
Lincoln City - Lancaster County

PLANNING COMMISSION AGENDA

PLANNING COMMISSION

Jeanelle R. Lust: Chair
Chris Hove: Vice-Chair
Cathy Beecham
Michael Cornelius
Tracy Corr
Maja V. Harris
Dennis Scheer
Lynn Sunderman
Ken Weber

PLANNING STAFF

David R. Cary: Acting Director
Geri Rorabaugh: Administrative Officer
Amy Huffman: Office Specialist

July 22, 2015

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, July 22, 2015, at 1:00 p.m., in Hearing Room 112 on the first floor of the County-City Building, 555 S. 10th St., Lincoln, Nebraska. For more information, call the Planning Department, (402) 441-7491.

The regular meeting of the Planning Commission scheduled for August 19, 2015 will convene at 5:30 P.M. in order to accommodate anticipated increased demand for public comment on the proposed commercial wind energy text amendment.

****PLEASE NOTE:** The Planning Commission action is final action on any item with a notation of "FINAL ACTION". Any aggrieved person may appeal Final Action of the Planning Commission to the City Council or County Board by filing a Notice of Appeal with the City Clerk or County Clerk within 14 days following the action of the Planning Commission.

The Planning Commission action on all other items is a recommendation to the City Council or County Board.

AGENDA

WEDNESDAY, JULY 22, 2015

Approval of minutes of the regular meeting held July 8, 2015.

1. CONSENT AGENDA (Public Hearing and Administrative Action):

USE PERMITS:

- | | |
|------------|---|
| Page
01 | <p>1.1 Use Permit No. 52C, to amend Use Permit 52B, by eliminating the maximum square footage limitation, on property generally located at 300 North 44th Street. **FINAL ACTION**
Staff recommendation: Conditional Approval
Staff Planner: Christy Eichorn, 402-441-7603, ceichorn@lincoln.ne.gov</p> |
| Page
09 | <p>1.2 Use Permit No. 72A, request for a waiver to the R-T Use Permit, to reduce the front yard setback for a free-standing sign and change the landscaping plan, on property generally located at 4910 Normal Boulevard.
Staff recommendation: Conditional Approval
Staff Planner: Christy Eichorn, 402-441-7603, ceichorn@lincoln.ne.gov</p> |

MISCELLANEOUS:

- Page 29 1.3 Street & Valley Vacation No. 15005, to vacate the remaining portion of Pine Lake Road between South 84th Street and South 88th Street adjacent to a part of Lot 81 I. T., generally located at South 84th Street and Pine Lake Road.

Staff recommendation: Conformance with the Comprehensive Plan
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov

2. REQUESTS FOR DEFERRAL:

3. ITEMS REMOVED FROM CONSENT AGENDA **(Public Hearing and Administrative Action):**

3.1 _____

3.2 _____

4. PUBLIC HEARING AND ADMINISTRATIVE ACTION

COMPREHENSIVE PLAN CONFORMANCE:

- Page 35 4.1 Comprehensive Plan Conformance No. 15010, to review the proposed "VA Campus Redevelopment Plan" as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan and the State of Nebraska's Community Development Plan, generally located at 600 South 70th Street.

Staff recommendation: Conformance with the Comprehensive Plan
Staff Planner: Ed Zimmer, 402-441-6360, ezimmer@lincoln.ne.gov

ANNEXATION AND RELATED CHANGE OF ZONE:

- Page 45 4.2a Annexation No. 15006, to annex approximately 46 acres and adjacent rights-of-way, generally located at South 63rd Street and Yankee Hill Road.

Staff recommendation: Approval
Staff Planner: Brian Will, 402-441-6360, ezimmer@lincoln.ne.gov

- Page 45 4.2b Change of Zone No. 04075F, to amend the Village Gardens Planned Unit Development by expanding the boundary by approximately 46 acres; with a change of zone from AG Agricultural District to R-3 Residential District PUD; for a Planned Unit Development District designation of said property; and for a development plan which proposes modifications to the Zoning Ordinance and Land Subdivision Ordinance for additional single-family dwelling lots on the underlying R-3 zoned area, on property generally located at South 63rd Street and Yankee Hill Road.

Staff recommendation: Conditional Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov

SPECIAL PERMITS:

- Page 73 4.3 Special Permit No. 04054A, an amendment to allow duplex lots within the special permit, and to permit a reduction in the minimum lot area, lot depth and lot width on property generally located at SW 27th Street and West A Street. ****FINAL ACTION****
Staff recommendation: Conditional Approval
Staff Planner: Christy Eichorn, 402-441-7603, ceichorn@lincoln.ne.gov
- Page 85 4.4 Special Permit No. 15040, to allow an 85-foot tall personal wireless facility on property generally located at 3434 South 13th Street. ****FINAL ACTION****
Staff recommendation: Conditional Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov

5. CONTINUED PUBLIC HEARING AND ADMINISTRATIVE ACTION

- Page 111 5.1 Special Permit No. 15030, for an 85-foot tall personal wireless facility, on property generally located at 3300 North 1st Street. **** FINAL ACTION****
Staff recommendation: Conditional Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov

**AT THIS TIME, ANYONE WISHING TO SPEAK ON AN ITEM
NOT ON THE AGENDA, MAY DO SO**

*** * * * ***

Adjournment

PENDING LIST: *None*

Planning Dept. staff contacts:

Stephen Henrichsen, <i>Development Review Manager</i>	402-441-6374	....	shenrichsen@lincoln.ne.gov
David Cary, <i>Acting Director and Long Range Manager</i>	402-441-6364	....	dcary@lincoln.ne.gov
Paul Barnes, <i>Planner</i>	402-441-6372	....	pbarnes@lincoln.ne.gov
Michael Brienzo, <i>Transportation Planner</i>	402-441-6369	....	mbrienzo@lincoln.ne.gov
Tom Cajka, <i>Planner</i>	402-441-5662	....	tcajka@lincoln.ne.gov
Christy Eichorn, <i>Planner</i>	402-441-7603	....	ceichorn@lincoln.ne.gov
Brandon Garrett, <i>Planner</i>	402-441-6373	....	bgarrett@lincoln.ne.gov
Stacey Groshong Hageman, <i>Planner</i>	402-441-6361	....	shageman@lincoln.ne.gov
Brian Will, <i>Planner</i>	402-441-6362	....	bwill@lincoln.ne.gov
Kellee Van Bruggen, <i>Transportation Planner</i>	402-441-6363	....	kvanbruggen@lincoln.ne.gov
Ed Zimmer, <i>Historic Preservation Planner</i>	402-441-6360	....	ezimmer@lincoln.ne.gov

* * * * *

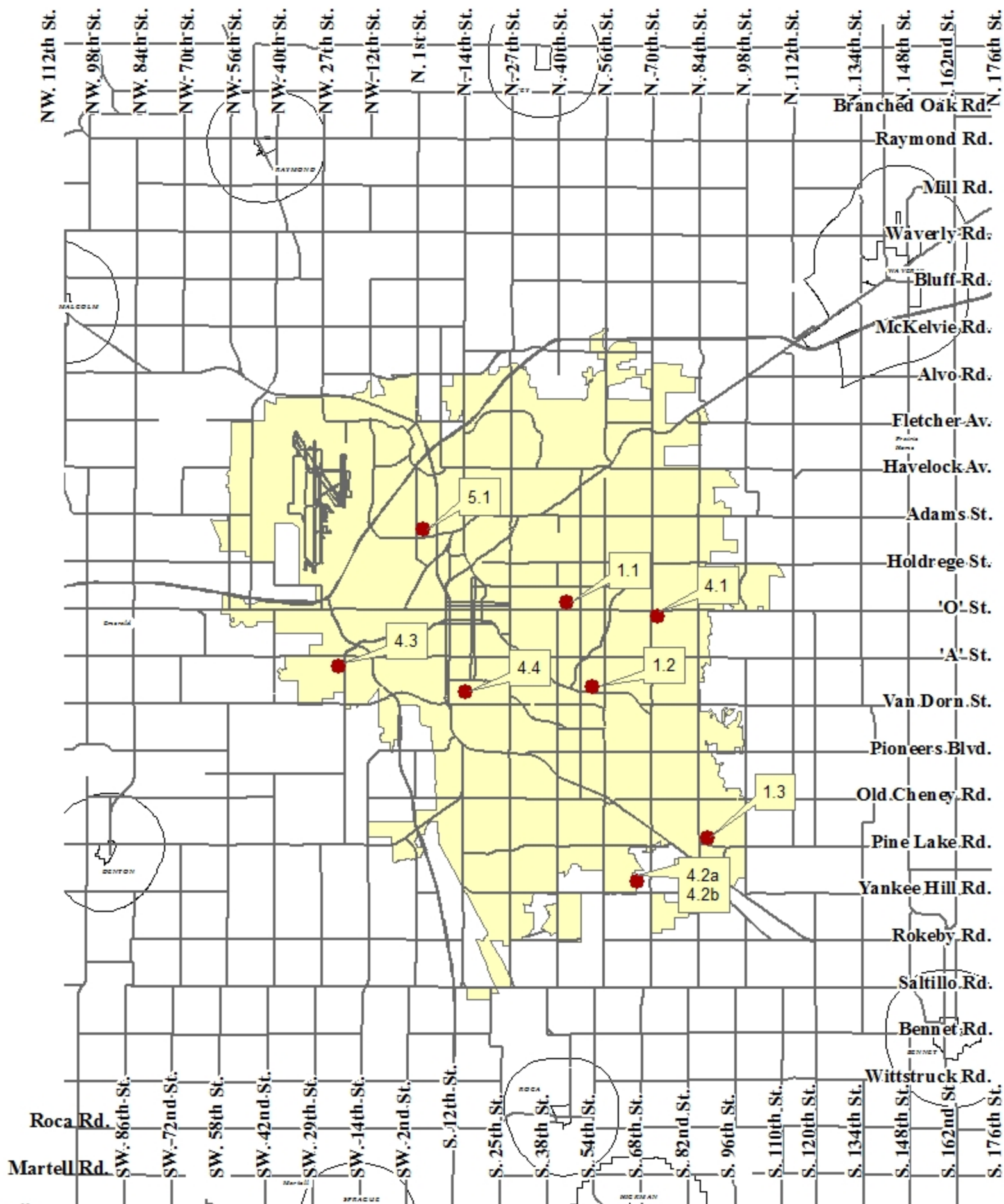
**The Planning Commission meeting
which is broadcast live at 1:00 p.m. every other Wednesday
will be rebroadcast on Sundays at 1:00 p.m. on 5 City TV, Cable Channel 5.**

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**The Planning Commission agenda may be accessed on the Internet at
<http://www.lincoln.ne.gov/city/plan/pcagenda/index.htm>**

ACCOMMODATION NOTICE

The City of Lincoln complies with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 guidelines. Ensuring the public's access to and participating in public meetings is a priority for the City of Lincoln. In the event you are in need of a reasonable accommodation in order to attend or participate in a public meeting conducted by the City of Lincoln, please contact the Director of Equity and Diversity, Lincoln Commission on Human Rights, at 402 441-7624 as soon as possible before the scheduled meeting date in order to make your request.



Planning Commission Agenda Item Map

July 22, 2015

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for July 22, 2015 PLANNING COMMISSION MEETING

PROJECT #: Use Permit No. 52C

PROPOSAL: To eliminate the maximum square footage requirement.

LOCATION: N. 44th Street and Q Street

LAND AREA: 5.7 acres more or less

EXISTING ZONING: O-3 Office Park District

CONCLUSION: A cap on square footage is no longer necessary because this site is mostly constructed. It is regulated by setbacks, building envelopes, parking and a height restriction. The minor increase in floor area should not have a significant impact on traffic and should have no impact on adjacent properties. The change is in conformance with the Comprehensive plan.

RECOMMENDATION:	Conditional Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 1, Block 1, Wyuka 5th Addition, Lot 1, Block 1, Wyuka 6th Addition and Lot A, B, C, and D Wyuka 7th Addition, located in the SW 1/4 of Section 20-10-7, Lincoln, Lancaster County, Nebraska

EXISTING LAND USE: Offices

SURROUNDING LAND USE AND ZONING:

North:	O-3 Office Park	Commercial
South:	H-2 Highway Business District	Commercial
East:	B-1 Local Business District	Commercial
West:	R-4 Residential	Apartments

HISTORY:

May 1979	This area was converted from 'B' Two Family district to R-4 Residential during the 1979 zoning update.
April 1989	A preliminary Planned Unit Development was approved by the City Council.
December 1990	A change of Zone from R-4 Residential to O-3 Office Park was approved with associated Use Permit #52 that included 60,000 square

January 1992	feet of office space. Administrative Amendment # 91079 was approved revising the layout of the buildings and parking.
August 1992	City Council approved Use Permit #52B allowing parking for Lots 1 and 2 Block 1 Wyuka Subdivision 1 st Addition on Outlot A rather than exclusively on their own lots.
June 1993	Administrative Amendment # 93021 was approved to allow 3 story rather than 2 story buildings.
October 1997	Administrative Amendment # 97088 was approved to change the location of the building, lot lines, parking and driveways.
August 1998	Administrative Amendment # 98044 was approved to allow an entrance wall sign on both sides of the main driveway to allow an office park identification sign on one wall.
October 1998	Administrative Amendment # 98063 was approved revising the grading plan, site plan and landscape plan to show the wetlands associates with the drainageway and the existing tree masses to remain.
April 2005	Administrative Amendment # 05026 was approved to add three garages on Lot 2 and extend the south lot line of Lot 2 to the south 40 feet.
August 2014	Administrative Amendment # 13058 was approved to increase the floor area from 60,000 square feet to 69,000 square feet and create a new lot for a new office building.

COMPREHENSIVE PLAN SPECIFICATIONS:

This area is shown as Commercial on the 2040 Future Land Use Map Page 2.3

Business and Economy: Guiding Principles Page 5.1 - 5.2

- Focus primarily on retention and expansion of existing businesses; attracting new businesses should also be encouraged.
- Promote and foster appropriate, balanced, and focused future economic growth that maintains the quality of life of the community.
- Seek to efficiently utilize investments in existing and future public infrastructure to advance economic development opportunities.
- Provide flexibility to the marketplace in siting future commercial and industrial locations.
- Encourage commercial centers to encompass a broad range of land uses with the integration of compatible land use types.

UTILITIES: Existing

TRAFFIC ANALYSIS: N. 44th Street and Q Streets are both local streets.

AESTHETIC CONSIDERATIONS: There are no design standards for this development.

ANALYSIS:

1. The applicant's initial request was to increase the square footage from 69,000 square feet to 74,980 square feet. Upon review it was clear that the minor increase wouldn't have a significant impact. The applicant is now proposing to remove the maximum allowable square footage cap for this use permit.
2. The site is zoned O-3 Office Park and has an approved site plan that designates setbacks and building envelopes. The developer is permitted to build anywhere within established building envelopes. The maximum height for this development is 45 feet. Parking is per Chapter 27.67 of the Lincoln Municipal Code and all parking requirements must be met when any additional square footage is added to the site.
3. The limitations of the building envelope, maximum height and minimum parking are sufficient to regulate the development of this site. There is only one remaining vacant pad site in this development the other two are essentially built out within the building envelopes and the district height.
4. Improvements, such as streets and utilities, necessary for maximum build out of this site as an O-3 Office Park were constructed in the 1990s with the original development of this site.

CONDITIONS OF APPROVAL:

This approval removes the maximum square footage requirement of the use permit.

Site Specific Conditions:

1. The permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including **5** copies with all required revisions and documents as listed below upon approval before receiving building permits.
 - 1.1 Remove clouds on the site plan that represent previous amendments.
 - 1.2 Add dimensions to all building envelopes.
 - 1.3 Show a darker building envelope line for Lot 3.
 - 1.4 Remove reference to the CUP in General Note #10.

- 1.5 Revise General Note #5 to state, "Signs need not be shown on this site plan, but need to be in compliance with chapter 27.69 of the Lincoln Zoning Ordinance except that free standing signs and center signs may not exceed 8 feet in height or 32 square feet in sign area. Signs must be approved by Building & Safety Department prior to installation".

Standard Conditions:

2. The following conditions are applicable to all requests:
 - 2.1 Before occupying buildings all development and construction is to substantially comply with the approved plans.
 - 2.2 All privately-owned improvements, including landscaping are to be permanently maintained by the Permittee or an appropriately established association approved by the City.
 - 2.3 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.
 - 2.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 2.5 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
 - 2.6 The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions/ordinances approving previous permits remain in force unless specifically amended by this resolution.

Prepared by

Christy Eichorn, Planner

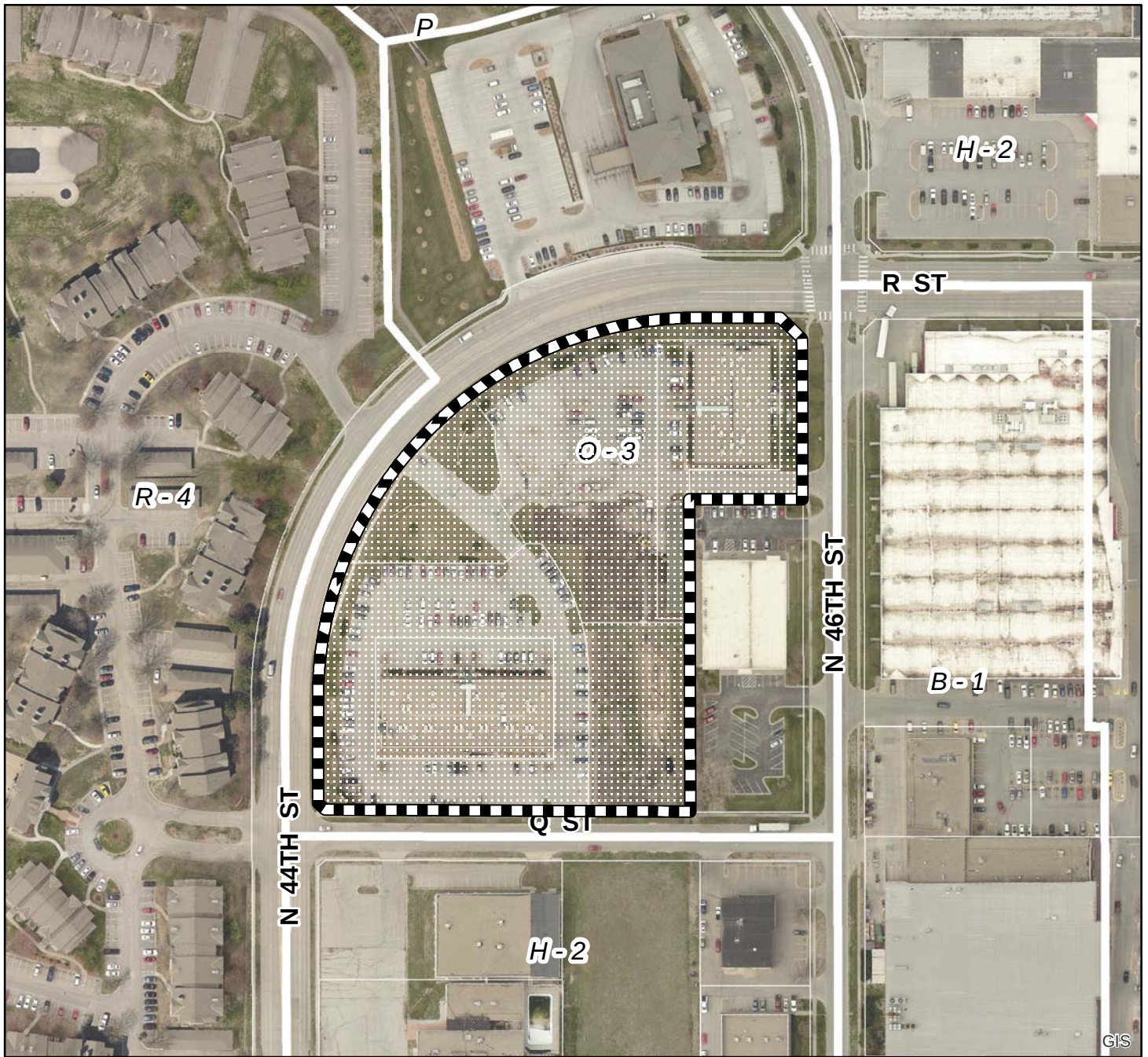
DATE: July 8, 2015

APPLICANT/ CONTACT:

Matt Langston
Olsson Associates
601 P Street, Suite 200
Lincoln, NE 68508

OWNER:

Corporate Place LLC
300 N. 44th Street, Suite 207
Lincoln, NE 68503



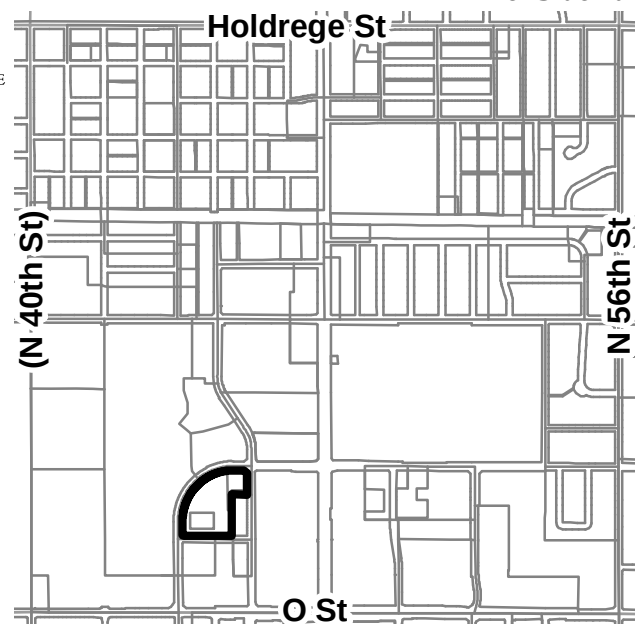
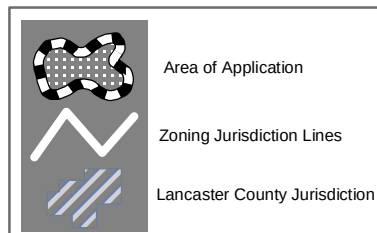
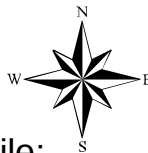
2013 aerial

Use Permit #: UP52C
Wyuka Office Park
N 44th & Q St

Zoning:

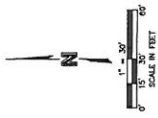
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	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 T10N R07E

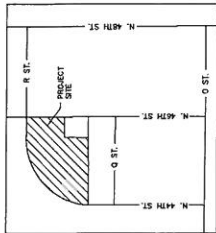


WYUKA OFFICE PARK AMENDMENT TO USE PERMIT #52B

OLSSON ASSOCIATES



LOT 1, BLOCK 1, WYUKA 6TH ADDITION
LOT 1, BLOCK 1, WYUKA 6TH ADDITION
OUTLOT A, B, C, D, WYUKA 7TH ADDITION



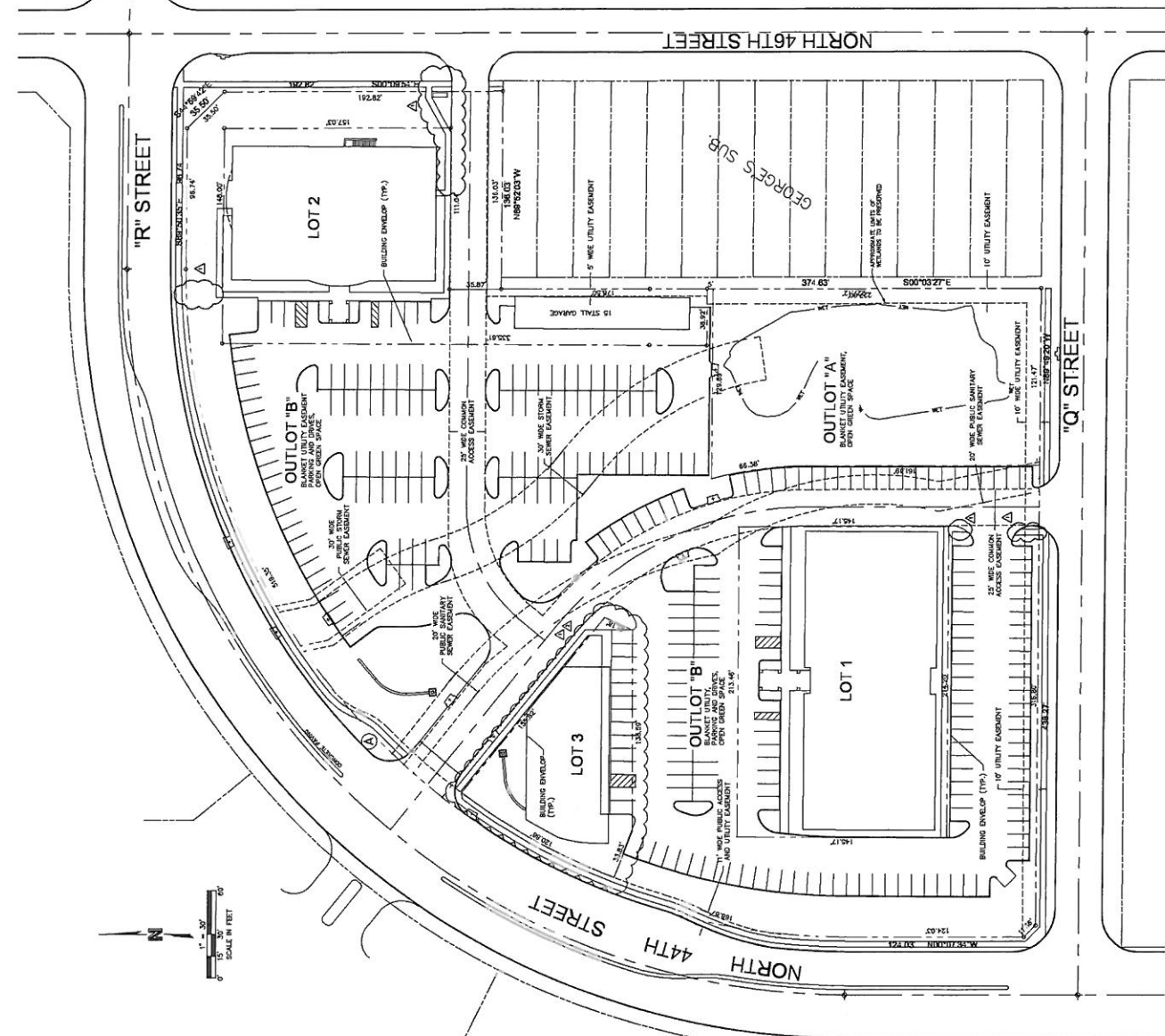
NOT TO SCALE

1. A COMMON ACCESS EASEMENT SHALL BE DEDICATED AS SHOWN.
2. THE MAXIMUM BUILDING HEIGHT SHALL NOT EXCEED 48 FEET.
3. THE DEVELOPER OR OWNER RESERVES THE RIGHT TO BUILD ANYWHERE WITHIN THE BUILDING FOOTPRINT SHOWN.
4. PAVED DRIVEWAYS SHALL BE INSTALLED THROUGH EXISTING DRIVEWAYS AND DESIGNED AS REQUIRED BY THE CITY OF LINCOLN.
5. ALL PRIVATE DRIVEWAYS SHALL BE 25 FEET IN WIDTH UNLESS OTHERWISE SPECIFIED AND SHALL BE CONCRETE. DRIVEWAYS SHALL BE 12 FEET WIDE AND 12 FEET DEEP.
6. DRIVEWAYS SHALL BE 4 INCH THICK CONCRETE AND SHALL BE 12 FEET WIDE AND 12 FEET DEEP. DRIVEWAYS SHALL BE 12 FEET WIDE AND 12 FEET DEEP. DRIVEWAYS SHALL BE 12 FEET WIDE AND 12 FEET DEEP.
7. ALL DRIVEWAYS SHALL BE 4 INCH THICK CONCRETE AND SHALL BE 12 FEET WIDE AND 12 FEET DEEP. DRIVEWAYS SHALL BE 12 FEET WIDE AND 12 FEET DEEP. DRIVEWAYS SHALL BE 12 FEET WIDE AND 12 FEET DEEP.
8. COMMON AND PUBLIC ACCESS EASEMENTS ARE HEREBY GRANTED OVER ALL PRIVATE DRIVEWAYS, PARKING LOTS, AND DRIVEWAYS.
9. AREA TO BE DEDICATED SHALL BE 8 FEET IN HEIGHT AND 32 FEET IN WIDTH. AREA TO BE DEDICATED SHALL BE 8 FEET IN HEIGHT AND 32 FEET IN WIDTH. AREA TO BE DEDICATED SHALL BE 8 FEET IN HEIGHT AND 32 FEET IN WIDTH.
10. ALL OTHER ASPECTS OF THE APPROVED DUP AND USE PERMIT TO REMAIN AS APPROVED.
11. THE REQUIRED LOW FLOW WATER WAS WASHED ALONG THE CHANGING WAY CONDITIONED UPON THE PRESERVATION OF THE WETLANDS AND TRAIL MASS.
12. ALL EASEMENTS IN OFFICE PARK TO BE COMPLETED PRIOR TO OCCUPANCY OF OFFICE BUILDING.

LOT	BUILDING AREA (SQUARE FEET)	PARKING (PER SQ. FT.)	PARKING REQUIRED	PARKING PROVIDED
1	35,980	1/500	120	-
2	29,000	1/225	129	-
3	10,000	1/500	34	-
TOTALS	69,000	-	283	298

$A=89'46'41"$
 $R=460.00'$
 $L=720.79'$
 $T=458.22'$
 $C=649.28'$
 $CB=544'59'08"W$

EASEMENT LINE
 PROPERTY LINE
 CENTERLINE OF ROADWAY
 BOUNDARY LINE
 BUILDING OUTLINE
 WETLANDS LIMITS





June 22, 2015

Paul Barnes
Planner, City of Lincoln
555 S. 10th Street, Suite 213
Lincoln, Ne 68508

RE: Amendment to Use Permit 52B – Wyuka Office Park – NE corner of N 44th & Q Streets.
Olsson Project No. 013-2023

Dear Paul,

On behalf of the owner, Green Leaf Properties, I am hereby asking for an Amendment to the Use Permit 52B for Wyuka Office Park that increases the allowable floor space on Lots 1 and 2. This Amendment would increase the allowable floor space on Lot 2 from 24,020 to 29,000 square feet and on Lot 3 from 9,000 to 10,000 square feet. As shown on the included Site Plan, 298 parking stalls will be provided with only 283 stalls being required for the requested areas.

Please feel free to contact me with any questions.

Thank you,

Matt Langston

A handwritten signature in blue ink, appearing to read 'Matt Langston', with a long horizontal flourish extending to the right.

Matt Langston
Olsson Associates

cc: Don Linscott
File

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for July 22, 2015 PLANNING COMMISSION MEETING

PROJECT #: Use Permit No. UP72A

PROPOSAL: Allow a freestanding sign in the front yard setback and modify the approved landscape plan.

LOCATION: S. 48th Street and Normal Boulevard

LAND AREA: 1.39 acres more or less

EXISTING ZONING: R-T Residential Transition District

CONCLUSION: The proposed location of a freestanding sign located 15 feet from the front property line will not have a negative impact on the surrounding properties. The revised landscape plan will meet current design standards for parking lots. These two revisions to the use permit are in conformance with the Comprehensive Plan.

RECOMMENDATION:	Conditional Approval
<u>Waivers/modifications:</u>	
Reduce the front yard setback from 25 feet to 15 feet for a freestanding sign.	Conditional Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 1, Maple Meadows Addition, including Maple Meadows Condominium Units 1, 2 and 3, located in the SE 1/4 of Section 32-10-7, Lincoln, Lancaster County, Nebraska

EXISTING LAND USE: Office

SURROUNDING LAND USE AND ZONING:

North: R-2 Residential - Single family residential
South: R-2 Residential - Single family residential
East: R-2 Residential - Special permit for a parking lot
West: B-1 Local Business District - Commercial uses

HISTORY:

In September of 1968, a change of zone from A-2 Single Family to G Local Business was requested on a portion of this property. This request was denied. During the 1979 Zoning Update this site was converted from A-2 to R-2 Residential. In May of 1985 a request to change this property to B-1 Local Business was denied. The current Use Permit and R-T zoning district was approved in August of 1994 after much discussion and compromise regarding the associated landscape plan.

COMPREHENSIVE PLAN SPECIFICATIONS:

The 2040 future Landuse map show this property as Urban Residential.

Pg 5.15 - Strategies for Commercial Infill.

-Develop infill commercial areas to be compatible with the character of the area.

-Maintain and encourage businesses that conveniently serve nearby residents, while ensuring compatibility with adjacent neighborhoods

UTILITIES: Existing

TOPOGRAPHY: The property generally slopes downward toward Normal Boulevard.

TRAFFIC ANALYSIS: Normal Boulevard is a minor arterial street.

AESTHETIC CONSIDERATIONS: The proposed sign should not be intrusive to nearby residential properties considering the small scale of the sign and the fact that the sign will be separated from residential by an existing parking lot to the east and an arterial street to the south.

ANALYSIS:

1. The R-T Residential Transition district is a zoning district intended to be used between commercial and residential uses. This district has limited uses and reduced signage so that the district is more compatible with adjacent residential uses.
2. The R-T district allows for one 25 square foot wall sign per architectural elevation per building. It also allows for one freestanding sign per building outside of the front yard setback. The freestanding sign can be a maximum of 8 feet tall and 32 square feet in area.
3. The front yard setback for this property is 25 feet. The applicant is requesting that this setback be reduced to 15 feet to allow for the freestanding sign to be located closer to the street.
4. The new location will provide more visibility for the sign and will not intrude on adjacent residentially zoned property to the east which is currently permitted for a parking lot or the residential property to the south which is across an arterial street. The nearest residential use on the north side of Normal Boulevard is more than 250 feet away.
5. The landscape plan associated with this use permit is also being revised with this amendment. The original plan approved in 1994 was a compromise with the neighborhood for the zoning and use permit. That vegetation has since grown, been diseased and damaged by storms according to the applicant.

The applicant has been working to develop a new landscape plan for the parking lot area that will meet the current parking lot screening standards, enhancing the front yard without blocking the buildings or signage within the development. The revised landscape plan does not eliminate any required screening between the commercial and the residential uses to the north.

CONDITIONS OF APPROVAL:

This approval permit allows for the reduction of the front yard setback to 15 feet for a free standing sign.

Site Specific Conditions:

1. The permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including **5** copies with all required revisions and documents as listed below upon approval before receiving a sign permit is approved:
 - 1.1 Submit a revised landscape plan to the satisfaction of the Planning Director that at a minimum meets the Design Standards for parking lot screening requirements.
 - 1.2 Revise General Note #8 to say, "Signs need not be shown on this site plan, but need to be in compliance with chapter 27.69 of the Lincoln Zoning Ordinance, and must be approved by Building & Safety Department prior to installation. Freestanding signs are permitted up to 15 feet from the front lot line".
 - 1.3 Update the Legal Description.
 - 1.4 Remove Lot 2 from the Use Permit site plan. This lot is now a special permit parking lot.

Standard Conditions:

2. The following conditions are applicable to all requests:
 - 2.1 Before occupying buildings all development and construction is to substantially comply with the approved plans.
 - 2.2 All privately-owned improvements, including landscaping are to be permanently maintained by the Permittee or an appropriately established association approved by the City.
 - 2.3 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.

- 2.4 The parking lot landscape screening must be completed no later than 1 year after the approval of this special permit.
- 2.5 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 2.6 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 and sign permits will not be issued unless the letter of acceptance has been filed.
- 2.7 The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions/ordinances approving previous permits remain in force unless specifically amended by this resolution.

