City Council Introduction: April 25, 2016
Public Hearing: May 2, 2016, 3:00 p.m.

Bill No. 16-38

FACTSHEET

TITLE: ANNEXATION NO. 16005
(West Silverado Court and Highway 34)

BOARD/COMMITTEE: Planning Commission

APPLICANT: Starostka-Lewis

RECOMMENDATION: Conditional Approval (9-0: Sunderman, Harris, Beecham, Corr, Cornelius, Weber, Lust, Scheer and Hove voting 'yes').

STAFF RECOMMENDATION: Conditional Approval

OTHER DEPARTMENTS AFFECTED: Public Works & Utilities will be responsible for the maintenance and replacement of the streets and utilities in the new addition, and other departments will provide City services to the area and its residents.

SPONSOR: Planning Department

OPPONENTS: 1.

REASON FOR LEGISLATION: To annex approximately 22.36 acres, more or less, generally located at West Silverado Court and Highway 34.

DISCUSSION/FINDINGS OF FACT:

1. This annexation request, and the associated Change of Zone No. 16013 from AG to R-3 (Bill#16-39) and Preliminary Plat No. 16001, were heard at the same time before the Planning Commission.

2. The purpose of this request is to continue the development of single-family lots northwest of the existing lots. Approximately 44 residential lots are shown in the annexation area.

3. The staff recommendation to approve the annexation request is based upon the "Analysis" as set forth on pp.4-5, concluding that the subject property is adjacent to the city limits, and the full range of municipal services can be provided if annexed. A change of zone to R-3 is consistent with the Future Land Use Map and compatible with the adjacent development. Both requests comply with the Zoning Ordinance and are consistent with the Comprehensive Plan. The staff presentation is found on p. 7.

4. On, April 13, 2016, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. Testimony on behalf of the applicant is found on pp.8 and 10.

5. Testimony in opposition of this annexation is found on p.8.

6. On April 13, 2016, the Planning Commission agreed with the staff recommendation and voted 9-0 to recommend conditional approval of this annexation request, subject to the previously-approved Conditional Annexation and Zoning Agreement (Resolution No. A-83900).

7. On April 13, 2016, the Planning Commission also voted 9-0 to recommend approval of the associated Change of Zone No. 16013 (Bill #16-39), and voted 9-0 to adopt Resolution No. PC-01485, approving Preliminary Plat No. 16001. The preliminary plat has not been appealed to the City Clerk.

8. The applicant is required to provide written verification of payment of the $69.08 annexation fee to Raymond Rural Fire District.

9. Should this annexation request be approved, the Planning staff is recommending that the Council ordinance assign the newly annexed area to Council District #4.

FACTSHEET PREPARED BY: Geri Rorabaugh, Administrative Officer **DATE:** April 18, 2016

REVIEWED BY: David R. Cary, Planning Director **DATE:** April 18, 2016

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LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for April 13, 2016 PLANNING COMMISSION MEETING

PROJECT #: Annexation #16005 and Change of Zone #16013

Note: This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for each individual application.

PROPOSAL: To annex approximately 22.36 acres and change the zoning from AG Agriculture to R-3 Residential on approximately 1.96 acres.

LOCATION: West Silverado Drive and Highway 34

LAND AREA: Annexation: 22.36 acres
Change of Zone: 1.96 acres

CONCLUSION: The subject property is adjacent to the city limits, and the full range of municipal services can be provided if annexed. A change of zone to R-3 is consistent with the Future Land Use Map and compatible with adjacent development. Both requests comply with the Zoning Ordinance and are consistent with the Comprehensive Plan.

RECOMMENDATION:	
Annexation #16005	Conditional Approval
Change of Zone #16013	Approval

PROPOSED CITY COUNCIL DISTRICT ASSIGNMENT: District #4

GENERAL INFORMATION:

LEGAL DESCRIPTION: See attached.

EXISTING ZONING: AG Agriculture, R-3 Residential

SURROUNDING LAND USE AND ZONING:

North:	Agriculture	AG Agriculture
South:	Residential	R-3 Residential
East:	Agriculture	AG Agriculture, R-3 Residential
West:	Agriculture	AG Agriculture

EXISTING LAND USE: Agriculture

COMPREHENSIVE PLAN SPECIFICATIONS:

P. 1.8 - This site is shown as Urban Density Residential on the Future Land Use Map.

P. 11.2 - Continue the City's growth policy of contiguous urban growth; urban development will occur in areas immediately abutting the city that reflect a logical and timely extension of urban infrastructure.

