THE DEVELOPER WILL BE REQUIRED TO INSTALL A 475' RH TURN LANE IN CORNHUSKER HIGHWAY AND LENGTHEN THE OPPOSING LH IN CORNHUSKER HWY TO 250'.

26. UPON REALIGNMENT OF NANCE AVENUE TO BELMONT AVENUE DEVELOPER WILL CONSTRUCT ALL NECESSARY INTERSECTION IMPROVEMENTS. DEVELOPER WILL BE RESPONSIBLE FOR INSTALLATION OF THE TRAFFIC SIGNAL WHEN THE INTERSECTION SURPASSED THE WARRANTS ESTABLISHED BY THE CITY OF LINCOLN FOR SIGNALS ON MINOR ARTERIAL STREETS.

27. ONCE THE PERMITTED OCCUPANCY OF USERS WITHIN THE PUD GENERATE OVER 600 PM PEAK-HOUR TRIPS, THE DEVELOPER WILL BE REQUIRED TO WIDEN THE SECTION OF NORTH 1ST STREET FROM DAWES AVENUE TO BELMONT AVENUE TO A FOUR LANE SECTION OF ROADWAY.

28. OCCUPANCY PERMITS FOR ANY BUILDINGS THAT WILL ACCESS ADAMS STREET WILL REQUIRE THE INSTALLATION OF A 115' RIGHT-HAND TURN LANE.

29. ACCESS TO NORTH 4TH STREET AT THE LOCATION NORTH OF NANCE AVE WILL ONLY BE PERMITTED FOR RESIDENTIAL USES.

P.U.D. LEGAL DESCRIPTION

NORTH PARCEL

DESCRIPTION OF A TRACT OF LAND COMPOSED OF IRREGULAR TRACT LOT 82 AND LOT 88, WOODS BROS. NORTH ACRES, ALL LOCATED IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH P.M., LINCOLN, LANCASTER COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 88, WOODS BROS. NORTH ACRES; THENCE IN A SOUTHERLY DIRECTION, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF NORTH 4TH STREET AS PLATTED IN THE CITY OF LINCOLN, ON AN ASSUMED BEARING OF S 00°20'38" W FOR A DISTANCE OF 1580.26' TO THE SOUTHEAST CORNER OF SAID LOT 82 OF IRREGULAR TRACTS

THENCE N 89°19'43" W, ALONG THE SOUTH LINE OF SAID LOT 82 OF IRREGULAR TRACTS, FOR A DISTANCE OF 1427.05' TO THE SOUTHWEST CORNER OF SAID LOT 82 OF IRREGULAR TRACTS

THENCE N 00°12'23" E, ALONG THE WEST LINE OF SAID LOT 82 OF IRREGULAR TRACTS, FOR A DISTANCE OF 460.00' TO THE SOUTHWEST CORNER SAID OF LOT 81 OF IRREGULAR TRACTS

THENCE S 89°47'37" E, ALONG THE SOUTH LINE OF SAID LOT 81 OF IRREGULAR TRACTS, FOR A DISTANCE OF 247.00' TO THE SOUTHEAST CORNER OF SAID LOT 81 OF IRREGULAR TRACTS

THENCE N 00°12'23" E, ALONG THE EAST LINE OF SAID LOT 81 OF IRREGULAR TRACTS, FOR A DISTANCE OF 370.00' TO THE NORTHEAST CORNER OF SAID LOT 81 OF IRREGULAR TRACTS

THENCE N 89°47'37" W, ALONG THE NORTH LINE OF SAID LOT 81 OF IRREGULAR TRACTS, FOR A DISTANCE OF 247.00' TO THE NORTHWEST CORNER OF SAID LOT 81 OF IRREGULAR TRACTS

THENCE N 00°12'23" E , ALONG THE WEST LINE OF SAID LOT 82 OF IRREGULAR TRACTS, FOR A DISTANCE OF 451.24' TO A POINT ON THE SOUTH LINE OF LOT 1 OF IRREGULAR TRACTS

THENCE S 89°22'32" E, ALONG THE SOUTH LINE OF SAID LOT 1 OF IRREGULAR TRACTS, FOR A DISTANCE OF 628.98' TO THE SOUTHEAST CORNER OF SAID LOT 1 OF IRREGULAR TRACTS

THENCE N 00°12'42" E, ALONG THE EAST LINE OF SAID LOT 1 OF IRREGULAR TRACTS, FOR A DISTANCE OF 297.39' TO A POINT ON THE SOUTHERLY 33.00' RIGHT-OF-WAY LINE OF ADAMS STREET AS PLATTED IN THE CITY OF LINCOLN

