This is a request for a change of zone from Agriculture (AG) to Residential R-3 Planned Unit Development (PUD) to develop 860 multifamily units. This site is located on approximately 54 acres and includes a portion of the Yankee Hill Country Club golf course. This request also includes waivers to parking requirements, an increase to the building height from 35’ to 65’ for buildings that are more than 275’ from the east property line, to reduce the front yard setbacks, and to waive a sidewalk on one side of the private street.

JUSTIFICATION FOR RECOMMENDATION
The Comprehensive Plan designates the area as Green Space, which states, “In some cases, privately-owned Green Space such as golf courses may also be appropriate to be considered for future Urban Residential development.” Redevelopment of this area for urban residential is appropriate as it is within the city limits and can be provided with city services. The plans submitted comply with urban residential density land uses and with the requirements of the Zoning Ordinance.

COMPATIBILITY WITH THE COMPREHENSIVE PLAN
This site is designated as Green Space and is appropriate for urban density residential development. The proposed plan shows urban residential development at the southeast corner of the golf course. Subject to the conditions of approval, this proposal is in conformance with the Comprehensive Plan.

WAIVERS
1. To reduce the parking requirements from 2 stalls per unit to 1.8 stalls per unit. (Recommend Approval)
2. To increase the building height maximum from 35’ to 65’ for buildings that are more than 275’ from the east property line. (Recommend Approval)
3. To reduce the front yard setbacks in selected locations. (Recommend Approval)
4. To waive a sidewalk on one side of a private street. (Recommend Denial)
KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

P. 12.3 - This site is shown as future Green Space on the 2040 Lincoln Area Future Land Use Plan.

P. 12.4 - Green Space. Public or privately-owned areas predominantly used for recreation, such as parks, golf courses, soccer or ball fields, and trails. Many green space areas also serve functions such as buffers between incompatible uses and as stormwater management areas. In some cases, privately-owned Green Space such as golf courses may also be appropriate to be considered for future Urban Residential development.

P. 6.2 - Increasing residential densities by adding new dwelling units to existing commercial areas in the form of mixed use centers also strengthens the buying power of adjacent neighborhoods by adding more “rooftops.” Strengthened buying power may be able to improve the quality and quantity of localized private businesses and services.

P. 7.2 - Neighborhoods & Housing Guiding Principles
• Make available a safe residential dwelling for all citizens.
• Provide a wide variety of housing types and choices for an increasingly diverse and aging population.
• Provide flexibility to the marketplace in siting future residential development locations.
• Preserve areas designated for multi-family and special needs housing in approved plans to support a distributed choice in affordable housing.

P. 7.4 - Strategies for Neighborhoods and Housing
• Discourage residential development in areas of environmental resources such as endangered species, saline wetlands, native prairies, and in floodplain corridors.
• Provide adequate spacing from pipelines and areas where hazardous chemicals could be used and stored; notify property owners and residents along the pipeline about hazards and emergency actions.
• Encourage substantial connectivity and convenient access to neighborhood services (stores, schools, parks) from residential areas.
• Incorporate interconnected networks of streets, transit, trails, and sidewalks with multiple connections within and between neighborhoods and commercial centers to maximize access and mobility to provide alternatives to and reduce dependence upon the automobile.
• Provide sidewalks on both sides of all streets, or in alternative locations as allowed through design standards or review process.

P. 7.4-7.8 - Strategies for Developing Neighborhoods
• Encourage new development to achieve densities greater than five dwelling units per gross acre.
• Implement procedures to provide notice to potential buyers about the location of pipelines and hazardous chemical use and storage, and to encourage adequate spacing be provided from pipelines and areas where hazardous chemicals could be used and stored.

P. 10.19 - Pipeline Freight: There are 17 major pipelines in Lincoln and Lancaster County. The majority transport petroleum or natural gas products. One of the lines transports anhydrous ammonia, which is a product used in agricultural production. All of the pipelines are managed by four firms in Lancaster County.