P. 12.6 - This site is shown as Tier I Priority A on the Priority Growth Areas Map.

The ANNEXATION POLICY- page 12.14 of the 2040 Comprehensive Plan.

Annexation policy is a potentially powerful means for achieving many of the goals embodied in the Plan's Vision. Annexation is a necessary and vitally important part of the future growth and health of Lincoln. The annexation policies of the City of Lincoln include but are not limited to the following:

The provision of municipal services must coincide with the jurisdictional boundaries of the City – in short, it is not the intent of the City of Lincoln to extend utility services (most notably, but not necessarily limited to, water and sanitary sewer services) beyond the corporate limits of the City.

The extension of water and sanitary sewer services should be predicated upon annexation of the area by the City. City annexation must occur before any property is provided with water, sanitary sewer, or other potential City services.

The areas within Tier I Priority A that are not annexed serve as the future urban area for purposes of annexation per state statute and are appropriate for immediate annexation upon final plat. These areas have approved preliminary plans.

To demonstrate the City's commitment to the urbanization of land in Tier I Priority B, the City should annex land that is contiguous to the City and generally urban in character, as well as land that is engulfed by the City. Land which is remote or otherwise removed from the limits of the City of Lincoln will not be annexed.

Annually the City should review for potential annexation all property in Priority B for which basic infrastructure is generally available or planned for in the near term.

Annexation generally implies the opportunity to access all City services within a reasonable period of time.

Voluntary annexation agreements may limit or otherwise outline the phasing, timing or installation of utility services (e.g., water, sanitary sewer), and may include specific or general plans for the private financing of improvements to the infrastructure supporting or contributing to the land uses in the annexed area. The annexation of large projects may be done in phases as development proceeds.

The character of existing residential areas should be respected as much as possible during the annexation process. When low density "acreage" areas are proposed for annexation due to the City's annexation policy, additional steps should be taken to ease the transition as much as possible, such as public meetings, advance notice and written explanation of changes as a result of annexation. In general, many aspects of acreage life may remain unchanged, such as zoning or covenants. However, any annexation of existing residential areas will include some costs which must be the responsibility of property owners.

Annexation to facilitate the installation of improvements and/or possible assessment districts is appropriate if it is consistent with the annexation policies of the Plan listed above.

Plans for the provision of services within the areas considered for annexation shall be carefully coordinated with the Capital Improvements Program of the City and the County.

HISTORY:

August 2005	Preliminary Plat #05003 was approved for the Highland View subdivision, which covered approximately 155 acres.
June 2006	Change of Zone #05022 from AG to R-3 was approved for approximately 50 acres in the southern portion of the Highland View subdivision.

	Annexation #05004 was approved for approximately 30 acres in the south and east portions of the Highland View subdivision.
	Conditional Zoning and Annexation Agreement (Bill No. 06R-114) was approved for the entire Highland View subdivision.
July 2008	Final Plat #05111 Highland View Addition was approved in the southern portion of the Highland View subdivision.
May 2015	Administrative Amendment #15012 to Preliminary Plat #05003 Highland View was approved to change the lot layout of two blocks and convert a cul-de-sac to a through street.
August 2015	Final Plat #15036 Highland View 1st Addition was approved in the southern portion of the Highland View subdivision.

ASSOCIATED REQUEST: Preliminary Plat #16001

SPECIFIC INFORMATION:

UTILITIES & SERVICES:
Water and sewer are available immediately adjacent to the site. They will be extended into the area by the developer.

A. **Sanitary Sewer:** A 10" sanitary sewer main is adjacent to the site along Highway 34.

B. **Water:** A 16" water main is adjacent to the site along Highway 34.

C. **Roads:** Access to the site is through a temporary access point off Highway 34. Per the existing Conditional Annexation and Zoning Agreement, two permanent access points will need to be added as the development is final platted.