THENCE S 89°24'36" E, ALONG THE SOUTHERLY 33.00' RIGHT-OF-WAY LINE OF ADAMS STREET, FOR A DISTANCE OF 801.81' TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 45.42 ACRES

SOUTH PARCEL

DESCRIPTION OF A TRACT OF LAND COMPOSED OF IRREGULAR TRACT LOT 92, IRREGULAR TRACT LOT 94, ALL OF LOTS 104 THRU 110 AND THE WEST 52' OF LOT 103, WOODS BROS. NORTH ACRES, ALL LOCATED IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH P.M., LINCOLN, LANCASTER COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT 110, WOODS BROS. NORTH ACRES; THENCE IN AN EASTERLY DIRECTION, ALONG THE SOUTHERLY 33.00' RIGHT-OF-WAY LINE OF NANCE STREET AS PLATTED IN THE CITY OF LINCOLN, ON AN ASSUMED BEARING S 89°19'43" E FOR A DISTANCE OF 1694.62' TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 180

THENCE S 01°03'38" W, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 180, FOR A DISTANCE OF 63.88'

THENCE ON A CURVE TO THE LEFT AN ARC LENGTH OF 285.18', A RADIUS OF 402.00', A CHORD BEARING OF S 32°02'16" W, A CHORD LENGTH OF 279.24'

THENCE S 32°02'16" W, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 180, FOR A DISTANCE OF 279.24'

THENCE S 09°21'57" W, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 180, FOR A DISTANCE OF 190.99'

THENCE S 35°55'53" W, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF INTERSTATE 180, FOR A DISTANCE OF 235.10'

THENCE S 75°38'59" W, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF INTERSTATE 180, FOR A DISTANCE OF 499.49'

THENCE S 79°43'27" W, ALONG THE NORTHERLY RIGHT-OF-WAY LINE OF INTERSTATE 180, FOR A DISTANCE OF 620.75' TO A POINT ON THE EAST LINE OF LOT 93 OF IRREGULAR TRACTS

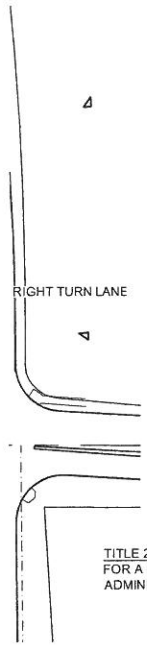
THENCE N 00°12'55" E, ALONG THE EAST LINE OF SAID LOT 93, FOR A DISTANCE OF 362.57' TO THE NORTHEAST CORNER OF SAID LOT 93

THENCE N 89°20'49" W, ALONG THE NORTH LINE OF SAID LOT 93, FOR A DISTANCE OF 273.02' TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF NORTH 1ST STREET

THENCE N 00°13'14" E, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF NORTH 1ST STREET, FOR A DISTANCE OF 528.08'

THENCE N 89°56'44" W FOR A DISTANCE OF 12.00'

THENCE N 00°13'14" E, ALONG THE EASTERLY RIGHT-OF-WAY LINE OF NORTH 1ST STREET, FOR A DISTANCE OF 40.00' TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 26.72 ACRES



WAIVERS

TITLE 26 - SECTION 26.15.020 - TO WAIVE THE INFORMATION ON OR ACCOMPANYING A PRELIMINARY PLAT FOR A PLANNED UNIT DEVELOPMENT, THE FOLLOWING INFORMATION SHALL BE SUBMITTED WITH FUTURE ADMINISTRATIVE AMENDMENTS:

INCLUDING:
- GRADING AND DRAINAGE
- PAVING PROFILES/CROSS SECTIONS
- STORM WATER DETENTION & STORM SEWER CALCULATIONS
- LOT LAYOUT
- STREET CURVE DATA

TITLE 26 - SECTION 26.23.130 - TO ALLOW BLOCK LENGTH TO EXCEED 1,320'.

TITLE 27 - SECTION 27.67.030 - TO ALLOW PARKING IN THE REQUIRED SIDE YARD FOR THE AREA 1 AND 2 EXCEPT WHEN ABUTTING A RESIDENTIAL DISTRICT.

TITLE 27 - SECTION 27.67.030 - TO ALLOW CROSS PARKING BETWEEN LOTS LOCATED IN AREA 1 AND 2 TO MEET MINIMUM PARKING REQUIREMENTS.