Prepared by

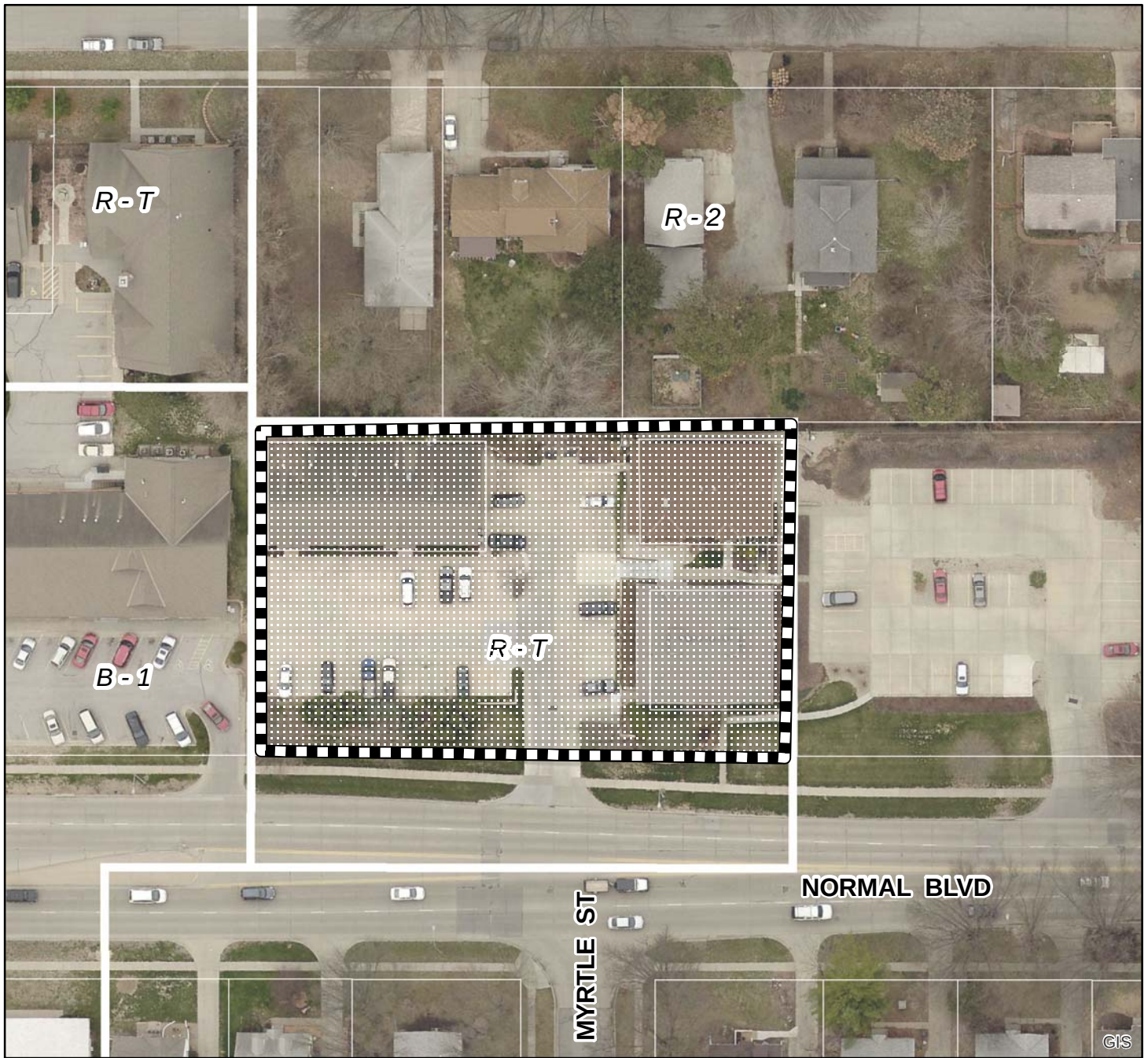
Christy Eichorn, Planner
402-441-7603
ceichorn@lincoln.ne.gov

DATE: July 9th, 2015

APPLICANT/ CONTACT: Hacor Inc
 6815 Northridge Road
 Lincoln, NE 68516

OWNER: Maple Meadows Condo Association
 4920 Normal Blvd
 Lincoln, NE 68506

F:\DevReview\UP\UP72A Maple Meadows.cje.wpd



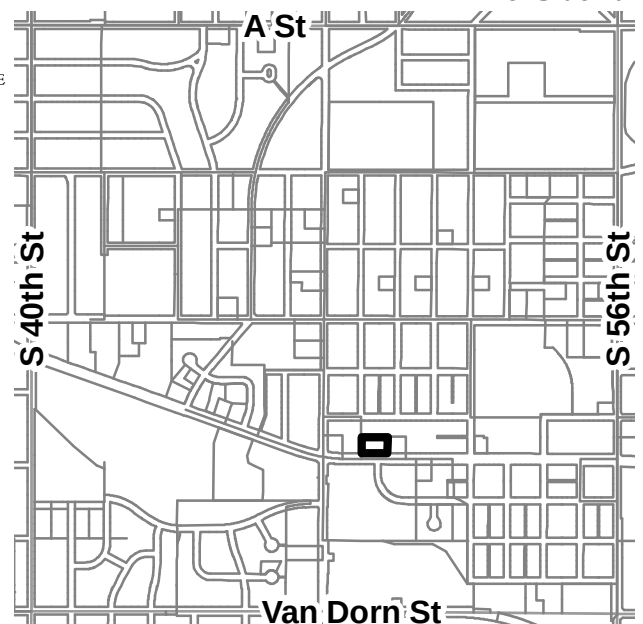
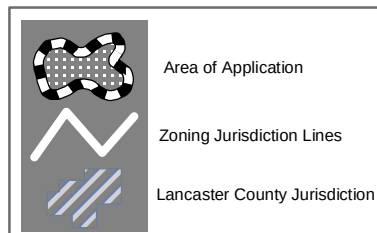
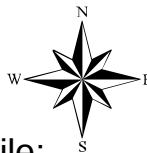
2013 aerial

Use Permit #: UP72A
Maple Meadows Use Permit
S 48th St & Normal Blvd

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.32 T10N R07E



MAPLE MEADOWS

CHANGE OF ZONE #2834 USE PERMIT #72

BUILDINGS

LOT 1: BUILDING "A"
BUILDING "B"
BUILDING "C"
TOTAL

PARKING

LOT 1: 4225 SQ. FT. BUILDING AREA
TOTAL: 4225 SQ. FT.

LEGAL DESCRIPTION

Lot 1, Maple Meadows Addition, including Maple Meadows Condominium Units 1, 2 and 3, located in the SE 1/4 of Section 22-10-7, Lincoln, Lancaster County, Nebraska, containing 124 ACRES.

GENERAL NOTES

1. ROOTS SHALL BE REMOVED OR SHAVE SHANKS INTO MINIMUM 12" DIAMETER AND SHALL BE REMOVED TO A MINIMUM OF 12" BELOW THE GRADE.
2. BUILDINGS SHALL BE ONE STORY IN HEIGHT AND SHALL NOT EXCEED 20 FEET.
3. BUILDING FOUNDATIONS SHALL BE CONCRETE VENEER OR NON-REINFORCED CONCRETE.
4. ALL FOUNDATIONS SHALL BE FINISHED TO GRADE.
5. USES OF BUILDINGS SHALL BE LIMITED TO OFFICE/STUDIO.
6. THE OWNER AGREES TO RESERVE THE RIGHT TO BUILD ANY OTHER BUILDING ON THIS LOT.
7. BUILDING SHALL BE ONE STORY IN HEIGHT AND SHALL NOT EXCEED 20 FEET.
8. BUILDING SHALL BE ONE STORY IN HEIGHT AND SHALL NOT EXCEED 20 FEET.
9. BUILDING SHALL BE ONE STORY IN HEIGHT AND SHALL NOT EXCEED 20 FEET.
10. THE CONSTRUCTION OF THE BUILDING SHALL BE IN ACCORDANCE WITH THE NEBRASKA BUILDING CODE.
11. ALL AIR CONDITIONING COMPRESSORS SHALL BE LOCATED AT A MINIMUM OF 30 FEET FROM THE NORTH LOT LINE.
12. BUILDING LIGHTING SHALL BE INSTALLED TO PROVIDE ADEQUATE ILLUMINATION FOR THE BUILDING AND ITS SURROUNDINGS.



JOHN H. THIERSEN
ARCHITECTS

STATE 300
NORTH 4TH STREET
LINCOLN, NE 68504-3400
TEL: 402-441-1234
FAX: 402-441-1235

MAPLE MEADOWS
SOUTH 44TH
AND NORMAL
BOULEVARD
LINCOLN, NE

SITE PLAN

PROJECT: 14019
SHEET: 001
DATE: 4/26/04
ACTION: 02/2/04
8/10/04



OWNER

H. J. PARTNERS
14019 S. 44TH STREET
LINCOLN, NE 68504-3400
TEL: 402-441-1234
FAX: 402-441-1235

DEVELOPER

GOLD KEY CONSTRUCTION & DEVELOPMENT COMPANY
14019 S. 44TH STREET
LINCOLN, NE 68504-3400
TEL: 402-441-1234
FAX: 402-441-1235

PREPARED BY

JOHN H. THIERSEN ASSOCIATES-ARCHITECTS
3000 CENTRAL PARK DRIVE
LINCOLN, NE 68504-3400
TEL: 402-441-1234
FAX: 402-441-1235

ENGINEER

JOHN H. THIERSEN
3000 CENTRAL PARK DRIVE
LINCOLN, NE 68504-3400
TEL: 402-441-1234
FAX: 402-441-1235

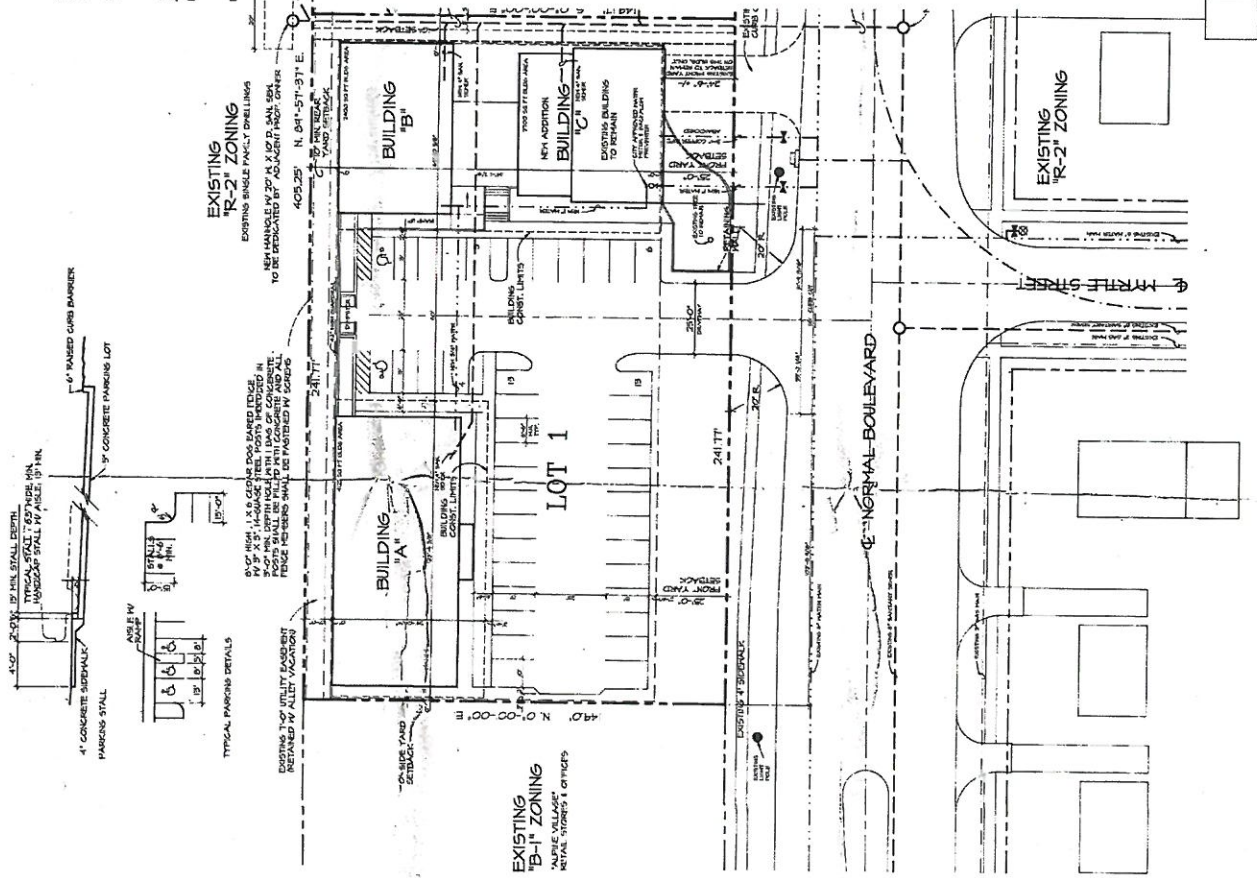
PROFESSIONAL ENGINEER
14019 S. 44TH STREET
LINCOLN, NE 68504-3400
TEL: 402-441-1234
FAX: 402-441-1235

DATE: 6-26-04
SHEET: 001
ACTION: 02/2/04
8/10/04

APPROVED FOR THE CITY OF LINCOLN, NE
PLANNING COMMISSION ON THIS DAY OF _____

SITE PLAN

SCALE 1" = 20'-0"



JOHN H.
THIESSEN
ASSOCIATES
ARCHITECTS

6000 CENTRAL PARK DR
LINCOLN, NE 68504-3465
PIL 402-464-8308
PAY 402-464-8350

MAPLE
MEADOWS
SOUTH 49TH
AND NORMAL
BOULEVARD
LINCOLN, NE

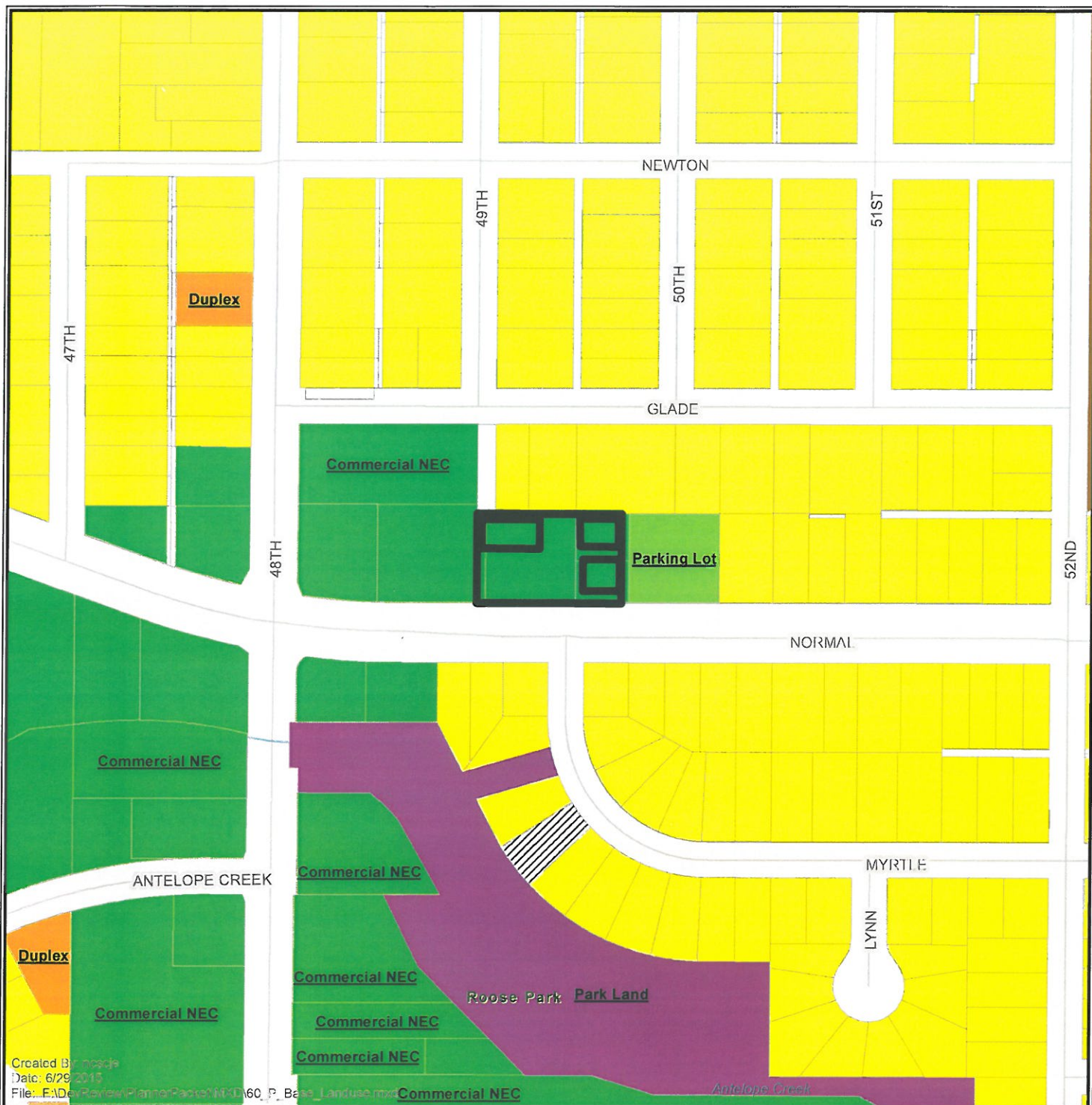
GRADING PLAN

PROJECT: 940419
DRAWN: MLC/DPN
CHECKED: DOC
DATE: 4/29/94
REVISION: 07/4/94
01/23/94
6/30/94

CITY OF LINCOLN
RECEIVED
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LINCOLN - LANCASTER COUNTY
 PLANNING DEPARTMENT

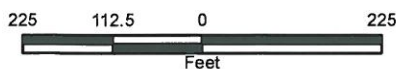


Information Technology Services
 333 South 10th Street
 Lincoln, Nebraska 68508
 PH: 402.441.7491 FAX: 402.441.6377

Application Number:
UP72B (Preliminary)

Parcels: 1732439001001, 1732439001002, 1732439001000, 1732439001003

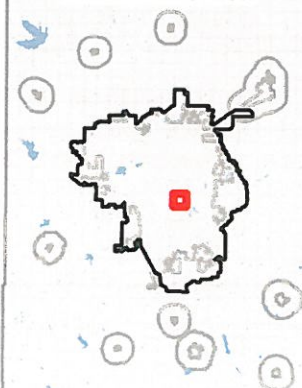
Sec.32 T10N R07E



Consult the detailed Application information at
<http://www.lincoln.ne.gov/asp/city/plan/permap.asp>

Existing Landuse		
11 - SF Detached	31 - Light Industrial	61,62 - Lakes/Streams
12 - Duplex	32 - Heavy Industrial	63 - Wetlands
13 - SF Attached	33 - Utility Facility	64 - Environmental Preserve
14 - Multiple	34 - Railroad	65 - Forest/Woodland
15,16,18 - GQ/SH/BB	35 - Airport	81 - Ag: Crops/Tree farm
17 - MH/TC	41-44 - Pub/Semi-Pub	82 - Ag: Livestock/Animal
21,22 - Commercial	51 - Parks	83 - Mining/Extraction
23 - Parking Lot	52 - Open Space	84 - Pasture/Grassland
24 - Parking Garage	53 - Golf Course	90 - Vacant/Undeveloped

Location Overview



Lincoln's Future Service Limit
 Shown as Black Outline

Maple Meadows Condo Association

*Hajor Inc., Lincoln Education Association, Antelope Creek Family Dentistry
4910, 4920, and 4940 Normal Blvd.*

June 17, 2015

Paul D. Barnes, MBA, AICP
Lincoln-Lancaster County Planning Department
555 South 10th Street
Suite 213
Lincoln, NE 68508

Re: Request permit for free-standing sign and change to landscaping (A waiver to amend the R-T Use Permit).

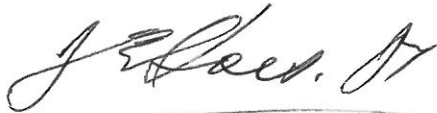
With this letter, the owners or designated individuals to act in regards to the Lincoln Education Association and Antelope Creek Family Dentistry properties at 4920 and 4940 Normal Blvd, respectively, give approval to Hacor, Inc. at 4910 Normal Blvd. to proceed with an application to erect a free-standing sign within the Maple Meadows Condo Association as described in the application to the Lincoln-Lancaster County Planning Department.



Dan Studer, LEA Executive Director



Dr. Louis Hedlund, Antelope Creek Family Dentistry



Julius E Hees, Jr
Hacor Inc

SUPPORTIVE INFORMATION

Maple Meadows Association
FREESTANDING SIGN & LANDSCAPING
JUNE 22, 2015

Paul D. Barnes, MBA, AICP
Lincoln-Lancaster County Planning Department
555 S. 10th Street, Suite 213
Lincoln, NE 68508

RE: Request permit for Freestanding Sign and change in Landscaping. (A waiver to amend the R-T use Permit)

Enclosed is an application for a Freestanding Sign with a 15 foot set back and a change in Landscaping Plan for the area South of Parking Lot 1. A \$195.00 check is included. A unanimous approval has been obtained from Lincoln Education Association, Antelope Creek Family Dentistry and Building 3 - as signed below.

The Lot 1, Maple Meadows Survey shows two specific notes in feet from existing permanent structures of reference to the Lot Line. Thus, providing an accurate measurement for the 15' set back location for the freestanding sign.

As may be further directed from the Planning Department and Lincoln Planning Commission, a \$792.00 check - fee for a sign off for our application to be submitted to the City of Lincoln , City Council is enclosed.

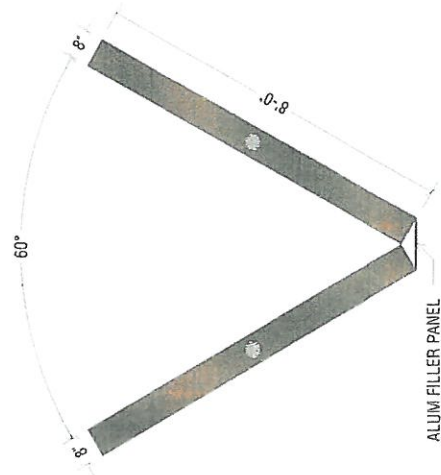
enclosed:

1. Planning Department Application Request Form.
2. \$195.00 and \$792.00 checks to City of Lincoln, written by Hacor Inc.
3. Freestanding Sign and location proposal from CBS Signs Com.
4. Maple Meadows Condo Landscaping Plan.
5. Maple Meadows Condo Planting Diagram for Landscaping Plan.
6. Lot 1, Maple Meadows, As-Built Survey; Sept. 8, 1995
7. Supportive pictures for Landscaping proposal.

SCALE: 1/2" = 1'-0"



TOP VIEW
SCALE: 3/8" = 1'-0"



NEW, D/F, INTERIOR ILLUMINATED, GROUND SIGN
GROUND SIGN TO BE COMPRISED OF TWO (2) CABINETS MOUNTED AT A 60° ANGLE
(AS SHOWN IN TOP VIEW)
CABINETS & SKIRTS: .063" ALUMINUM ON ANGLE IRON FRAME
ALUMINUM FINISH: BRONZE
ALUMINUM DIVIDER BARS TO SEPARATE EACH TENANT FACE
FACES: 3/16" WHITE ACRYLIC
VINYL OVERLAY: #230-005 "IVORY", #230-63 "RUST BROWN", #230-44 "ORANGE", &
#230-69 "DURANODIC" TRANS. FILMS. #220-99 "FAWN" OPAQUE VINYL ON SKIRT
ILLUMINATION: FLUORESCENT



WEST ELEVATION__NOT TO SCALE



EAST ELEVATION__NOT TO SCALE

DESIGN TYPE	
☐ INTERIOR	☒ EXTERIOR
☐ NONILLUM SIGNAGE	☐ CHANNEL LETTERS
☒ MOUNTED SIGN	☐ BELL CHANNEL LETTERS
☐ DUAL POLE SIGN	☐ SINGLE POLE SIGN
☐ ILLUM VIAL SIGN	☐ DIRECTIAL
☐ CHANGEABLE READER	☐ NEON DISPLAYS
☐ REC MESSAGE CENTER	☐ OTHER
PROJECT TYPE	
☒ NEW CONSTRUCTION	☐ REMODELING
☐ TENANT CHANGES	☐ LANDLORD IMPROVEMENTS
☐ CORPORATE CHANGES	☐ AMENDMENTS TO EXISTING SIGNAGE
☐ ALL SPECIFICATIONS	
THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 690 OF THE NATIONAL ELECTRICAL CODE AND OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PERMITS, INSTALLATION AND REPAIRS OF THE SIGN.	
NOTES: 1. ALL SIGNAGE MUST BE APPROVED BY THE CITY OF LINCOLN, NE. A PERMIT IS REQUIRED FOR ALL SIGNAGE. THE CITY OF LINCOLN, NE. PERMIT # 1004 2007-09. 2. ALL SIGNAGE MUST BE APPROVED BY THE CITY OF LINCOLN, NE. A PERMIT IS REQUIRED FOR ALL SIGNAGE. THE CITY OF LINCOLN, NE. PERMIT # 1004 2007-09. 3. ALL SIGNAGE MUST BE APPROVED BY THE CITY OF LINCOLN, NE. A PERMIT IS REQUIRED FOR ALL SIGNAGE. THE CITY OF LINCOLN, NE. PERMIT # 1004 2007-09.	
CUSTOMER: MAPLE MEADOWS LOCATION: 4010 MIDLAND DRIVE PROJ. # 1440 DWG. # 01242 SALES REP: RON LANGE DESIGNER: DENISE CHENEY SCALE: NOTED DATE: 9/20/11 REVISED: 8/25/14 PAGE: 1 OF 2	
CBS SIGNS Your Image is Our Business TOLL FREE: 1-800-539-4464 OFFICE: 402-466-7446 FAX: 402-466-2157 E-MAIL: cbsadmin@cbsigns.com WEBSITE: www.cbsigns.com 3421 N. 35TH CIR., STE. A LINCOLN, NE 68504	



DESIGN TYPE	
☒ INTERIOR	☐ EXTERIOR
☐ CHANNEL SIGNAGE	☐ CHANNEL LETTERS
☐ MONUMENT SIGN	☐ SIGN CHANNEL LETTERS
☐ WALL POLE SIGN	☐ SINGLE POLE SIGN
☐ BILLBOARD SIGN	☐ STRUCTURAL
☐ CHANGEABLE MESSAGE	☐ NEON DISPLAYS
☐ ELEC. MESSAGE OTHER	☐ OTHER

PROJECT TYPE	
☐ NEW CONSTRUCTION	☐ REMODELING
☐ TENANT CHANGES	☐ LANDSCAPE IMPROVEMENTS
☐ CORPORATE CHANGES	☐ ADDITIONAL SIGNS TO EXISTING SIGNAGE
☐ FULL SPECIFICATIONS	

THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRIC CODE AND OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING AND BONDING OF THE SIGN.

NOTICE:
ALL CHANGING PERMITS MUST BE OBTAINED BY THE APPLICANT AND MUST BE OBTAINED PRIOR TO ANY INSTALLATION OF THE SIGN. THE SIGN MUST BE OBTAINED PRIOR TO ANY INSTALLATION OF THE SIGN. THE SIGN MUST BE OBTAINED PRIOR TO ANY INSTALLATION OF THE SIGN.

CUSTOMER: 4910 NORMAL BLVD
LOCATION: 4910 NORMAL BLVD
PROJ. # 1448
DWG. # 31-27
SALES REP: FURN LANGE
DESIGNER: DEANNA GRIFFIN
SCALE: NOTED
DATE: 5/22/14
REVISED: PAGE: 2 OF 2



CBS SIGNS
Your Image is Our Business

TOLL FREE: 1-800-539-4464
OFFICE: 402-466-7446
FAX: 402-466-2157
E-MAIL: cbsadmin@cbsigns.com
WEBSITE: www.cbsigns.com
3421 N. 35TH CIR., STE. A
LINCOLN, NE 68504

Parking

Maple Meadows Ponds

Free standing Sign

8-12-14

Parkings

Conc. Carb

25' Building
Set back line

Concrete
Retaining
Wall

27.8'

15'

Concrete
Driveway

Set back line

N 90°00'00" E
241.77' (P&M)

Set back line

Side wall 4'

25'

Hacor Inc.
6815 Northridge Road
Lincoln, NE 68516
% Julius Haes, Jr., President
402-423-322 hjul@aol.com

June 24, 2015

Paul D. Barnes, MBA, AICP
Lincoln-Lancaster County Planning Department
555 S. 10th Street, Suite 213
Lincoln, NE 68508

RE: Application Request for 4910 Normal Blvd dated June 22, 2015.

Dear Paul,

Concerning our discussions yesterday on Screening and Landscaping, Chapter 3.50 - 6 for 'Exceptions' under 7.1 Parking Lots, I want to reinstate Hacor Inc's position on wither or not Hacor Inc. is except for Screening being our Lot's depth is less than 150 feet.

I guess, I am not sure if this Section applies to R-T Zoned Lots.

It would be nice to determine this status.

However, being what may be, Hacor Inc's intentions are to complete this Application Request on the basis to be over and above this Screening requirement to show we are willing to work with our neighbors for a smother transaction between residential and commercial. At the same time, Hacor Inc. wants to have a reasonable opportunity to conduct a 'Personal Services' Business with adequate observation of our Business Building. This concept was not done in the past with huge tree/shrub growth.

In this regards, we believe we have shown a good colorful screen of flowers/shrubs with plant maturity pleasing to our neighbors and meeting our City Code. The older Maple Trees framing our Lot are beautiful serving a portion of our screen.

Thanks for your help,

Sincerely,



Julius Haes

MAPLE MEADOWS CONDO LANDSCAPING PLAN - LOT 1
JUNE YEAR 2015

The overall objective for the New Landscaping Plan is to create a transitional effect with characteristics of a residential back yard to blend in with the purpose for Personal Service Office environment. The New Plan changes the portion of the South side of the Parking Lot 1, South of Building 3. The vegetation along the South wall of Building 3, the West border of Day Liles and the three Norway Maple Trees, one Southeast side of Building 3 and the other two Maple trees next to the side walk remain as previously planted and approved by the Planning Commission.

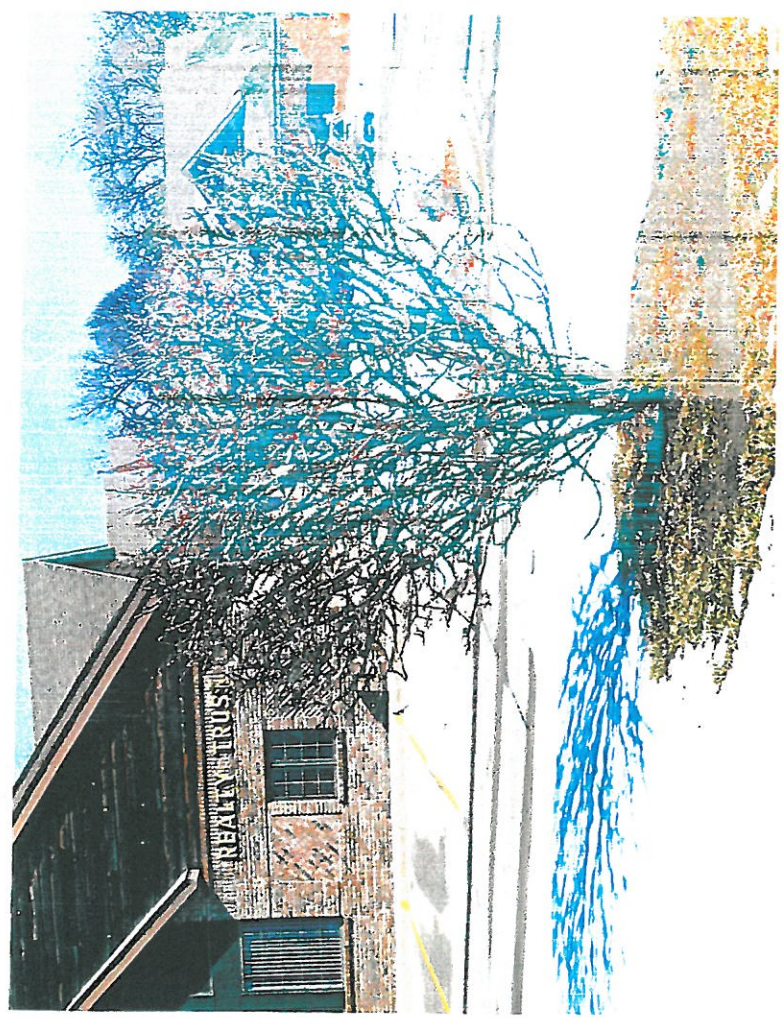
With horticulturists from Camplells Nurserie and one previous worked with Maple Meadow Condo, it was decided to remove the previous vegetation South of Parking Lot 1 which were damaged from snow storms and had diseased plants. The disease had entirely engulfed some plants and started on others of the same variety. The two main Maple Trees were trimmed and kept. It was further noted the vegetation being 15 to 20 feet tall completely obstructed Building 3 from view at Normal Street level and "seriously impairing observation". The new plan consists of adding more color with flowers such as long stem roses and lower 3' to 4' profile shrubs which changes color from winter to summer at plant maturity. The Plan follows that of sketch:

MAPLE MEADOWS CONDO LANDSCAPING PROFILE

Location has been provided for a proposed "Free Standing Sign". Pictures have been added to support our Landscaping Plan.

Maple Meadows Condo Landscaping Schedule - West Portion.

MARK	NAME	TYPE	HEIGHT	WIDTH
A	Day Lilies - yellow	Perennial	1 - 2'	1 - 2'
B	Golden Globe Arborvitae	Evergreen	3 - 4'	3'
C	Hybrid Tea Roses	Contin. Summer	3 - 4'	3'
D: Flower	Hemerocallis,			
Bed	Monrovia, Pblox Paniculata			
	Belgian Mum, Elijah Blue Fescue			
F	Grass Knoll acting as a 'screen' where the top of the parking concrete curb is 8.5 feet above the sidewalk.			
G	Noway Maple	Deciduous Tree	20'	15'

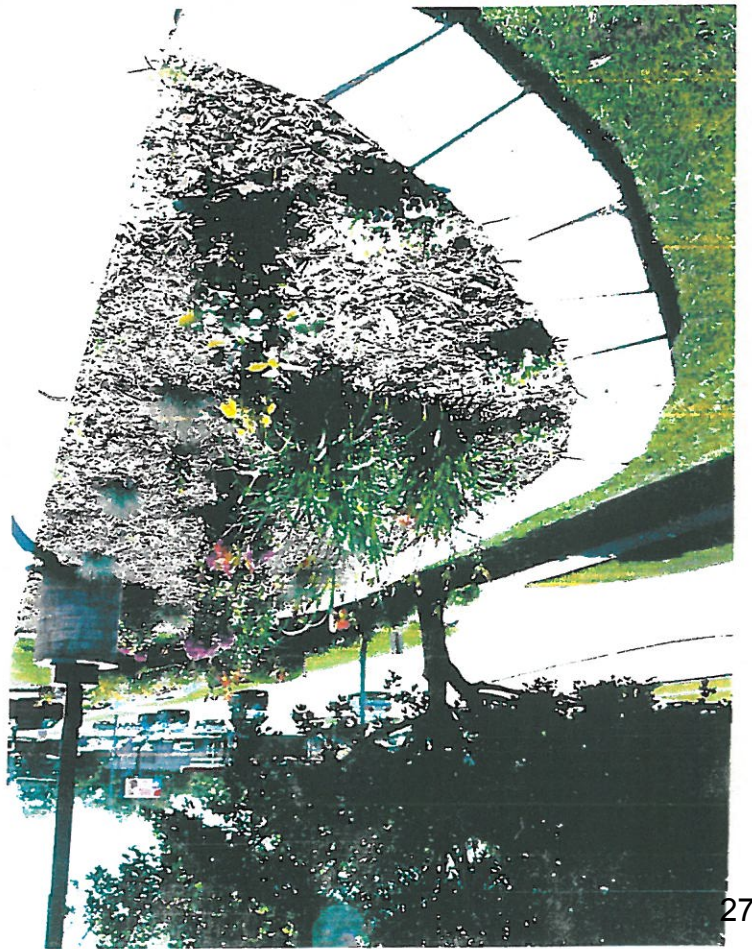




PREVIOUS LANDSCAPING
4910 NORMAL BLVD



PRESENT LANDSCAPING
4910 NORMAL BLVD
JUNE 22, 2015





PRESENT LANDSCAPING
4910 NORMAL BLVD
JUNE 22, 2015



VIEW FROM SIDEWALK



FREESTANDING SIGN
LOCATION



FREESTANDING SIGN
LOCATION
(in front of concrete retaining wall)

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for July 22, 2015 PLANNING COMMISSION MEETING

PROJECT #: Street and Alley Vacation No. 15005

PROPOSAL: Vacate the remaining portion (north one-half) of Pine Lake Road right-of-way between South 84th and South 88th Streets

LOCATION: Southeast of the intersection of Pine Lake Road and South 84th Street

LAND AREA: 1.06 acres more or less

CONCLUSION: Pine Lake Road was realigned and improved several years ago. As a result, those portions of right-of-way associated with the old alignment were no longer needed. This request is consistent with and conforms to the Comprehensive Plan.

<u>RECOMMENDATION:</u>	Conforms to the Comprehensive Plan
-------------------------------	------------------------------------

GENERAL INFORMATION:

LEGAL DESCRIPTION: See attached legal description.

SURROUNDING LAND USE AND ZONING:

North:	Vacant	AGR
South:	Vacant	B-5
East:	Pine Lake Road right-of-way	Unzoned
West:	Vacant	B-5

UTILITIES:

There are no longer any utilities in this portion of the Pine Lake Road right-of-way. All utilities were either relocated when the street was realigned, or they are located in the area of the previously vacated south one-half.

RELATED HISTORY:

SAV#11004 - Approved in 2011 vacating the south one-half of Pine Lake Road adjacent to this request.

SAV#11006 - A request submitted in 2011 which was identical to this one. It expired one year after the date of application because the petitioner failed to make payment for the right-of-way to be vacated prior to City Council consideration as required.

ANALYSIS:

1. This is a request to vacate approximately 853 feet of the north one-half of the right-of-way associated with the old Pine Lake Road alignment southeast of the intersection of South 84th Street and Pine Lake Road. A petition to vacate the south one-half of this portion of Pine Lake Road (SAV#11004) submitted by Eiger Corp. was approved by the City Council on May 5, 2011.
2. According to Nebraska State Statutes, vacated right-of-way “shall revert to the owners of the adjacent real estate, one-half on each side thereof...” Typically, the property owners on both sides of the right-of-way will join the petition so the full-width of the right-of-way can be vacated when the entire width has been deemed excess, as in this case, but there is no requirement that the owners on both sides join the petition. As a result, the City Council can consider the vacation petitions separately in the manner they have been submitted.
3. Pine Lake Road was improved several years ago. The improvement project included realignment to accommodate the repositioned intersection at South 84th Street, and a new ‘Y’ intersection at South 91st Street.
4. The new alignments for both Pine Lake Road and South 84th Street were envisioned at the time the adjacent commercial development, Prairie Lakes Shopping Center (formerly known as Appian Way), was approved by the City in 2001.
5. The realignment of both streets required additional right-of-way to be dedicated by several property owners in the area of the improvements projects, while leaving some areas of right-of-way no longer necessary because the streets had been relocated. This request affects the remaining portion of Pine Lake Road which is no longer needed in this area.
6. There is no proposed use at this time for the land after vacation. It is adjacent to another tract owned by the petitioners also on the south side of the new Pine Lake Road alignment, and separated from other land they own on the north side.
7. The remaining right-of-way associated with the old Pine Lake Road alignment is excess and no longer needed to support the improved arterial facility. If the request is approved, it will allow the land to be used for some other purpose.
8. Lincoln Municipal Code Chapter 14.20 requires the City to establish the proper price to be paid for the right-of-way, as well as any amounts necessary to guarantee required reconstruction within the right-of-way. These values must be established

and deposited with the City Clerk prior to scheduling the vacation request with the City Council.