D. **Parks and Trails:** No future parks or trails are planned in this area.

E. **Fire Protection:** The area is currently in the Raymond Rural Fire District. After annexation, fire protection will be provided by Lincoln Fire and Rescue.

TRAFFIC ANALYSIS: W Alvo Road and NW 12th Street are classified as urban collectors in the 2040 Comprehensive Plan. W Alvo Road is a gravel rural section road, and NW 12th Street has not been constructed south of Alvo Road. The streets are identified as a future project in the Comprehensive Plan to convert to two lanes plus turn lanes. The project is not given an anticipated date in the 2014/2015-2019/2020 Capital Improvement Program.

ANALYSIS:

1. This request is to annex approximately 22.36 acres and change of zone from AG to R-3 on approximately 1.96 acres.

2. Approximately 20.4 acres of the proposed annexation area had a change of zone from AG to R-3 in 2006, but was not annexed. This application proposes to annex the existing R-3 area as well as an additional 1.96 acres that would also be subject to a change of zone from AG to R-3.

3. Preliminary Plat #05003 was approved in 2005 for the Highland View subdivision. The southern portion of that plat has been final platted and developed into single family residences. The purpose of the annexation and change of zone is to continue development of single family residential in the Highland View subdivision.

4. Preliminary Plat #16001 Highland View 1st Addition is associated with this application. It modifies the existing Highland View Preliminary Plat, including areas within this annexation and change of zone request. Approximately 44 single family residential lots are shown in the annexation area.

5. A Conditional Annexation and Zoning Agreement (Bill No. 06R-114) was approved in 2006 for the entire area of Preliminary Plat #05003. The agreement applies to the area of this application.

6. The land is contiguous to the City limits on the south and east. The area is within the future service limits and Tier I Priority A as identified in the Comprehensive Plan. Tier I reflects the "Future Service Limit" where urban services and inclusion in the city limits is anticipated within the 30-year planning period. Priority A is comprised of undeveloped land within the City limits, as well as areas that are not yet annexed but which have approved preliminary plans such as preliminary plats, use permits, community unit plans, or planned unit developments.

7. The site is located within the Raymond Rural Fire District. Under State law, the District can petition for compensation from the annexing municipality for lost revenue based upon the amount of service area annexed. For voluntary annexations such as this one, any costs due to the district are to be borne by the developer. In this case, staff has conducted the financial analysis and there is $69.08 due to the District.

8. The site is designated for future urban density residential land uses on the Future Land Use Map, and these requests comply with the requirements of the Zoning Ordinance and Comprehensive Plan.

CONDITIONS OF APPROVAL:
Annexation #16005:

Before the City Council approves the annexation:

1. The applicant pays the City the $69.08 due to the Raymond Rural Fire District.

Prepared by:

Andrew Thierolf, Planner
April 4, 2016

APPLICANT: Starostka-Lewis, LLC
429 Industrial Lane
Grand Island, NE 68803

CONTACT: Mike Eckert
Civil Design Group
8535 Executive Woods Drive
Lincoln, NE 68512

ANNEXATION NO. 16005

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION: **April 13, 2016**

Members present: Beecham, Cornelius, Corr, Harris, Hove, Lust, Scheer, Sunderman and Weber.

The Consent Agenda consisted of the following items: **ANNEXATION NO. 16005 and CHANGE OF ZONE NO. 16013 and PRELIMINARY PLAT NO. 16001; SPECIAL PERMIT NO. 16008; SPECIAL PERMIT NO. 16011 and SPECIAL PERMIT NO. 16013**.

There were no ex parte communications disclosed.

Item 1.1a, **Annexation No. 16005**, and Item 1.3, **Special Permit No. 16011**, were removed from the Consent Agenda and had separate public hearing.

Lust moved approval of the remaining Consent Agenda, seconded by Beecham and carried 9-0: Beecham, Cornelius, Corr, Harris, Lust, Scheer, Sunderman, Weber and Hove voting 'yes'.

ANNEXATION NO. 16005
TO ANNEX APPROXIMATELY 22.36 ACRES
ON PROPERTY GENERALLY LOCATED AT
WEST SILVERADO COURT AND HIGHWAY 34.
PUBLIC HEARING BEFORE PLANNING COMMISSION: **April 13, 2016**

Members present: Beecham, Cornelius, Corr, Harris, Hove, Lust, Scheer, Sunderman and Weber.