BENCHMARKS

1) SQUARE IN NE CORNER OF 180 BRIDGE @ ADAMS STREET ELEV. 1178.62
2) TOP REBAR @ INTERSECTION OF 4TH & NANCE STREET ELEV. 1151.15
3) TOP REBAR @ INTERSECTION OF 1ST & NANCE STREET ELEV. 1158.82
4) TOP 2" ALUM. CAP @ INTERSECTION OF 1ST & ADAMS STREET ELEV. 1180.27

HEIGHT AND AREA TABLE

AREA 1 & 2 (COMMERCIAL)	• 50' SETBACK ADJACENT TO ANY RESIDENTIAL AREA OUTSIDE OF THE P.U.D., I-180 AND CORNHUSKER HIGHWAY SHALL NOT INCLUDE PARKING OR BUILDINGS. FOR ANY RESIDENTIAL USES ADJACENT TO EXTERNAL RESIDENTIAL USES (I.E. THESE NOT WITHIN THE BOUNDARIES OF THIS PUD), THE SETBACK SHALL BE 20'. • 20' SETBACK TO N. 1ST STREET & RESIDENTIAL AREAS • 0' INTERNAL SETBACKS • 50' HEIGHT LIMIT
AREA 3 (RESIDENTIAL)	• 20' SETBACK TO ADAMS STREET • 30' SETBACK TO N. 4TH STREET • 0' INTERNAL SETBACKS • 45' HEIGHT LIMIT

ASCENTIA
PLANNED UNIT DEVELOPMENT CZ#12029

March 27, 2012

Residents of Woodlawn Estates and Countryside Estates

Re: New Homes, Zoning Matters and News from Your Management Team

Dear Residents,

We have a couple of exciting things to report to you about the properties. First, you are likely aware that we bought twenty five (25) 2006 model homes and moved them into the properties in 2010 and 2011. We are excited to report that we have ordered another thirty five (35) 2012 model homes to be built and shipped to Lincoln in the summer of 2012. We will be offering those homes for sale or lease effective immediately. We will have brochures and pictures of the homes available for you to view.

Second, we are exploring the possibility of rezoning Countryside and Woodlawn to allow for alternative uses should there be interest in that at some point in the future. We will be working with the City and others in that process.

We wanted you to be aware that we have no plans to change the use of the properties from their current mobile home community use. We intend to keep you informed as we go through the process and, if a change of use were ever determined to be viable sometime in the future, we would let you know and give you notice well in advance prior to taking any action. In addition, the owner of the properties would offer existing home owners financial assistance in the form of an offer to purchase their homes or an offer to reimburse reasonable relocation expenses.

Representatives of the land owner will hold a reception with refreshments at the Woodlawn Estates clubhouse from 5:00PM to 7:00PM on Tuesday, April 3rd to discuss these matters further with anyone who has questions or who would like to know more about either the new homes or the work with the City. Please contact Debbie Sovereign (402-475-5572) at the Gaslight office no later than 12:00 noon on Monday, April 2, and let her know if you plan to attend. We would love to see you!

Ron Price, District Manager

(402) 475-5572

Civil Design Group, Inc.

Consulting Engineers & Land Use Planners
Civil Design • Site Development • Planning & Zoning

www.civildg.com

September 19, 2012

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

Re: Ascentia Planned Unit Development (PUD) application, North 1st Street & Cornhusker Hwy. CDG Project #2011-0035

Dear Mr. Krout:

On behalf of Ascentia Real Estate Investment Company, we submit the above mentioned Ascentia PUD application. This PUD contains 72 acres of land currently annexed and zone R-2 & H-3. The proposed R-3 PUD application shows a mixed use development including B-2 and R-5 uses along with along with minimum corridor drainage ways and future roadway alterations.

Sheet 2 contains a conceptual site plan used at this time for defining the permanent roadway connections for this project. A Traffic Impact Analysis incorporating the conceptual uses and the defined access points onto North 1st St and Adams Street has been submitted for review to the Public Works and Utilities Department.

In conjunction with this submittal we have included the following:

PUD Fee - $3,720.00
PUD Application Form

We have worked extensively with staff on this application over the past year and hope that this pre-application interaction along with this letter and plan sheets provide you with enough information to review this PUD application. As always, please call me at (402) 434-8494 if you have questions.

Sincerely,

Mike Eckert, AICP

Encl

cc: Ascentia REIC

F:\Projects\2011\20110035\Landplanning\Doc\PUD-planning_09-19-12.doc

027

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

Design Intent for the Ascentia Planned Unit Development

The Design Standards for Ascentia intend to facilitate more aesthetically-pleasing buildings and a more walkable environment. The standards require the majority of buildings to cluster together to encourage additional pedestrian activity within the site and to adjacent areas and to allow for multiple-point trips. The main principle for development of Ascentia is the establishment of a "pedestrian-oriented route" that creates a connection to the perimeter and to the majority of the floor area with few interruptions of other streets or drives. The pedestrian-oriented route is an enhanced street, driveway, or private roadway (or combination thereof) that includes full-width sidewalks, appropriate planting spaces for street trees, aesthetically-pleasing buildings and storefronts with a pedestrian orientation, functional greens and plazas adjacent to the sidewalk, and in some cases on-street parking. Ascentia's pedestrian-oriented route is the central theme and primary focus for commercial and mixed-use development; therefore, the integrity of the design standards related to the pedestrian-oriented route should be a priority to be maintained.