P. 11.23 - Strategy for Natural Gas Service: Land uses with vulnerable populations such as occupied residential structures, childcares, retirement facilities, schools, or hospitals are not recommended to be located within pipeline planning areas. For large high pressure natural gas pipelines, pipeline planning areas are established based upon a formula that takes into consideration the pressure and diameter of the natural gas pipeline. Other uses such as residential garages, commercial and industrial uses, parking lots, open spaces or roads are acceptable uses within pipeline planning areas.

ANALYSIS
1. This is a request for a change of zone from Agriculture (AG) to Residential R-3 Planned Unit Development (PUD) to develop 860 multifamily units.
2. The designation of a PUD will allow for the potential expansion onto other portions of the golf course if there is further redevelopment. A PUD typically includes a mix of uses. A potential expansion could include a mix of uses, including commercial uses.
3. This site is located on approximately 54 acres and is a portion of the existing Yankee Hill Country Club.

4. A portion of this site is in the Pipeline Planning Area (PPA). The PPA runs the entire length of the property along the northern most 160 feet of this property and is a protective buffer for an existing natural gas pipeline along Yankee Hill Road.

5. The site plan does not show any multifamily uses in the PPA. The site plan shows the minimum flood corridor and alternate stormwater quality within the PPA. Uses that are not permitted in the PPA include: occupied residential dwellings, early childhood care facilities, residential health care facilities and schools because these uses cannot be evacuated as quickly or are occupied at night while residents are sleeping.

6. This request is to develop 860 units in a proposed 14 multifamily apartment buildings, and 11 two-story 9-plex buildings. Three of the multifamily apartment buildings will have underground parking.

7. Nine of the buildings will be located along the eastern boundary of the property. To the north of Bridle Lane, along the eastern property boundary, the developer proposes to cut the grade on the east side of the property so one story of the 9-plex buildings is below grade to appear as the 9-plex buildings are one story to the adjacent eastern neighbors. The additional two 9-plex buildings are proposed to be interior to the site.

8. All of the large multifamily apartment buildings will be interior to the property.
   8.1. The multifamily apartment buildings along the east boundary will be at least 275’ from the east property boundary line providing a buffer to the existing acreages to the east.
   8.2. The multifamily apartment buildings along Yankee Hill Road are outside of the Pipeline Planning Area.
   8.3. The remaining multifamily apartment buildings are adjacent to the golf course property.

9. The Fire and Rescue Department recommends approval of this application with the understanding all parties are aware this location is outside of their four minute response time goal.

10. Currently, to the east of this property is Bridle Lane (a county road), which is platted right-of-way to the western boundary of Country Acres Estates. Bridle Lane is built except for 270’ portion from the western boundary of Country Acres Estates to the east.

11. The developer is not required to pave this portion of Bridle Lane to make a connection to this project. It is typical that county roads might be built short 10 or 20 feet from the edge of the ROW, but not 270 feet. These types of street connections between urban and acreage subdivisions have been made on many occasions, and typically developers will fill in the missing gap when connecting streets.

12. The developer is required to plat public right-of-way for Bridle Lane to the eastern boundary of this site. Connectivity to adjacent properties is a typical requirement for development and is required by the Subdivision Ordinance for Block Sizes, which states, “block lengths shall not exceed 1,320 feet except where a major street, school, park, or other man-made barrier, lake, or other natural barrier forms one boundary of a block.”

13. The 270 foot gap will remain unbuilt for now, so a barricade will be placed at the eastern edge of the new pavement. The developer didn’t create the 270’ gap in the pavement, so it is not appropriate to require them to extend the paving. This means that the connection of right-of-way will be made, but the physical paving of the street will not happen at this time.

14. To the east, the adjacent Country Acres and Country Acres South are shown in the Comprehensive Plan for annexation in the future.

15. The remaining portion of Bridle Lane to the west is proposed as a private street. This provides connectivity through the development. The developer will pave this portion of Bridle Lane within their development.

16. Traffic impacts from this proposal requires improvements to the intersections of S. 44th & S. 48th Streets, which will be public streets. A separate agreement will address the details of these improvements. The overall proposal includes four lanes along Yankee Hill Road between S. 40th Street to S. 48th Street. Then to two lanes along Yankee Hill Road between S. 48th Street to S. 56th Street with possible roundabout improvements at the S. 44th and S. 48th Streets intersections. Improvements to the S. 52nd Street intersection will also be addressed.