Staff recommendation: Conditional Approval.

There were no ex parte communications disclosed.

Staff presentation: **Andrew Thierolf of the Planning Department** came forward to state there are three associated applications including the annexation, change of zone and preliminary plat. The annexation is 22 acres. A portion of this area was already rezoned R-3, but it was outside of the City, so there is an additional 1.9 acres that will change from AG to R-3. The preliminary plat includes 571 lots on 157 acres; 88 lots have been final platted. The Future Land Use Map shows this area as Urban Residential. There is already a preliminary plat for this area from 2005, so this is essentially just amending that plat by changing some block and lot layouts.

Lust referred to a map included in the packet to Commissioners. Corr stated she believes an incorrect map was included. Theirolf confirmed that was the case.

Proponents:

1. Mike Eckert, Civil Design Group, came forward on behalf of the applicant, Starostka-Lewis. The area was picked up out of foreclosure. The first preliminary plat was approved in 2005 and the first phase of development was done. As we examined the plat, we realized that the layout made by a previous engineer showed several blocks that did not meet current block length standards, so those were adjusted. The grading has also been modified to cut the cost of development by about half. This is a fairly straightforward request to update the plat and to annex another portion of the area to do the next phase.

Opponents:

1. Mike Boyle, 5408 Dove Lane, Kawasaki Motors, came forward to show the proximity of the Kawasaki plant to this development and a nearby golf course. His is concerned about the proposed area of development, though he recognizes that it was already approved. He did not receive his notification letter until two days prior to this meeting. He has received regular feedback from golfers at the nearby course that they can smell paint from the plant when the wind conditions are right. It is not a huge concern, since they are outdoors, but for those who may make the significant investment in a their homes, and who want to spend time outdoors with their families, this could be an issue. He noted that the Kawasaki site is completely EPA-approved, but the human nose can pick up very minor percentages of particles and industrial solvents in the air. Even though the plan is already approved, he wanted to come forward and express concerns to have the opposition on the record.

Hove asked for clarification on how close this development will be to the plant. Boyle said it will be as close as, or closer than the golf course. The plant has been at this location for over 40 years. We never expected homes to be cropping up so close to this industrial site. Kawasaki owns land from the plant all the way to the Highlands area, so we have the right to establish other industrial sites. He wonders how home owners will feel if their quality of living is affected by this.

Harris asked for clarification that the odors pose no hazard to people in the area. Boyle said that is correct, but it is a potential nuisance that could make people nervous. We have concern about interactions between our company and the community. There are also concerns about any restrictions that could be placed on our business from that type of public fallout, should it occur. Harris asked what that could be. Boyle said he does not know at this time; the laws are always changing. With any new construction, we could be asked to take additional and costly precautions in order to mitigate concerns from neighbors.

Lust asked if Boyle had reached out to neighbors about this. He said he had not since he only just found out it. Lust said noted that Mr. Eckert would be a good resource to turn to for further discussion.

Corr asked if any complaints have been received from the existing homes in the area. Boyle said no, but they are a little farther east. His concern is for the new area as it encroaches to the west, since they have heard from golfers who are farther away.

Staff Questions:

Thierolf showed the correct map to provide context. He noted that the area closest to the plant includes an outlot for drainage, so no homes will be there, though there will still be homes located a few hundred feet away. He reiterated that this plat was already approved.

Hove asked for clarification about the location of the drainage areas, which Theirolf located on the preliminary plat map. It occupies the southwestern most corner and runs slightly northeast towards the center of the area.

Corr said that recently Planning Commission had a discussion about how close an industrial parcel could be to a residential area. She asked what that distance is. Thierolf said it is 300 feet. Corr asked if the distance in this case is over 300 feet. Thierolf said that it appears so, but he cannot confirm with certainty because that aspect falls under the Health Department's review. They did review this application and issued their approval.