The Ascentia PUD should encourage and accommodate multiple connections to adjacent properties and neighborhoods. The street network of the Ascentia PUD should make connections to the existing streets of surrounding development. Vehicular access points to arterials are predetermined. Multiple bike and pedestrian connections to the arterial, commercial/mixed-use area of the PUD, residential area of the PUD, and adjacent neighborhoods are highly encouraged and should be as direct as possible including channel crossings in order to make the most effective connections. Appropriate land use transitions and screening should be considered in areas adjacent to existing development.

The area of applicability for the Design Standards for Ascentia encompasses the area designated for commercial/mixed uses. Single-use residential buildings are exempt from these standards. Additionally, the commercial area (Area 2 as shown in the Planned Unit Development) located south of Nance Avenue and east of the north/south drainageway shall be exempt from the Site Development Standards described in Section A below, but shall comply with the Building Design Standards described in Section B below. In Commercial Area 1 and 2 all building facades facing Cornhusker Highway and/or Interstate 180 shall be considered street facades.

Design Standards for Ascentia, December 3, 2012

A. Site Development Standards

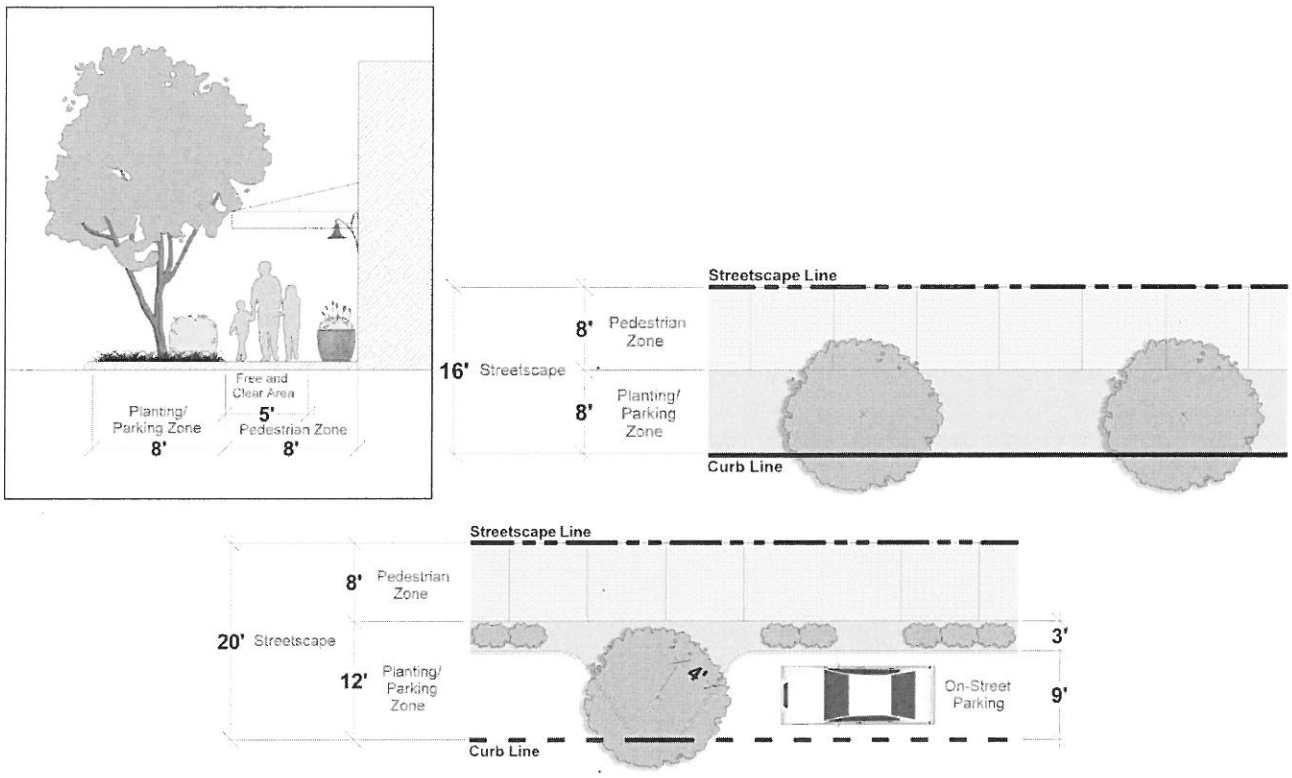
1. Pedestrian-Oriented Pattern

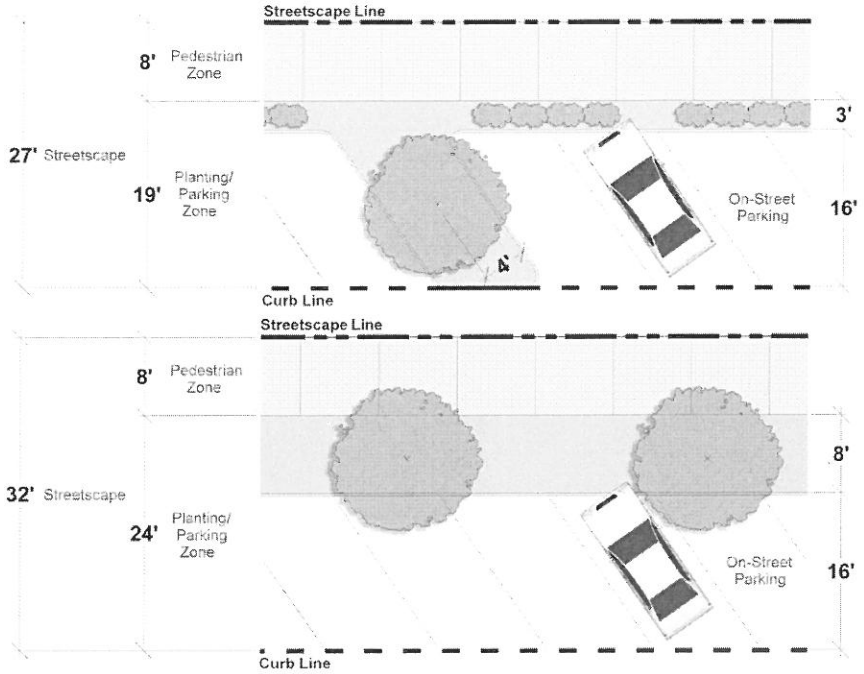
- **Pedestrian-Oriented Route**: The primary internal route for pedestrian circulation in Centers. This is the primary focus for building orientation, streetscape, and pedestrian amenities within the site.