CONDITIONS

**BEFORE THE VACATION REQUEST IS SCHEDULED ON THE CITY COUNCIL AGENDA
THE FOLLOWING MUST BE COMPLETED:**

1. The provisions of Chapter 14.20 of the Lincoln Municipal Code are met.

Prepared by:

Brian Will, 441-6362, bwill@lincoln.ne.gov
July 2, 2015

PETITIONER/

CONTACT: Glen and Inez Herbert, Trustees
8540 Chaparral Circle
Lincoln, NE 68520
402-484-8288

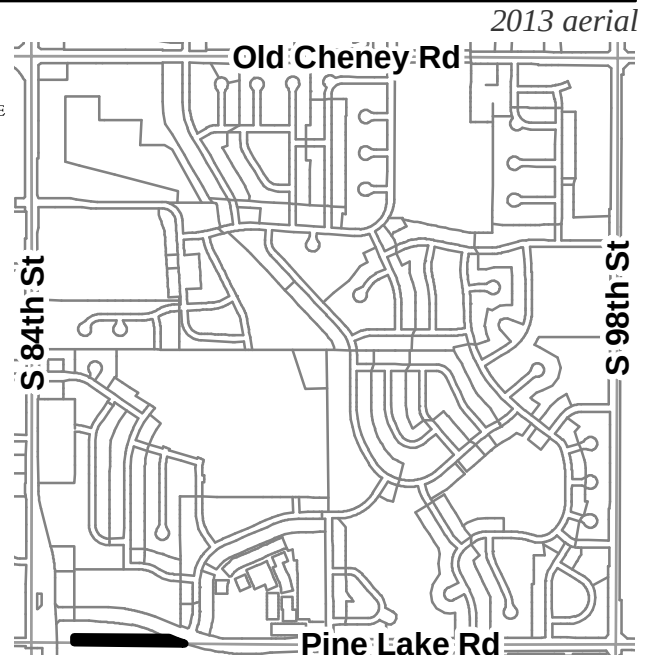
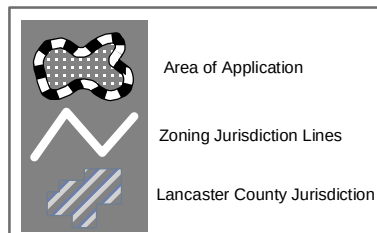
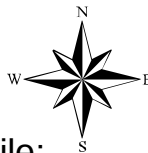


Street and Alley Vacation #: SAV15005
S 84th St & Pine Lake Rd

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.14 T09N R07E



PINE LAKE ROAD
RIGHT-OF -WAY VACATION

LEGAL DESCRIPTION

A portion of Pine Lake Road right-of-way located in the Southwest Quarter of Section 14, Township 9 North, Range 7 East, of 6th P.M., Lincoln, Lancaster County, Nebraska, described as follows.

Commencing at the Southwest Corner of the Southwest Quarter of Section 14, Township 9 North, Range 7 East and extending along the south line of said Southwest Quarter of said Section 14, S89°30'35"E a distance of 384.74 feet to the POINT OF BEGINNING;

Thence N00°29'25"E, a distance of 50.00 feet to the southwest corner of Irregular Tract Lot 81;

Thence S89°30'35"E along the south line of Irregular Tract Lot 81 and the north right-of-way line of Pine Lake Road, a distance of 852.71 feet to the southwesterly right-of-way of relocated Pine Lake Road;

Thence S69°43'46"E along the west line of the relocated right of way of Pine Lake Road, a distance of 147.74 feet;

Thence N89°30'35"W, along the south line of the Southwest Quarter of said Section 14, a distance of 991.73 feet to the POINT OF BEGINNING, containing a calculated area of 46,109.58 square feet or 1.06 acres.

Ex. A

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for July 22, 2015 PLANNING COMMISSION MEETING

PROJECT #: Comprehensive Plan Conformance No.15010

PROPOSAL: To review the VA Campus Redevelopment Plan as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan.

LOCATION: East side of S. 70th Street, extending from just south of O Street on the north to just north of S. Wedgewood Drive on the south

LAND AREA: Approximately 65 acres

CONCLUSION: The VA Campus Redevelopment Plan is in conformance with the Comprehensive Plan.

<u>RECOMMENDATION:</u>	In conformance with the Comprehensive Plan.
-------------------------------	---

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 66, Irregular Tract located in the northwest quarter of Section 27-10-07, and the adjacent right-of-way of South 70th Street, in Lincoln, Lancaster County, NE

EXISTING ZONING: P Public Use District

EXISTING LAND USE: VA Medical Center

SURROUNDING LAND USE AND ZONING:

North:	R-3 Residential	Memory care residence, under construction
	B-1 Commercial	Bank, drug store
	O-2 Office	Offices
	R-1 Residential	Multi-family and single family housing
South:	R-1 Residential	Single family housing
East:	R-1 Residential	Multi-family and single family housing
West:	B-1 Commercial	Retail
	R-1 Residential	St. Elizabeth Medical Center

HISTORY:

1929	320 acre Leavitt farm acquired for a veterans hospital.
1930	Construction began on Lincoln VA Hospital, first patients accepted.
1931	April, formal dedication of Lincoln VA Hospital.
1956	Wooden cupola removed from main hospital building.

- 1983 VA Outpatient Clinic constructed.
- 1998 Cessation of in-patient services.
- 2011 VA selected Lincoln's Seniors Foundation to redevelop the VA Campus under an Enhanced Use Lease (EUL).
- 2012 Lincoln VA Hospital campus was listed on the National Register of Historic Places.
- 2015 Veterans Administration solicited interest from property owners/developers for a new Lincoln VA outpatient clinic, to be built within the Lincoln Corporate limits.
June 16, public meetings with veterans and neighbors.
July 7, 2nd public meeting with neighbors.

COMPREHENSIVE PLAN SPECIFICATIONS:

Implement a public policy of the careful stewardship of significant, publicly owned historic resources, including a full and open examination of alternatives when major alterations or demolition are considered. (p.4.9)

Seek incentives and regulatory support to maintain, rehabilitate, and minimize energy utilization of existing buildings in order to make it more feasible to rehabilitate and continue to use older buildings. (p.4.9)

Seek to efficiently utilize investments in existing and future public infrastructure to advance economic development opportunities. (p.5.2)

Encourage and provide incentives for mixed uses in future developments. (p.5.2)

Develop infill commercial areas to be compatible with the character of the area. (p. 5.14)

Encourage a vertical mix of residential and commercial use types. (p.5.15)

Provide a diversity of housing types and choices throughout each neighborhood for an increasingly diverse population. (p. 6.2)

Create housing opportunities for residents with special needs throughout the city that are compatible with and integrated into residential neighborhoods. (p. 6.2)

ANALYSIS:

1. This is a request to review a proposed VA Campus Redevelopment Plan for a determination of conformity with the Comprehensive Plan. The boundaries of the redevelopment area include the current VA Medical Center campus and the adjacent right of way of South 70th Street, as identified in the attached map.
2. The project consists of the long-term redevelopment of the VA Campus of nearly 60 acres, including adaptive reuse of all of the historic buildings facing S.70th

Street (referred to by VA as Building 1—the main hospital, Building 2—now attached to #1 to the south, Building 4—the Auditorium attached to Building 1 to the north, and the historic, freestanding housing buildings north of the main hospital (called Buildings 5, 6, 7, and 8, from south to north). The lawn/Parade Ground between S. 70th Street and the main hospital group (Buildings 1, 2, and 4) would also be retentained. New construction would be concentrated in areas around the periphery of the site to the north, east, and south. Future uses will include housing for veterans and seniors, medical offices, possible siting of a new VA Outpatient Clinic, and other office and commercial uses under a Planned Unit Development (PUD) format.

3. The first phase of the project would include a 70-unit apartment building for veterans at-risk for homelessness, under a Dept. of HUD program (through Lincoln Housing Authority) call VA Supportive Housing or VASH. Construction of the VASH housing is required to begin by Oct. 1, 2015. Also included in the first phase is a medical office building at the southwest corner of the site.
4. The sequence and timing of subsequent phases of development will be determined by future decisions such as site selection for the new VA Outpatient Clinic and market forces.
5. The campus will remain in federal ownership under a VA Enhanced-Use Lease of up to 75 years. Improvements on the property will be privately owned and Tax Increment Financing generated on those private improvements will be requested as a source of funds for infrastructure and other eligible improvements.
6. Since this project will request TIF assistance and since the campus is listed on the National Register of Historic Places, the Redevelopment Plan was reviewed by the Historic Preservation Commission. The Historic Preservation Commission recommended approval of the project on June 18, 2015. The minutes of the Commission meeting are attached.
7. The Preservation Commission expressed concern about the proximity of proposed VASH housing in the southeast corner of the campus to nearby single story housing, and recommended further contact between the developers and neighbors. The site plan was subsequently revised and a second neighborhood meeting (1st June 16th, 2nd July 7th) was held. The Redevelopment Plan now before the Planning Commission includes the revised site plan with the VASH housing more central to the campus, located behind the historic residences for doctors and nurses.
8. Redevelopment Plans are broad outlines for future redevelopment. Greater detail is provided by Redevelopment Agreements, which are reviewed by City Council. In this case, a PUD is also required to address zoning, which is scheduled for the Planning Commission agenda of August 5th and will also provide more specific detail on the proposed development, prior to the Redevelopment Agreement.

9. This project meets the goals of the 2040 Comprehensive Plan by providing for the continued use and up-keep of a significant historic site in Lincoln, adapting historic buildings for mixed uses, redeveloping an underutilized site, providing needed community services and uses. The VA does not have plans for use or upkeep of the site once the new Lincoln VA Outpatient Clinic is built and operating.

Prepared by:

Ed Zimmer
Planner

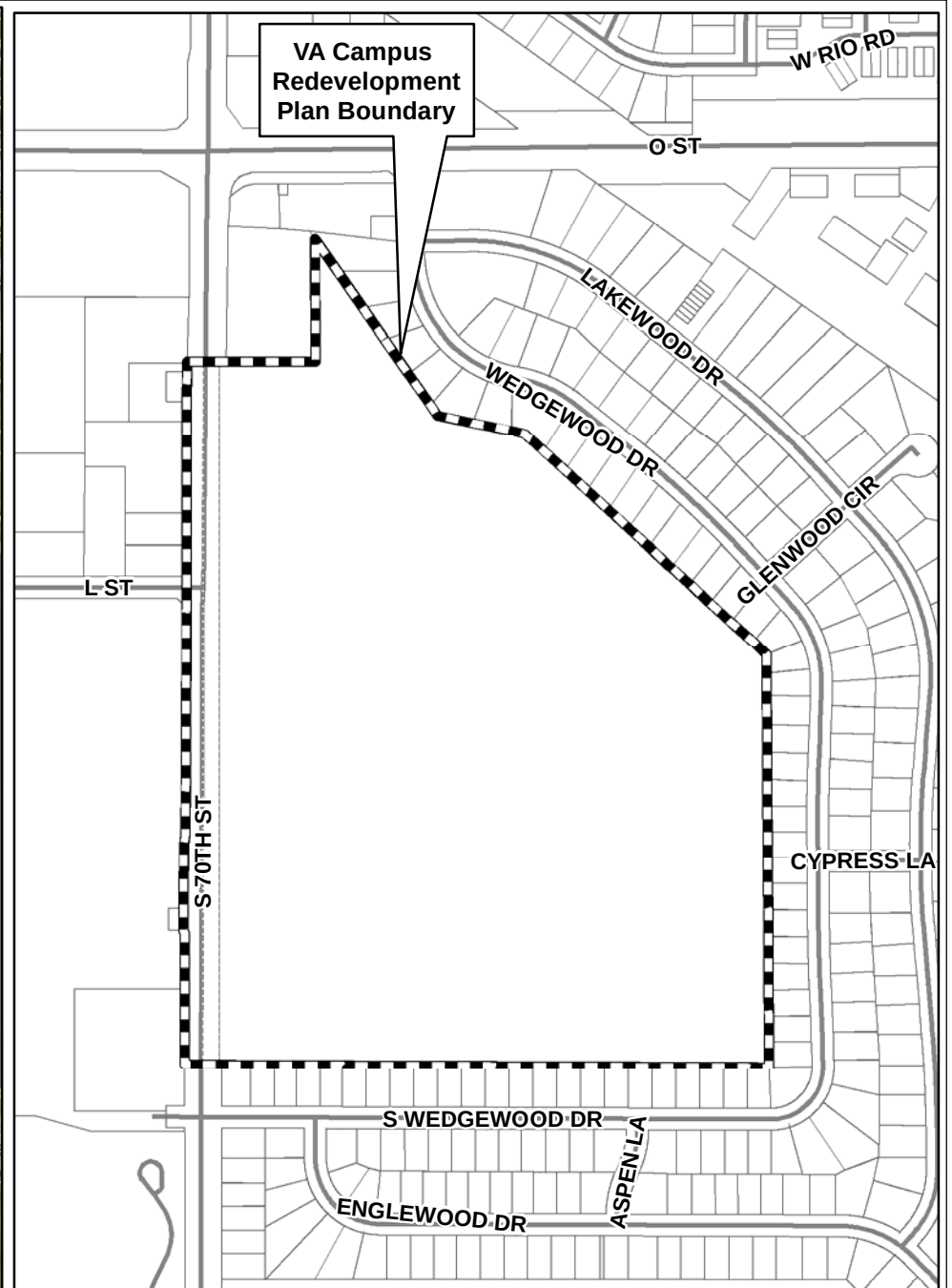
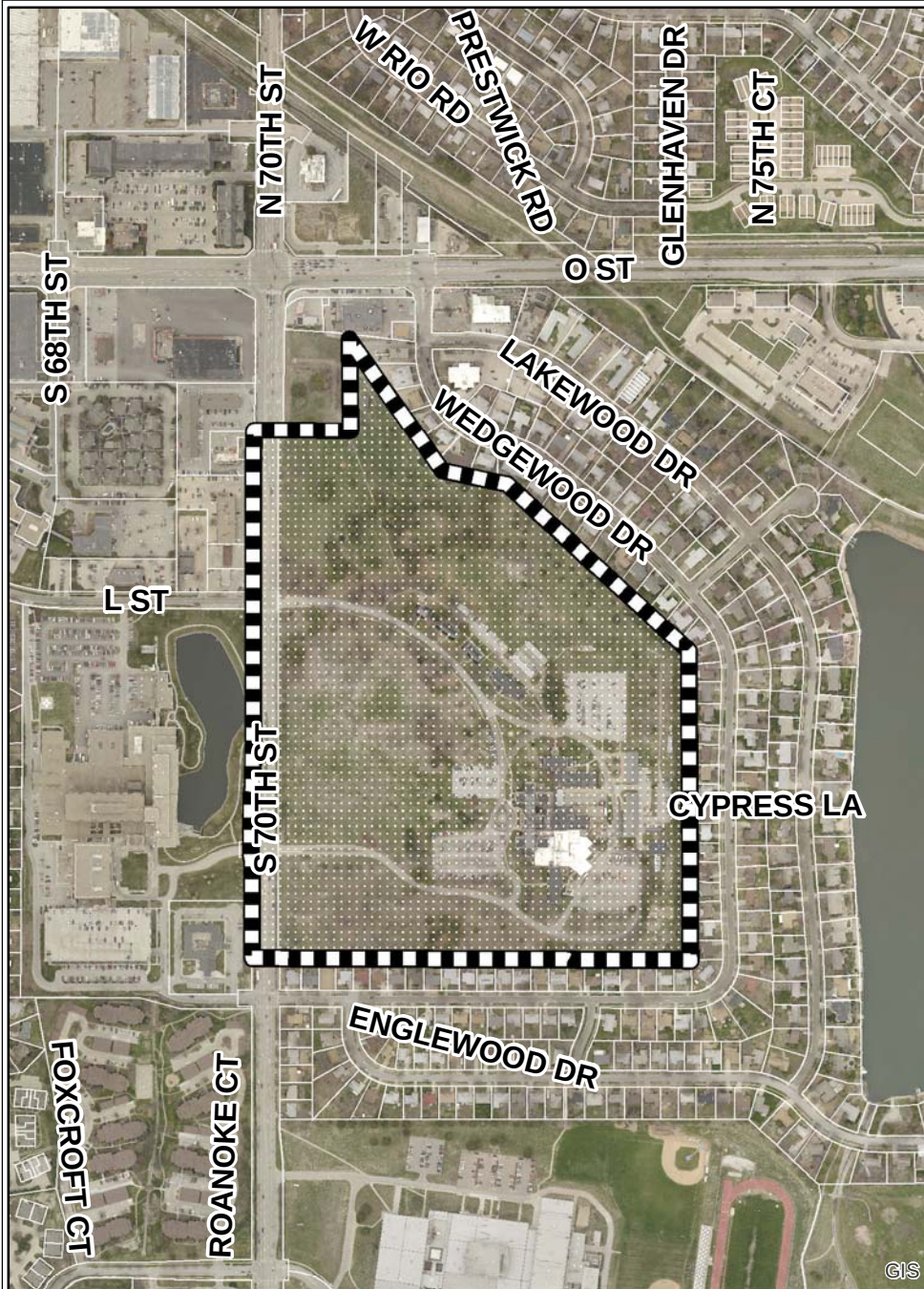
DATE: July 13, 2015

APPLICANT: David Landis
Urban Development Department
555 S. 10th Street Suite 205
Lincoln, NE 68508

CONTACT: Wynn Hjermstad
Urban Development Department
555 S. 10th Street Suite 205
Lincoln, NE 68508
402-441-8211

OWNER: Veterans Administration
Lincoln VA Medical Center
c/o Duncan Fallon, Site Administrator
600 South 70th Street
Lincoln, NE 68510
(402)489-3802

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2013 aerial



Comprehensive Plan Conformance #15010 **VA Campus** **Redevelopment Plan**

m:\plan\arcview\CPCRevelopmentAreaDrawings.mxd (CPC15010)

Excerpt of MEETING RECORD

NAME OF GROUP: HISTORIC PRESERVATION COMMISSION

DATE, TIME AND PLACE OF MEETING: Thursday, June 18, 2015, 1:30 p.m., Conference Room 214, 2nd Floor, County-City Building, 555 S. 10th Street, Lincoln, Nebraska

MEMBERS IN ATTENDANCE: Tim Francis, Jim Hewitt, Jim Johnson, Berwyn Jones, Liz Kuhlman, and Greg Munn; (Jim McKee absent). Ed Zimmer, Stacey Groshong Hageman and Amy Hana Huffman of the Planning Department; Kevin Abourezk from the *Lincoln Journal Star*.

STATED PURPOSE OF MEETING: Historic Preservation Commission

Greg Munn called the meeting to order and acknowledged the posting of the Open Meetings Act in the room.

DISCUSS AND ADVISE ON THE REDEVELOPMENT PLAN FOR THE VETERANS AFFAIRS HOSPITAL CAMPUS:

PUBLIC HEARING:

June 18, 2015

HPC Members present: Francis, Hewitt, Johnson, Jones, Kuhlman, and Munn; McKee absent.

Zimmer said an application was received from the Urban Development Department for review of the plan. The process begins with receiving a request for a blight determination. That goes to the Planning Commission and then to the City Council and does not come before this body because it is merely a technical determination.

The next step is the more substantive redevelopment plan that serves as a broad framework document. When the application falls within a historic district, HPC discusses and advises the Planning Commission and City Council. The plan is followed by the redevelopment agreement which is essentially a contract. Tax Increment Financing (TIF) might be used for specific elements in that plan. Brad Korell from Olsson Associates is on hand to answer questions. Jill Dolberg is consulting from the State Historical Society because there is a parallel Federal process occurring. Phil Boehr is here representing his neighborhood, and Wynn Hjermstad is here from Urban Development.

Francis asked if this project will ultimately go back to the tax base. Zimmer said yes; It is not part of the tax base now. With TIF funds, the money is not captured from the zero amount, but from the difference. This is Federal land; not much of it is on City utilities

so it is more blended. Adding public infrastructure would be a traditional use of TIF funds. There are mainly single family houses surrounding the property.

Zimmer said that the buildings that are historically crucial to the site will remain open. Hjermstadt said the buildings being removed are mainly services buildings.

Commissioners viewed the plan as presented at this meeting and discussed drainage on the property as well as the location, size and use of the potential new buildings.

Zimmer said the property will be rezoned from P-Public to allow private uses, probably including O-2, B-3 and R-4, and will be mapped accordingly to show what uses are allowed. Munn said that in essence, the historic view from 70th will remain and the entire property will be put back into use. Zimmer said it is not unused today. There is an active VA clinic operating in portions of the main hospital. The new development is to the south and east. The VA is firmly committed to building a new 100,000 square foot building to operate from and are in the process of selecting a site. It could be on this campus, and a potential location is shown in the northwest corner. Kuhlman said she appreciates that this proposal is maintaining some of the buildings.

Jones asked for clarification about the location of the new buildings in relation to neighbors. Brad Korell, Olsson Associates, answered that homes to the south face out to a separate street and share a backyard property line with the hospital campus. Kuhlman asked how those property lines will be treated. Korell said part of the area is a utility corridor. There will be landscaping and as many trees as possible will be preserved. Francis noted that this is a well-funded neighbor.

Phil Boehr, 7340 Wedgewood, is a property owner directly to the south. He said that a letter was also submitted to the Commission from another neighbor, Ed Schnabel. The four story building that is proposed in the southeast corner of the VA Campus property is directly in his backyard and does not keep the nature of the neighborhood. He was told that the plans could go back to the drawing table to consider the objections of the neighbors. It is natural that the neighbors prefer the park like setting in the back, but they are not opposed to progress. They were only very recently made aware of the project a week ago via a letter and then at a neighborhood meeting.

Korell said the Seniors Foundation was chosen as the primary lessor and they are negotiating a sublease.

Jones said he is very sensitive to this kind of change occurring right in the backyards of neighbors and has experienced this situation himself. This seems like another case of exceptions to zoning in areas to build whatever is proposed.

Boehr said he does not see a problem in terms of historic preservation. Further to the north, there is a berm and mature trees so neighbors in that portion will not be able to see new buildings. The southeast corner is also a major drainage area. It seems like

there could be other options. Jones added that new paving will exacerbate the drainage issue.

Boehr said that this project, particularly the southeast corner, is moving quickly and could begin in October. The neighbors wish they could be more involved. Maybe a shorter building is more appropriate for the site, or perhaps it could be relocated to another spot on the campus. We do understand the need to take advantage of financial vouchers and the need to help Vets.

Korell said the corner building is being called "Veteran supportive" housing, with 70 units exclusively for Vets. The middle section of development will be more open. To the north and east, those are proposed to be designated for Veterans and seniors.

Jones wondered how the neighbors were not aware of these ideas earlier in the process. Korell said that there are many entities involved, all the way up to the Federal government. This proposal was only recently decided on. This rendering has been in front of the VA for about twelve months.

Kuhlman said that this body will just make recommendations. Zimmer confirmed. He said in one discussion, it was asked how concrete these plans are and Korell had stated that there is still room for change.

Korell said working with the VA is not simple; they have been working with them since August of last year. No plans could be presented earlier because it was unknown what the VA would agree to. That was just returned in March, allowing us to finally firm up the plan to some extent. There are also other concurrent processes taken place that complicate things further. The intent of a meeting held last Tuesday was to get the Vets and neighbors involved. As Mr. Boehr said, the main concern was the height of the southeast building and the lack of transition to the hospital. It is fairly abrupt. We have taken those concerns to heart. That that has led to an attempt to create a better transition and a better setback and will be discussed in the near future.

Korell went on to say that HUD grant vouchers will help to pay for this Vet's housing and they granted 70 for this property. Lincoln Housing Authority is also involved with that allocation. The condition is that these vouchers could be pulled if the building is not under construction by a certain time. We received approval in March, so this has been on a fast-track to get an agreement with the City and all other entities. These tight timelines are imposed on us by others. Having Vet housing on this site is important to us and is key to the project and its financing to make it work from a developer's standpoint. We have to find a way to use those voucher and take the concerns of neighbors into account. There are also many City requirements to meet. The good news is that the campus is sixty acres so it is easier to deal with some of these issues, including the drainage.

Zimmer said this site is currently zone P-Public. The grounds will stay public. It will be zoned and regulated like any other area. The VA is exempt, but they will not pass that

exemption to this project. This project is still developing, so this is not a recommendation on the exact plan as presented today. This body would be saying that it generally agrees or disagrees with the direction.

Munn said that in general this seems like a wonderful project. The details just need to be worked out.

Jones said he would like to see closer collaboration with neighbors from this point forward.

Hewitt asked if there are physical problems with swapping the location of the four and two story buildings. Korell said that option was considered. When the VA first came forward, they had reserved a spot in the center for a clinic. We suggested moving that out to 70th Street to keep it further away from residential. Aging Partners would move from its downtown location to occupy a wing of the hospital. They provide a number of services so it is convenient to be located so close to Vet housing and to provide opportunities for better access to exercise, food programs, and other similar services. The bus route also goes to this campus. There are a lot of things that made sense for the tall building as shown in the southeast location, but we also understand the concerns of the neighbors.

He went on to say that the large existing building was built in the 1930s and was used as acute care services. The VA abandoned some of the buildings and they have not been used since the 1990s, so there is a lot of damage. The VA cannot get the money to make repairs. If you visit the site now, it would be a real eye opener; there are areas that are falling apart and even areas where copper was stolen and damaged. If the VA does not get this leased, they have said that they are just going to completely close the facility and move the clinic. They have done a good job in keeping up the areas that are in use, but as you know, if anything else is allowed to be abandoned, the more difficult it will be to save. The old hospital could be repurposed into living units when VA moves out. Then there is still considerable area to be used for office, non-profit, and other organizations that provide services to seniors.

Hjermstad added that there could be a delay until the clinic decision is made, but that is a separate process. The developers and the City would like to see it stay on this site, but it is the VA's decision. We do not know how many proposals they have received. That still leaves this campus in the state it is in now, whether the clinic stays or not. Therefore, delaying this plan to wait for the clinic decision does not change anything. Boehr said if the potential northwest corner site is not selected, it frees up space for the taller proposed buildings and then the neighbors would have no objection.

Zimmer said he toured the site a couple of times and there is a sharp contrast inside between the active clinic spaces, which are pristine, and the inactive which are virtually abandoned; they have focused funds in the areas that are still used and not in maintaining unused areas.

Commissioners discussed various options for recommendation, such as whether or not to include language about collaboration with neighbors. Zimmer noted that someone from Sampson would visit each back yard to look at the impact on individual property owners. The public process is an additional outlet for communication. Hewitt said the plan presented is intelligent and this body now has awareness that neighbors are troubled by some aspects of it. He is confident they will work together, and it is not the job of the Commission to manage that process. He would not feel comfortable adding those types of conditions.

Kuhlman said the only reason this is on such a fast track is the vouchers. Korell agreed. No exceptions would be allowed. Kuhlman wondered what the exact definition of being "under construction" would be. Korell said there is a small amount of flexibility, but there needs to be a good plan in place.

Jill Dolberg, Nebraska State Historical Society, explained that in order to make this program work, it was made clear some of the buildings needed to go. They are primarily the single story garages and some mechanical buildings. A few are a bigger loss than others, but it was negotiated to maintain continuity of the historic vista. Korell added the buildings, while designated, do not add much to the site. Munn asked Dolberg whether or not the Historical Society was content in terms of which buildings were being maintained. She said yes. The buildings being removed are not highly visible. Ultimately, it was preferred that the four that are highly visible from 70th Street remain intact. She added that the Historical Society does review for compliance when it comes to Federal licensing and the public is involved in that process. She assured Commission that the neighborhood would be involved.

ACTION:

Munn moved approval of the redevelopment plan for the Veteran's Affairs Hospital campus, seconded by Johnson and carried 6-0: Francis, Hewitt, Johnson, Jones Kuhlman and Munn voting 'yes'; McKee absent.

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LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for July 22, 2015 PLANNING COMMISSION MEETING

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.

PROJECT #: Annexation #15006
Change of Zone #04075F - Village Gardens Planned Unit Development (PUD)

PROPOSAL: To expand the existing PUD by annexing and changing the zoning from AG to R3 PUD for approximately 46 acres of land for approximately 168 residential lots.

LOCATION: South 63rd Street and Yankee Hill Road

LAND AREA: Annexation #15006 - 45.73 acres more or less
Change of Zone #04075F - 45.73 acres more or less

EXISTING ZONING: AG Agriculture

PROPOSED ZONING: R-3 Residential (PUD)

REQUESTED WAIVERS: 1. Block length to exceed 1,320' for Blocks 22 and 23.

CONCLUSION: The proposed annexation and change of zone are generally consistent with the overall concept plan when the original PUD was approved early in 2005. The development plan was amended with the prior amendment, CZ#04075E, to include the types of single-family dwelling proposed and no other changes to the plan are necessary. The site plan shows portions of residential lots within the 221' Pipeline Planning Area (PPA) along Yankee Hill Road. The Health Department does not support dwellings in the PPA and is recommending denial. A block length waiver is also requested in the same area, but there is not any justification to support the waiver. Subject to the recommended conditions of approval, this request complies with the Zoning Ordinance and Comprehensive Plan.

RECOMMENDATION:

AN#15006

CZ#04075F from AG to R-3 PUD

Block Length Waiver (Blks 22, 23)

Approval

Conditional Approval

Denial

GENERAL INFORMATION:

LEGAL DESCRIPTION: AN#15006 - See attached legal description.
CZ#04075F - See attached legal description.

EXISTING LAND USE: Vacant, Residential

CITY COUNCIL DISTRICT: District #2

SURROUNDING LAND USE AND ZONING:

North:	Vacant	R-3, AG
South:	Acreage Residential	AGR
East:	Vacant	AG
West:	Residential	R-3

HISTORY:

Feb 2005 - CZ#04075 was approved by the City Council to allow the Village Gardens Planned Unit Development (PUD).

Dec 2007 - CZ#04075A was approved by the City Council to allow an adjustment to the applicable sign regulations and change the zoning on 2.17 acres from R3 PUD to B-3 PUD within the Village Gardens PUD.

Mar 2011 - AN#11001 and CZ#04075B were approved annexing and expanding the boundary of the Village Gardens PUD to include an additional 47 acres of land to accommodate a domiciliary care facility and additional dwelling units.

Apr 2012 - AN#12003 and CZ#04075C were approved annexing and changing the zoning from AG to R-3 PUD for approximately 40.68 acres for single-family residential development.

Apr 2012 - CZ#04075D was approved changing the zoning from AG to R-3 PUD for approximately 2 acres of land so the boundary of the PUD matched the recorded final plat of Village Meadows 3rd Addition.

Jul 2014 - AN#14003 and CZ#04075E were approved annexing and changing the zoning from AG to R-3 PUD for approximately 34 acres for single-family residential development.

COMPREHENSIVE PLAN SPECIFICATIONS:

Page 1.8 - The Future Land Use Map designates commercial and urban residential land uses for this PUD.

Page 1.4 - Neighborhoods are friendly to pedestrians, children, bicycles, the elderly and people with disabilities.

Page 7.4 - Strategies for Neighborhoods

- Discourage residential development in areas of environmental resources such as endangered species, saline wetlands, native prairies, and in floodplain corridors.
- Encourage preservation or restoration of natural resources within or adjacent to development.
- 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.
- Create housing opportunities for residents with special needs throughout the city that are integrated into and compatible with residential neighborhoods.
- 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 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.

Page 7.5 - Developing Neighborhoods - Developing neighborhoods should have a variety of housing types and sizes, plus commercial and employment opportunities. Developing a pedestrian orientation of buildings and street networks that provides substantial connectivity is also a priority for developing areas.

- Provide different housing types and choices, including affordable housing, throughout each neighborhood for an increasingly diverse population.

ANALYSIS:

1. This is an amendment to the Village Gardens PUD, and is a combined request for both annexation and a change of zone from AG to R-3 PUD for approximately 46 acres of land and up to 168 residential lots.
2. The annexation of the original PUD in 2005 included an annexation agreement, and the areas subsequently annexed expanding the PUD are also subject to that agreement.
3. The area to be re-zoned to R-3 PUD is designated for a residential use district already in use within the PUD, the Neighborhood General use district. The Development Plan (attached) reflects this. No other changes to the Development Plan are proposed or necessary.
4. The revised overall plan for Village Gardens shows four phases. Phase I represents the area that was annexed, re-zoned and approved for development with the original PUD CZ#04075 in 2005. Phase II represents areas covered both by four subsequent major amendments (CZ#04075B, CZ#04075C, CZ#04075D and

CZ#04075E), and this request. Phase III represents the development in this request, and Phase IV represents areas for future development which are only conceptual neither being annexed or re-zoned at this time. The phasing plan is illustrated on Sheet 1 of 11 of the plan set.

5. In their review the Health Department noted the existence of a natural gas pipeline located in the Yankee Hill Road right-of-way. Using a Federal Government formula the Health Department calculated that the PPA extends 221' on either side of the pipeline. The location of the 221' hazard area is shown on Sheet 3 of 11 of the plan set and illustrates the impact upon this development.

Portions of Lots 11-19, Block 22 are within the PPA. It is likely dwellings can built on Lots 11 and 19 outside the PPA. However, that is probably not the case with Lots 12-18, as the lots are too small to accommodate dwellings built entirely outside the PPA. It could be made clear by defining building envelopes on those lots affected by the PPA, where the entire building envelope is outside the PPA.

The Health Department recommends that no habitable residential structures be located within the PPA. That means that open space, parking lots, garages, even office and commercial buildings may be located in this area, but not dwellings. An excerpt from the Joint Committee on Health and Land use regarding pipelines carrying hazardous materials is attached to this report. It describes the rationale for defining a PPA, as well as notification and planning strategies.

6. A block length waiver is requested for Blocks 7, 22 and 23. Block 7 is adjacent to a railroad track, and because of this manmade feature is an allowed exception to the 1,320' maximum block length. However, blocks 22 and 23 are not adjacent to any natural or manmade feature that prohibits a street connection to South 67th Street. The application notes the area adjacent to Block 22 may be developed commercially. However, there is nothing unique about a residential area having access to a commercial area, and that condition exists in both older and newer areas all around the city today.

Staff have discussed the importance of a limit on block length on several occasions, and that discussion has included the following:

- Encourages pedestrian activity as longer blocks discourage walking, even with pedestrian access.

- Improves public health, which is a goal of the Comprehensive Plan. It is noted that physical activity is directly correlated with access to sidewalks and trails, and that physical inactivity is directly correlated with obesity, heart disease, diabetes and premature death.

-Increasing connectivity for vehicular and pedestrian travel can reduce travel time for vehicles and pedestrians, as even small increases in auto travel add up over time.

-It can conserve energy as longer blocks take more time & use more energy.

7. Pedestrian sidewalks are also required for any block over 1,000' in length. There are several blocks where the sidewalks are required but not shown in apparent oversight, but must be added to the site plan. The grading plan also must be revised if required to ensure all pedestrian sidewalks comply the applicable ADA requirements.
8. Regarding the area adjacent to Block 22 which is noted as intended for commercial uses. That label should be expanded to include apartments. This will allow more flexibility regarding future land use, and will give potential neighbor more advance notice that either apartments or commercial development could occur on the site.
9. The U.S. Post Office notes in their review that all new addresses established as part of this review will be required to receive mail delivery in Centralized Box Units.
10. Public Works and Utilities has asked for additional information regarding the grading and drainage plans. Given that review is not complete, the recommendation for approval is subject to plans being revised to their satisfaction.
11. Minor revisions to the site plan were noted by staff, and they are also included in the recommended conditions of approval.
12. The proposed lot and street layout is consistent with the overall concept plan, and the proposed uses were already anticipated and covered by the Development Plan, and are appropriate uses of land at this location subject to the recommended conditions of approval.

CONDITIONS:

This approval annexes and changes the zoning from AG to R-3 PUD for approximately 45.73 acres of land.

Annexation #15006

1. The applicant provides proof of release from the Rural Water District #1 prior to approval by the City Council.

Change of Zone #04075F

Site Specific

1. The City Council approves associated request AN#15006.
2. Upon approval of the planned unit development by the City Council, the developer shall cause to be prepared and submitted to the Planning Department **4** copies of a revised final plot plan and development plan before receiving building permits.
 - 2.1 Update the plan to include the information resulting from the approval of CZ#04075E and subsequent administrative amendment AA#14054.
 - 2.2 Revise the lot layout for Blocks 22 and 23 to show a building envelope for Lots 12-19 so no portion of the buildable area is shown within the PPA.
 - 2.3 Label the roadways in Blocks 22 and 23 as private roadways.
 - 2.4 Show a street connection from Village Court to South 67th Street.
 - 2.5 Propose substitute street names as Village Court and Village Lane are already in use.
 - 2.6 Also provide a dimension from the Yankee Hill Road right-of-way to the 221' PPA.
 - 2.7 Label the area east of Block 22 as 'Future Apartment or Commercial Area'.
 - 2.8 Renumber blocks to include Blocks 21 and 24.
 - 2.9 Show pedestrian sidewalks in blocks in excess of 1,000' as required to the satisfaction of the Planning Department.
 - 2.10 Revise the grading and drainage plans to the satisfaction of Public Works and Utilities. Grading plan also needs to demonstrate that all pedestrian connection sidewalks comply with ADA requirements.
 - 2.11 The construction plans comply with the approved plans.
 - 2.12 Final plat(s) is/are approved by the City.
3. Final plans for CZ#04075F are submitted and approved by the City.

Standard

4. The following conditions are applicable to all requests:
 - 4.1 Before occupying the buildings all development and construction is to 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 site plan and development plan accompanying this plan unit development shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 4.4 This ordinance's terms, conditions, and requirements bind and obligate the permittee, 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 PUD. The City Clerk shall file a copy of the resolution approving the PUD 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.
5. The site plan and development plan as approved with this ordinance voids and supersedes all previously approved site plans, however all ordinance approving previous permits remain in force unless specifically amended by this ordinance.