Harris said this process is already in motion. She wondered, as long as Kawasaki is meeting all safety and Health Department requirements and no concerns have been raised, if there is any scenario that can be envisioned where new restrictions would be placed on the plant as a result of this development. Thierolf said that it is his understanding that there could not. There is also I-2 zoning to the east of this area, so they could expand into that area now. The Land Use Map also shows all other surrounding areas zoned for industrial. He cannot imagine any restrictions on Kawasaki's operations in the future.

Beecham wondered generally about records kept in files regarding concerns from neighbors. She recalled a past case where there were neighbor concerns; the fact in that case was the applicant was in the location first. So if Kawasaki were trying to develop, that would be the same scenario. If neighbors were concerned, it would come out through public process that Kawasaki was in the area first, and even raised these concerns for their potential neighbors. Theirolf said yes, that is a fact. The plant was there and residential has grown in around it. Beecham asked if they would have a legal footing to say that they have owned the land for a long time. Thierolf said yes.

Weber asked if they would be allowed to expand to the east into their I-2 zone by right and without questions. Theirolf said there is that 300-foot buffer that could come into play. The area is zoned for industrial now, and in the Future Land Use Map, and it has been identified as that for a long time. The neighborhood is going into an area that was planned for residential.

David Cary, Director of Planning, came forward to state that the Highway 34 right-of-way itself is 300 feet, so the separation we usually work with exists just with that right-of-way. Foul smelling air in prevailing winds is something that can be typical with a mix of uses in a generalized area. As far as what we look at, that 300-foot buffer is met by the right-of-way.

Cornelius wanted to make sure that the only area that is covered by the Change of Zone is a small area that bumps out into AG zoning. Thierolf said that is correct; it is only two acres. Cornelius asked if the rest is already zoned R-3. Thierolf confirmed the remaining area is already zoned R-3, but is just outside of City limits, so it is being annexed.

Applicant Rebuttal:

Eckert said he appreciates the clarity that has been brought to these applications by today's discussion. This area, the area to the north of it, and even a portion to the west and directly north of Kawasaki, have all been identified in the last three Comprehensive Plans as residential areas. This is a previously approved plat. We are simply making some changes. Even though the annexation covers an extra 1.5 acres and there is a change of zone, what is being approved is the amendment which includes everything shown from N.W. 12th Street to the border of the property on the west and from Alvo Road to the highway on the south, so the entire area is going through the revision, from the preliminary plat perspective. Even though the change of zone and annexation are for smaller pieces, Kawasaki has an EPA standard and a Lancaster County Health Department standard that they have to meet at their property lines, and Health Department had no issues with this application.

ANNEXATION NO. 16005
ACTION BY PLANNING COMMISSION: **April 13, 2016**

Cornelius asked if separate motions needed to be made. Administrative Officer, Geri Rorabaugh, clarified that even though all items were discussed during Public Hearing, the change of zone and preliminary plat were approved under the Consent Agenda.

Cornelius moved Conditional Approval; seconded by Scheer.

Cornelius stated that he appreciates the perspective that Kawasaki brings and their desire to avoid conflict. The bulk of the land is already zoned R-3 and could be built out. Because this application is in reference to a CUP that was approved in 2005, and because the area approved under the change of zone is farther away from Kawasaki from the rest of the Preliminary Plat area, he will support it. We already approved the change of zone, so we are only talking about the annexation of previously-zoned property.

Lust said she also appreciates Kawasaki being a good neighbor and bringing concerns to Planning Commission's attention. Kawasaki was in the area first and is a great employer and asset for the City. People may not like the smell on some days, but this has been on the books for so long. People buying in the area will also be aware that they are buying next to a major highway and industrial plant. She appreciates the concerns, but believes the situation will turn out okay.

Corr echoed that she appreciates Kawasaki coming forward. She agreed with Lust's point that since the plant is already there, new buyers will be cognizant that there could be some isolated issues. She does have hesitations about industrial uses next to residential, and maybe this is something that needs to be looked at. For example, on the south side of Highway 34, we may need to think about it more.

Hove said he intends to support this. He really appreciates that Kawasaki came forward with recognition and acknowledgment of the concerns of their neighbors. It makes them an even better citizen in our community. It is on the public record now, so if it becomes an issue in the future, they can refer back to this meeting to exhibit their efforts and concerns.