- A pedestrian-oriented route shall be designated on the site plan that connects with N. 1st Street and at least one other street or private roadway that connects to a perimeter street.
- Pedestrian-oriented routes shall be continuous.
- At least 90 percent of the center's floor area (Area 1 of the Planned Unit Development minus single-use residential areas) must be in buildings that abut a pedestrian-oriented route. This standard accommodates isolated pad sites. Buildings may also meet this requirement if a pedestrian amenity (defined in Section A7) is located between the building and the pedestrian-oriented route as long as the building wall is no more than 100 feet from the streetscape of the pedestrian-oriented route.

2. STREETSCAPE FOR PEDESTRIAN-ORIENTED ROUTES

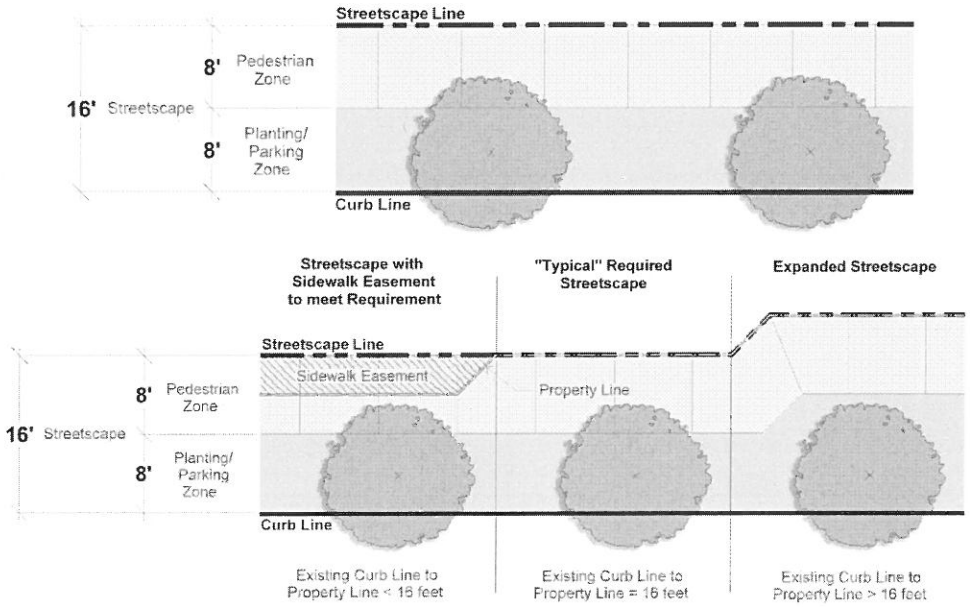
- Streetscapes are required on both sides of roadways associated with pedestrian-oriented routes.
    - When abutting parking lots, the streetscape shall continue. The streetscape for a pedestrian-oriented route along an internal roadway may be interrupted by driveways and/or drive aisles, but there shall be no less than 150 feet from centerline to centerline of the driveway or drive aisle. At corners, the length of two intersecting driveways/drive aisles/internal roadways/perimeter streets may be added together in order to meet the 150-foot minimum requirement.
- On-street parking is encouraged in centers, especially along internal roadways associated with pedestrian-oriented routes.
- Alterations of streetscapes abutting single use retail buildings of 30,000 sq. ft. or greater may be considered on a case by case basis.