Prepared by:

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

Planner

July 9, 2015

OWNER:

Village Gardens Development Company, LLC
7000 South 56th Street
Lincoln, NE 68516
402.416.5750

1640 LLC
1633 Normandy Court
Lincoln, NE 68512
402-423-6811

Village Meadows, LLC
1633 Normandy Court
Lincoln, NE 68512
402-423-6811

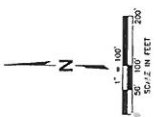
APPLICANT: 1640 LLC
1633 Normandy Court
Lincoln, NE 68512
402-423-6811

CONTACT: DaNay Kalkowski
Seacrest Kalkowski, LLC
1111 Lincoln Mall, Ste 350
Lincoln, NE 68508
402-435-6000

VILLAGE GARDENS

PHASE 2 - PLANNED UNIT DEVELOPMENT
SITE PLAN

OLSSON ASSOCIATES



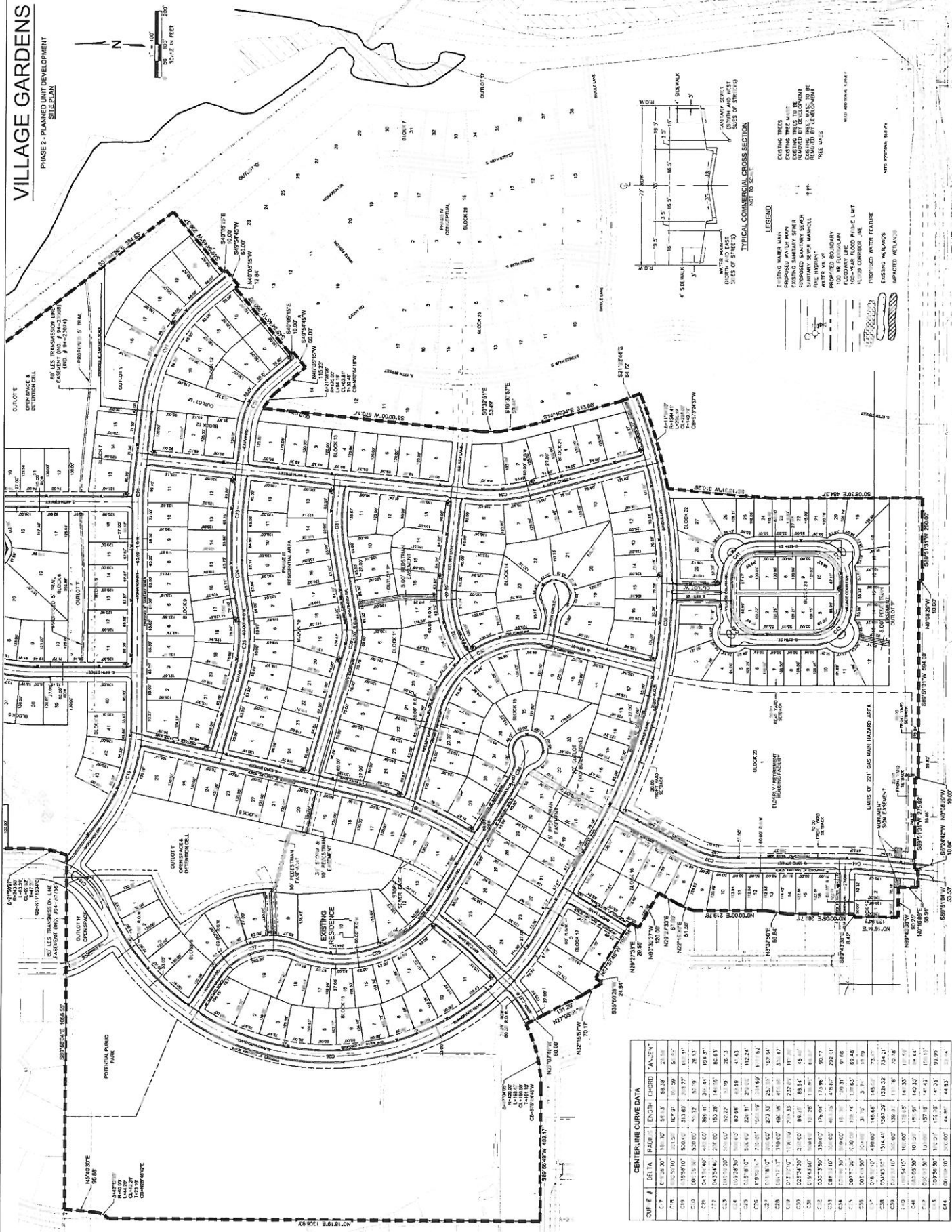
REVISIONS

2014

PHASE 2
SOUTH SITE PLAN
VILLAGE GARDENS - PHASE 2
PLANNED UNIT DEVELOPMENT

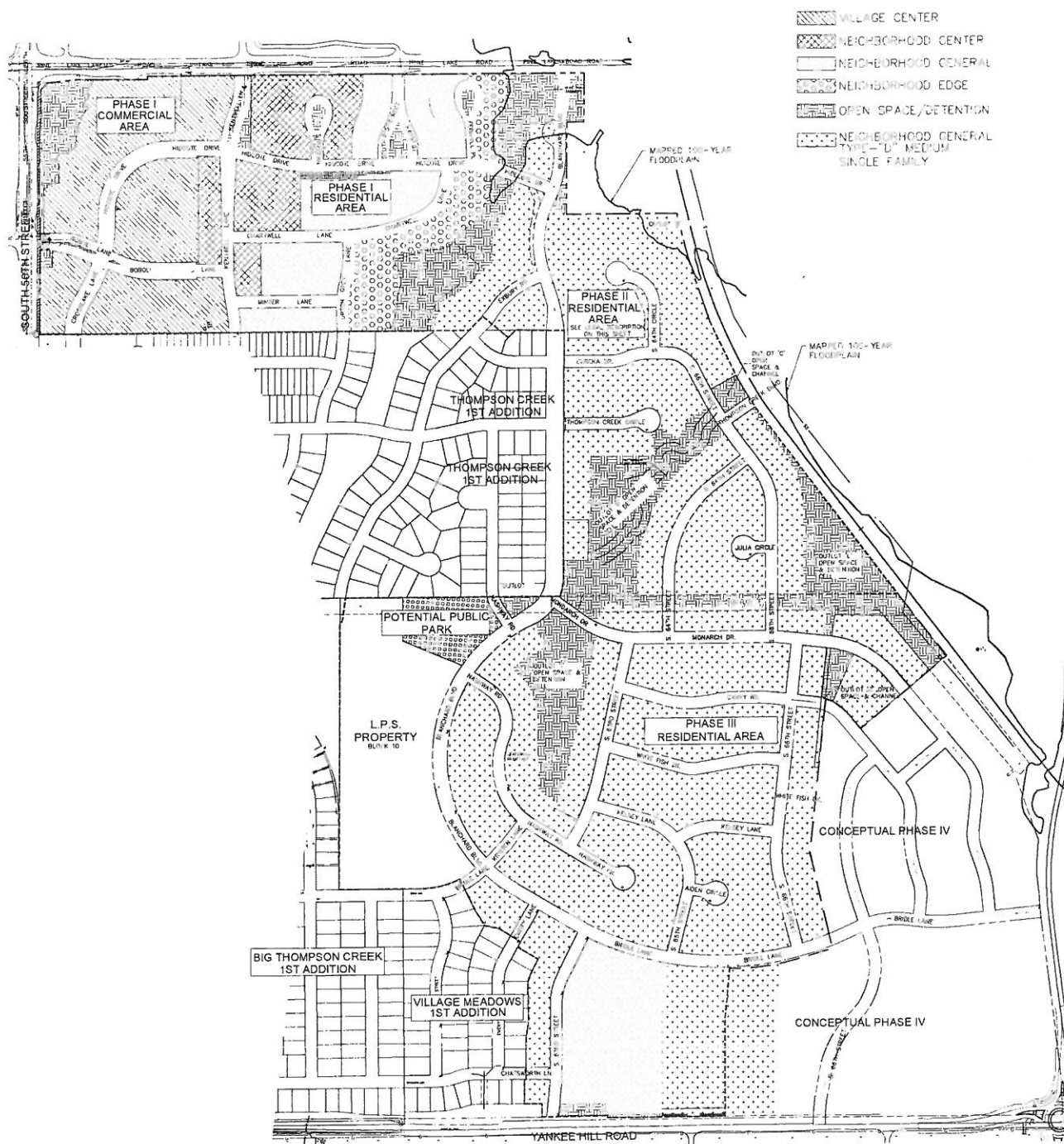
LINCOLN, NE

SHEET
3 of 11



CENTERLINE CURVE DATA									
CU#	E	DELTA	PIBB	BECH	CHORD	"TANG"			
C1	61.28.30"	18.30"	18.30"	18.30"	58.38"	21.58"			
C2	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C3	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C4	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C5	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C6	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C7	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C8	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C9	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C10	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C11	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C12	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C13	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C14	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C15	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C16	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C17	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C18	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C19	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C20	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C21	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C22	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C23	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C24	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C25	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C26	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C27	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C28	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C29	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C30	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C31	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C32	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C33	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C34	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C35	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C36	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C37	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C38	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C39	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C40	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C41	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C42	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C43	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			
C44	15.58.10"	18.30"	18.30"	18.30"	18.30"	18.30"			

Regulating Plan



**LEGAL DESCRIPTION
CHANGE OF ZONE AND ANNEXATION**

A TRACT OF LAND COMPOSED OF A PORTION OF OUTLOT "B", VILLAGE MEADOWS 10TH ADDITION, ALL OF OUTLOT "C", VILLAGE MEADOWS 10TH ADDITION, AND A PORTION OF LOT 90 I.T., ALL LOCATED IN THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

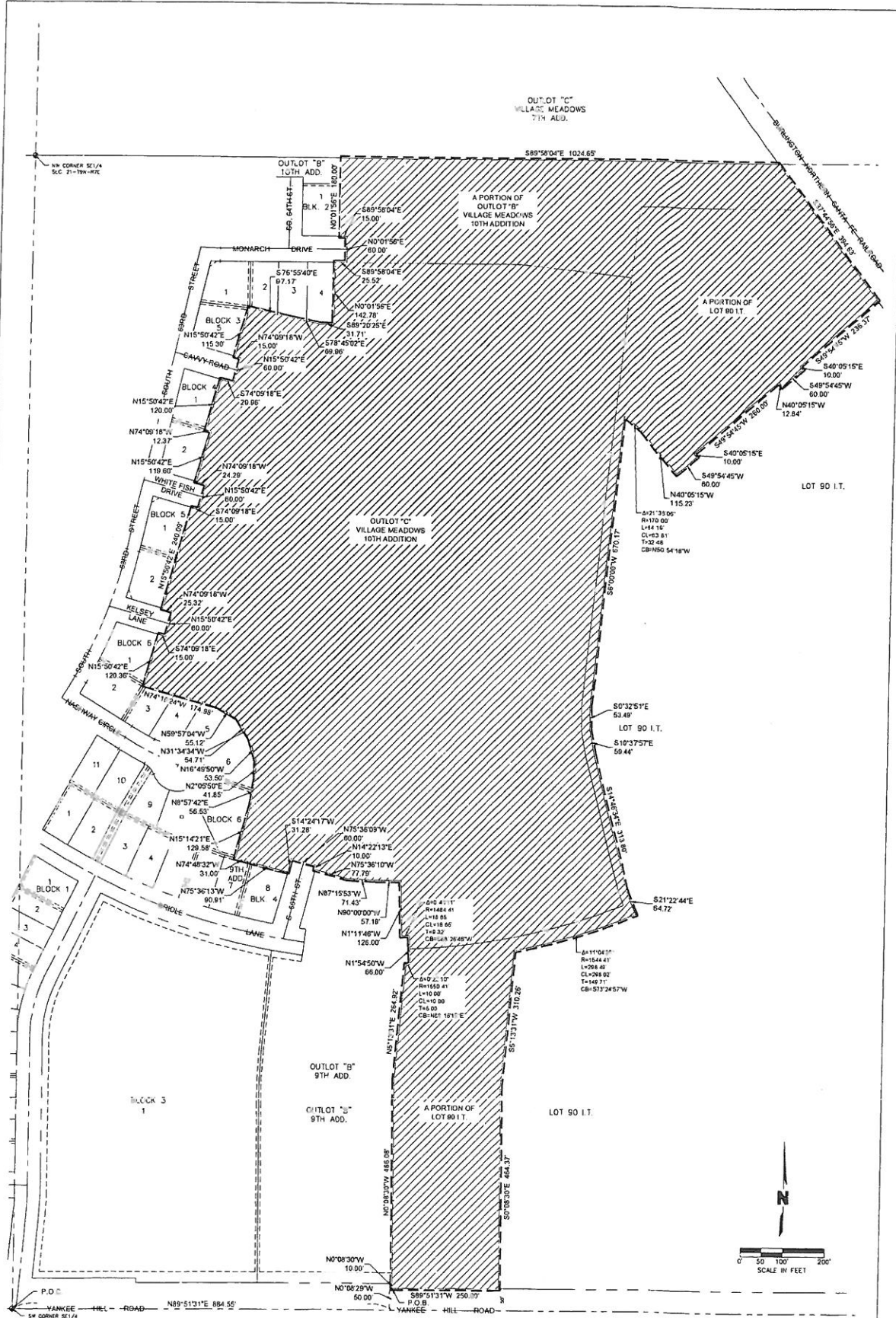
COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SECTION 21, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M.; THENCE EASTERLY ON THE SOUTH LINE OF SAID SOUTHEAST QUARTER, ON AN ASSUMED BEARING OF N89°51'31"E, A DISTANCE OF 884.55' TO A POINT; THENCE N00°08'29"W, A DISTANCE OF 50.00' TO THE SOUTHWEST CORNER OF LOT 90 I.T., SAID POINT BEING ON A NORTH RIGHT-OF-WAY LINE OF YANKEE HILL ROAD, SAID POINT BEING **THE TRUE POINT OF BEGINNING**; THENCE N00°08'30"W, ON A WEST LINE OF SAID LOT 90 I.T., SAID LINE BEING A EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 10.00' TO THE SOUTHEAST CORNER OF OUTLOT "B", VILLAGE MEADOWS 9TH ADDITION; THENCE CONTINUING N00°08'30"W ON SAID LINE, A DISTANCE OF 466.08' TO A WEST CORNER OF SAID LOT 90 I.T.; THENCE N05°13'31"E, ON A WEST LINE OF SAID LOT 90 I.T., A DISTANCE OF 264.92' TO A WEST CORNER OF SAID LOT 90 I.T., SAID POINT BEING A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 00°22'10", A RADIUS OF 1,550.41', AN ARC LENGTH OF 10.00' ON A NORTH LINE OF SAID LOT 90 I.T., A CHORD LENGTH OF 10.00', A TANGENT LENGTH OF 5.00', AND A CHORD BEARING OF N88°16'15"E TO A WEST CORNER OF SAID LOT 90 I.T.; THENCE N01°54'50"W, ON A WEST LINE OF SAID LOT 90 I.T., AND ON A WEST LINE OF OUTLOT "C", VILLAGE MEADOWS 10TH ADDITION, A DISTANCE OF 66.00' TO A WEST CORNER OF SAID OUTLOT "C", SAID POINT BEING A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 00°43'11", A RADIUS OF 1,484.41', AN ARC LENGTH OF 18.65' ON A SOUTH LINE OF SAID OUTLOT "C", A CHORD LENGTH OF 18.65', A TANGENT LENGTH OF 9.32', AND A CHORD BEARING OF S88°26'46"W TO A WEST CORNER OF SAID OUTLOT "C"; THENCE N01°11'46"W, ON A WEST LINE OF SAID OUTLOT "C", A DISTANCE OF 126.00' TO A SOUTH CORNER OF SAID OUTLOT "C"; THENCE N90°00'00"W, ON A SOUTH LINE OF SAID OUTLOT "C", A DISTANCE OF 57.19' TO A SOUTH CORNER OF SAID OUTLOT "C"; THENCE N87°15'53"W, ON A SOUTH LINE OF SAID OUTLOT "C", A DISTANCE OF 71.43' TO A SOUTH CORNER OF SAID OUTLOT "C"; THENCE N75°36'10"W, ON A SOUTH LINE OF SAID OUTLOT "C", A DISTANCE OF 77.79' TO A SOUTH CORNER OF SAID OUTLOT "C", SAID POINT BEING ON THE EAST RIGHT-OF-WAY LINE OF SOUTH 66TH STREET; THENCE N14°22'13"E, ON A WEST LINE OF SAID OUTLOT "C", SAID LINE BEING THE EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 10.00' TO A SOUTH CORNER OF SAID OUTLOT "C"; THENCE N75°36'09"W, ON A SOUTH LINE OF SAID OUTLOT "C", SAID LINE BEING THE NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 60.00' TO A SOUTH CORNER OF SAID OUTLOT "C"; THENCE S14°24'17"W, ON A EAST LINE OF SAID OUTLOT "C", SAID LINE BEING THE WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 31.28' TO A SOUTH CORNER OF SAID OUTLOT "C";

THENCE N75°36'13"W, ON A SOUTH LINE OF SAID OUTLOT "C", A DISTANCE OF 90.91' TO A SOUTH CORNER OF SAID OUTLOT "C"; THENCE N74°48'32"W, ON A SOUTH LINE OF SAID OUTLOT "C", A DISTANCE OF 31.00' TO A SOUTHWEST CORNER OF SAID OUTLOT "C"; THENCE N15°14'21"E, ON A WEST LINE OF SAID OUTLOT "C", A DISTANCE OF 129.58' TO A WEST CORNER OF SAID OUTLOT "C"; THENCE N08°57'42"E, ON A WEST LINE OF SAID OUTLOT "C", A DISTANCE OF 56.53' TO A WEST CORNER OF SAID OUTLOT "C"; THENCE N02°05'50"E, ON A WEST LINE OF SAID OUTLOT "C", A DISTANCE OF 41.85' TO A WEST CORNER OF SAID OUTLOT "C"; THENCE N16°49'50"W, ON A WEST LINE OF SAID OUTLOT "C", A DISTANCE OF 53.50' TO A WEST CORNER OF SAID OUTLOT "C"; THENCE N31°34'34"W, ON A WEST LINE OF SAID OUTLOT "C", A DISTANCE OF 54.71' TO A SOUTH CORNER OF SAID OUTLOT "C"; THENCE N59°57'04"W, ON A SOUTH LINE OF SAID OUTLOT "C", A DISTANCE OF 55.12' TO A SOUTH CORNER OF SAID OUTLOT "C"; THENCE N74°16'24"W, ON A SOUTH LINE OF SAID OUTLOT "C", A DISTANCE OF 174.98' TO A SOUTHWEST CORNER OF SAID OUTLOT "C"; THENCE N15°50'42"E, ON A WEST LINE OF SAID OUTLOT "C", A DISTANCE OF 120.36' TO A WEST CORNER OF SAID OUTLOT "C", SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF KELSEY LANE; THENCE S74°09'18"E, ON A NORTH LINE OF SAID OUTLOT "C", SAID LINE BEING THE SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 15.00' TO A WEST CORNER OF SAID OUTLOT "C"; THENCE N15°50'42"E, ON A WEST LINE OF SAID OUTLOT "C", SAID LINE BEING THE EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 60.00' TO A WEST CORNER OF SAID OUTLOT "C"; THENCE N74°09'18"W, ON A SOUTH LINE OF SAID OUTLOT "C", SAID LINE BEING THE NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 25.32' TO A WEST CORNER OF SAID OUTLOT "C"; THENCE N15°50'42"E, ON A WEST LINE OF SAID OUTLOT "C", A DISTANCE OF 240.09' TO A WEST CORNER OF SAID OUTLOT "C", SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF WHITE FISH DRIVE; THENCE S74°09'18"E, ON A NORTH LINE OF SAID OUTLOT "C", SAID LINE BEING THE SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 15.00' TO A WEST CORNER OF SAID OUTLOT "C"; THENCE N15°50'42"E, ON A WEST LINE OF SAID OUTLOT "C", SAID LINE BEING THE EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 60.00' TO A WEST CORNER OF SAID OUTLOT "C"; THENCE N74°09'18"W, ON A SOUTH LINE OF SAID OUTLOT "C", SAID LINE BEING THE NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 24.29' TO A WEST CORNER OF SAID OUTLOT "C"; THENCE N15°50'42"E, ON A WEST LINE OF SAID OUTLOT "C", A DISTANCE OF 119.60' TO A WEST CORNER OF SAID OUTLOT "C"; THENCE N74°09'18"W, ON A SOUTH LINE OF SAID OUTLOT "C", A DISTANCE OF 12.37' TO A WEST CORNER OF SAID OUTLOT "C"; THENCE N15°50'42"E, ON A WEST LINE OF SAID OUTLOT "C", A DISTANCE OF 120.00' TO A WEST CORNER OF SAID OUTLOT "C", SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF CAVY ROAD; THENCE S74°09'18"E, ON A NORTH LINE OF SAID OUTLOT "C", SAID LINE BEING THE SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 29.96' TO A WEST CORNER OF SAID OUTLOT "C"; THENCE N15°50'42"E, ON A WEST LINE OF SAID OUTLOT "C", SAID LINE BEING THE EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 60.00' TO A WEST CORNER OF SAID OUTLOT "C"; THENCE N74°09'18"W, ON A SOUTH LINE OF SAID OUTLOT "C", SAID LINE BEING THE NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 15.00' TO A WEST CORNER OF SAID OUTLOT "C"; THENCE N15°50'42"E, ON A WEST LINE OF SAID OUTLOT "C", A DISTANCE OF 115.30' TO A WEST CORNER OF SAID OUTLOT "C"; THENCE S76°55'40"E, ON A NORTH LINE OF SAID OUTLOT "C", A DISTANCE OF

97.17' TO A NORTH CORNER OF SAID OUTLOT "C"; THENCE S78°45'02"E, ON A NORTH LINE OF SAID OUTLOT "C", A DISTANCE OF 69.96' TO A SOUTH CORNER OF SAID OUTLOT "C"; THENCE S89°20'25"E, ON A NORTH LINE OF SAID OUTLOT "C", A DISTANCE OF 31.71' TO A WEST CORNER OF SAID OUTLOT "C"; THENCE N00°01'56"E, ON A WEST LINE OF SAID OUTLOT "C", A DISTANCE OF 142.78' TO THE NORTHWEST CORNER OF SAID OUTLOT "C", SAID POINT BEING ON THE SOUTH RIGHT-OF-WAY LINE OF MONARCH DRIVE; THENCE S89°58'04"E, ON THE NORTH LINE OF SAID OUTLOT "C", SAID LINE BEING THE SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 25.52' TO A SOUTHWEST CORNER OF OUTLOT "B", VILLAGE MEADOWS 10TH ADDITION; THENCE N00°01'56"E, ON A WEST LINE OF SAID OUTLOT "B", SAID LINE BEING THE EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 60.00' TO A WEST CORNER OF SAID OUTLOT "B"; THENCE N89°58'04"W, ON A SOUTH LINE OF SAID OUTLOT "B", SAID LINE BEING THE NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 15.00' TO A WEST CORNER OF SAID OUTLOT "B"; THENCE N00°01'56"E, ON A WEST LINE OF SAID OUTLOT "B", AND ON A NORTHERLY EXTENSION OF SAID LINE, A DISTANCE OF 180.00' TO A POINT OF INTERSECTION WITH THE NORTH LINE OF SAID OUTLOT "B", SAID POINT BEING ON THE NORTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 21; THENCE S89°58'04"E, ON THE NORTH LINE OF SAID OUTLOT "B", SAID LINE BEING THE NORTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 1,024.65' TO THE NORTHEAST CORNER OF SAID OUTLOT "B", SAID POINT BEING ON THE WEST RIGHT-OF-WAY LINE OF THE BURLINGTON NORTHERN SANTA FE RAILROAD; THENCE S37°44'56"E, ON THE EAST LINE OF SAID OUTLOT "B", AND ON A EAST LINE OF LOT 90 I.T., SAID LINE BEING THE WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 394.63' TO A POINT; THENCE S49°54'45"W, A DISTANCE OF 236.37' TO A POINT; THENCE S40°05'15"E, A DISTANCE OF 10.00' TO A POINT; THENCE S49°54'45"W, A DISTANCE OF 60.00' TO A POINT; THENCE N40°05'15"W, A DISTANCE OF 12.84' TO A POINT; THENCE S49°54'45"W, A DISTANCE OF 260.00' TO A POINT; THENCE S40°05'15"E, A DISTANCE OF 10.00' TO A POINT; THENCE S49°54'45"W, A DISTANCE OF 60.00' TO A POINT; THENCE N40°05'15"W, A DISTANCE OF 115.23' TO A POINT OF CURVATURE FOR A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 21°38'06", A RADIUS OF 170.00', AN ARC LENGTH OF 64.19', A CHORD LENGTH OF 63.81', A TANGENT LENGTH OF 32.48', AND A CHORD BEARING OF N50°54'18"W, TO A POINT LOCATED 20.00' EAST OF A WEST LINE OF SAID LOT 90 I.T.; THENCE S06°00'00"W, ON A LINE 20.00' EAST OF AND PARALLEL WITH A WEST LINE OF SAID LOT 90 I.T., A DISTANCE OF 670.17' TO A POINT; THENCE S00°32'51"E, ON A LINE 20.00' EAST OF AND PARALLEL WITH A WEST LINE OF SAID LOT 90 I.T., A DISTANCE OF 53.49' TO A POINT; THENCE S10°37'57"E, ON A LINE 20.00' EAST OF AND PARALLEL WITH A WEST LINE OF SAID LOT 90 I.T., A DISTANCE OF 59.44' TO A POINT; THENCE S14°46'34"E, ON A LINE 20.00' EAST OF AND PARALLEL WITH A WEST LINE OF SAID LOT 90 I.T., A DISTANCE OF 313.80' TO A POINT; THENCE S21°22'44"E, ON A LINE OF 20.00' EAST OF AND PARALLEL WITH A WEST LINE OF SAID LOT 90 I.T., A DISTANCE OF 64.72' TO A POINT LOCATED 30.00' SOUTH OF A NORTH LINE OF SAID LOT 90 I.T., SAID POINT BEING A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 11°04'25", A RADIUS OF 1,544.41', AN ARC LENGTH OF 298.49' ON A LINE 30.00' SOUTH OF AND PARALLEL WITH A NORTH LINE OF SAID LOT 90 I.T., A CHORD LENGTH OF 298.02', A TANGENT LENGTH OF 149.71', AND A CHORD BEARING OF

S73°24'57"W TO A POINT; THENCE S05°13'31"W, ON A LINE 250.00' EAST OF AND PARALLEL WITH A WEST LINE OF SAID LOT 90 I.T., A DISTANCE OF 310.26' TO A POINT; THENCE S00°08'30"E, ON A LINE 250.00' EAST OF AND PARALLEL WITH A WEST LINE OF SAID LOT 90 I.T., A DISTANCE OF 464.37' TO A POINT OF INTERSECTION WITH THE SOUTH LINE OF SAID LOT 90 I.T., SAID POINT BEING ON THE NORTH RIGHT-OF-WAY LINE OF YANKEE HILL ROAD, SAID POINT ALSO BEING 50.00' NORTH OF THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SAID SECTION 21; THENCE S89°51'31"W, ON THE SOUTH LINE OF SAID LOT 90 I.T., SAID LINE BEING THE NORTH LINE OF SAID RIGHT-OF-WAY, SAID LINE ALSO BEING 50.00' NORTH OF AND PARALLEL WITH THE SOUTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 250.00' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA 1,992,162.21 SQUARE FEET OR 45.73 ACRES, MORE OR LESS.

Wednesday, June 24, 2015
F:\Projects\015-0398\SRVY\MasterXrefs\Final Plat\Documents\015-0398_PUD-ZONE-ANNEX.doc



1 of 1 SHEET	CHANGE OF ZONE AND ANNEXATION		REV	DATE	REVISIONS DESCRIPTION
	VILLAGE MEADOWS				
	LINCOLN, NE				
		2015			REVISIONS

MOLSSON ASSOCIATES

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KENT SEACREST
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DANAY KALKOWSKI
E-MAIL: danay@sk-law.com

June 24, 2015

HAND DELIVERY

David Cary, Interim Director
Planning Department
555 South 10th Street
Lincoln, NE 68508

RE: Amendment to Village Gardens Phase 3 PUD

Dear David:

Our office represents Village Meadows, LLC and 1640 LLC (collectively "Developers"), who own or have a contract interest in approximately 45.73 acres of property (the "Property") adjacent to the Village Gardens Planned Unit Development ("Village Gardens PUD"). A large portion of the Property is included within the conceptual "Phase 3" of the Village Gardens PUD. Developers are requesting annexation of the Property and a change of zone from AG to R-3 PUD to include the Property within the Village Gardens PUD.

Enclosed please find the following:

- a. City of Lincoln Zoning Application for Annexation;
- b. City of Lincoln Zoning Application for Change of Zone to R-3 PUD;
- c. Legal Description for Change of Zone to R-3 PUD and Annexation;
- d. PUD Site Plan;
- e. Application fees in the amount of \$3,792; and
- f. Amended Regulating Plan to replace page 5 of the Village Gardens Planned Unit Development District Development Plan.

Mark Palmer from Olsson Associates will be uploading the PUD plans to project docs once Planning Staff has created the project files and docs. We will be submitting an amendment to the Village Gardens Conditional Annexation and Zoning Agreement to include the Property under separate cover.

A portion of the Property being added to the Village Gardens PUD is located within the Pipeline Planning Area along Yankee Hill Road. An outlot has been incorporated into the plan

along the north side of Yankee Hill Road to provide a setback from the gas line that is commensurate with the setback of the single family homes along Yankee Hill Road to the west. Berming and landscaping will be added as an additional buffer within the outlot.

A portion of the Property is also located within the boundaries of Rural Water District No. 1 and will need to be released in conjunction with annexation.

Developers are requesting block length waivers for Block 7 and for Blocks 22 and 23. Block 7 abuts the railroad tracks which creates a man made barrier. Blocks 22 and 23 are proposed for a patio home development. The site is bounded to the west by one large lot that has been approved for a retirement living facility that does not contain any street connections through it, Yankee Hill Road to the south, and a future commercial area to the east. Developers will be making a pedestrian connection to the trail system to the south, but are not including a street connection to the east into the future commercial.

If you have any questions regarding the enclosed or need any additional information, please feel free to contact me or Mark.

Very truly yours,



DANAY KALKOWSKI
For the Firm

Enclosures

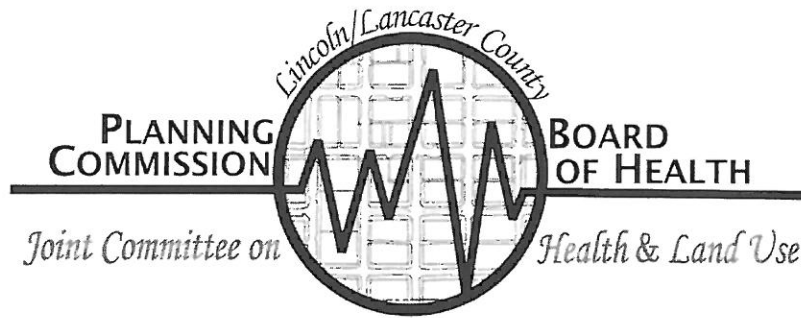
cc: Bob Benes
Village Gardens Development Company, LLC

Current Project - Agency Review Report

Agency Name	User Name	Review Cycle	Review Status	Comments	Assignment
County Health	chris schroeder	1	Recommend Denial	A high pressure natural gas pipeline is located near the centerline of Yankee Hill Road. The LLCHD calculated a pipeline planning area of 221 feet on each side of this pipeline. A pipeline planning area is the area in which the potential failure of a pipeline could have significant impact on people or property. The applicant's submitted site plan depicts lots 12-18 within the projected pipeline planning area. The LLCHD recommends not locating residential dwellings, schools, or childcare facilities within pipeline planning areas. Therefore, the LLCHD is recommending denial of this proposed development.	Individual
Development Review Manager	steve henrichsen	1	Corrections Required		Individual
Emergency Communications	Kelly Davila	1	Pending		Individual
Fire Department	Fire Department	1	Pending		First In Group
LES	les reviews	1	Recommend Approval	7/8/15- Easements will be noted on final plat. -Sarah Ryan	First In Group
Lincoln Police Department	Lincoln Police Department	1	Pending		First In Group
Planning Dept	amy huffman	1	No Review Required		Individual
Public Works - Engineering Services	Public Works - Engineering Services	1	Pending		First In Group
Public Works - Survey Check	Public Works - Survey Check	1	Pending		First In Group
Public Works - Watershed Management	ben higgins	1		Need larger sheet to review for drainage, requested from OA 7/7/15	Individual
United States Post Office	kerry kowalski	1	Recommend Approval	Recommend approval with the condition all new deliveries are established in Centralized Box Units(CBUs). All CBUs will be purchased and installed at the developers expense	First In Group

וואלפריד

Individual



Pipelines Carrying Hazardous Materials

Completed February 20, 2006

Findings

1. Many larger diameter and/or high pressure underground pipelines that carry hazardous materials exist in Lancaster County. (See "Lancaster County Pipeline" map at end of report.)
 - ✓ Data from the Federal Department of Transportation's Office of Pipeline Safety indicates that there are 308 miles of interstate or intrastate pipelines in Lancaster County. Most of these pipelines carry natural gas (methane), some carry petroleum product (gasoline or diesel), some carry propane, and one carries anhydrous ammonia. These pipelines cross the county in various locations, with a higher proportion in the eastern and southern parts of the county. As the urban area of Lincoln expands, it has grown into areas which have larger, higher pressure natural gas pipelines which serve as the source for lower pressure, small diameter lines in the community. One example of this is the Vintage Heights area.
2. Underground pipelines can pose a risk to public health and safety due to occasional breaks in the pipes, which most often occur due to being struck during digging in the pipeline easement area.
 - ✓ Data from the DOT's Office of Pipeline Safety web site indicates that in Nebraska there were six (6) incidents (releases) with interstate or intrastate transmission or distribution pipelines in 2004. Four (4) involved pipelines carrying gas and two (2) involved pipelines carrying liquid.
 - ✓ One of these incidents involved a pipeline carrying anhydrous ammonia near Blair, which resulted in the evacuation of 40 people from their homes, farms and businesses for approximately 24 hours. Fortunately, the release was not near a populated area and the wind was blowing the "right" direction. The release was caused by third-party excavation being conducted to lay underground electrical cables.

- ✓ For the three year period between 2002 and 2004, an average of 3.9 incidents per year in Nebraska resulted in releases of hazardous gases from pipelines. Over the past ten years, the trend of incidents resulting in releases appears to be increasing. Only three injuries to people occurred in the past 10 years.
3. Companies purchase easements restricting construction around pipelines.
- ✓ These easements are generally 30 to 100 feet wide (15 to 50 on either side of the pipeline to restrict buildings and construction on top of the easement. However, paving for parking lots or streets or crossing for utilities are allowed as long as adequate safety measures are taken to not disturb the gas line during construction. The pipeline in the easements is often marked to alert the public to its existence below ground.
 - ✓ The primary purposes of an easement for a pipeline is to allow access to the pipe for maintenance and protect the pipeline from damage by people, not to protect the people from who may live near the pipeline from a release of hazardous materials.
4. Federal law regulates the interstate transportation of hazardous materials in pipelines and was last changed in 2002 including:
- ✓ Increased the requirements imposed upon pipeline companies, with the goal of decreasing the risks to public health and the environment and improving safety.
 - ✓ Increased public awareness requirements, added more frequent internal inspection of the pipelines for corrosion and increased frequency of maintenance. (Please see the Appendix A titled, “Pipeline Public Awareness and Integrity Management Program Summary.”)
5. Persons or businesses in the **“High Consequence Area”** of a gas pipeline are occasionally notified of the existence of the pipeline, but there are not any regulations regarding preventing new uses from locating in this area. The High Consequence Area is based on the number of dwellings or businesses within a certain geographic area. The **“Hazard Area”** is measured regardless if there are currently buildings in the area or not, which is a more useful tool in developing areas.
- ✓ The Hazard Area can be calculated using a formula developed by the Gas Research Institute, which takes into account the pressure and diameter of the pipeline. For large diameter, high pressure pipelines the Hazard Area exceeds the mandatory easement requirements several fold. For example, the pipe in Vintage

Heights has a 12 inch diameter pipe would have a hazard area of 277 feet wide (approximately 138 feet on both sides from the center of the pipe.)

- ✓ The Hazard Area is based on a worst case scenario, which presumes there is complete cleavage of the pipeline resulting in gas under pressure being forced into the environment until it finds an ignition source. Such occurrences are rare, but have occurred in various parts of the U.S., including Bellingham, Washington and New Mexico, resulting in deaths. These events and many other pipeline spills have caused significant public debate regarding safety issues.

Goals

Strongly encourage that new development not build within the Hazard Area of high pressure underground pipelines.

By 2008, notification efforts at the local level should be increased to make residents and businesses more aware of the hazards of these pipelines and increase preparedness in case of an emergency.

Objectives

1. Inform and educate all who live along pipelines of the hazard, actions they can take to prevent pipeline releases and what to do if there is a release.

Recommendations:

- A. Require that Title Companies have buyers of existing homes sign a form at closing acknowledging that they were notified of the existence of the home being in the Hazard Area. This will require more paperwork at closing and probably too late in the process for the potential buyer to seriously consider the implications so late in the buying process, but it is better than no notification at all. Health Department staff will have to work with City Attorney to see if this provision can be required locally and how it would be implemented.
- B. Require that property owners inform potential new renters or persons leasing property of the hazard area. Again, the Health Department staff will have to work with City Attorney to see if this provision can be required locally and how it would be implemented.

People have the right to know what hazards are near where they live. Government has a responsibility to assure people are informed of such hazards. The way High

Consequence Areas are defined, many people living along pipelines would not be informed or educated if only the requirements under the Federal law are followed. People can make an informed choice of whether they want to accept the risk of living in or near an area which has a known hazard. Informed citizens are an integral part to protecting pipelines from damage. Providing people such information allows them to make an informed choice, based on sound information and their own perception of hazard and risk.