Motion for Conditional Approval carried 9-0: Beecham, Cornelius, Corr, Harris, Lust, Scheer, Sunderman, Weber, and Hove voting 'yes'. This is a recommendation to the City Council.

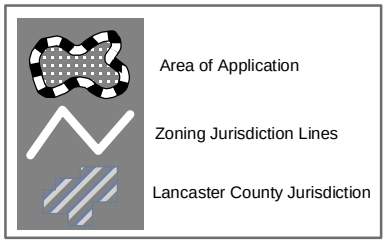
2013 aerial

Annexation #: AN16005
Highland View
W Silverado Dr & US Hwy 34

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.33 T11N R06E



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

March 16, 2016

Mr. David Cary, Director
Lincoln/Lancaster County Planning Department
555 S. 10th Street
Lincoln, NE 68508

RE: Annexation, Change of Zone and Amendment to Preliminary Plat for Highland View. Prelim Plat #05003

Dear Mr. Cary:

Please find the attached applications for Annexation, Change of Zone and associated Amendment to the Preliminary Plat for Highland View Subdivision generally located at Hwy 34 and NW 12th Street. The annexation (22.36 acres) and change of zone (1.96 acres) are to continue the development of single family lots northwest of the existing lots.

The amendment to the preliminary plat is desired to reflect minor alterations to the street network to comply with the current block length standards as well as modifications to the previously submitted grading and drainage plans. The associated hydrology study for these revisions will be uploaded via Project Dox.

With this application we also submit the following:

- Plans uploaded via Project Dox
- PUD Administrative Amendment application and review fee of $792.00
- Change of Zone application and review fee of $792.00

We hope that the plans, this letter provides you will sufficient information to review this application. As always, please call at 402-434-8494 if you have any questions.

Sincerely,

Mike Eckert

Mike Eckert, AICP

cc: Starostka-Lewis, LLC

Office 402•434•8494 8535 Executive Woods Dr., Suite 200 • Lincoln, NE 68512 Fax 866•216•8747

LIMITS OF ANNEXATION

HIGHLAND VIEW

A legal description of a portion of Outlot 'A', Highland View 1st Addition and a portion of Lot 46 I.T. and Lot 42 I.T. located in the North Half of Section 33, Township 11 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 Outlot 'A', Highland View 1st Addition
Thence on an assumed bearing of S 89°58'00" E for a distance of 865.59' to a point on the north line of said Outlot 'A" , Highland View 1st Addition;
Thence on a bearing of N 62°35'25" E for a distance of 520.73';
Thence on a bearing of S 0°32'35" W a distance of 89.99';
Thence parallel to the north line of Outlot 'A' on a bearing of S 89°58'00" E a distance of 187.59';
Thence on a bearing of S 9°59'56" E a distance of 152.33' to a point on the north line of said Outlot 'A", Highland View 1st Addition;
Thence on the north line of said Outlot 'A', Highland View 1st Addition on a bearing of S 89°58'00" E a distance of 559.01';
Thence on a bearing of S 40°52'50" W for a distance of 56.83';
Thence on a bearing of S 46°01'32" W for a distance of 80.05';
Thence on a bearing of S 51°17'25" W for a distance of 57.73' to the northeast corner of Lot 1, Block 3, Highland View Addition;
Continuing on the rear lot lines of said Block 3 for the next 8 courses, thence on a bearing of S 54°10'31" W for a distance of 57.42';
Thence on a bearing of S 57°49'19" W for a distance of 57.47';
Thence on a bearing of S 61°37'32" W for a distance of 57.42';
Thence on a bearing of S 65°11'46" W for a distance of 57.42';
Thence on a bearing of S 69°03'40" W for a distance of 57.42';
Thence on a bearing of S 72°39'11"W for a distance of 57.42';
Thence on a bearing of S 76°27'47" W for a distance of 61.91';
Thence on a bearing S 79°38'50" W for a distance of 140.62' to a point on the westerly right-of-way of W. Dubois Street;
Thence continuing on the Westerly Right-of-way of W. Dubois Street on a bearing of S 4°22'45" E for a distance of 11.43' to the northeast corner of Lot 1, Block 1, Highland View Addition;
Thence on the north line of said Lot 1 on a bearing of S 85°37'31" W for a distance of 119.89' to a point on the East line of Lot 2, Block 1, Highland View Addition;
Thence on the east line of said Lot 2, Block 1, Highland View Addition on a bearing of N 5°23'24" W for a distance of 60.04' to the northeast corner of said Lot 2, Block 1, Highland View Addition;
Thence continuing on the northern lot lines of said Block 1, Highland View Addition for the next 3 courses on a bearing of S 87°38'02" W for a distance of 88.16';