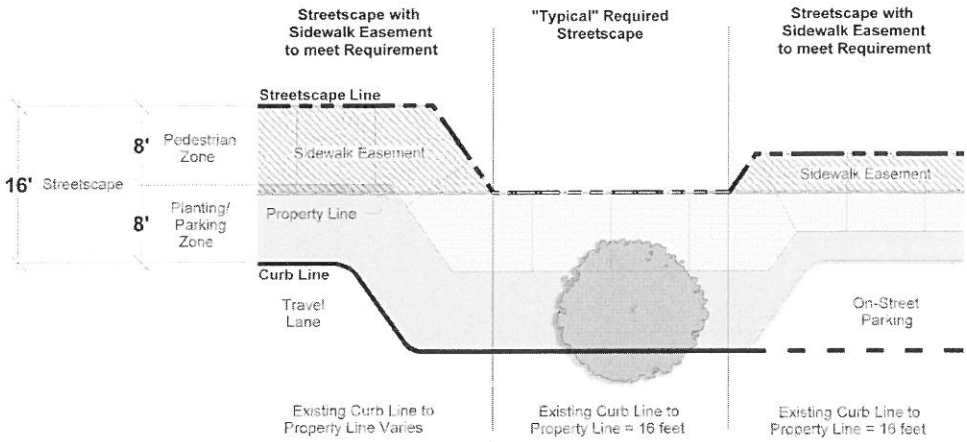




3. STREETSCAPE FOR OTHER STREETS

- Streetscapes are required on both sides of other streets such as private roadways, internal public streets, and perimeter streets (such as N. 1st and Adams). Maintain a minimum 16′ (an 8′ strip for street trees and 8′ to locate a sidewalk).





4. BUILD-TO ZONE

- **Build-to Zone:** A defined range (within 20 feet of the streetscape line) where the street façade of a building must be located.
    - When along a curved street, the build-to zone may be adjusted to allow straight-sided buildings; the front two corners of a building must be within or abut the typical build-to zone on the inside of a curve; the midpoint of a building must be within or abut the typical build-to zone at the outside of a curve and must be substantially tangent or parallel to the street, roadway, or pedestrian-oriented route. Alternatively, a building on the outside of a curve may be constructed to be within or abut the typical build-to zone in two or more locations.
    - Street facades shall be built up to or within the build-to zones associated with the streetscapes of the pedestrian-oriented route. Driveways or parking is not permitted in the build-to zone.
- **Entrance Façade:** The façade of a building that contains the principal entrance; the primary building façade. When the principal entrance is contained in the street facade, the entrance façade is the same as the street façade.
- **Street Façade:** The façade of a building at the build-to zone that is parallel to a street or pedestrian-oriented route. The street façade can be either a primary building façade with an entrance or a secondary building façade without an entrance.
- For pedestrian-oriented routes, the build-to zone shall be the streetscape line (typically 16' from back of curb, but possibly more if a larger streetscape or on-street parking).

5. ORIENTATION

- Where a large footprint building (footprint of over 43,560 sq. ft.) abuts a pedestrian-oriented route, it shall provide at least one customer entrance along the pedestrian-oriented route. This customer entrance does not have to provide access to the "main tenant" of the structure, for example, it could be a single department or a separate leased space attached or within the structure of the large footprint building.
- Where all other buildings abut a pedestrian-oriented route they shall have at least one entrance façade on the route.

6. PEDESTRIAN ACCESS AND CIRCULATION

- A minimum 16-foot pedestrian access shall be provided between detached buildings to encourage convenient walking between the storefronts and parking areas behind buildings.
- Continuous building façades shall not exceed 500 feet in length.