2. Increase awareness of pipelines prior to new construction within the Hazard Area.

Recommendations:

- A. In new developments, developers should avoid the Hazard Area as much as possible. For example, homes and businesses should be located out of the area as much as possible. Redesigning a site to place yards, parking or garages in the Hazard Area is preferable to having residences or businesses located in this potentially harmful area. Active recreation areas which would regularly draw large groups of people, such as playgrounds and baseball/soccer fields should not be placed in the Hazard Area as well.
 - B. Maps should be developed clearly outlining the Hazard Area and shared with developers on request or as part of the review process. While these maps are public information, there is concern by some that if this information was too easily available it could be used by those wanting to rupture the pipe on purpose.
 - C. The Health Department and Planning Department staff should be aware of these hazard areas and note them in reports to decision makers. Developers are encouraged to follow these recommendations.
 - D. The Planning Department and City Attorney should ensure that covenants in new subdivisions include notification of the location of a hazard area within the subdivision. This will aid in notifying builders or owners prior the construction of their house, since most new lot buyers read the covenants prior to building.
3. Work more closely with the pipeline companies to determine what additional Integrity Management Program (IMP) activities (enhanced safety measures) could be employed along high pressure, large diameter pipelines in Lancaster County.

Recommendations:

- A. Health Department staff should initiate contact with pipeline companies to discuss collaborative local efforts. Pipeline companies naturally want to reduce their

liabilities and do not want to injure anyone or damage the environment. Enhancing IMP activities would be in line with enhanced public awareness activities. It would exceed Federal requirements and, in essence be an enhanced IMP.

Q:\CP\Health\BOHPC Overall Final Report 2006.wpd

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for July 22, 2015 PLANNING COMMISSION MEETING

PROJECT #: Special Permit No. 04054A

PROPOSAL: A request per Section 27.63.320 to amend the existing Community Unit Plan to allow for duplex lots.

LOCATION: Generally located at S.W. 27th Street and W. A Street.

LAND AREA: 90.44 acres more or less

EXISTING ZONING: R-3 Residential

CONCLUSION: The overall number of dwelling units does not increase with this amendment. Changing single family lots to two family lots should not have an impact on surrounding properties over what is already approved. This change is in conformance with the Comprehensive Plan.

RECOMMENDATION:	Conditional Approval
Waivers/modifications:	
27.72.030(a) to reduce the required lot width from 40 feet to 31 feet for two family lots.	Approval
27.72.030(a) to reduce the required lot area from 5,000 to 3,650 square feet for two family lots.	Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 1-34, Block 1, Lots 1 and 2, Block 2, Lots 1-23, Block 3, Lots 1-18, Block 4, Lots 1-39, Block 5, Lots 1-14, Block 6 and Outlots B, C & D, Hartland Homes Southwest 4th Addition; Lots 1-10, Block 1, Lots 1-14, Block 2, Lots 1-5, Block 3, Lots 1-19, Block 4, Lots 1-10, Block 5, Lots 1-15, Block 6, Lot 1, Block 7, Lots 1-13, Block 8 and Outlots A, B, C, D, E, Hartland Homes Southwest 5th Addition; Lots 1-12, Block 1, Lots 1-4, Block 2, Lots 1-9, Block 3, Hartland Homes Southwest 6th; located in the NE 1/4 of Section 32-10-6, Lincoln, Lancaster County, Nebraska

EXISTING LAND USE: Vacant.

SURROUNDING LAND USE AND ZONING: The lots proposed to change from single family to duplexes are surrounded by R-3 zoning and single family residential units.

The special permit abuts W. A Street to the north. There is R-3 Residential zoning to both the east and the west and P Public zoning owned by the State of Nebraska to the south.

HISTORY:

March 2, 1998	Change of Zone #3044 from AGR, Agricultural residential to H-4 General Commercial was approved by the City Council.
April 27, 1998	Annexation #97010 annexing the area southwest of West “A” St. & S. W. 27 th St. was approved by the City Council.
November 29, 1999	Timber Valley Preliminary Plat generally located at S. W. 31 st & West “A” St. was approved by City Council.
June 17, 2002	Change of Zone #3361 from AGR, Agricultural Residential to R-3, Residential located at S. W. 27 th St. & W. South St. was approved by the City Council.
June 17, 2002	Hartland Homes S.W. Preliminary Plat and Community Unit Plan located at S.W. 27 th St. & West South Street was approved by City Council.
August 2, 2004	The Lincoln Airport F.A.R. Part 150 Noise Compatibility Study, 2003 was adopted by City Council.
February 14, 2005	City Council approved Change of Zone #04067 from H-4 General Commercial district to R-3 Residential and approved the Hartland Homes Southwest 1 st Addition Community Unit Plan consisting of 382 single family dwelling units with waivers reducing lot area, lot width, block length and the preliminary plat processes.

COMPREHENSIVE PLAN SPECIFICATIONS:

The 2040 Lincoln and Lancaster County Comprehensive Plan identifies this area as Urban Density Residential in the Future Land Use Plan. (Page 19)

Preserve existing affordable housing and promote the creation of new affordable housing throughout the community. (Page 6.2)

Ensuring safe, adequate, and affordable housing in an important function in maintaining the vitality of neighborhoods and the city as a whole. (Page 7.1)

Distribute and preserve affordable housing throughout the community to be near job opportunities and to provide housing choices within existing and developing neighborhoods. (Page 7.2)

TRAFFIC ANALYSIS: W. A Street to the north of this special permit is an unimproved minor arterial street. All other streets within the special permit are local. Not all of the local streets within the development have been constructed.

PUBLIC SERVICE: Roper Elementary School is located approximately 0.30 miles away. Lincoln Fire and Rescue Station #13 is located approximately 0.53 miles away.

AESTHETIC CONSIDERATIONS: There are no design standards for this development.

ALTERNATIVE USES: Remain single family lots.

ANALYSIS:

1. The Hartland Homes Southwest 1st Addition Community Unit Plan (CUP) was originally approved in 2005 and was approved for 382 single family lots. This amendment would allow for 8 duplex lots, 2 single family attached lots (commonly called townhomes) and 362 single family lots. Overall this is a reduction of 2 units in the overall plan.
2. The applicant requested 3 waivers in their application letter. The first waiver is to reduce the required lot width from 40 feet to 31 feet for the two family lots. A similar reduction was granted with the original approval of this Community Unit Plan for the single family lots. The second waiver reduces the required lot area from 5,000 square feet per dwelling to 3,650 square feet. A similar reduction was granted initially for the single family houses. The reduction would now apply to two family lots as well. The third waiver was to reduce the required lot depth from 90 to 78 feet. It has been determined that this waiver is not necessary since there are no lots shown on the plan with a lot depth of less than 90 feet.
3. There are four other waivers that were granted with the original special permit that are being carried over with this amendment. These waiver include:
 - A waiver to block length on blocks 10 and 11;
 - A waiver to the preliminary plat process;
 - A reduction in the single family lot width from 50 feet to 41 feet;
 - A reduction to the single family lot area from 6,000 square feet to 4,500 square feet.
4. On street parking will be very limited on West Rose Street (see Exhibit B). The original plan approved approximately ten 42 foot wide (undersized) lots with no rear access. Wether the lots are developed as small single family lots or duplex lots the on street parking stalls will remain the same. Each duplex lot will have 8 off street parking stalls (2 in each garage and 2 in each driveway) equal to that of two single family lots.
5. The applicant held a neighborhood meeting to discuss the proposed change in early June, which was attended by four neighbors and the president of the homeowners association. At the meeting there did not appear to be opposition to the proposal from those present.

CONDITIONS OF APPROVAL:

Per Section 27.63.320 this approval permits two family lots and waivers to the minimum lot area for two family lots and the minimum lot width for two family lots.

Site Specific Conditions:

1. Before receiving building permits or before a final plat is approved the permittee 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:
 - 1.1 Add Lots 1-13 Block 8 Hartland Homes Southwest 5th Addition to the Legal description on the site plan.
 - 1.2 Revise note #6 to state that sidewalk shall be located 9 feet from the back of curb.
 - 1.3 Remove the second sentence in General Note #1.
 - 1.4 Add to the General Notes, "Signs need not be shown on this site plan, but need to be in compliance with chapter 27.69 of the Lincoln Zoning Ordinance, and must be approved by Building & Safety Department prior to installation".
 - 1.5 Revise the Requested Waivers to reflect a two family minimum lot width of 31 feet and remove waiver #7 on the site plan.

Standard Conditions:

2. The following conditions are applicable to all requests:
 - 2.1 Before occupying the dwelling units all development and construction shall substantially comply with the approved plans.
 - 2.2 All privately-owned improvements, including landscaping and recreational facilities, shall be permanently maintained by the Permittee or an appropriately established homeowners association approved by the City.
 - 2.3 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.
 - 2.4 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.

- 2.5 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 therefor to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.
- 2.6 The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all prior resolutions approving this permit remain in full force and effect as specifically amended by this resolution.

Prepared by

Christy Eichorn, Planner
402-441-7603
ceichorn@lincoln.ne.gov

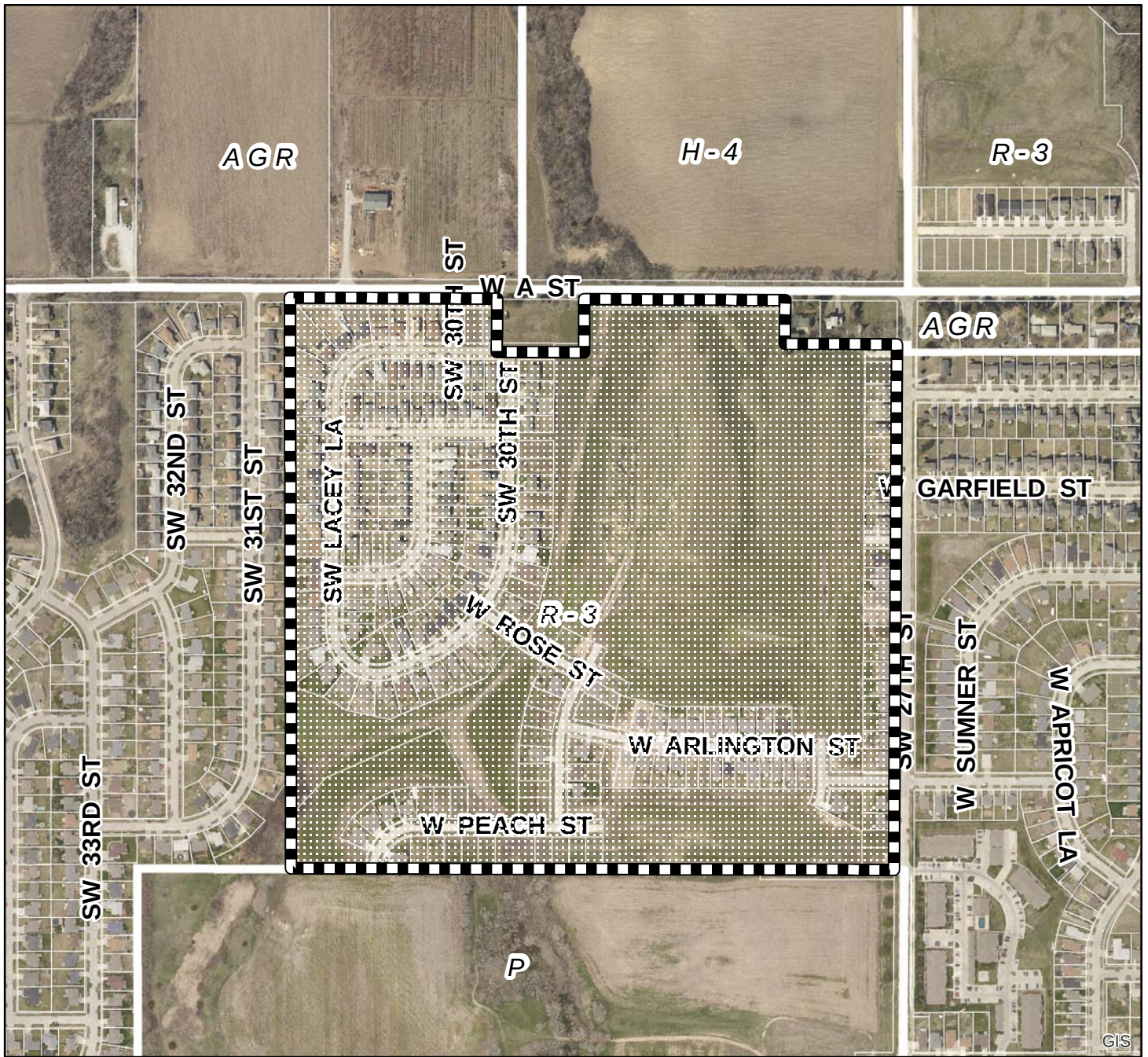
DATE: July 9, 2015

APPLICANT: South 77 Inc
3000 W. A Street
Lincoln, NE 68522

OWNER: Hartland Homes Inc.
P.O. Box 22787
Lincoln, NE 68522

CONTACT: Marcia Kinning
REGA
601 Old Cheney Road, Suite A
Lincoln, NE 68512

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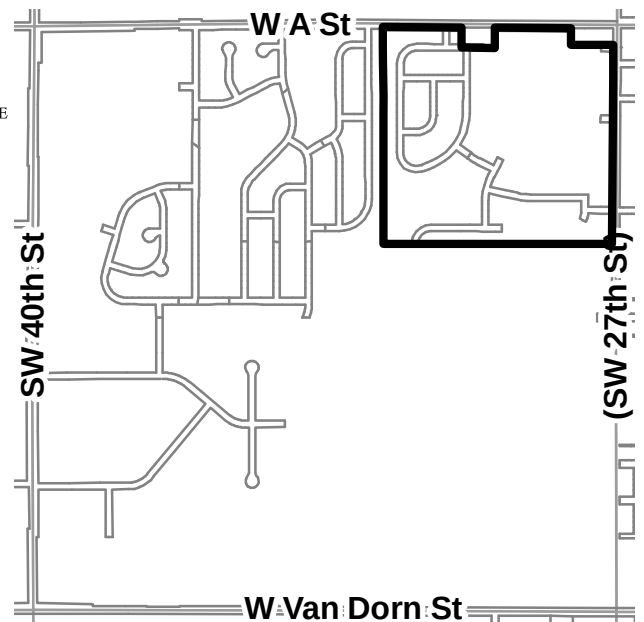
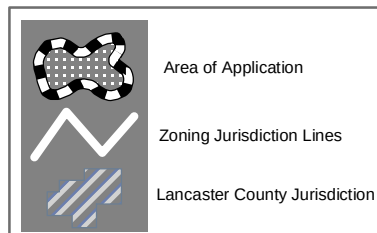
2013 aerial

Special Permit #: SP04054A
Hartland Homes Southwest 1st Addition CUP
SW 27th & W A St

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.32 T10N R06E



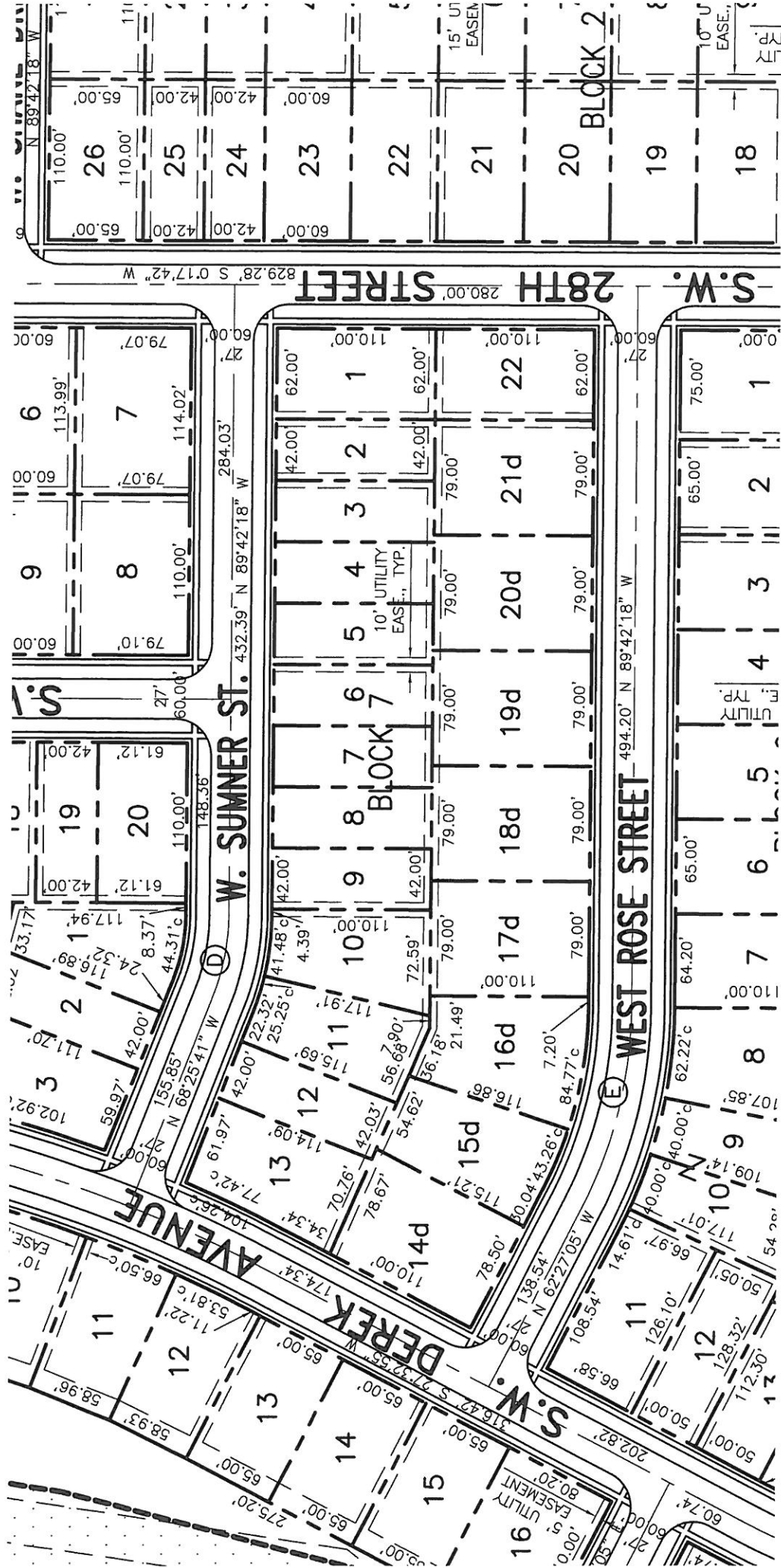
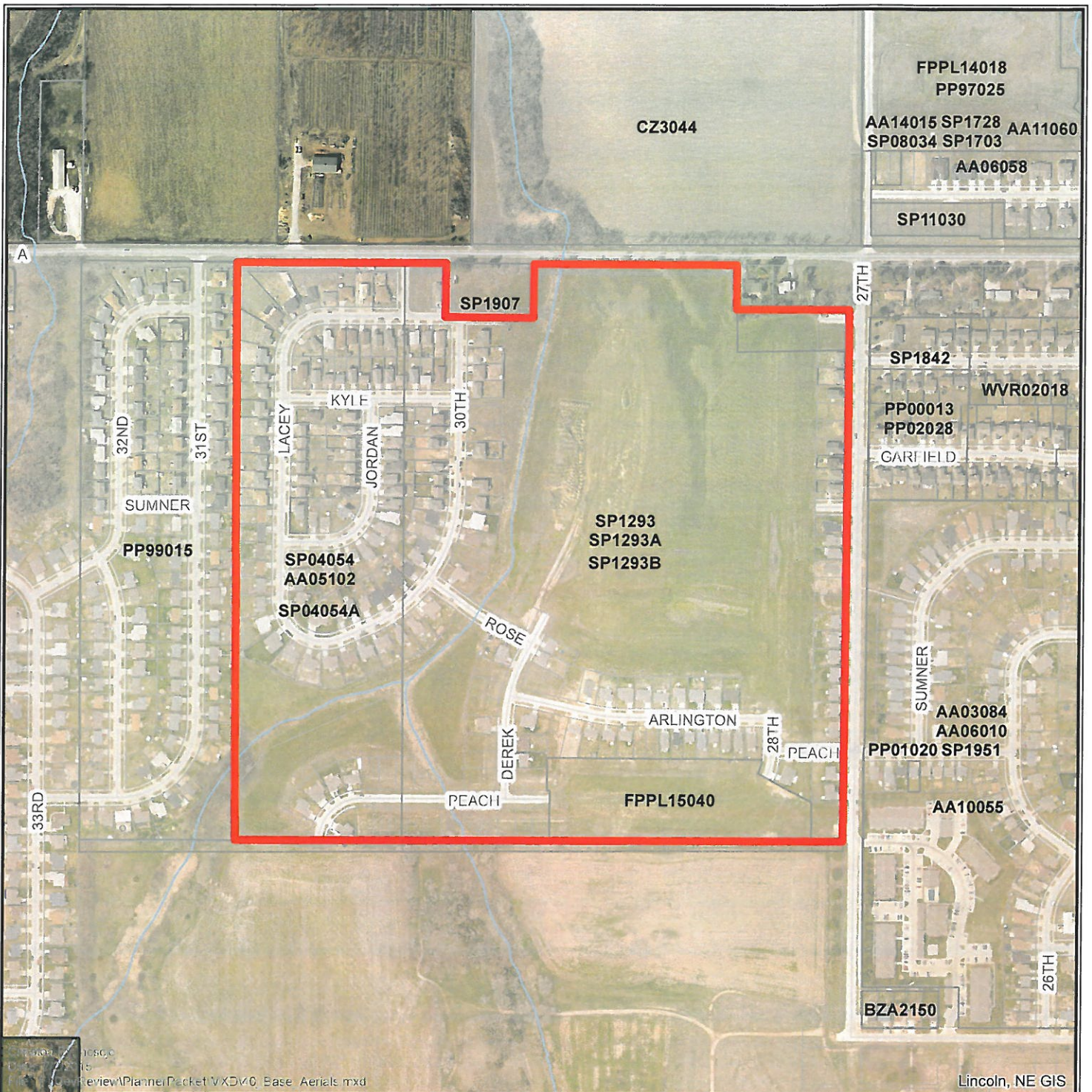


Exhibit B



LINCOLN - LANCASTER COUNTY
PLANNING DEPARTMENT



Information Technology Services
333 South 10th Street
Lincoln, Nebraska 68508
Ph: 402.441.7491 Fax: 402.441.6377

Sec.32 T10N R06E

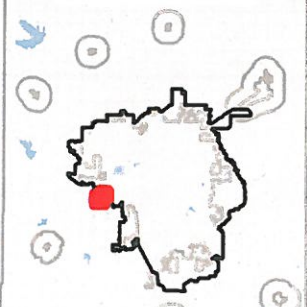


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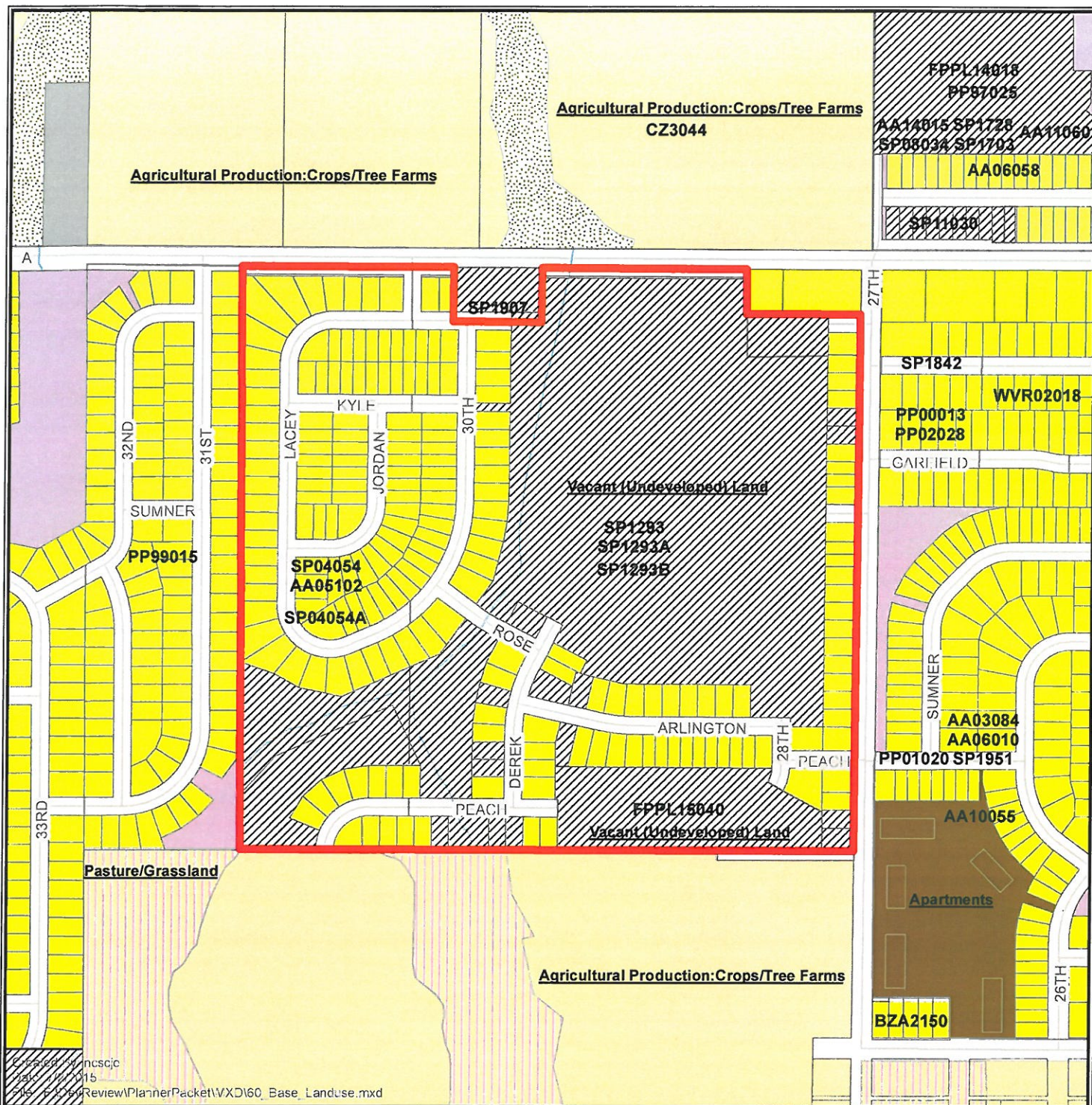
Consult the detailed Application information at
<http://www.lincoln.ne.gov/asp/city/plan/permap.asp>

Application Number
SP04054A

Location Overview



Lincoln's Future Service Limit
Shown as Black Outline

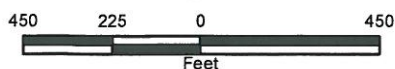


LINCOLN - LANCASTER COUNTY PLANNING DEPARTMENT



Information Technology Services
533 South 10th Street
Lincoln, Nebraska 68508
Ph: 402.441.7499 Fax: 402.441.6377

Sec.32 T10N R06E



Consult the detailed Application information at
<http://www.lincoln.ne.gov/asp/city/plan/permap.asp>

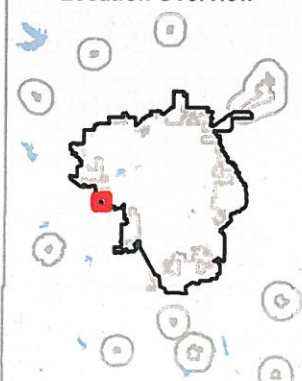
Application Number

SP04054A

Existing Landuse

- | | |
|-----------------------|-----------------------------|
| 11 - SF Detached | 41-44 - Pub/Semi-Pub |
| 12 - Duplex | 51 - Parks |
| 13 - SF Attached | 52 - Open Space |
| 14 - Multiple | 53 - Golf Course |
| 15,16,18 - GQ/SH/BB | 61,62 - Lakes/Streams |
| 17 - MH/TC | 63 - Wetlands |
| 21,22 - Commercial | 64 - Environmental Preserve |
| 23 - Parking Lot | 65 - Forest/Woodland |
| 24 - Parking Garage | 81 - Ag: Crops/Tree farm |
| 31 - Light Industrial | 82 - Ag: Livestock/Animal |
| 32 - Heavy Industrial | 83 - Mining/Extraction |
| 33 - Utility Facility | 84 - Pasture/Grassland |
| 34 - Railroad | 90 - Vacant/Undevel |
| 35 - Airport | |

Location Overview



Lincoln's Future Service Limit
Shown as Black Outline

File No. 151082
June 24, 2015

Mr. David Cary
Acting Director of Planning
Christy Eichorn, Planner
City of Lincoln/ Lancaster County
555 South 10th Street
Lincoln, NE 68508

RE: HARTLAND HOMES SOUTHWEST 1ST ADDITION
COMMUNITY UNIT PLAN/SPECIAL PERMIT #04054A
S.W. 27th Street & West 'A' Street

Dear David,

On behalf of South 77, Inc., we are submitting an amendment to the Special Permit of Hartland Homes Southwest 1st Addition. This development originally approved 382 dwelling units which had been shown as single family lots on the development plans. This application is requesting two-family dwellings which includes single family attached lots as well as duplex lots within the development.

The plans now show a total of 380 dwellings units which is less than previously approved. To limit the need for administrative amendments due to possible future reconfigurations of lots or re-designations, a note has been added to allow the increase in dwelling units as long as the total units allowed is not exceeded. The project contains 362 single family lots, 2 single family attached lots and 8 duplex lots. Half of this development is currently improved and final platted. The area of the modifications are within the undeveloped property.

The developer held a neighborhood meeting which invited the owners within the development as well the West A Neighborhood Association, Coddington Mills Homeowners Association and Pinewood Heights Homeowners Association. The main question was the traffic this configuration of lots would create. Once the development is further developed the traffic flow will be evenly distributed to the north and to the south access points out to S.W. 27th Street.

The first four waivers listed below had been requested and approved with the previous special permit application. The last three waivers are new waivers that correlate with the request for two-family dwelling units.

The following are waivers approved through the previous Special Permit #04054A:

1. Block Length of Block 10 and 11.
(Block 10 is added to this waiver due to the clarification of how the block length is figured.)
2. The preliminary plat process.
3. Single family lot width from 50 feet to 41 feet.
4. Single family lot area from 6,000 s.f. to 4,500 s.f.

The following are all the additional waivers we are requesting which correlate with the request for two-family dwelling units:

1. Two-family lot width from 40 feet to 27 feet.
(Zoning Ordinance, Chapter 27.72, Table 27.72.030(a)).
This request is only in regards to the duplex lots. The required setbacks are met with this request. The stated criteria in Section 27.72.150 (3), (4), (5) and (6) are also met as determined through prior consults with the Planning Department.
2. Single family attached lot area from 5,000 square feet to 3,650 square feet.
(Zoning Ordinance, Chapter 27.72, Table 27.72.030(a))
This request is only in regards to the duplex lots. The required setbacks are met with this request. The stated criteria in Section 27.72.150 (3), (4), (5) and (6) are also met as determined through prior consults with the Planning Department.
3. Residential lot depth from 90 feet to 78.50 feet.
(Land Subdivision Ordinance Chapter 26.23.140(a))
One of the duplex lots is a corner lot which can fit in the required setbacks, however the lot doesn't meet the required 90 feet in depth. The stated criteria in Section 27.72.150 (3), (4), (5) and (6) are also met as determined through prior consults with the Planning Department.

The utility, grading and street profiles have not changed from the previously approved special permit accept for the lot layout. A copy of the stormwater detention calculations, which was submitted with the original development, has been submitted as well.

We would greatly appreciate notification of any possible delays in the review and application process. Please contact me if you have any questions or need additional information for review.

Sincerely,



Marcia L. Kinning

Cc: Scott Anderson

Duane Hartman

Enclosures: Application

Application Fee of \$792.00

Original Stormwater Detention Calculations (copy for Jared Nelson)

Legal Description

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for July 22, 2015 PLANNING COMMISSION MEETING

PROJECT #: Special Permit #15040 - SBA Communications on behalf of Verizon Wireless at Southview Baptist Church

PROPOSAL: To allow an 85'-tall monopole for personal wireless facilities

LOCATION: 3434 South 13th Street, near South 13th and Calvert Streets

LAND AREA: Approximately 2.2 acres in area.

CONCLUSION: Siting on a large church site can be an appropriate way to locate wireless facilities near the neighborhoods they serve, as a large site can help provide separation and screening from the surrounding neighborhood. Camouflaging the facility to look like a an appurtenance normally associated with a church is one strategy to help minimize the impact of wireless facilities. Because of the camouflage design, the adjustment to the screening requirement to only plant the additional trees needed to fill gaps along the property line shared with the adjacent dwelling instead of around the entire base of the facility is appropriate. Subject to the recommended conditions of approval, this request complies with the requirements of the Zoning Ordinance and the Comprehensive Plan.

<u>RECOMMENDATION:</u>	Conditional Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Fairmont, Lot 23, south 1/2 part lying east of street except the north 150 feet of the east 174 feet, and vacated Calvert Street adjacent, located in the E 1/2 of Section 2-9-6, Lincoln, Lancaster County, Nebraska.

EXISTING ZONING: R-2 Residential

EXISTING LAND USE: This site is developed with a church, and associated outbuildings and parking areas.

SURROUNDING LAND USE AND ZONING:

North:	Vacant, Community Garden	R-5
South:	State of Nebraska Ag Lab	P
East:	Single-family Residential	R-2
West:	Commercial	B-1

COMPREHENSIVE PLAN SPECIFICATIONS:

Page 1.9 - The future Land Use Map of the Comprehensive Plans designates residential land uses for this site.

Page 4.4 - Placemaking - Current Practice

The community values efficient and effective telecommunications while also desiring to minimize adverse impacts of this rapidly evolving infrastructure on our rural and urban environments. Capitol view corridors, historic landmarks and districts, environmentally sensitive areas, and predominantly residential neighborhoods are not preferred locations. Unobtrusive locations on public property; co-locations on existing towers, buildings, and structures; and commercial and industrial areas with minimal impact on residences are preferred. The City has adopted zoning provisions to state the community's preferences. Combined with guidance from the design review boards, community residents and the telecommunications industry can be well-served.

Page 11.19 - Information technology

Information technology is subject to rapid and dramatic change. The nature of the industry continues to push the limits of the technology. Various technologies converge to create new, integrated products and services. The concept of "telecommuting" portends a city where people may be able to work from most any site – including their own home. In the economy of the future, information is likely to become the primary product. This product can be "manufactured" at sites other than traditional factories and offices.

Wireless telecommunication is part of a global information revolution. The need for additional infrastructure to support wireless facilities is expected to increase in response to rising consumer demand and new applications. The City and County understand the importance of these technologies to the world of tomorrow and support the development of the infrastructure needed to further their use. A full range of cellular and wireless services, provided by a variety of carriers, is available in the city and county. See the "Placemaking" chapter for information on how wireless facilities should be located.

ANALYSIS:

OVERVIEW

The applicant is seeking to site an approximately 85'-tall monopole (80'-tall tower, 5'-tall lightning rod) for wireless facilities to address inadequate coverage in this area for Verizon Wireless. The proposed site for the tower is near the northwest corner of the existing church, behind the adjacent dwelling. The tower is camouflaged as a large, free-standing cross, designed to appear as a normal appurtenance to the church.

With one exception, the entire block bounded by South 13th and 14th Streets, and Arapahoe Street and vacated Calvert Street is owned by the Southview Baptist Church. The exception is a lot occupied by a single-family dwelling located in the middle of the block facing South 14th Street.

Wireless facilities are allowed in any zoning district by special permit per Lincoln Municipal Code (LMC) Section 27.63.720. However, provisions of the special permit require review per the provisions of Chapter 27.68 for Personal Wireless Facilities. The review using those provisions is as follows:

STANDARDS FOR EVALUATION:

Conformity with Comprehensive Plan.

1. *The Plan states that “The community values efficient and effective telecommunications while also desiring to minimize adverse impacts of this rapidly evolving infrastructure on our rural and urban environments. Capitol view corridors, historic landmarks and districts, environmentally sensitive areas, and predominantly residential neighborhoods are not preferred locations. Unobtrusive locations on public property; co-locations on existing towers, buildings, and structures; and commercial and industrial areas with minimal impact on residences are preferred.”*

The Comprehensive Plan designates residential land uses for this site. Residential areas are not preferred locations, but wireless facilities can be appropriate in residential areas provided care is taken in their design and siting. Typical strategies include camouflaged facilities, screening, low-profile antennas, or a limit on the height of the tower.

The proposed 85'-tall camouflaged facility is in contrast to the typical monopole with conventional antenna arrays. The camouflaged facility is intended to look like an appurtenance normally associated with a church in an effort to help minimize the impact upon the adjacent neighborhood. Included is a 6'-tall, wooden privacy fence around the ground equipment at the base of the facility to help screen it from view.

Preference of site location in accordance with Chapter 27.68.080.

2. *There are three location preferences as follows:*

A. Preferred Location Sites:

(1) Publicly owned sites on which personal wireless facilities can be unobtrusively located with due regard to visibility, aesthetic issues, traffic flow, public safety, health and welfare. Such sites may include locating on existing buildings, co-locating on existing towers, screened roof-top mounts, water towers, billboards, electric substations, or other camouflaged sites, but shall not include new towers.

(2) Privately owned sites with existing structures on which personal wireless facilities can be unobtrusively located with due regard to visibility, aesthetic

issues, traffic flow, public safety, health and welfare. Such sites may include locating on existing buildings, co-locating on existing towers, screened rooftop mounts, water towers, billboards, electric substations, or other camouflaged sites, but shall not include new towers.

(3) Publicly owned sites in which the facility is minimally obtrusive, has a minimal impact on the surrounding area, is an appropriate distance from residential land uses, has minimal impact on residential uses, with due regard being given to the scale of the facility and the surrounding area and the impact on the location.

(4) Sites in commercially or industrially zoned districts in which the facility is minimally obtrusive, has a minimal impact on the surrounding area, is an appropriate distance from residential land uses, has minimal impact on residential uses, with due regard being given to the scale of the facility and the surrounding area and the impact on the location.

B. Limited Preference Sites:

(1) Sites on other public property.

(2) Sites on other commercially or industrially zoned property.