Thence on a bearing of S 71°03'16" W for a distance of 240.38';
Thence on a bearing of S 74°31'15" W for a distance of 318.08' to the north property corner of Lot 11, Block 1, Highland View Addition;
Thence on a bearing of S 24°46'12" W for a distance of 129.02', (to a point on the west line of Outlot 'A', Highland View Addition);
Thence on a bearing of S 19°23'43" W for a distance of 111.14';
Thence on a bearing of S 10°39'35" W for a distance of 60.86' to a point on the Northerly Right-of-Way of Highway 34;
Thence on the northerly Right-of-Way of Highway 34 along a curve to the LEFT, having a radius of 11634.16' a delta angle of 03° 03' 09", and whose long chord bears N 81°9'52" W a distance of 619.75'
Thence on the westerly line of Outlot 'A', Highland View 1st Addition on a bearing of N 0°29'19" E a distance of 642.84'to the point of beginning.

Said described parcel contains 973,831.70 square feet (22.36 acres), more or less, subject to any and all easements, reservations, restrictions and conveyances of record.

Current Project - Agency Review Report

Agency Name	User Name	Review Cycle	Review Status	Comments	Assignment
Building & Safety	christy eichorn	1	Corrections Required	A height permit needs to be approved by building and Safety prior to the first final plat. A note should be added to the Preliminary Plat that there shall be no point on any structure that exceeds 1368.7 NAVD88 per 27.59.	Individual
County Engineer	ken schroeder	1	Recommend Approval	This office made a limited review of "HIGHLAND VIEW" Annexation #AN16005 in the N ½ of Section 33, T11N, R6E located near Highway 34 and NW 12th Street and has no direct objections to the submittal, subject to development improvements following area annexation. March 29, 2016 (kds)	Individual
County Health	chris schroeder	1	Recommend Approval	The Lincoln-Lancaster County Health Department recommends approval of this application.	Individual
Development Review Manager	steve henrichsen	1	Corrections Required	see markups	Individual
Fire Department	patrick borer	1	Recommend Approval	LF&R recommends approval of this application.	Individual
LES	les reviews	1	Corrections Required	03/29/16 - Annexation /chg of zone review by LES distribution. Julie and Eric will work with Civil Design Group on new preliminary easement required due to a revised PUD. (This information will be passed directly to Jill S, Civil Designs Group in the next 2 weeks. JG, ES, SLS	First In Group
Planning Dept	brandon garrett	1	Recommend Approval	City Council District #4	Individual
Public Works - Engineering Services	bob simmering	1	Recommend Approval	3-28. Sewer capacity issue from 2006 agreement resolved; no further action required. 3-31. Several streets with grade in excess of 5% and six intersections at street grades in excess of 5%; provide justifications for grade and provision for ADA compliance. 4-1. Engineer has provided justification for grade and no further action is required.	First In Group
Public Works - Watershed Management	ben higgins	1	Corrections Required	- Include Pond details and culvert detail for W. Dubois Street on plans as well as existing and proposed with detention details and comparisons. - Final plat for Highland View Addition based on PP05003 shows no minimum opening elevations for existing lots south of Cell C. Need to survey lowest adjacent grade of each existing structure and provide report on to ensure won't get flooded Notes: - Will need sureties on each pond ($10K each) - On EO for storm drains make sure meeting horizontal curvature requirements and keep within the city ROW	Individual
Public Works & Utilities - Wastewater	brian kramer	1	Recommend Approval		Individual
United States Post Office	kerry kowalski	1	Recommend Approval	Recommend approval on the condition all new delivery addresses are established in Centralized Box Units (CBUs) which will be purchased and installed at the developer's expense in a location mutually agreed upon by the developer and the US Postal Service.	First In Group