17. A wastewater line is planned along the eastern portion of this site to service this development and existing residential uses to the east in the future. According to the Groundwater Section Supervisor for Water Well
Standards at the Nebraska Department of Environment and Energy, there is a required 50’ setback from any new sewer line to any existing well that will be required to be met. Water Well Standards do not considered paved surfaces of asphalt or concrete as “other known sources of contamination or pollution”. Therefore, there is no required setback from an existing well to a paved surface (asphalt or concrete).

18. The following waivers are requested:

18.1. To reduce the parking requirements from 2 stalls per unit to 1.8 stalls per unit.

On-street parking will be provided on the public and private streets. With the amount of on-street parking, the parking ratio is 2 stalls per unit, which is a reasonable amount of parking for this type of development. Additionally, if there is a slight shortage of parking in the future, this will only impact this development. There would be no impact on adjacent owners who are distance to the site. There is precedent for granting parking reduction waivers for apartments projects.

18.2. To increase the building height maximum from 35’ to 65’ for buildings that are more than 275’ from the east property line.

In the R-3, the maximum height allowed is 35’. There is also a condition of approval that limits all the units along the eastern boundary to a two story height limit. With the buffer and the additional restriction, this waiver is justifiable. The 275’ is more than sufficient buffer that there should be no significant adverse affects on existing or reasonably anticipated future uses in the surrounding area. A lesser setback would have been reasonable, so the 275’ is more than in many other cases.

18.3. To reduce the front yard setbacks at selected location as shown.

To reduce the setbacks from 20’ to 10’ on lots 1 & 2, block 1 is a justifiable request as this allows the rear yard setbacks to acreages to the east to increase creating a buffer that exceeds the required setback in the R-3 zoning district. To reduce the front yard setbacks along the private portion of Bridle Lane as shown on the site plan is acceptable a street trees and sidewalks will still be required. The develop states this will help protect the natural aesthetic of the landscape.

18.4. To waive a sidewalk on one side of a private street.

Sidewalks on both sides of the street (public or private) are required for pedestrian circulation, particularly in a dense development similar to this one. Sidewalks are needed on both sides to allow for disabled, children and bicycles circulation to be separated from vehicular traffic. The sidewalk could meander in some locations if grading required it. Additionally, the Lincoln Police Department does not recommend waiving the sidewalk requirement for this project. Therefore, this waiver request is not suitable for this development.

19. The applicant had a neighborhood meeting on October 29, 2019 and about 75 people attended.

20. The Comprehensive Plan designates as Green Space, which states, “In some cases, privately owned Green Space such as golf courses may also be appropriate to be considered for future Urban Residential development.” The plans submitted comply with urban residential density land uses and with the requirements of the Zoning Ordinance. This proposal increases residential densities by adding new dwelling units to the existing commercial areas, which is encouraged by the Comprehensive Plan. Additionally, the Comp Plan says, increasing residential densities also strengthens the buying power of adjacent neighborhoods by adding more “rooftops.” Strengthened buying power may be able to improve the quality and quantity of localized private businesses and services. Therefore, this proposal is in conformance with the Comprehensive Plan.

21. Corrections and changes are required to the plans, which are listed in the conditions of approval. With these changes, this request is consistent with the Zoning Ordinance and Comprehensive Plan, and is an appropriate use of land at this location.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: outdoor recreation (golf course) & AG

SURROUNDING LAND USE & ZONING
North: outdoor recreation (golf course) & AG

Page 4 - Change of Zone 19031
South: vacant/farmland & B-2 PUD
East: residential acreages & AGR
West: outdoor recreation (golf course) & AG

APPLICATION HISTORY: none

APPROXIMATE LAND AREA: 54.13 acres

LEGAL DESCRIPTION: A part of lot 2, Speidel 1st Addition, located in the SW 1/4 of Section 20-9-7, Lincoln, Lancaster County, Nebraska (see attached).