C. Sensitive Location Sites. *Sites located in areas with residential uses, environmentally sensitive areas, Capitol View Corridors, the Capitol Environs District, entryway corridors, downtown, landmarks or landmark districts, properties listed or eligible to be listed on the National Register of Historic Places, the Airport Environs, and other sensitive areas. The applications for personal wireless facilities which are located at sensitive sites will be required to demonstrate a technical need to locate a personal wireless facility at a sensitive site and that other reasonable alternatives do not exist for the facility at a location which is not a sensitive site.*

This location is a sensitive site, given the proximity to a residential neighborhood and residential land uses. Considered a sensitive site, the applicant is required to eliminate other all other potential preferred or limited preference sites within a one-half mile radius from consideration.

The applicant provided a map and narrative describing the other potential sites in the area that were considered. All the suitable public sites were eliminated due to lack of interest on the part of the owner. Most all the commercial sites in the vicinity were eliminated also either due to lack of interest on the part of the owner, or because they did not achieve coverage objectives.

The application does not discuss the commercial properties immediately west of South 13th Street. The tradeoffs for locating in the commercial area include: 1) It would provide increased separation to the residential uses to the east; 2) The facility would likely be

proposed as a typical monopole instead of a camouflaged facility and would be more visible in the area overall.

Compatibility with abutting property and land uses.

3. The proposed tower site is at the northwest corner of the church, which is located on a 2.2 acre site. This site is surrounded by the State AG Lab on the south, commercial uses on the west, and residential uses on the east. Occupying and owning nearly an entire block, there is one single-family dwelling adjacent north of the church.

A camouflaged facility is proposed to enhance compatibility with the church and make it less obtrusive to the neighborhood. The proposed siting is on the north side of the church nearest the adjacent single-family dwelling whose property closest property line is 61' away. Separation between the facility and the dwelling would be increased by placing it on the south side of the church, as the site is large enough to contain alternate potential sites.

Uses which require a special permit may not be a compatible land use in every instance. The Planning Commission is allowed discretion with special permits to include measures to help mitigate the impact of such uses, and to enhance compatibility. A nexus, or direct relationship, between the impact and the mitigation must exist, however.

Adverse impacts such as visual, environmental or noise impacts.

4. There are no environmental affects such as noise or light to note. The frequency of the broadcast signals and whether they interfere with any electromagnetic devices in the area is not reviewable by local governments per the Federal Communications Commission (FCC).

The most significant impact of a wireless facility at this location is visual. The proposed siting of the tower at the northwest corner of the church places it closer to the only dwelling on the block. It is proposed as a camouflaged facility to help mitigate impact.

The applicant has requested an adjustment to the screening required by the Design Standards. Designing the facility to look like an appurtenance to the church helps lessen the visual impact and reduces the need for screening, and planting the required screening around the base of the facility does not appear warranted. However, the proposed planting of the additional trees necessary to form a complete tree line along the neighboring dwelling's west lot line would be appropriate to reduce the visibility of the facility from that property.

Availability of suitable existing structures for antenna mounting.

5. The applicant is required to eliminate all other preferred or limited preference sites within one-half mile of the proposed site, and demonstrate why they are not feasible per the Zoning Ordinance. This would include any potential collocation sites that would accommodate this carrier's antennas. The applicant addresses the other existing facility in the area located northwest of the site, stating that the KLKN TV antenna is too far west to benefit the Verizon wireless system.

Scale of facility in relation to surrounding land uses.

6. The height limit is 35' in the surrounding R-2 zoning district, 40' in the B-1 zoning district to the west, and there is no height limit on the State-owned property to the south which is zoned P Public. The tallest structure in the immediate area is the church itself. To the south are the State-owned facilities which consist of two-story buildings, the KLKN TV tower to the west which exceeds 200' in height, and the grain elevator west of 9th Street. Otherwise, other tall appurtenances in the area includes typical street and parking lot lights.

Horizontal separation reduces the effect of scale differential, and can serve to diminish the visual impact of the tower from adjacent dwellings. The attached photo simulation attempts to depict what the facility will look like on the site. Located at the northwest corner of the church it is adjacent to the lowest part of the church. If it were located on the south side of the church it would be nearer the taller portion of the church. This would serve to better screen it from the surrounding dwellings, and provide a better sense of scale by placing it nearer the tallest part of the church. Staff is unaware of any reason the facility cannot be located there.

Impact on views/vistas and impact on landmark structures/districts, historically significant structures/districts, architecturally significant structures, landmark vistas or scenery and view corridors from visually obtrusive antennas and back-up equipment.

7. There are no historically significant structures in the area impacted by the proposed tower. There is a capitol view corridor in the area, but the site of the proposed facility is just outside of it.

Color and finish.

8. The proposed facility is shown in either white, or a galvanized finish. Because the tower is less than 200' in height no lighting is required by the FAA.

Ability to collocate.

9. The site plan shows the tower at 85' in height. It is designed to accommodate the antennas of an additional carrier as required by chapter 27.68.

Screening potential of existing vegetation, structures and topographic features, and screening potential of proposed facilities, ground level equipment, buildings and tower base.

10. Because this is a camouflaged facility designed to look like a normal appurtenance to the church and not like a typical monopole, typical screening should not be required. There are trees surrounding a majority of the adjacent dwelling and will have the effect of screening it from the view of that property. However, there are gaps in the tree line, and it would be appropriate for additional trees to be planted to fill in those gaps. With respect to the dwellings in the area, the church itself provides a degree of screening, but the effect would be maximized by locating the facility along the south side of the church.

Evidence of good faith efforts, and demonstration that a preferred or limited preference site was not technically, legally, or economically feasible.

11. The subject location is considered a sensitive site due to proximity to residential uses, which requires the applicant to eliminate preferred and limited preference sites in the area. The information provided by the applicant in this regard is attached to this report. One limited preference site not addressed is the B-1-zoned commercial area on the west side of South 13th Street.

CONDITIONS:

This approval permits an 85'-tall personal wireless facility capable of accommodating antennas for a total of at least two wireless service providers with an adjustment to the screening design standard to only require the planting of three trees.

Site Specific:

1. Before receiving building permits the permittee shall complete the following instructions and submit the following documents and plans.

- 1.1 Four copies of a revised site plan showing the following revisions:

- 1.1.1 Relocate the wireless facility to the south side of the church.
- 1.1.2 Add a note stating that the tower will not be lighted.
- 1.1.3 Provide a landscape plan which shows the three additional trees to be planted along the neighbor's west lot line
- 1.2 The permittee must post a surety in the minimum amount necessary to guarantee the removal of the facilities. The surety must remain in effect for the life of the permit.

Standard:

- 2. The following conditions are applicable to all requests:
 - 2.1 Before use of the facility all development and construction shall have been completed in substantial compliance with the approved plans.
 - 2.2 All privately-owned improvements shall be permanently maintained by the owner.
 - 2.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 2.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 2.5 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 therefor to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.

Prepared by:

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

Planner

July 8, 2015

CONTACT/

APPLICANT: Jeni Byrd

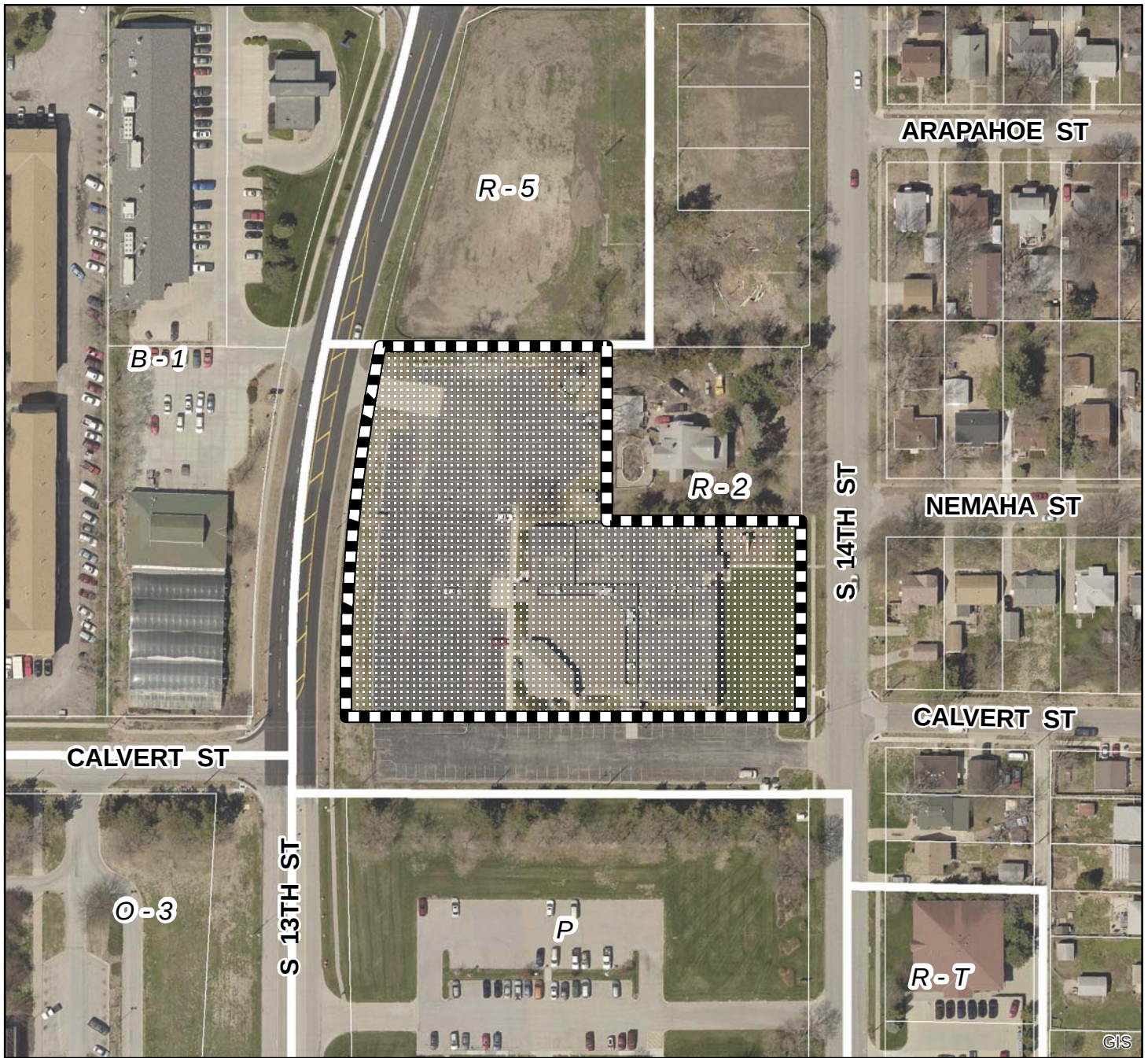
Verizon Wireless at Southview Baptist Church
Special Permit #15040

Page 9

6519 Towpath Road
East Syracuse, NY 13057
913-530-1118

OWNER: Southview Baptist Church
3434 South 13th Street
Lincoln, NE 68502
402-770-7291

F:\DevReview\SP\15000\SP15040 Verizon at Southview Baptist Church.bjw.wpd



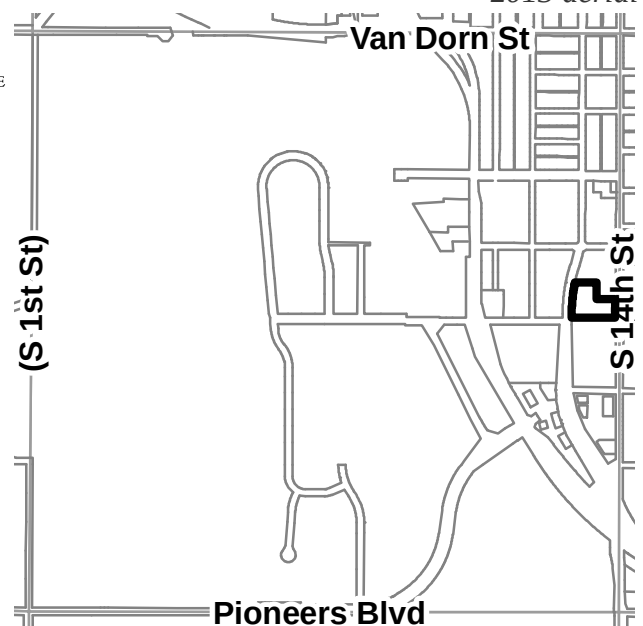
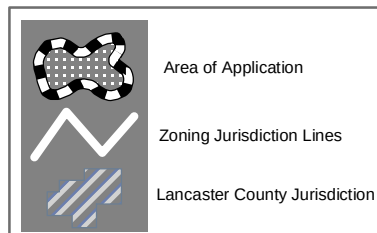
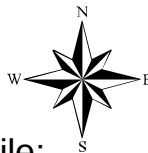
2013 aerial

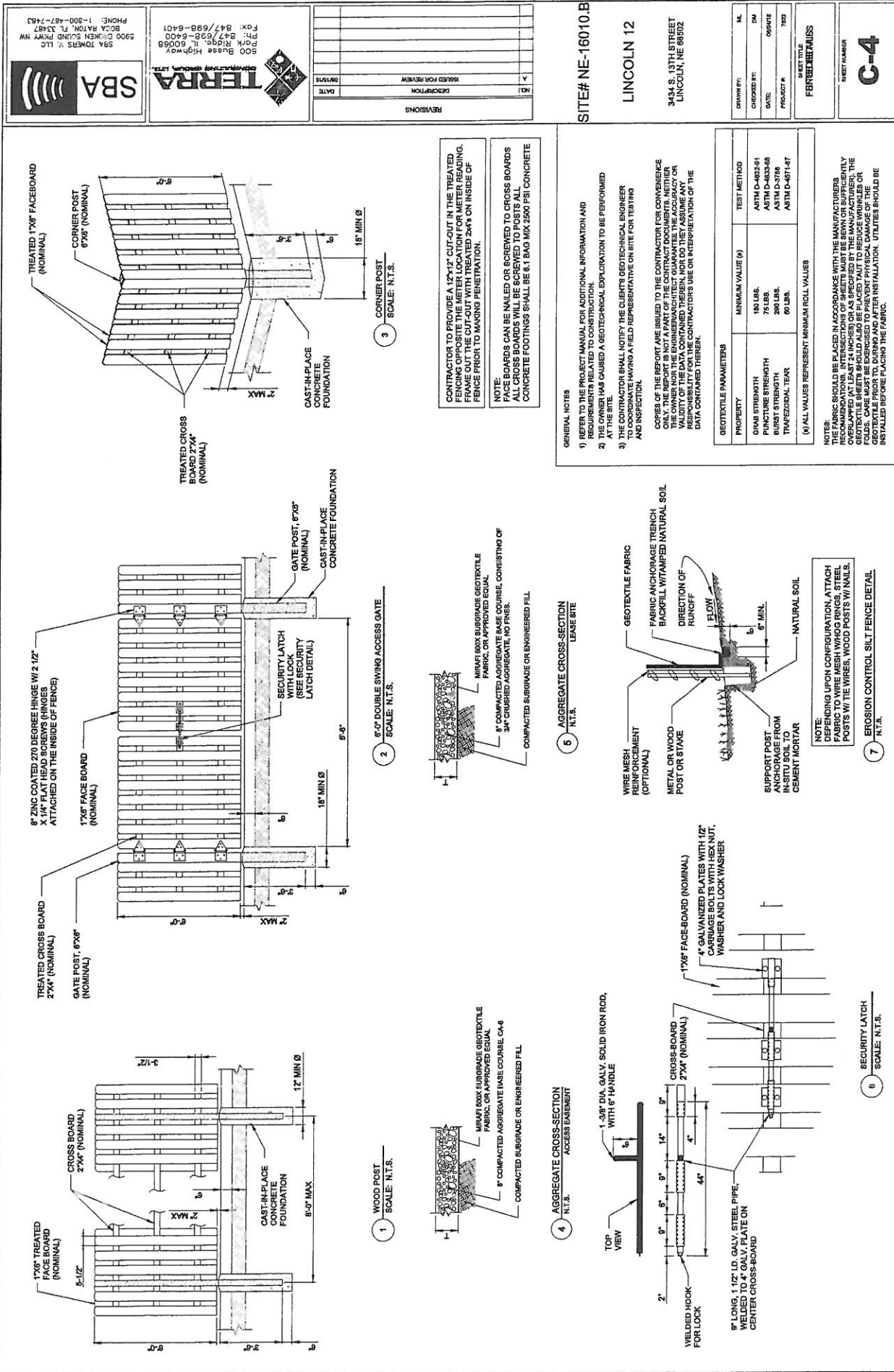
Special Permit #: SP15040 S 13th & Calvert St

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.02 T09N R06E





SBA
594 TOWERS V. LLC
5900 OLIVER SOUND DRIVE NW
BOCA RATON, FL 33487
PHONE: 1-800-487-7443

TERRA
500 Bussell Highway
Park Ridge, IL 60069
Ph: 847/698-6400
Fax: 847/698-6401

NO. 1

DATE

REVISIONS

SITE# NE-16010.B

LINCOLN 12

3434 S. 13TH STREET
LINCOLN, NE 68502

DATE

CHECKED BY

DATE

PROJECT #

SHEET TITLE

FENCE DETAILS

SHEET NUMBER

C-4

CONTRACTOR TO PROVIDE A 12X12\"/>

NOTE:
FACE BOARDS CAN BE NAILED OR SCREWED TO CROSS BOARDS
FACE BOARDS ARE SCREWED TO POSTS AT 10\"/>

CONCRETE FOOTINGS SHALL BE 6\"/>

GENERAL NOTES

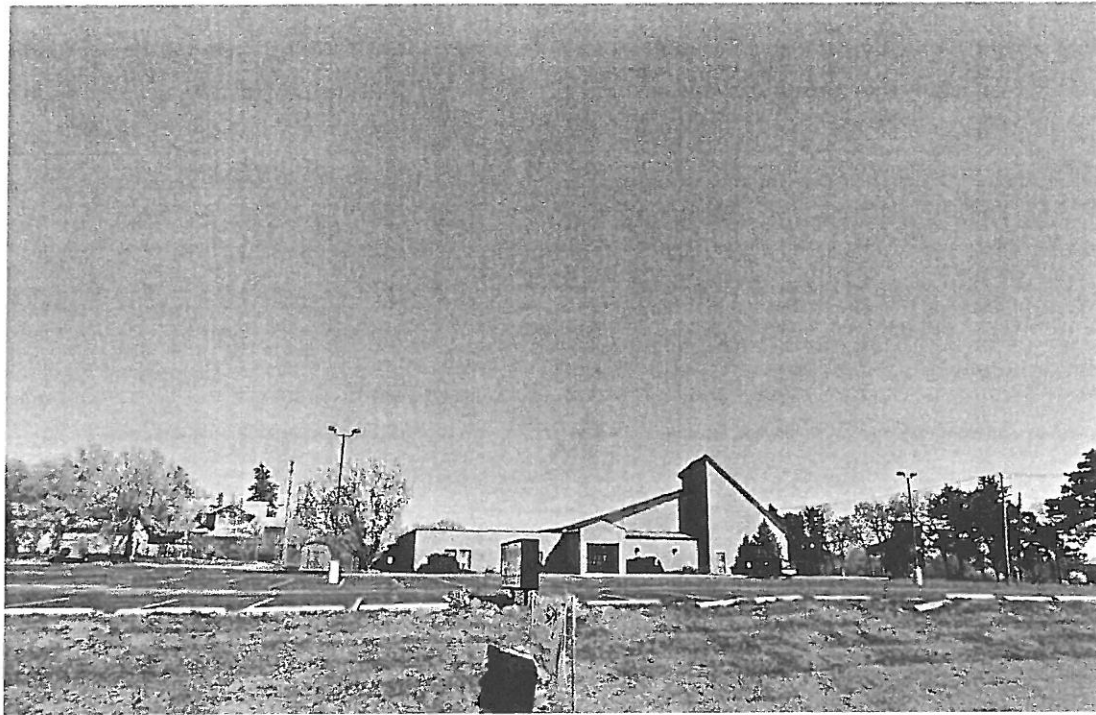
- 1) REFER TO THE PROJECT MANUAL FOR ADDITIONAL INFORMATION AND REQUIREMENTS RELATED TO CONSTRUCTION.
- 2) THE OWNER HAS CAUSED A GEOTECHNICAL EXPLORATION TO BE PERFORMED AT THE SITE.
- 3) THE CONTRACTOR SHALL NOTIFY THE CLIENT'S GEOTECHNICAL ENGINEER (NOT SHOWN) AT THE REPRESENTATIVE ON SITE FOR TESTING AND INSPECTION.

COPIES OF THE REPORT ARE ISSUED TO THE CONTRACTOR FOR CONVENIENCE OF THE OWNER. THE CONTRACTOR SHALL GUARANTEE THE ACCURACY OF THE DATA CONTAINED THEREIN, NOT DO THEY ASSUME ANY LIABILITY FOR THE DATA CONTAINED THEREIN.

PROPERTY	MINIMUM VALUE (lb)	TEST METHOD
GRAV STRENGTH	180 LBS.	ASTM D-4632-61
PUNCTURE STRENGTH	75 LBS.	ASTM D-4633-68
TENSILE STRENGTH	280 LBS.	ASTM D-3788
TRAPEZOIDAL TEAR	60 LBS.	ASTM D-4671-67

(b) ALL VALUES REPRESENT MINIMUM ROLL VALUES

NOTE:
THE FABRIC SHOULD BE PLACED IN ACCORDANCE WITH THE MANUFACTURER'S RECOMMENDATIONS. INTERSECTIONS OF SHEETS MUST BE SEWN OR SUFFICIENTLY OVERLAPPED TO PREVENT LEAKAGE. THE FABRIC SHOULD BE PLACED OVER THE FILL AND THE GEOTECHNICAL SHEETS SHOULD ALSO BE PLACED TAUT TO REDUCE WRINKLES OR FOLDS. CARE MUST BE EXERCISED TO PREVENT PHYSICAL DAMAGE OF THE FABRIC. THE FABRIC SHOULD BE INSTALLED AFTER THE FILL IS PLACED AND BEFORE THE FILL IS INSTALLED BEFORE FACING THE FABRIC.



BEFORE



AFTER

LIN DOT

View looking Northeast



Jeni Byrd
6519 Towpath Rd
East Syracuse, NY 13057
913-530-1118
jbyrd@pyramidns.com
June 26, 2015

City of Lincoln
Planning Department
555 S 10th St, Ste 213
Lincoln, NE 68508

Re: Special Permit Application for a Personal Wireless Facility located at 3434 S. 13th Street

Dear Mr. Brian Will,

As a follow up to the Planning Department Application submission, please find the attached statements in response to the Application Requirements located in Chapter 27.68.090 of the Lincoln Municipal Code.

Additionally, because of the towers concealed nature and commercial surroundings, we would like to request a partial waiver to the landscaping requirements in chapter 3.5, section 7.9:

"Deciduous and coniferous evergreen trees shall be planted around the tower to screen the tower from adjacent properties, of 70 percent (70%) from the ground to eight (8) feet. Fifty percent (50%) or more of the trees should grow to a mature height of thirty-five feet (35') or more."

Rather than the full requirement, we would like to propose three evergreen trees that would reach a height of 35' at maturity between the existing residence to the northeast and the proposed compound.

Please let me know if I may answer any questions or provide any additional information.

Thank you,

Jeni Byrd
Pyramid Network Services, LLC, an authorized representative of SBA Communications Corporation

Enclosures:
Application Requirement Statements Document

27.68.090 Application Requirements.

(a) Pre-Application Conference. Prior to the acceptance of an application by the City, applicants shall participate in a pre-application conference for the purposes of discussing application requirements, specifics of the site, plans for current and future facilities.

(b) Applications for either an administrative permit or a special permit for a personal wireless facility shall be filed with the Planning Director and shall include the following:

(1) A plot plan of the lot and the proposed uses drawn to an accurate scale and showing all pertinent information. The application material shall provide sufficient information, as determined by the Planning Director, to allow a complete review of the proposal. The application material shall also include sufficient detail to indicate compliance with design standards. Failure to provide adequate information may result in the rejection of the application.

◆ **Preliminary construction drawings are included in the application with the site plan on pages C-1 and C-2.**

(2) A statement identifying which location preference, identified in Section 27.68.080, the proposed facility is meeting. If the proposed location is not a preferred location site, describe:

◆ **This site is a capacity offload site making the search area very small and specific. The search area was expanded three times due to lack of interest from preferred candidates. The original RF preferred location was the DOT which was .41 miles to the South however they declined. The second location, The Department of Corrections also declined (letter attached). We looked at the industrial properties south of Pioneers Blvd/east of S 14th Street and the only candidate with interest was too close in proximity to other existing Verizon Macro locations. We also looked at the agricultural properties to the west of the DOT and Department of corrections but the only location that the landowner would consider was the SE corner of the property which was too far from the tower RF intends to support.**

(i) Whether any preferred location sites are located within the service area of the proposed personal wireless service facility;

◆ **Yes, the Department of Transportation and Department of Corrections make up a majority of the areas searched – both declined interest.**

(ii) What good faith efforts and measures were taken to investigate each of these preferred location sites and why such efforts were unsuccessful;

◆ **Contact was made to all of the locations shown in the attached map – the existing tower .2 miles to the northwest was also contacted however was eliminated as a candidate due to the minimal improvement in coverage in comparison to the proposed concealed tower. Coverage maps are also included.**

(iii) Why the use of a preferred location site is not technologically, legally or economically feasible;

- ◆ **Coverage maps are attached to attest to the technical viability of the KLKN tower.**

(iv) How and why the proposed site is required to meet service demands for the proposed facility and citywide network; and

- ◆ **A letter from an RF engineer with coverage maps is attached.**

(vi) The distance between the proposed facility and the nearest residential unit and residentially zoned properties.

- ◆ **The distance to the nearest residential structure is approximately 108' to the east.**

(3) A description of the security barrier surrounding the base of the tower and accessory equipment. The description should include the method of fencing, finished color and, if applicable, the method of camouflage and illumination. Access shall be through a locked gate. The tower shall either have no climbing devices attached to the lower twenty feet of the tower or shall be fitted with anti-climbing devices.

- ◆ **The 6 foot compound enclosure is shown on page C-4 of the attached construction drawings.**

(4) A statement indicating proposed measures designed to minimize potentially adverse visual effects on adjacent properties with consideration given to design, unobtrusiveness, minimum height necessary to accommodate antenna, avoidance of artificial light and coloring provisions;

- ◆ **The proposed design is a concealed cross designed to contain all equipment within the canisters of the tower. Please see page ANT-1 of the included construction drawings.**
- ◆ **Additionally, there will be three evergreen trees that will reach 35' at maturity planted between the proposed compound and residence to the northeast.**

(5) Provide a description of the anticipated maintenance and monitoring program for the antennae and back up equipment, including frequency of maintenance services.

- ◆ **Preventative maintenance site visits are conducted approximately every 30 days and around the clock monitoring for emergency outages.**

(6) Provide copies of any environmental documents required by any federal agency. (Ord. 18229 §5; August 18, 2003; prior Ord. 17588 §9; January 18, 2000).

- ◆ **FAA Determination letter of no hazard is included within submittal.**



10801 Bush Lake Road
Bloomington, MN 55438

6/19/2015

Ryan M. Mueller
Verizon Wireless
1620 M Street, Lincoln, NE 68508

City of Lincoln, NE – Planning Department
555 S. 10TH Street, Suite 213, Lincoln, NE 68508

To Whom It May Concern,

Please accept this letter of explanation regarding the concern of the KLKN tower structure near the proposed Verizon Wireless site LIN-DOT in Lincoln, Nebraska.

"With respect to the KLKN tower to the west, the typical method of eliminating other facilities is to provide comparison coverage maps. Then provide a narrative that interprets what is represented on the maps and explains how it won't meet some minimum threshold of coverage."

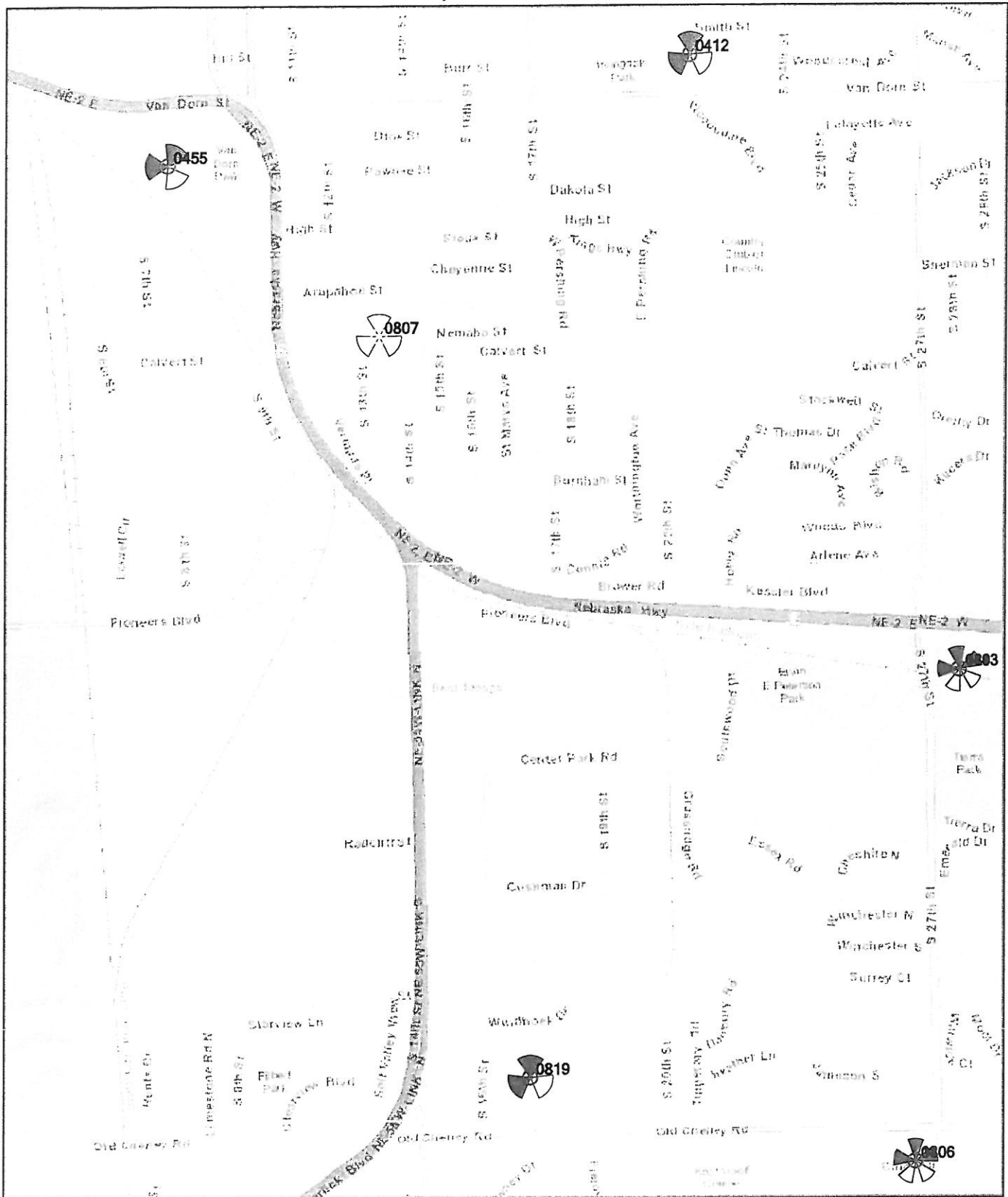
In the following pages of this letter, there are 4 maps. The first map is a base map of the area surrounding the proposed LIN-DOT location. The next map in the sequence is existing network coverage without LIN-DOT accounted for. The third map includes LIN-DOT as current design. The fourth and final map is of the KLKN tower location with the current design and an equal antenna center line given the terrain changes between the proposed LIN-DOT and the KLKN tower.

The proposed LIN-DOT is a capacity offload solution for our LIN-HALLIBURTON 0819 site, which exhausting deployed network resources. If the KLKN structure is utilized, the capacity offload of this solution is minimal to LIN-HALLIBURTON 0819. Coverage of 85, 95 and 105 RL OPL does shift northwest towards LIN-VAN DORN PARK 0455 with KLKN tower structure. This also pulls that coverage away from the general area around St. Marys Avenue and Calvert Street, which suffers from poor RF due to equal distance from 4 current serving antenna sectors.

Sincerely,

Ryan M. Mueller
Engineer III Consultant - RF
Verizon Wireless

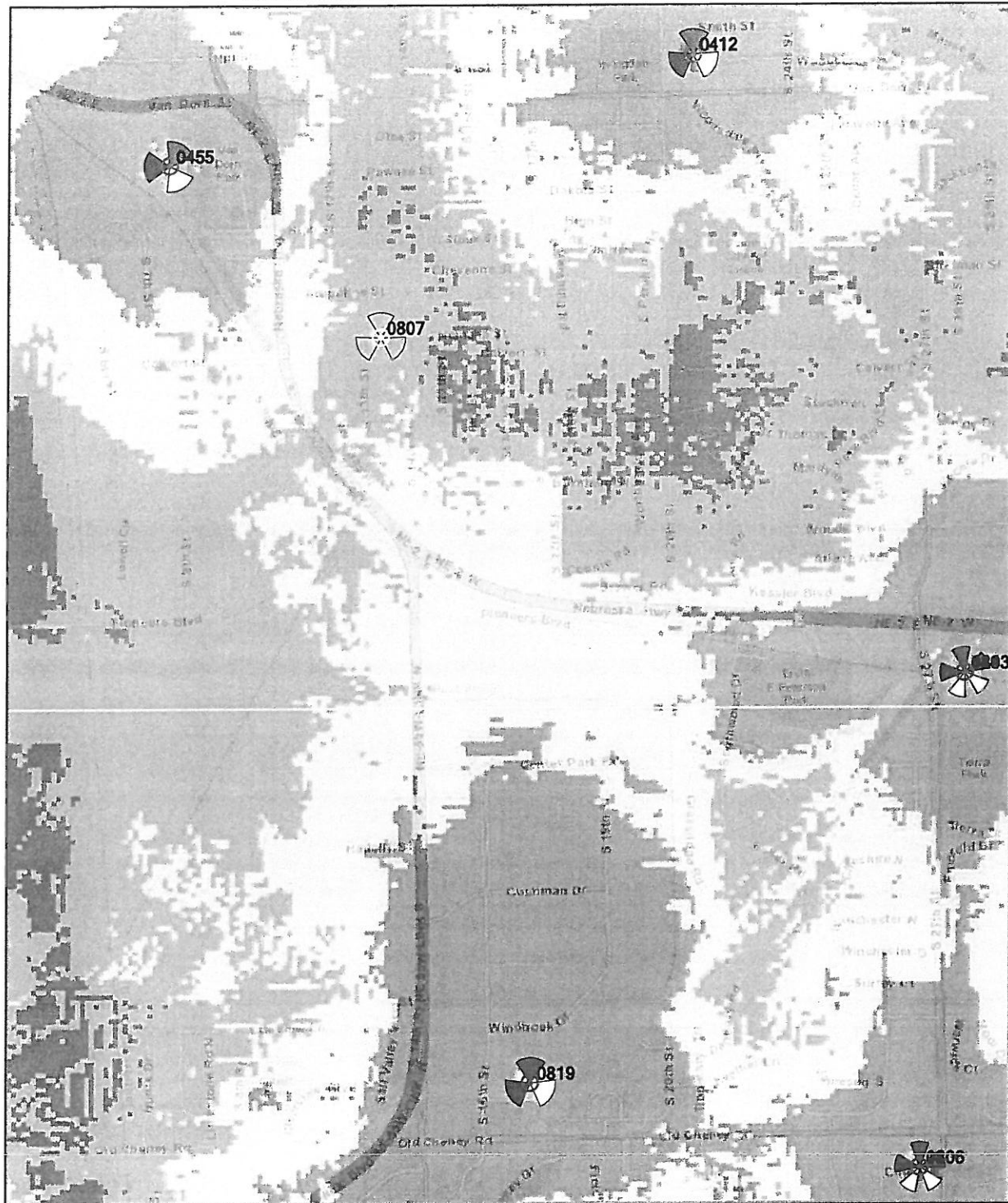
Verizon Wireless - Proposed Site : LIN-DOT 0807 - Base Map



Scale: 1:16,401
0 0.2 0.4mi

Confidential and proprietary materials for authorized Verizon personnel and outside agencies only.
Use, disclosure or distribution of this material is not permitted to any unauthorized persons or third parties except by written agreement.