7. PEDESTRIAN AMENITIES

- Pedestrian amenities such as greens, squares, or plazas shall be provided. The minimum area of the amenities shall be 0.5 percent of the area of the development (in this case defined as Area 1 of the Planned Unit Development minus single-use residential areas) with a minimum width and depth of 25 feet. Pedestrian amenities shall be accessible for use and enjoyment by pedestrians (this excludes private/fenced areas for outdoor dining) and shall abut a pedestrian-oriented route. A building wall must abut at least one side.

B. Building Design Standards

1. PROHIBITED MATERIALS

- Prohibited exterior materials for all building facades include plain or painted concrete block, and non-architectural grade vinyl, plastic, aluminum or other metal siding, especially that designed with an appearance like wooden siding materials.

2. EQUIPMENT SCREENING

- Ground level and rooftop mechanical equipment shall be architecturally screened with materials compatible with the main walls of the building so they are not visible from abutting streets and residential properties.

3. ARTICULATION

- Any street or entrance facade exceeding 100 feet in length shall incorporate two or more of the following building elements at intervals of no more than 30 feet:
    - Changes in wall or roof plane with a depth or height of at least 2 feet.
    - Changes of color, texture, or material.
    - Columns, ribs, pilasters, or reveals at least 1 foot wide and 8 inches deep.
    - Window and door openings.
    - Balconies, awnings and canopies with a depth of at least 5 feet and no more than 10 feet that are a minimum of 8 feet above sidewalk grade. The size and proportion of awnings and canopies should reflect the size and proportion of openings on the building facade.

4. ENTRANCE DESIGN

- Principal entrances shall be clearly defined and distinguishable from the abutting street, pedestrian walkway or parking lot by incorporating three or more of the following design elements:
    - Architectural detailing such as brickwork or ornamental moldings.
    - Recesses or projections from the building façade with a minimum depth of 3 feet.
    - Parapet wall or roof raised a minimum of 3 feet above the adjoining structure.
    - Pilasters projecting from the building façade a minimum of 8 inches and/or architectural or decorative columns.
    - Arcades, colonnades, and galleries.
    - Awnings and canopies with a depth of at least 5 feet and no more than 10 feet that are a minimum of 8 feet above sidewalk grade.
    - Integral planters or wing walls that incorporate landscape or seating.
    - Display windows surrounding the entrance.

5. TRANSPARENCY

- For pedestrian-oriented routes, at least 50 percent of the area between 4 and 9 feet above grade of any street or entrance façade shall consist of windows, glass doors or other transparent (clear or slightly tinted) building surfaces. Display windows that are at least 2 feet deep are permitted and may be counted toward the 50 percent transparency requirement.
- For perimeter streets, at least 20 percent of the area between 4 and 9 feet above grade of any street or entrance façade shall consist of windows, glass doors or other transparent (clear or slightly tinted) building surfaces. Display windows that are at least 2 feet deep are permitted and may be counted toward the 20 percent transparency requirement.
- Alterations of the transparency standard for single use retail buildings of 30,000 sq. ft. or greater may be considered on a case by case basis.

6. MATERIALS

- Allowed materials are categorized into two groups according to their perceived physical weight:
  - Heavy materials: Natural or manufactured stone, brick, integrally-colored and textured or patterned concrete panels, integrally-colored concrete block, and other materials that are equivalent in appearance and durability.
  - Light materials: Stucco, EIFS, cement board, metal architectural panels, architectural tile, metalwork, and high quality wood.
- Street and entrance façades shall be constructed of at least 60 percent heavy materials or glass and be designed to a similar level of building detail and finish. The balance of exterior wall area, if any, shall be light materials.
  - All other building façades shall be constructed of at least 30 percent heavy materials or glass.
- Non-durable materials such as EIFS and cement board are not allowed on the first 3 feet above grade on all street and entrance façades.

C. *Waiver and Amendment Process*

The Planning Director is authorized to approve administrative amendments to the Ascentia Design Standards. The Planning Director may also approve individual buildings that do not meet Design Standards for Ascentia, but meet the spirit and intent of the standards. Waiver and amendment requests that are major in nature or not approved administratively by the Planning Director will be handled through the Planned Unit Development process which requires City Council action.