Prepared by:

___________________________
Dessie E. Redmond, Planner
(402) 441-6373     Date: December 30, 2019

Applicant: The Clark Enersen Partners
Tim Gergen
1010 Lincoln Mall, Suite 200
Lincoln, NE 68508

Owner: Himark Property, LLC
4944 S. 89th Street
Lincoln, NE 68526

Himark Property, LLC
8901 Augusta Drive
Lincoln, NE 68526
CONDITIONS OF APPROVAL - CHANGE OF ZONE 19031

This approval permits 860 multifamily units with the following waivers:

1. To reduce the parking requirements from 2 stalls per unit to 1.8 stalls per unit.
2. To increase the building height maximum from 35’ to 65’ for buildings that are more than 275’ from the east property line.
3. To reduce the front yard setbacks from 20’ to 10’ on lots 1 & 2, block 1.
4. To reduce the front yard setbacks along the private portion of Bridle Lane as shown on the site plan.

Site Specific Conditions:

1. 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 4 copies with all required revisions and documents as listed below upon approval of the planned unit development by the City Council.
   1.1 Update the waiver list as approved including removing the sidewalk waiver.
   1.2 Dimension the setbacks along the private portion of Bridle Lane.
   1.3 Put the private portion of Bridle Lane in its own outlot.
   1.4 Revise the parking table from “could be” to “minimum”.
   1.5 Remove from the parking table the One-Street Parking information as noted in the December 12, 2019 Project Dox comments.
   1.6 On the site plan, revise the minimum corridor label to “70’ minimum flood corridor easement”
   1.7 On the legend, fix the typo “corridor” and add “flood” as noted in the December 18, 2019 Project Dox comments.
   1.8 Dimension and identify the Pipeline Planning Area on the site plan.
   1.9 Add a General Note, “Dwelling units, residential health care facilities, early childhood care facilities and places of assembly are not permitted in the Pipeline Planning Area.”
   1.10 Add a General Note, “The 9-plex units on the east side are limited to a maximum of two-stories.”
   1.11 Add a General Note, “The use on the east side is limited 9-plex or fewer units per building.”
   1.12 Along the eastern boundary, add a note that the setback is for buildings, parking and drive aisles.
   1.13 Dimension and identify the 275’ height waiver boundary.
   1.14 Add a General Note that the buildings along the eastern boundary are limited to a maximum of 2-stories in height.
   1.15 Update the Phasing Table:
      1.15.1 Up to 200 units may be built with only one access, which may be from either S. 44th or S. 48th Street.
      1.15.2 Construction access to Yankee Hill Road at S. 48th Street is allowed in the first phase.
      1.15.3 Construction of adjacent streets will be required as part of a final plat for any lot. However, the first phase may postpone the final platting of the adjacent S. 44th Street or S. 48th Street (which ever in not being used for permanent access) until the next phase.
1.16 Add a General Notes. Additional right-of-way will be required to be dedicated to accommodate a 10’ wide trail, at least 9’ feet between back of curb and trail edge and 2’ between trail edge and right-of-way line. No vertical obstruction within 2’ of the trail edge are permitted.

1.17 Add to the 10’ right-of-way dedication label that additional right-of-way will be required to be dedicated to accommodate a 10’ wide trail. See General Notes.

1.18 Add a street label, “Grainger Pkwy,” northwest of Bridle Lane as per the December 24, 2019 comments in Project Dox.

1.19 Revise the plans, drainage report and water quality to the satisfaction of the LTU - Watershed Management Department per their December 12, 2019 review comments in Project Dox.

1.20 Revise the plans to the satisfaction of the LTU - Water Department.

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

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

3. 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 erosion 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 and 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 Yankee Hill Road as shown on the final plat within two (2) years following the approval of this final plat.
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 within this plat within two (2) years following the approval of the final plat.

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

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

to complete the planting of street trees along the improved major streets as shown on the final plat within two (2) years following the approval of this final plat.

to complete the planting of the landscape screen within this plat within two (2) years following the approval of the 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 Lincoln Transportation and Utilities 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 plants in the medians and islands, including replacement and replanting as reasonably necessary, on a permanent and continuous basis.
to maintain the street trees along the private roadways and landscape screens, 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 developer.