Verizon Wireless - Proposed Site : LIN-DOT 0807 - Existing



Scale: 1:18,358

0 0.2 0.4mi

LTE: OPL (UL) - Coverage (0)

RL OPL (dB) <85

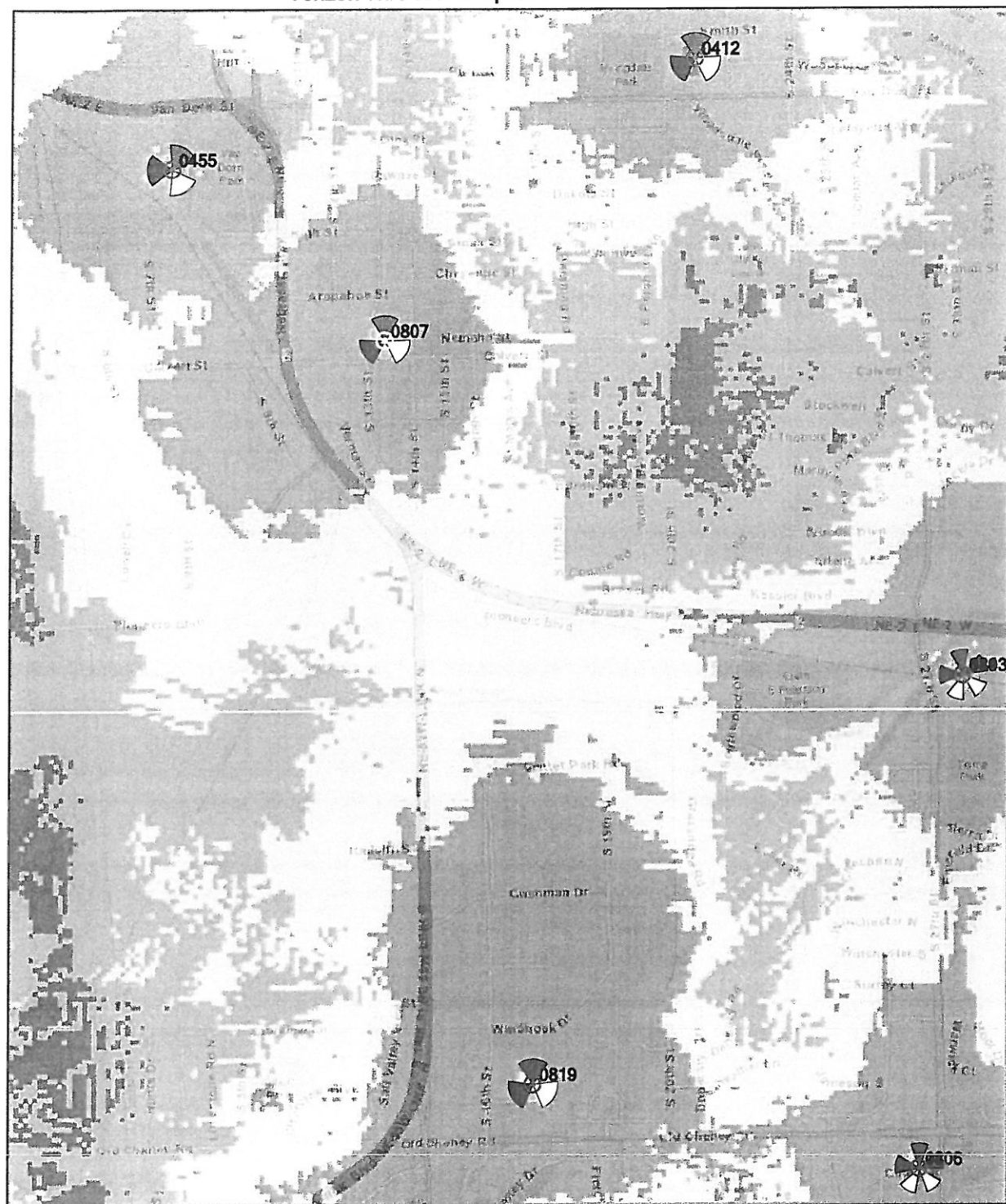
RL OPL (dB) <95

RL OPL (dB) <105

RL OPL (dB) <115

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Use, disclosure or distribution of this material is not permitted to any unauthorized persons or third parties except by written agreement.

Verizon Wireless - Proposed Site : LIN-DOT 0807



Scale: 1:18,358

0 0.2 0.4mi

LTE: OPL (UL) - Coverage (0)

RL OPL (dB) <85

RL OPL (dB) <95

RL OPL (dB) <105

RL OPL (dB) <115

Confidential and proprietary materials for authorized Verizon personnel and outside agencies only.
Use, disclosure or distribution of this material is not permitted to any unauthorized persons or third parties except by written agreement.

This is a grayscale aerial photograph of a portion of Omaha, Nebraska. The map is overlaid with five radiation monitoring station markers, each consisting of a nuclear symbol and a number. The markers are located at the following approximate coordinates and names:

- 0455:** Located in the upper left quadrant, near the Missouri River and the intersection of S 10th St and S 11th St.
- 0412:** Located in the upper right quadrant, near the intersection of S 10th St and S 11th St.
- 0807:** Located in the center-left, near the intersection of S 10th St and S 11th St.
- 0819:** Located in the lower center, near the intersection of S 10th St and S 11th St.
- 0803:** Located in the lower right quadrant, near the intersection of S 10th St and S 11th St.

The map shows a network of streets, including S 10th St, S 11th St, S 12th St, S 13th St, S 14th St, S 15th St, S 16th St, S 17th St, S 18th St, S 19th St, S 20th St, S 21st St, S 22nd St, S 23rd St, S 24th St, S 25th St, S 26th St, S 27th St, S 28th St, S 29th St, S 30th St, S 31st St, S 32nd St, S 33rd St, S 34th St, S 35th St, S 36th St, S 37th St, S 38th St, S 39th St, S 40th St, S 41st St, S 42nd St, S 43rd St, S 44th St, S 45th St, S 46th St, S 47th St, S 48th St, S 49th St, S 50th St, S 51st St, S 52nd St, S 53rd St, S 54th St, S 55th St, S 56th St, S 57th St, S 58th St, S 59th St, S 60th St, S 61st St, S 62nd St, S 63rd St, S 64th St, S 65th St, S 66th St, S 67th St, S 68th St, S 69th St, S 70th St, S 71st St, S 72nd St, S 73rd St, S 74th St, S 75th St, S 76th St, S 77th St, S 78th St, S 79th St, S 80th St, S 81st St, S 82nd St, S 83rd St, S 84th St, S 85th St, S 86th St, S 87th St, S 88th St, S 89th St, S 90th St, S 91st St, S 92nd St, S 93rd St, S 94th St, S 95th St, S 96th St, S 97th St, S 98th St, S 99th St, S 100th St. Other visible features include the Missouri River, various parks, and commercial areas.

Volume (ml)	Growth (approx. units)
0	0
0.2	100
0.4	0

RL OPL (dB) <115

107

STATE OF NEBRASKA

DEPARTMENT OF CORRECTIONAL SERVICES

Michael L. Kenney

Director



Dave Heineman
Governor

May 28, 2014

Jeni Byrd, Authorized Agent for SBA Communications
Pyramid Network Services, LLC
6519 Towpath Road
East Syracuse, NY 13057



SUBJECT: Potential Telecommunications Facility
Nebraska State Penitentiary, 4201 S. 14th Street,
Lincoln, Nebraska

Dear Ms. Byrd,

We have reviewed your May 19, 2014 letter and attachments requesting our consideration for a new cellular broadcast facility (100'x100' space with 150' monopole) at the northern edge of the Nebraska State Penitentiary property. In response to your request, the Nebraska Department of Correctional Services does not have an interest in leasing this land.

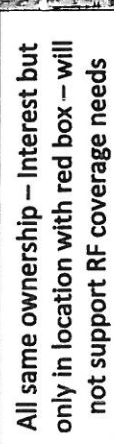
This property serves as buffer area for the Nebraska State Penitentiary and allows space for potential future parking lot expansion. If you have any further questions, please feel free to contact Doug Hanson at 402.479.5742. Thank You.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael L. Kenney".

Michael L. Kenney
Director

Attachments (May 19, 2014 Letter from Pyramid Network, and attachments)
CC: Frank Hopkins, Robin Spindler, Doug Hanson, Diane Sabatka-Rine, File



Southview Baptist Church -- Proposed Location

DOT Original Selection
No interest

State Owned – No interest

No interest

Interest - will not support RF coverage needs

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for February 4, 2015 PLANNING COMMISSION MEETING

PROJECT #: Special Permit #15030 - Verizon Wireless

PROPOSAL: To allow an 85'-tall monopole for personal wireless facilities

LOCATION: Oak Lake Evangelical Free Church located at 3300 North 1st Street

LAND AREA: Approximately 7.3 acres in area.

CONCLUSION: The applicant evaluated other preferred siting and collocation alternatives within one-half mile of the proposed site and there were none. Siting on a large church site provides separation from the surrounding neighborhood, and allows for the use of mature trees to help screen the facility. Due to the proximity of the proposed site to a residential neighborhood, lower-profile antenna arrays are appropriate and are proposed as part of the application, as well as all landscaping and screening required by the Design Standards. Subject to the recommended conditions of approval, this request complies with the requirements of the Zoning Ordinance and the Comprehensive Plan.

<u>RECOMMENDATION:</u>	Conditional Approval
-------------------------------	-----------------------------

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 16 I.T., located in the SW 1/4 of Section 11-10-6, Lincoln, Lancaster County, Nebraska.

EXISTING ZONING: R-3 Residential

EXISTING LAND USE: This site is developed with a church, and associated outbuildings and parking areas.

SURROUNDING LAND USE AND ZONING:

North:	Single-family Residential, Church	R-3
South:	Church	R-3
East:	Single-family Residential	R-3
West:	Single-family, Multiple-family Residential	R-2, R-4

COMPREHENSIVE PLAN SPECIFICATIONS:

Page 1.9 - The future Land Use Map of the Comprehensive Plans designates residential land uses for this site.

Page 4.4 - Placemaking - Current Practice

The community values efficient and effective telecommunications while also desiring to minimize adverse impacts of this rapidly evolving infrastructure on our rural and urban environments. Capitol view corridors, historic landmarks and districts, environmentally sensitive areas, and predominantly residential neighborhoods are not preferred locations. Unobtrusive locations on public property; co-locations on existing towers, buildings, and structures; and commercial and industrial areas with minimal impact on residences are preferred. The City has adopted zoning provisions to state the community's preferences. Combined with guidance from the design review boards, community residents and the telecommunications industry can be well-served.

Page 11.19 - Information technology

Information technology is subject to rapid and dramatic change. The nature of the industry continues to push the limits of the technology. Various technologies converge to create new, integrated products and services. The concept of "telecommuting" portends a city where people may be able to work from most any site – including their own home. In the economy of the future, information is likely to become the primary product. This product can be "manufactured" at sites other than traditional factories and offices.

Wireless telecommunication is part of a global information revolution. The need for additional infrastructure to support wireless facilities is expected to increase in response to rising consumer demand and new applications. The City and County understand the importance of these technologies to the world of tomorrow and support the development of the infrastructure needed to further their use. A full range of cellular and wireless services, provided by a variety of carriers, is available in the city and county. See the "Placemaking" chapter for information on how wireless facilities should be located.

ANALYSIS:

OVERVIEW

The proposed site for the tower is at the south end of the church property. The grade across the site is relatively flat, with line of mature trees along a majority of the north lot line, and several stands of mature trees scattered around the south end. The applicant is seeking to site an approximately 85'-tall monopole (80'-tall tower, 5'-tall lightning rod) for wireless facilities to address inadequate coverage in this area for Verizon Wireless.

Wireless facilities are allowed in any zoning district by special permit per Lincoln Municipal Code (LMC) Section 27.63.720. However, provisions of the special permit require review per the provisions of Chapter 27.68 for Personal Wireless Facilities. The review using those provisions is as follows:

**STANDARDS FOR EVALUATION:
Conformity with Comprehensive Plan.**

1. The Plan states that “The community values efficient and effective telecommunications while also desiring to minimize adverse impacts of this rapidly evolving infrastructure on our rural and urban environments. Capitol view corridors, historic landmarks and districts, environmentally sensitive areas, and predominantly residential neighborhoods are not preferred locations. Unobtrusive locations on public property; co-locations on existing towers, buildings, and structures; and commercial and industrial areas with minimal impact on residences are preferred.”

The Comprehensive Plan designates residential land uses for this site. Residential areas are not preferred locations, but wireless facilities can be appropriate in residential areas provided care is taken in their design and siting. Typical strategies include enhanced screening, low-profile antennas, or a limit on the height of the tower.

This request is for an 85'-tall monopole capable of collocating at least one additional carrier. In contrast to the typical, triangular ‘crows-nest’ array, the antennas are shown being attached with lower-profile stand-off arms. The proposed site takes advantage of screening afforded by existing trees on the site, and also includes the required 6'-tall security fence around the ground equipment and the additional screening required by the Design Standards.

Preference of site location in accordance with Chapter 27.68.080.

2. There are three location preferences as follows:
 - A. Preferred Location Sites:
 - (1) Publicly owned sites on which personal wireless facilities can be unobtrusively located with due regard to visibility, aesthetic issues, traffic flow, public safety, health and welfare. Such sites may include locating on existing buildings, co-locating on existing towers, screened roof-top mounts, water towers, billboards, electric substations, or other camouflaged sites, but shall not include new towers.
 - (2) Privately owned sites with existing structures on which personal wireless facilities can be unobtrusively located with due regard to visibility, aesthetic issues, traffic flow, public safety, health and welfare. Such sites may include locating on existing buildings, co-locating on existing towers, screened rooftop mounts, water towers, billboards, electric substations, or other camouflaged sites, but shall not include new towers.

(3) Publicly owned sites in which the facility is minimally obtrusive, has a minimal impact on the surrounding area, is an appropriate distance from residential land uses, has minimal impact on residential uses, with due regard being given to the scale of the facility and the surrounding area and the impact on the location.

(4) Sites in commercially or industrially zoned districts in which the facility is minimally obtrusive, has a minimal impact on the surrounding area, is an appropriate distance from residential land uses, has minimal impact on residential uses, with due regard being given to the scale of the facility and the surrounding area and the impact on the location.

B. Limited Preference Sites:

(1) Sites on other public property.

(2) Sites on other commercially or industrially zoned property.

C. Sensitive Location Sites. Sites located in areas with residential uses, environmentally sensitive areas, Capitol View Corridors, the Capitol Environs District, entryway corridors, downtown, landmarks or landmark districts, properties listed or eligible to be listed on the National Register of Historic Places, the Airport Environs, and other sensitive areas. The applications for personal wireless facilities which are located at sensitive sites will be required to demonstrate a technical need to locate a personal wireless facility at a sensitive site and that other reasonable alternatives do not exist for the facility at a location which is not a sensitive site.

Staff finds the site to be a sensitive site, given the proximity to a residential neighborhood and residential land uses. Considered a sensitive site, the applicant is required to eliminate other all other potential preferred or limited preference sites within a one-half mile radius from consideration.

Compatibility with abutting property and land uses.

3. The proposed tower site is at the south end of a 7.3 acre church site. This site abuts churches on the north and south, single-family dwellings on the east, and North 1st Street on the west.

Wireless facilities are encouraged to first collocate on an existing facility. If there are none, industrial or commercial areas are next choice. Lacking commercial areas, large civic sites such as schools, churches and hospitals are preferred because they typically have the ability to provide adequate separation from adjacent uses. They also often times have mature landscaping which helps provide natural screening.

Uses which require a special permit may not be a compatible land use in every instance. The Planning Commission is allowed discretion with special permits to include measures to help mitigate the impact of such uses, and to enhance compatibility. A nexus, or direct relationship, between the impact and the mitigation must exist, however.

Adverse impacts such as visual, environmental or noise impacts.

4. There are no environmental affects such as noise or light to note. The frequency of the broadcast signals and whether they interfere with any electromagnetic devices in the area is not reviewable by local governments per the Federal Communications Commission (FCC).

The most significant impact is visual. The proposed siting of the tower at the south end of the site is intended to take advantage of the natural screening provided by the existing trees on this part of the site. Additional screening, as required by the Design Standards, is also shown on the landscape plan.

This siting is also near the neighboring church to the south. An alternate location more central to the site would provide more separation. However, the leadership of the adjacent church stated in writing (see attached email) they have no objection with where the tower is to be sited.

The nearest homes are over 200' away to the east. Between them and proposed tower there is a mature stand of trees near the property line at the south end of the property. The homes to the west across North 1st Street are approximately 400' away, and also have a stand of mature trees between them and the proposed tower. The applicant has attempted to demonstrate the screening effect of the existing trees on the attached Site Photographs 1-8, and with the before and after photo simulations.

In cases similar to this one involving proximity to low-intensity or sensitive land uses, lower-profile antennas have been used to reduce the silhouette of the facility and enhance compatibility. They enhance the appearance of wireless facilities and lessen the visual impact. In this case, lower profile arrays are proposed, which are mounted to the tower with stand-off arms. This type of array is shown in the photo simulations, but not the site plan and must be updated

The plans submitted also show the screening required by the Design Standards. This includes the ground equipment being screened by a 6'-tall, wooden fence, as well a landscape planting schedule. The plants include deciduous and coniferous evergreen trees that are planted around the tower to screen it at the rate of 70% from the ground to eight (8) feet in height, where at least 50% or

more of the trees must to a mature height of thirty-five feet (35') or more. This screening also helps mitigate the visual impact of this facility at this location.

Availability of suitable existing structures for antenna mounting.

5. The applicant is required to eliminate all other preferred or limited preference sites within one-half mile of the proposed site, and demonstrate why they are not feasible per the Zoning Ordinance. This would include any potential collocation sites that would accommodate this carrier's antennas. There is only one potential site, that being an existing tower in a City park on the east side of I-180 directly east of this site. However, this carrier is already located on the tower, and this proposed facility is designed to address inadequate coverage given the current system.

Scale of facility in relation to surrounding land uses.

6. The height limit is 35' in the surrounding R-2, R-3 and R-4 residential zoning districts. However, the nearby dwellings in the area do not approach the maximum height limits. The tallest structures in the area are some two-story apartments on the west side of North 1st Street, and the four churches located along the east side of North 1st Street extending from Adams Street to the lot adjacent to the north of the subject property. Otherwise, the only other tall appurtenances in the area would include typical street lights, and the parking lot lighting used by some of the churches.

Horizontal separation reduces the effect of scale differential, and in this case serves to diminish the visual impact of the tower from the adjacent dwellings. The attached photo simulations attempt to depict the effect that physical separation has on the view of the tower from adjacent properties.

Impact on views/vistas and impact on landmark structures/districts, historically significant structures/districts, architecturally significant structures, landmark vistas or scenery and view corridors from visually obtrusive antennas and back-up equipment.

7. There are no historically significant structures in the area impacted by the proposed tower. The nearest capitol view corridor exists along the I-180 corridor.

This site is in located in the Turning Zone of the Lincoln Airport. In excess of 75' in height, a height permit must be approved by the Department of Building and Safety. The height permit application can be submitted at any time, but must be approved prior to approval of building permits.

Color and finish.

8. Per Chapter 27.68 the tower is required to have a galvanized finish, and because the tower is less than 200' in height no lighting is required by the FAA.

Ability to collocate.

9. The site plan shows the tower at 85' tall. It can accommodate the antennas of an additional carrier as required by chapter 27.68.

Screening potential of existing vegetation, structures and topographic features, and screening potential of proposed facilities, ground level equipment, buildings and tower base.

10. As noted, existing trees help provide natural screening. Additionally, the screening required by the Design Standards which consists of a 70% screen from the ground to 8' in height, with 50% or more of the trees growing to a mature height of 35' or more is also depicted. The existing building and physical separation from the adjacent arterial street will also help screen views from the west and north.

Evidence of good faith efforts, and demonstration that a preferred or limited preference site was not technically, legally, or economically feasible.

11. The subject site is considered a sensitive site, but there are no preferred sites in the area. The use of existing trees, planting additional screening and building a fence near the base of the tower, and adding lower-profile antennas all serve to help mitigate the impact of the facility.

CONDITIONS:

This approval permits an 85'-tall personal wireless facility capable of accommodating antennas for a total of at least two wireless service providers.

Site Specific:

1. Before receiving building permits the permittee shall complete the following instructions and submit the following documents and plans.
 - 1.1 Four copies of a revised site plan showing the following revisions:
 - 1.1.1 Add a note stating that the tower will not be lighted.

- 1.1.2 Revise the plan to show antenna arrays with stand-off arms consistent with the photo simulations.
- 1.1.3 Add a note to the site plan which states "All required screening/landscaping as required by the Design Standards to be shown at the time of building permit.
- 1.2 The permittee must post a surety in the minimum amount necessary to guarantee the removal of the facilities. The surety must remain in effect for the life of the permit.

Standard:

- 2. The following conditions are applicable to all requests:
 - 2.1 Before use of the facility all development and construction shall have been completed in substantial compliance with the approved plans.
 - 2.2 All privately-owned improvements shall be permanently maintained by the owner.
 - 2.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 2.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 2.5 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 therefor to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.

Prepared by:

Brian Will, 441-6362, bwill@lincoln.ne.gov
Planner
June 24, 2015

CONTACT/

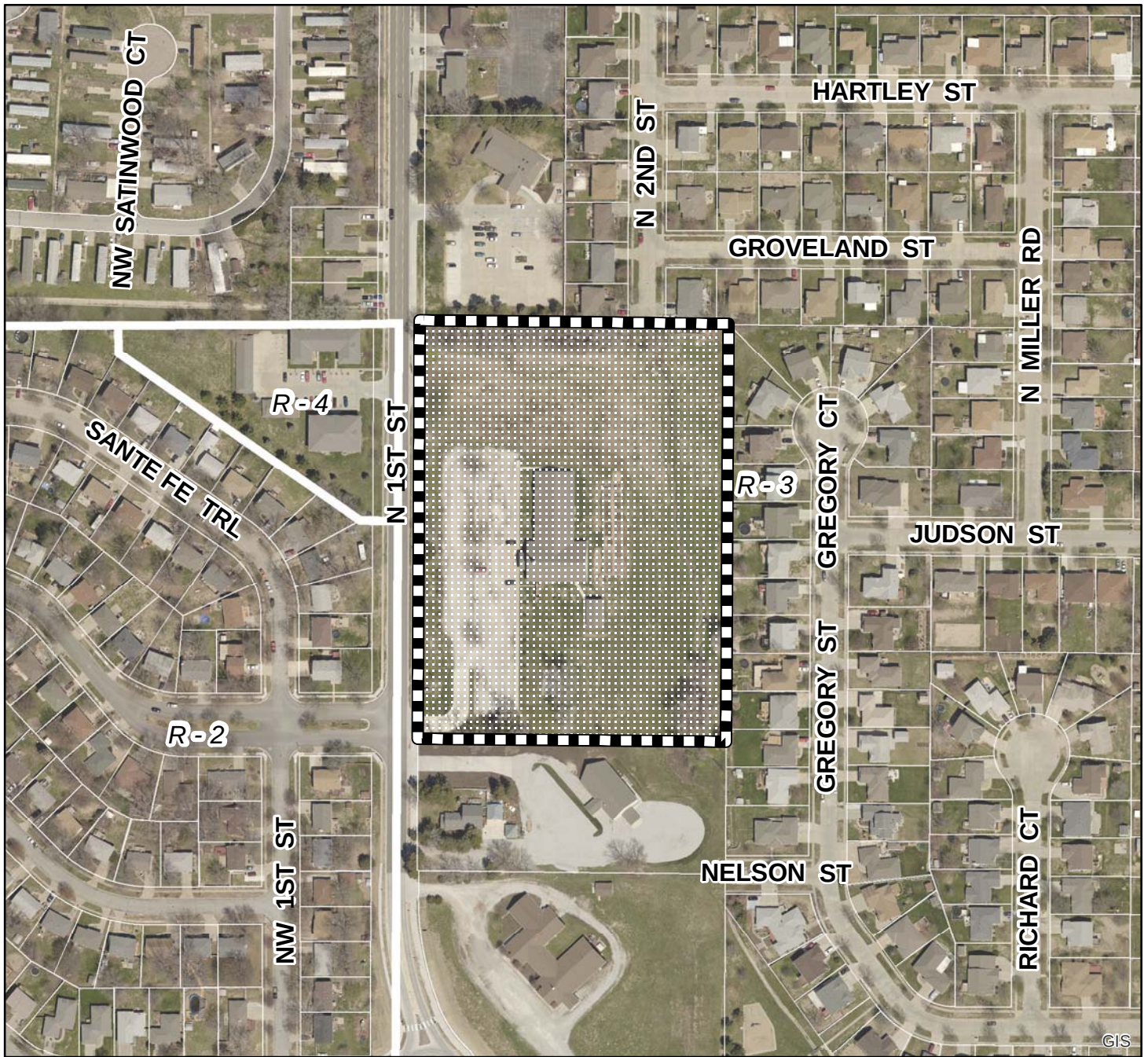
APPLICANT:

Joe Coyle
312 East 70th Street
Kansas City, MO 64113
816-560-5035

OWNER:

Oak Lake Evangelical Free Church
3300 North 1st Street
Lincoln, NE 68521
402-474-3344

F:\DevReview\SP\15000\SP15030 Verizon at Oak Lake Free Church.bjw.wpd



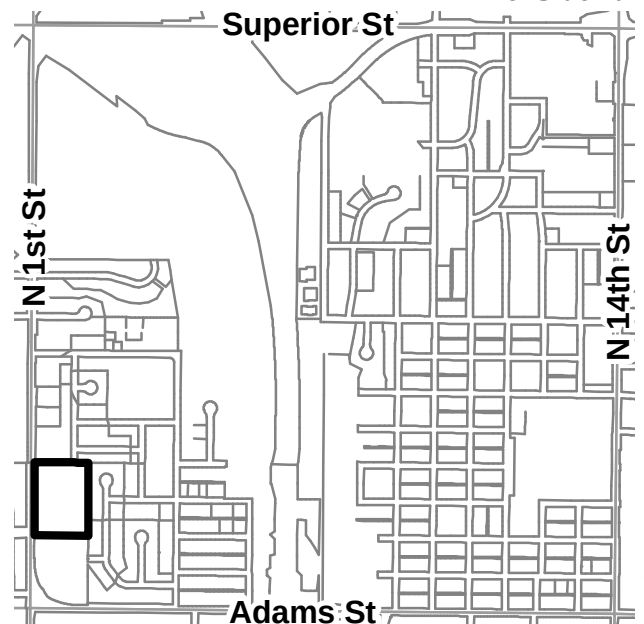
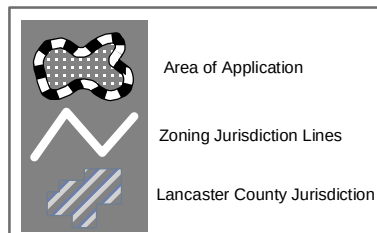
2013 aerial

Special Permit #: SP15030 N 1st & Adams St

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.11 T10N R06E



LEGEND

- STORM MAIN/CHANNEL
- POWER POLE
- ELEC. TRANSFORMER BOX
- CONIFEROUS TREE
- OVERHEAD ELECTRIC
- FENCE BARS WIRE
- CONCRETE SURFACE
- GRAVEL SURFACE

- NOTE: PER THE ENVIRONMENTAL REVIEW THIS SITE MAY PROCEED WITH NO FURTHER ENVIRONMENTAL REVIEW:
1. HAS PROPOSED RESTRICTIONS TO BE ENTERED INTO EIMS (PRIOR TO SUBMITTING THE ENVIRONMENTAL REVIEW).
 - 1.1. VICINITY CREEK, A SMALL CREEK IS LOCATED APPROXIMATELY 70 FT EAST (DOWNGRADIENT) OF THE PROJECT SITE AND DISCHARGES INTO OAK CREEK LOCATED APPROXIMATELY 4500 FT SOUTH OF THE SUBJECT PROPERTY.
 - 1.2. SOIL EROSION AND SEDIMENT CONTROL, BASED ON THE PRESENCE OF THE VICINITY CREEK, SOIL EROSION BEST MANAGEMENT PRACTICES AND SEDIMENTATION CONTROL PLAN INCLUDING A SOIL EROSION AND SEDIMENTATION CONTROL PLAN SHALL BE IMPLEMENTED FOR STORMWATER MANAGEMENT. SUCH MEASURES SHALL BE IMPLEMENTED DURING CONSTRUCTION ACTIVITIES TO MITIGATE THE RISK OF IMPACT TO THE VICINITY CREEK.
 - 1.3. STAGING AND STOCKPILING OF SOIL, CONSTRUCTION RELATED STAGING AND STOCKPILING OF EXCAVATED MATERIAL SHALL BE LIMITED TO THE PROPOSED TOWER CONSTRUCTION AREA TO THE EAST OF THE PROPOSED TOWER CONSTRUCTION AREA.
 - 1.4. TERTIARY CONTAINMENT - GIVEN THE PROXIMITY OF THE CREEK TO THE PROJECT SITE, AND TO MITIGATE IMPACTS TO THE CREEK, DIESEL FUEL ON SITE MUST BE LOCATED WITHIN TERTIARY CONTAINMENT. TERTIARY CONTAINMENT SHALL BE PROVIDED TO PROVIDE TERTIARY CONTAINMENT.
 2. MAKE SURE TO ENTER THE DATES OF ALL DUE DILIGENCE REPORTS INTO EIMS AND UPLOAD EACH ITEM INTO WEB LIBRARY.
 3. PLEASE INDICATE ON THE FIRST PAGE OF THE EES THAT YOU HAVE NOTIFIED THE OPERATIONS MANAGER OF THE EXISTENCE OF AN EES FOR THIS SITE.



SBA

3500 BROOKVIEW DRIVE NW
ALBUQUERQUE, NM 87109
PHONE: 505-497-7483

TERRA

3500 BROOKVIEW DRIVE NW
ALBUQUERQUE, NM 87109
PHONE: 505-497-7483

REVISIONS

NO.	DATE	DESCRIPTION
1	01/10/15	REVISED FOR REVIEW
2	01/10/15	REVISED FOR REVIEW
3	01/10/15	REVISED FOR REVIEW

SITE NE-16009-B

LINCOLN 11

3300 N. 1ST STREET
LINCOLN, NE 68501

CREATED BY WL

CHECKED BY DM

DATE 01/10/15

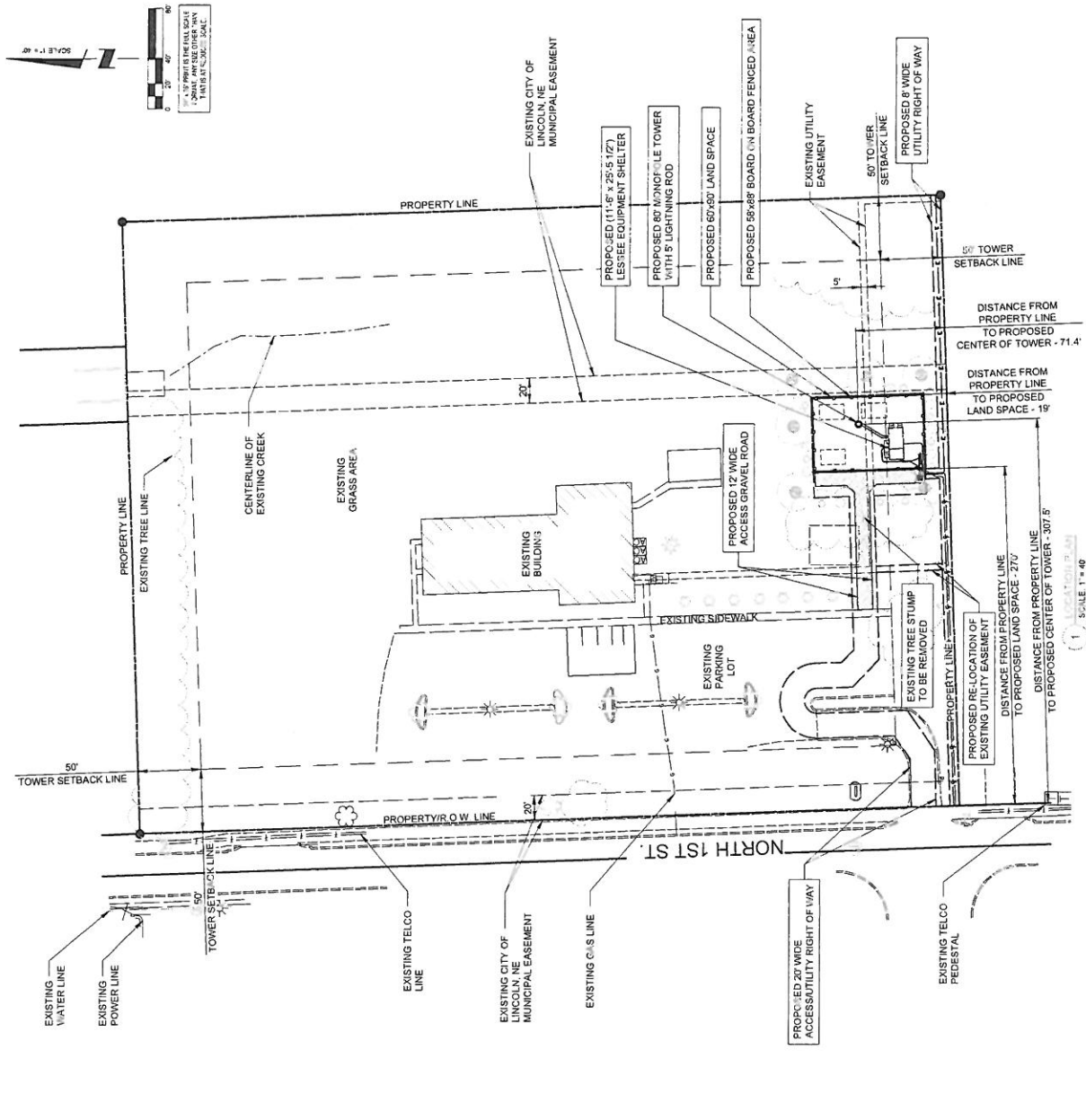
PROJECT # 16009-B

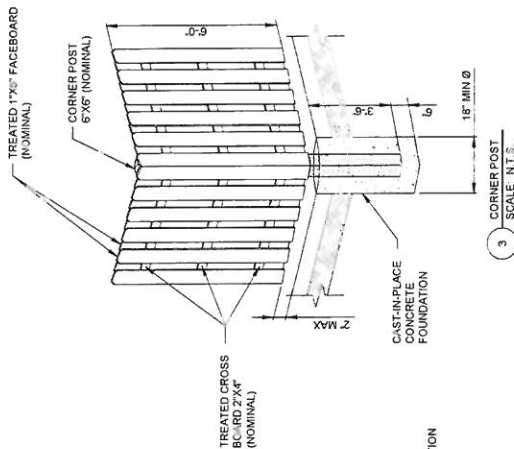
SHEET TITLE

LOCATION PLAN

SHEET NUMBER

LP





CONTRACTOR TO PROVIDE A 12"x12" CUT-OUT IN THE TREATED FENCING OPPOSITE THE METER LOCATION FOR METER READING FRAME OUT THE CUT-OUT WITH TREATED 2x4'S ON INSIDE OF FENCE PRIOR TO MAKING PENETRATION

NOTE:
FACE BOARDS CAN BE NAILED OR SCREWED TO CROSS BOARDS
ALL CROSS BOARDS WILL BE SCREWED TO POSTS ALL
CONCRETE FOOTINGS SHALL BE 6.1 BAG MIX 2500 PSI CONCRETE

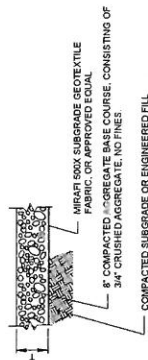
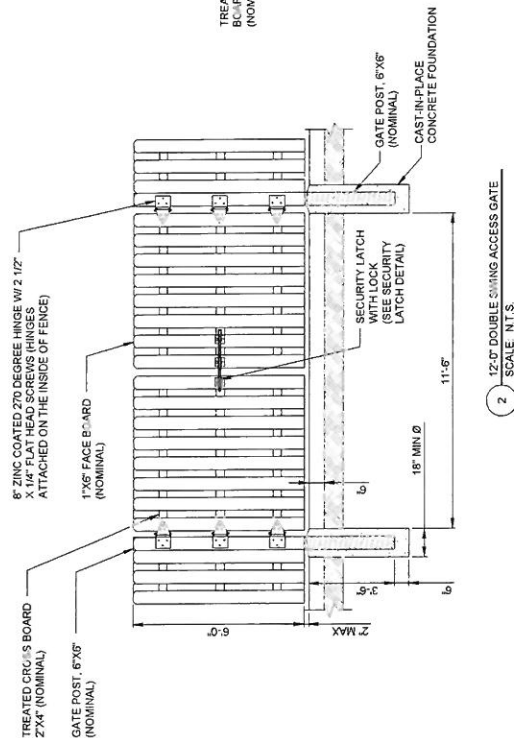
GENERAL NOTES

- 1) REFER TO THE PROJECT MANUAL FOR ADDITIONAL INFORMATION AND REQUIREMENTS RELATED TO CONSTRUCTION
- 2) THE OWNER HAS CAUSED A GEOTECHNICAL EXPLOATION TO BE PERFORMED AT THE SITE
- 3) THE CONTRACTOR SHALL NOTIFY THE CLIENT'S GEOTECHNICAL ENGINEER TO COORDINATE HAVING A FIELD REPRESENTATIVE ON SITE FOR TESTING AND INSURANCE.

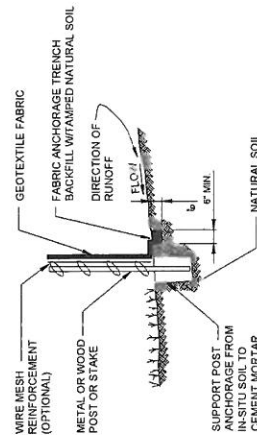
GEOTEXTILE PARAMETERS		
PROPERTY	MINIMUM VALUE (a)	TEST METHOD
GRASS STRENGTH	160 LBS	ASTM D-4532-91
PUNCTURE STRENGTH	75 LBS	ASTM D-4833-88
BURST STRENGTH	200 LBS	ASTM D-3768
TRAPEZOIDAL TEAR	50 LBS	ASTM D-4571-87

(a) ALL VALUES REPRESENT MINIMUM ROLL VALUES

NOTES:
THE FABRIC SHOULD BE PLACED IN ACCORDANCE WITH THE MANUFACTURERS' RECOMMENDATIONS. INTERSECTIONS OF SHEETS MUST BE SEWN OR SUFFICIENTLY OVERLAPPED (AT LEAST 24 INCHES) OR AS SPECIFIED BY THE MANUFACTURER. THE GEOTEXTILE SHEETS SHALL ALSO BE PLACED TAUT TO REDUCE WRINKLES OR FOLD-UPS. CARE MUST BE EXERCISED TO PREVENT PHYSICAL DAMAGE OF THE GEOTEXTILE PRIOR TO, DURING AND AFTER IN-SITU INSTALLATION. UTILITIES SHOULD BE INSTALLED BEFORE PLACING THE FABRIC.