Jean Preister

From: Gary Lecil [garylecil7@gmail.com]
Sent: Tuesday, December 04, 2012 5:02 AM
To: Jean Preister
Subject: Wood lawn Mobil home park

I have a friend that lives at 2700 n 2nd St. She is on disability. She owns her trailer she has done alot of work to the trailer. U poeple r rezoning this area. What is yolande and the other poeple suppose to do for homes. Yolande does not have the money to move her trailer. U poeple are going to be putting alot of poeple on the streets. There are enough homeless poeple

Jean Preister

From: Cathy Jenkins [cscj201212@gmail.com]
Sent: Tuesday, December 11, 2012 11:40 AM
To: Jean Preister
Cc: jrchandler1@gmail.com
Subject: Woodlawn Estates Mobile Home Park / Urban Development (CZ12029, CPC12003 & CPC12020)

Jean Preister,

We are writing on behalf of our parents. They have been responsible residents of Woodlawn Estates Mobile Home Park for close to 30 years. Your letter is the first formal notice they have received regarding this change that will greatly affect their lives. They received a flier from the developer placed on the windshield of their car in September, 2012, which has caused much concern. To date they have not received satisfactory answers to their questions.

After reviewing your CZ12029 "Staff Report" Analysis Item #7, Page 4, we read "attached 'letter'" from the developer dated March 27, 2012 to the residents (page 18) stating, "We would let you know and give you notice well in advance prior to taking any action." My parents do not have record of receiving March 27, 2012 document. Was it delivered to the residents in same manner as September, 2012 communication? This random method of informing them of changing status (flier placed on car windshield) is unreliable and unacceptable.

Following is a list of their concerns:

1. Which 155 (56.4%) of the 273 mobile homes were determined to be dilapidated as per study completed in April, 2012 and when are the home owners to be informed of this determination?
   See CZ12029 Staff Report, Page 4, Analysis Item #8
   See also CPC12020 CPC12020 Redev Plan Document Application Documents, Page 5, "...a *Blight and Substandard Determination Study* was completed in April of 2012."
   See also CPC12020 Staff Report, Page 2, "October 29, 2012 City Council approved Miscellaneous #12008 for the 1st and Cornhusker Redevelopment Area Blight and Substandard Determination Study."
2. What are the arrangements for moving vintage mobile homes?
3. Where will they be relocated?
4. What recourse do they have if their mobile home is not eligible for relocation?
5. Reimbursement of cost to relocate, setup of mobile home unit and connection of plumbing, H.V.A.C., etc., and any damage incurred by moving?
6. Reimbursement of packing & transport expenses of household items incurred?
7. Reimbursement of Cost of Rent Increase caused by loss of mobile home determined to be dilapidated?

We believe other residents are as concerned about these issues. In addition, please send us the document entitled: Relocation Assistance, on file at the Urban Development Department as noted on page 19 per CPC12020 Redev Plan Document Application Documents, to be available upon request. The uncertainty of where they will live weighs heavily on their mind and heart.

Sincerely,
Cathleen Jenkins and Jack Chandler

Jean Preister

From: Anna Brazer [annabrazer64@gmail.com]
Sent: Wednesday, December 12, 2012 10:49 AM
To: Jean Preister
Subject: Hearing set for today at 1pm CZ12029, CPC12020 and CPC12003

To Whom it Concerns:
I was planning to come to this hearing to voice my opinion on this matter. However, I am employed by a small private school and since I am the only secretary in the office today due to illness, I will be unable to attend.

My husband and I have lived at 282 Belmont Ave. for the past 6 years. It is the place we have called home raised children, had our pets, and made many improvements. It is our "affordable" housing. We decided that this was the best way for us because of our finances. We have only about 9 months left on payments until our home is paid off. That was the way we planned it and we stuck by our plan. It was our plan to have lower bills as we move into the "retirement" phase of our lives.
There are several properties that I believe should be condemned for living purposes and should be removed but our home is not one of them. I am asking all of you to personally make the trip to our front lawn and look at it. If you want to go in the front door to check out the soundness of the structure, I would be willing to meet you there and open the door for you.
The possibility of relocating us to another lot and keep set us up as we are today would be nearly impossible. When they placed our home on their lot, they did it for permanency. They took off the axles and wheels. we have an awning and a fenced in back yard for our dog to run free. We keep it cleaned up and manicured in the summer. Their idea was to put that home there as an incentive for other homes around us to clean it up. We added siding for insulation and a re-roofing for energy saving purposes.
These changes that everyone are wanting to make are up-rooting many of us who have put our hearts into trying to make it financially and provide for our families without going into extreme debt.
I for one, am worried that the value and cost of this move would be almost unbearable and an extreme financial hardship. Their amount would not cover the amount that we have poured into making this our home.
I beg of you to consider the lives that you are considering changing for forever.
In this economy your decision to displace us would be a blow and slap in the face because those of us who already struggle will lose all that we have worked for.
Thank You for Considering my comments!! I welcome your response. If this hearing is a video taped hearing, I would appreciate being able to purchase a copy.

I am who God is making me!!

Anna Brazer
282 Belmont Ave
Lincoln, NE 68521
402-314-6961

036