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 pay all design, engineering, labor, material, inspection, and other improvement costs.

to relinquish the right of direct vehicular access from Yankee Hill Road except as shown.

**Standard Conditions:**

4. The following conditions are applicable to all requests:

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

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

4.3 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.

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

4.5 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, filing fees therefore to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.
4.6 The site plan as approved with this ordinance voids and supersedes all previously approved site plans, however all ordinances approving previous permits remain in full force and effect unless specifically amended by this ordinance.
Change of Zone #: CZ19031 (AG to R-3)
Chateau at Yankee Hill PUD
S 40th St & Yankee Hill Rd

Zoning:

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

One Square Mile:
Sec. 20 T09N R07E

Area of Application
Zoning Jurisdiction Lines
Lancaster County Jurisdiction
GENERAL SITE NOTES

1. Sanitary sewer and water lines to be 6" PPE unless otherwise shown, storm sewer shall be constructed using approved pipe materials of the building and safety plumbing department, public and private utilities to be built to city of Lincoln specifications.

2. All pavement return radii to be 20' (min.) unless otherwise noted.

3. Sidewalks shall be constructed on both sides of the public streets.

4. All dimensions along curves are chord distances.

5. Direct vehicular access to Yankee Hill Road shall be relinquished except as shown.

6. All elevations are to NAVD 1988.

7. All outlots, medians, landscaping and pedestrian circulation within this PUD to be maintained by an association of property owners.

8. The proposed lot lines, building layout and parking lot layout are conceptual and may vary in the final plat.

9. Total usage
   - Total blocks = 3
   - Total lots = 11
   - Total outlots = 3

10. All eaves, canopies and other building projections may extend over the building setback lines but not lot lines.

11. All drives shall be 24' wide typical unless otherwise noted. All parking stalls shall be 9' wide and 18' deep (less 2' for vehicle overhang) unless otherwise noted.

12. Fences, decorative structures, and accessory buildings are not shown on the site plan but may be constructed if they are 25' x 25' or smaller and are constructed outside of setbacks, sight triangles, easements, and required minimum parking, and are built according to zoning ordinance provisions, and are in conformance with all other applicable codes.

13. A common access easement shall be granted over all drives and parking stalls. Cross parking easement shall be granted for all lots within this PUD.

14. Internal pedestrian sidewalks to be provided in compliance with the city of Lincoln design standards at the time of building permits.

15. Final site layout and individual landscape plans for buildings to be submitted at time of building permit.

16. Signs need not be shown on this site plan, but need to be in compliance with Chapter 27.46 of the Lincoln zoning ordinance, and must be approved by building and safety department prior to installation.

17. Setbacks shall be as shown on the site plan.

18. Residential dwelling units shall not exceed 860 units.

19. Property is being requested to be rezoned from AG to R-3 PUD.
LEGAL DESCRIPTION

THAT PART OF LOT 2, SPEIDEL 1st ADDITION, LOCATED IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 20, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6th PRINCIPAL MERIDIAN, LINCOLN, LANCASTER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOW;

BEGINNING AT THE SOUTHEAST CORNER OF LOT 2, SPEIDEL 1st ADDITION, SAID POINT BEING ON THE NORTH 50' RIGHT OF WAY LINE FOR YANKEE HILL ROAD; THENCE WESTERLY ON THE SAID NORTH RIGHT OF WAY LINE, S 89°51'08"W 1414.75'; THENCE N 46°17'05"E 109.70', TO A POINT ON A CIRCULAR CURVE TURNING IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 417.00', A CENTRAL ANGLE OF 75°06'47" AND AN ARC LENGTH OF 546.67'; THENCE ON SAID CURVE, HAVING A CHORD OF N 37°25'29"W 508.36', TO A POINT ON A CIRCULAR CURVE TURNING IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 533.00', A CENTRAL ANGLE OF 29°40'14" AND AN ARC LENGTH OF 276.01'; THENCE ON SAID CURVE, HAVING A CHORD OF N 60°08'45"W 272.94'; THENCE N 44°41'22" E 66.00', TO A POINT ON A CIRCULAR CURVE TURNING IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 703.61', A CENTRAL ANGLE OF 47°09'51" AND AN ARC LENGTH OF 579.19'; THENCE ON SAID CURVE, HAVING A CHORD OF N 23°33'32"E 562.98'; THENCE N 0°00'04"W 133.84', TO A POINT ON A CIRCULAR CURVE TURNING IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 1430.00', A CENTRAL ANGLE OF 21°01'52" AND AN ARC LENGTH OF 524.90'; THENCE ON SAID CURVE, HAVING A CHORD OF N 64°15'08"E 521.95'; THENCE S 64°18'55"E 264.55'; THENCE S 67°13'51"E 176.02'; THENCE N 15°36'16"E 22.17'; THENCE S 67°13'51"E 294.95'; THENCE N 22°27'29"E 596.77'; THENCE S 89°51'23"E 236.93'; THENCE S 0°07'34"W 1610.65', TO THE POINT OF BEGINNING, SAID TRACT CONTAINING AN AREA OF 2,357,997.98 SQUARE FEET OR 54.13 ACRES, MORE OR LESS.
December 11, 2019

Mr. David Cary
Planning Department, City of Lincoln
County-City Building
555 So. 10th Street
Lincoln, NE 68508

RE: Chateau at Yankee Hill, PUD Change of Zone

Dear Mr. Cary:

Enclosed please find the following for the above-mentioned project:

1. Zoning Application
2. Application fee ($4,282)
3. PUD Site Plan & Notes
4. PUD Grading & Drainage Plan
5. PUD Street Profiles
6. Stormwater Drainage Report

On behalf of the Developer, Chateau Development, LLC, 3100 S. 72nd St, Lincoln, NE 68506, we are requesting a change of zone from AG to R-3 PUD to the properly located northwest of the intersection of South 48th Street and Yankee Hill Road. The existing property contains a portion of the existing Yankee Hill Golf course which will be renovated to avoid the proposed R-3 PUD. The R-3 PUD will add 860 apartment units on approximately 54 acres. The approximate density of the PUD is 16 units per acre. A site plan and grading/drainage plan has been submitted to show the proposed lots, elevations and the location of the public/private streets. The proposed R-3 PUD will be developed in phases. The phasing will start along Yankee Hill Road and be developed to the north and east.

The R-3 PUD is seeking approval of waivers to the (1) parking requirements; (2) building height; (3) yard setbacks; and (4) sidewalks.

1. The R-3 PUD is seeking to reduce the parking ratio from 2 stalls/unit to 1.8 stalls/unit due to the amount of on-street parking that will be provided on the public and private streets. The on-street parking reduces the speeds on the roadways thus increasing the safety of the development. If the on-street parking were to be counted towards the parking ratio then the parking ratio would be 2 stalls/unit.
2. An increase of building height to 65 feet will allow the development to sustain a typical apartment density but preserve the existing green space of the development and allow less dense buildings along the existing acreages property. The increased building height will only be allowed for buildings in excess of 275 feet from the existing acreage development property lines.

3. A limited amount of front yard setbacks are being asked to be reduced by 10 feet to accommodate a larger rear yard setback to the existing acreage development to the east.

4. To protect the existing natural aesthetic of the landscape we would like to build sidewalk on one side of the private street. This will allow for street trees to be placed on both sides of the private street while still providing parking abutting the private street.

The project was presented at a neighborhood meeting and as a result of the neighborhood meeting a subsequent smaller meeting was conducted. We have listened to the comments provided by the neighborhood and have attempted to incorporate measures in our plan to appease the concerns of our neighbors. The site plan has incorporated larger setbacks abutting the existing acreage development, aligned smaller apartment buildings along the abutting perimeter of the acreage development and have designed a grading plan that has the abutting apartment buildings at least 10' lower than the existing grade. The site plan has been revised to satisfy individual abutting acreage owners on their preference of front or rear facing apartment buildings to their property line. In addition, the abutting apartment buildings will have a flat roof to accommodate neighbor requests to minimize the obstruction of the view of the sunrise to their existing homes.

Please contact me if you have any questions or require additional information.

Sincerely,

Tim Gergen, PE