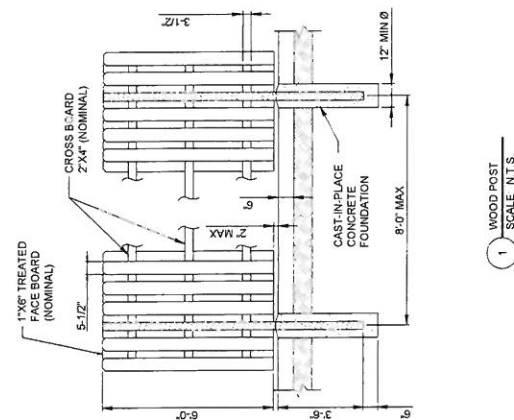


5 AGGREGATE CROSS-SECTION
N.T.S. LEASE SITE

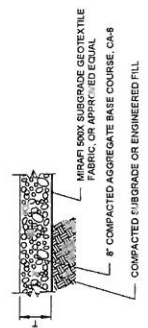


NOTE:
DEPENDENT UPON CONFIGURATION, ATTACH
FABRIC TO WIRE MESH WHOOP RINGS, STEEL
POSTS W/ TIE WIRES, WOOD POSTS W/ NAILS.

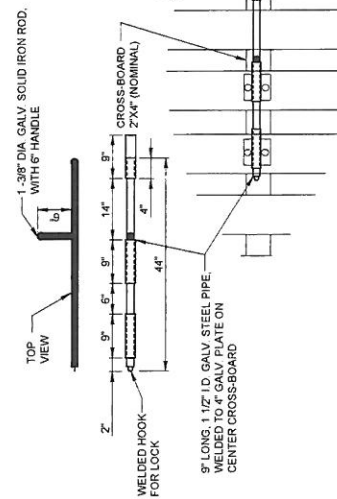
7 EROSION CONTROL SILT FENCE DETAIL
N.T.S.



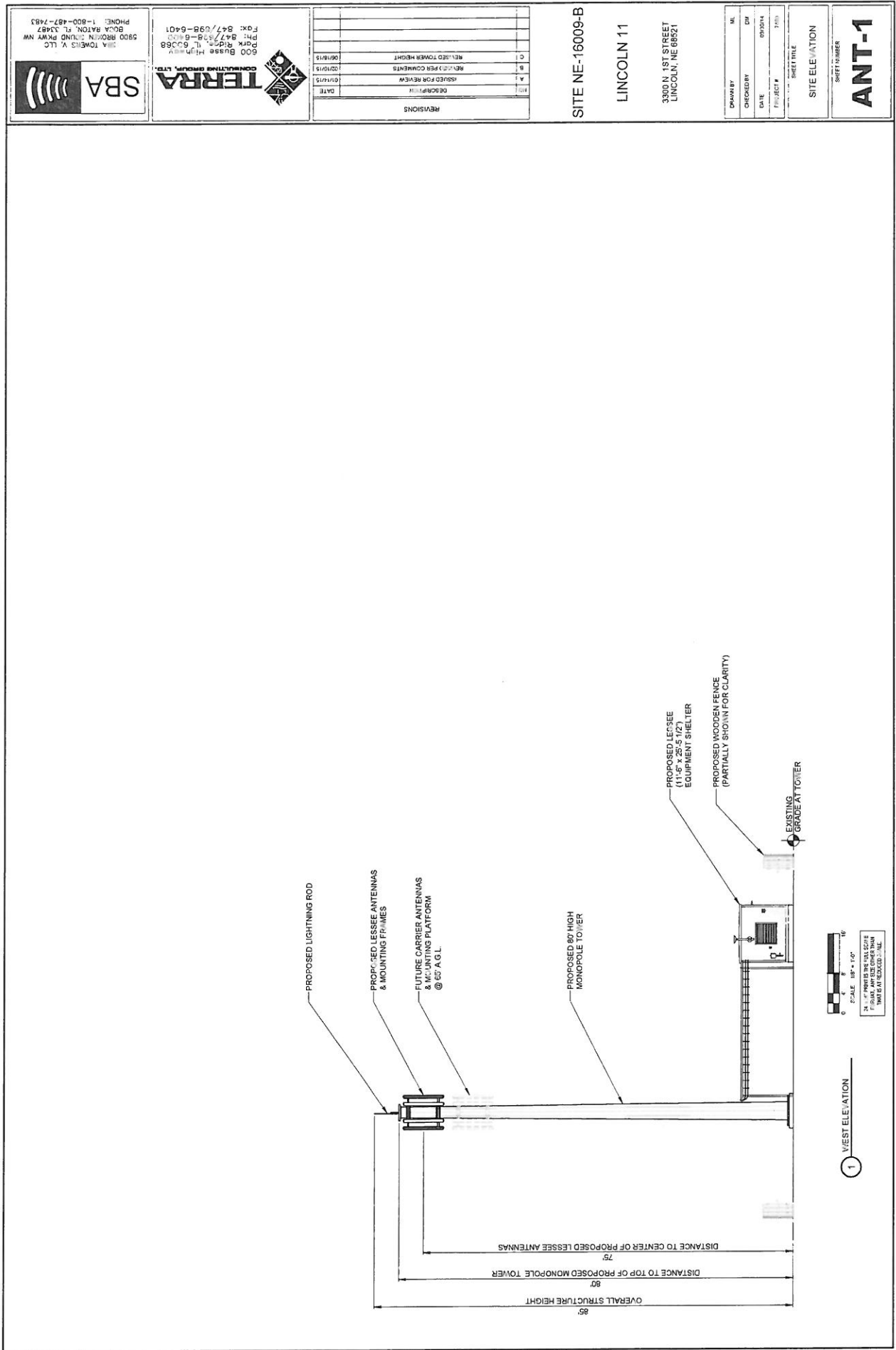
WOOD POST
SCALE: N.T.S.



4 AGGREGATE CROSS-SECTION
N.T.S. ACCESS EASEMENT



6 SECURITY LATCH SCALE: NTS



SBA

SBA TOWERS V. LLC
5800 BROWN CIRCLE PKWY NW
BOCA RATON, FL 33487
PHONE: 1-800-487-7483

TERRA

600 Buase Highway
Park Ridge, IL 60068
PH: 847/438-6400
FAX: 847/998-6401

REVISIONS	DESCRIPTION	DATE
1	ISSUED FOR REVIEW	01/11/14
2	REVISED PER COMMENTS	02/11/14
3	REVISED TOWER HEIGHT	02/11/14

SITE NE-16009-B

LINCOLN 11

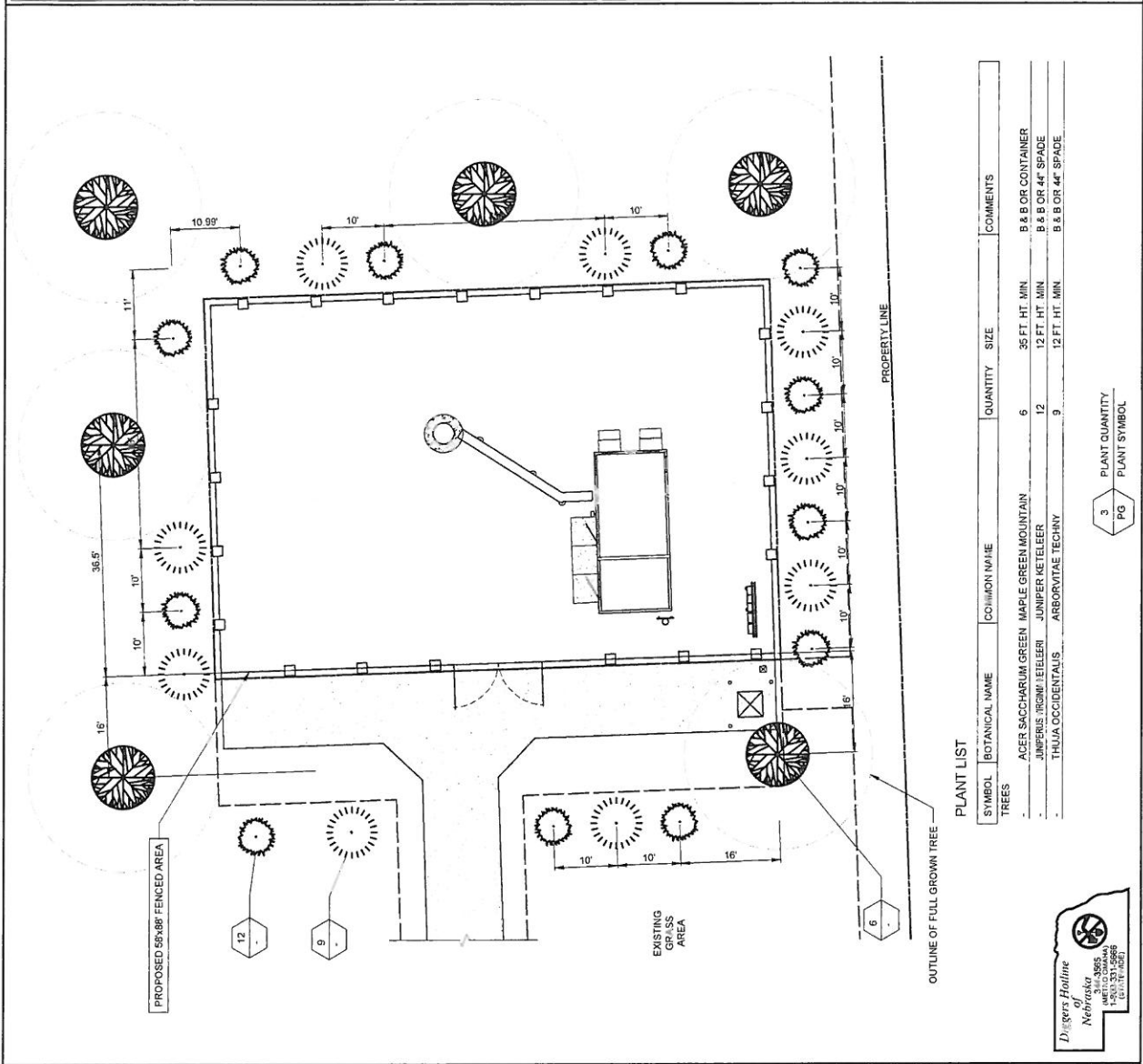
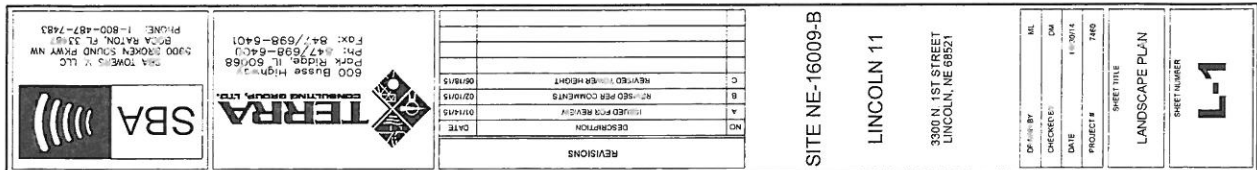
3300 N. 1ST STREET
LINCOLN, NE 68521

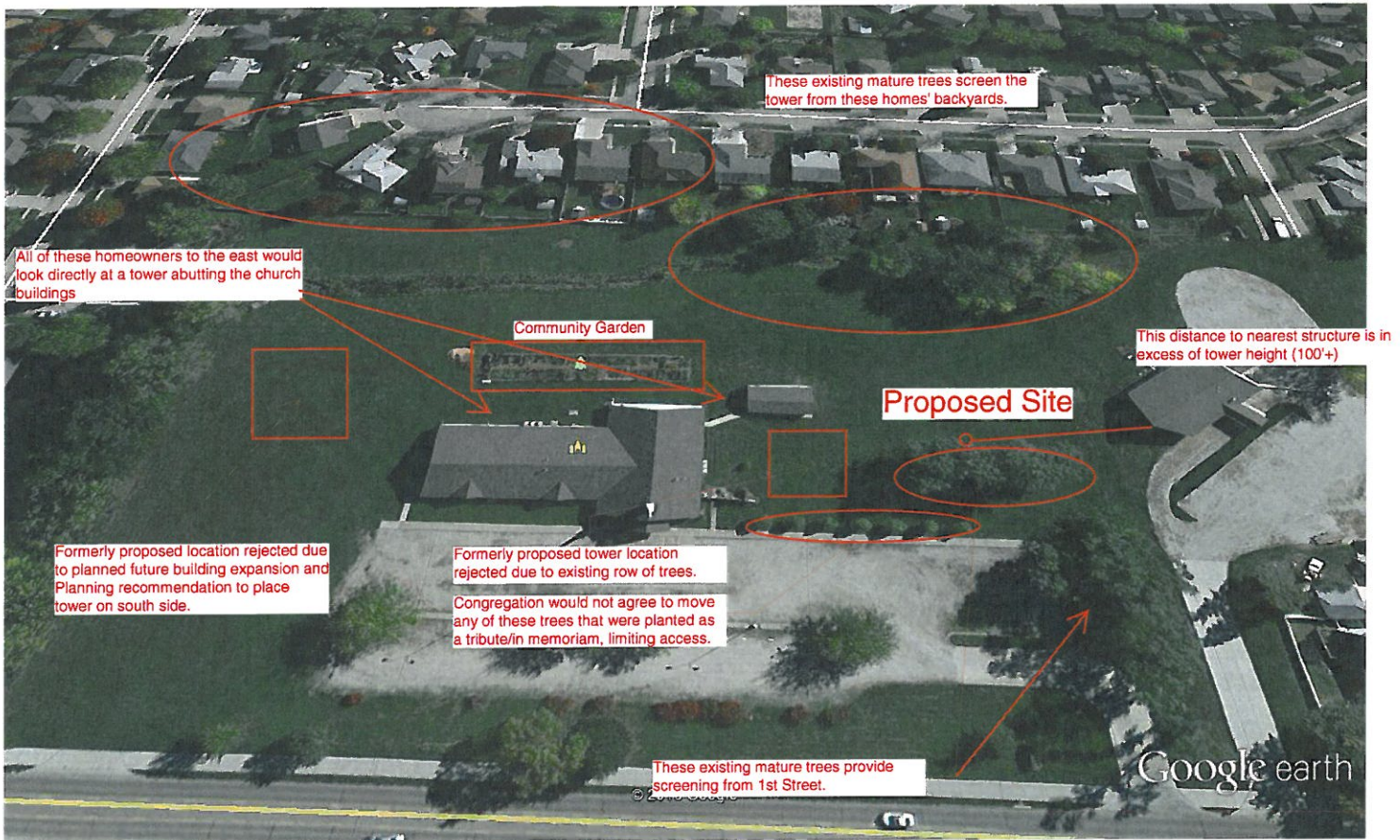
DRAWN BY	ML
CHECKED BY	DM
DATE	09/30/14
PROJECT #	16009

SHEET TITLE
SITE ELEVATION

SHEET NUMBER
ANT-1

1. PRUNE NEWLY INSTALLED SHRUBS. WORK SHALL BE DONE BY EXPERIENCED PERSONNEL TO THE ACCEPTED HORTICULTURAL AND ARBORICULTURAL STANDARDS. PRUNING SHALL RESULT IN A LOOSE OUTLINE CONFORMING TO THE GENERAL SHAPE OF THE SHRUB TYPE. DO NOT USE HEDGE SHEARS.
2. ALL PLANTING STOCK SHALL BE NURSERY-GROWN IN ACCORDANCE WITH GOOD HORTICULTURAL PRACTICE. PLANTS SHALL BE FREE OF DISEASE, INSECTS, GALLS, LARVAE AND DEFECTS SUCH AS KNOTS, SJM-SCALE, INJURY, HAZARD OR DISFIGUREMENT. THEY SHALL HAVE SOUND, HEALTHY ROOTS AND UNIFORM GROWTH. PLANTS SHALL BE PLANTED AT THE CORRECT VARIETY, WELL-FORMED, FREE FROM IRREGULARITIES, WITH THE MINIMUM QUALITY AND SIZE CONFORMING TO AMERICAN STANDARD FOR NURSERY STOCK.
3. GUARANTEE WARRANT ALL PLANT MATERIAL TO BE TRUE TO BOTANICAL NAME AND SPECIFIED SIZE. AFTER COMPLETION OF PLANTING, ALL PLANT MATERIALS SHALL BE WARRANTED AGAINST DEFECTS INCLUDING DEATH AND UNSATISFACTORY GROWTH FOR A WARRANTY PERIOD OF ONE YEAR. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PLANTS AGAINST ABUSE, DAMAGE BY OTHERS, OR UNUSUAL PHENOMENA OR INCIDENTS BEYOND THE CONTRACTORS CONTROL, WHICH RESULT FROM NATURAL CAUSES SUCH AS FLOODS, STORMS, FIRES OR UNUSUAL DROUGHTS.
4. REPLACEMENTS, DURING THE WARRANTY PERIOD, REPLACE ONE TIME, AT NO ADDITIONAL CHARGE, ANY PLANT MATERIALS THAT ARE FOUND TO BE OF THE OPINION OF THE LANDSCAPE ARCHITECT, IN AN UNHEALTHY OR UNSUITABLE CONDITION. REJECTED PLANT MATERIALS SHALL BE REMOVED FROM THE SITE AT CONTRACTORS EXPENSE. REPLACEMENTS ARE TO BE MADE NO LATER THAN THE NEXT PLANTING SEASON. RESTORE AREA DISTURBED BY REPLACEMENT OPERATIONS.
5. MULCHING SHALL BE DONE WITHIN 48 HOURS AFTER PLANTING. MULCH SHRUB BEDS TO A UNIFORM DEPTH OF THREE INCHES. MULCH SHALL BE CLEAN, COMPOSTED PINE BARK MULCH FREE OF FOREIGN MATERIAL AND LARGE PIECES OVER THREE INCHES LONG. DO NOT MULCH TREE AND SHRUB PLANTING PITS.
6. TOPSOIL SHALL CONSIST OF FERTILE FRABLE NATURAL LOAM CONTAINING A LIBERAL AMOUNT OF HUMUS AND SHALL BE SUBJECT TO INSPECTION AND APPROVAL. IT SHALL BE FREE OF ADMIXTURES OF SUBSOIL AND FREE OF CRAB APPLES, STICKS AND OTHER EXTRANEOUS MATTER, AND SHALL NOT BE USED FOR PLANTING OPERATIONS WHILE IN A FROZEN OR MUDDY CONDITIONS.
7. REPAIR ALL TURF AREAS BY SEEDING. SEEDING INSTALLATION SHALL BE DONE WITHIN 14 DAYS OF THE DATE OF COMPLETION OF THE WORK. SEEDING WORK SHALL BE DONE PRIOR TO SEPTEMBER 15, UNLESS APPROVED BY THE OWNERS REPRESENTATIVE.
8. SEED MIX SHALL MATCH EXISTING TURF. OR BE A 50/50 MIX OF CERTIFIED IMPROVED BLEND OF BLUEGRASS AND CERTIFIED IMPROVED PERENNIAL RYE MIX. SEEDING SHALL BE APPLIED AT A MINIMUM RATE OF 120 POUNDS PER ACRE FUTURA BARNET, OR EQUAL, SHALL BE USED FOR EROSION CONTROL, MULCH WHERE NECESSARY IN LIEU OF HYDRO MULCH.
9. PLANT MATERIAL SHALL CONFORM WITH THE CURRENT AMERICAN STANDARDS FOR NURSERY STOCK PUBLISHED BY THE AMERICAN ASSOCIATION OF NURSERYMEN FOR THAT TYPE OF TREE OR SHRUB AT THE TIME OF INSTALLATION.
10. THE PLANTING SEASON SHALL BE APPROXIMATELY OCTOBER 15 TO DECEMBER 1, AND MAY 15 TO MAY 1.





Google earth

feet 300
meters 100



PROPERTY VIEWS



Site Photograph 1 – Looking north at the Property



Site Photograph 2 – Looking southeast at the Property

Site Photographs

SBA Network Services – Lincoln 11
3300 North 1st Street
Lincoln, NE 68521

Photographed:

June 30, 2014





Site Photograph 3 – Looking east at the Property



Site Photograph 4 – Looking west at the Property

Site Photographs

SBA Network Services – Lincoln 11
3300 North 1st Street
Lincoln, NE 68521

Photographed:

June 30, 2014

 **TRILEAF**_{tm}
Environmental & Property Consultants



Site Photograph 5 – Looking north away from the Property



Site Photograph 6 – Looking south away from the Property

Site Photographs

SBA Network Services – Lincoln 11
3300 North 1st Street
Lincoln, NE 68521

Photographed:
June 30, 2014





Site Photograph 7 – Looking west away from Property



Site Photograph 8 – Looking east away from the Property

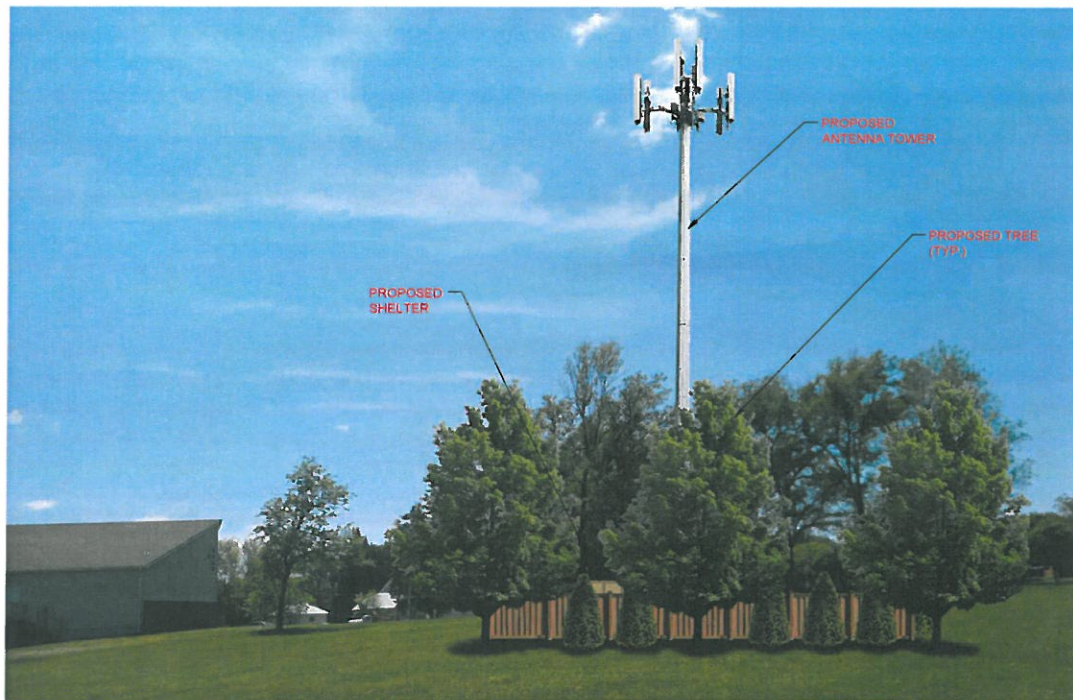
Site Photographs
SBA Network Services – Lincoln 11
 3300 North 1st Street
 Lincoln, NE 68521

Photographed:
 June 30, 2014





BEFORE



AFTER

LINCOLN 11

View Facing WEST



TERRA
ENGINEERING & DESIGN, LTD.

400 Buxton Highway, Park Ridge, IL 60068
Phone: 847.686.8800 Fax: 847.686.4401

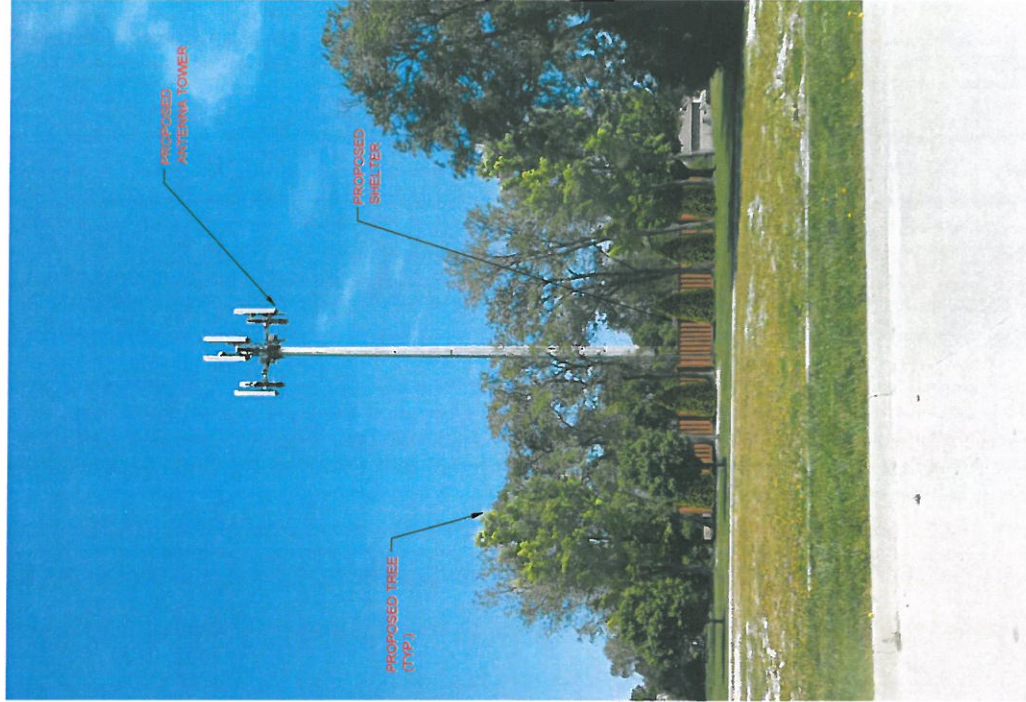
SBA





LINCOLN 11

View Facing EAST



AFTER



BEFORE

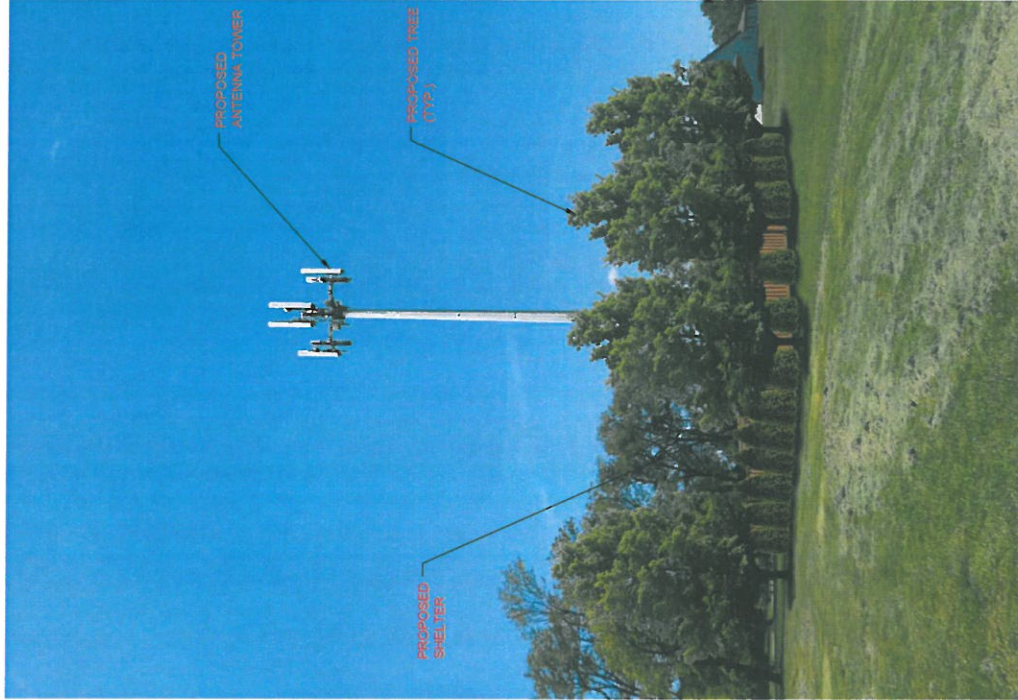


LINCOLN 11

View Facing NORTH



BEFORE



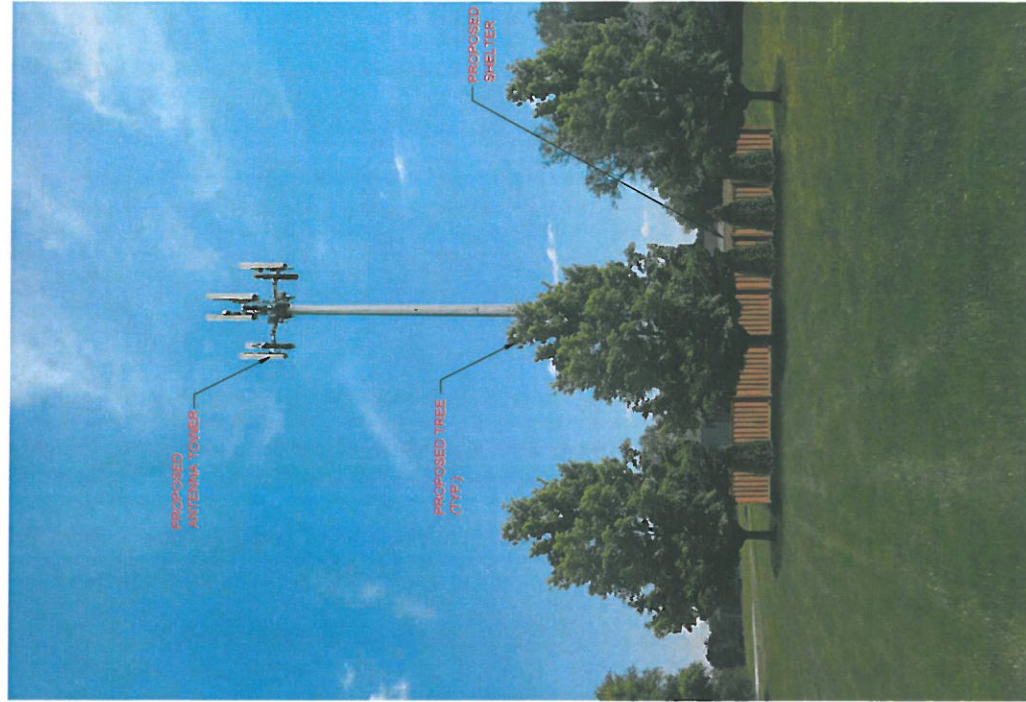
AFTER





LINCOLN 11

View Facing SOUTH



AFTER



BEFORE



PYRAMID NETWORK SERVICES, LLC.

TELECOMMUNICATIONS CONSTRUCTION SERVICES AND CONSULTING

6519 Towpath Road
E. Syracuse, NY 13057
315-399-8741
315-445-0653 Fax

May 11, 2015

Via Federal Express

Mr. Brian Will
City of Lincoln
Planning Department
555 S. 10th Street, Ste. 213
Lincoln, NE 68508

RE: Application for Special Permit for Personal Wireless Facility

Dear Brian:

SBA Communications is proposing the construction of a new monopole telecommunications tower located at Oak Lake Evangelical Free Church at 3300 N 1st Street, Lincoln, NE 68521. Please find enclosed application materials and a check 0000340 in the amount of \$792.00. We will be happy to continue to work with the City to answer any questions not answered in the application materials or to further explain or clarify the points of the project.

Sincerely,

Joe Coyle
Project Manager (Applicant)
(816) 560-5035
jcoyle@pyramidns.com



PYRAMID NETWORK SERVICES, LLC.

TELECOMMUNICATIONS CONSTRUCTION SERVICES AND CONSULTING

6519 Towpath Road
E. Syracuse, NY 13057
315-399-8741
315-445-0653 Fax

27.68.090 Application Requirements – Narrative

The subject property at 3300 N. 1st Street was selected for the proposed site due to a network need identified by Verizon Wireless. As explained in the attached statement from Mr. Ryan Mueller, a nearby site is near exhaust. This proposed site would act as a capacity site to help enhance performance on Verizon's network. SBA Communications is seeking to build this site for Verizon as the first carrier on the tower. The tower height and ground lease area will also accommodate at least one other co-locator as required by Lincoln's Code (Section 27.68.110 (d)).

Verizon's Search Area was very specific to assure the desired network functionality, as is common for capacity sites. The Search Area included parcels owned by Northwest Lincoln Church of Christ whom declined the offer to lease space for the tower, and Oak Lake Evangelical Free Church, whom has agreed to lease a portion of their property to SBA. These parcels were identified by Verizon RF as the only properties having sufficient green space to host a tower site in the needed location. The surrounding area is residential with little or no other sufficient tower siting space within at least 0.4 miles in any direction. Due to the predominantly residential uses in the area, the proposed tower site is considered to be a Sensitive Location Site (Section 27.68.080 (c)). There are no Preferred Location Sites within the service area of the proposed facility. The use of a preferred location site outside of Verizon RF engineers Search Area is not technologically feasible. The attached statement from Mr. Mueller and the maps he provided illustrate how this proposed site would fill in and support other existing and surrounding Verizon sites by adding capacity to the network. Section 27.68.100 (c)(1) also requires that good faith efforts were taken to secure a Preferred Location Site or Limited Preference Site within one-half mile of the proposed facility. To the best of our knowledge, based on driving the half mile radius around the proposed site and using online ownership and zoning resources, there are no public or commercially or industrially zoned properties that fit the definitions of Preferred Location or Limited Preference as defined in Section 27.68.080.

Section 27.68.090 requires the applicant to state the distance between the proposed facility and the nearest residential unit and residentially zoned properties. The nearest residential unit is a home approximately 230' to the southwest of the proposed base of the tower. The distance to the nearest residentially zoned property from the base of the tower is approximately 71' to the south, in excess of the minimum Fall Zone setback requirement of one half the height of the structure (Section 27.68.110 (g)).

The fencing proposed for the tower compound is a board on board treated wood fence that discourages climbing by children, and provides a solid and more aesthetically pleasing appearance than a standard chain link fence. The fence will be 6 feet high and access will be through a locked gate. The tower shall be fitted with anti-climbing devices.



PYRAMID NETWORK SERVICES, LLC.

TELECOMMUNICATIONS CONSTRUCTION SERVICES AND CONSULTING

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The proposed location of the tower was determined after several alternate locations were investigated. We have included an aerial photo of the property with comments regarding the siting on the property. The initial plan was to place the tower to the north of the church building. Both the church and the City preferred the south side of the parcel – see attached Planning email. A second location was then proposed nearer to the existing church out building. The church was very sensitive about disturbing a row of trees planted along the parking lot. The trees were planted to memorialize the passing of a church member's children and therefore could not be relocated to allow an access drive. That fact, in large part, pushed the site approximately 80' further south to the proposed location. The access drive is designed to pass in between an existing line of four trees that are at least 30 to 40 feet tall. The tower will be to the east, or behind, these trees which will screen the tower and shelter from 1st Street. Also, the mature trees directly east of the proposed location provide excellent natural screening from the residences along Gregory Street to the east. We understand that the City has concerns about the site being near the adjacent property line to the south. The move directly behind the trees was purposeful to take advantage of the trees' screening and buffer. We did reach out to the adjacent church to the south and provided them with the proposed site plan for review and offered to meet to discuss the project. The church point of contact, Jim Ferguson, stated that they do not take issue with the proposed location, nor did they need to meet to discuss the project – see attached email. The landscape plan included in the construction drawings includes planting 27 new trees around the compound fence, as required by the Code.

In order to further minimize any adverse visual effects, we are currently confirming Verizon's ability to use flush-mount antennas. It was brought to our attention that though we may meet the minimum requirements of the Code that flush-mount antennas would be required. As soon as this design element is approved by Verizon's RF engineers we will update the City.

Finally, the standard maintenance program involves visiting the site approximately one time per month.



10801 Bush Lake Road
Bloomington, MN 55438

1/26/2015

Ryan M. Mueller
Verizon Wireless
1620 M Street, Lincoln, NE 68508

City of Lincoln, NE – Planning Department
555 S. 10TH Street, Suite 213, Lincoln, NE 68508

To Whom It May Concern,

Please accept this letter of explanation regarding the design and search area for the proposed Verizon Wireless site LIN-WATCHTOWER in Lincoln, Nebraska.

Verizon Wireless continually evaluates our network with regards to customer experience and our resources that are deployed. In the urban environment of Lincoln, we have completed our initial 4G LTE build out and are working on the addition of frequencies to our existing locations. However, in certain instances, our existing network resources are trending usage that is exhausting due to poor performing RF environment with relation to terrain and proximity of a best serving antenna sector. The proposed location is set to improve our customer experience in the area between I-80, I-180, and Superior Street.

Response for the section of code : Why the use of a preferred location site is not technologically, legally or economically feasible. Currently there are no preferred location in the proposed search area or within a ½ mile radius. The proposed search area is to offload our existing LIN-TOWNES location that is East of the search area. The LIN-TOWNES structure is a stealth flag pole that does limit Verizon Wireless design with the inability to deploy tower mounted electronics and multipath design. The proposed tower will have the ability to have such a design to better serve our customers with a more efficient RF signal in the area of the search ring.

Response for the section of code : How and why the proposed site is required to meet service demands for the proposed facility and citywide network. The proposed LIN-WATCHTOWER location is positioned to offload the existing LIN-TOWNES sector that is at exhaust due to limited design. The new structure will allow for tower mounted electronics and multipath design. LIN-WATCHTOWER will provide a best serving site to the defined service area and allow optimization of the surrounding sites that are at exhaust.

Response for the section of code : A statement indicating proposed measures designed to minimize potentially adverse visual effects on adjacent properties with consideration given to design, unobtrusiveness, minimum height necessary to accommodate antenna, avoidance of artificial light and coloring provisions. Verizon Wireless issued a search ring to provide capacity offload of the LIN-TOWNES location. The search ring antenna height required was a seventy foot antenna centerline. This proposed location is a offload so there is not a significant need to have a tall structure in place to meet the objectives. As design for antenna, industry trends for remote electronics and multipath, Verizon Wireless will deploying this design. Verizon Wireless has rights to transmit different frequencies, some are higher in the 1700-2100 MHz, while others are lower between 700 and 900 MHz. These different ranges require different separation of antenna spacing, which has been accounted for in the design.

Sincerely,

Ryan M. Mueller
Engineer III Consultant - RF
Verizon Wireless

Joe Coyle

From: Joe Coyle <jcoyle@pyramidnetworkservices.com>
Sent: Monday, May 11, 2015 8:06 AM
To: 'Joe Coyle'
Subject: FW: Cell Tower Proposal at Oak Lake Church

From: Jim.Ferguson@DuncanAviation.com [mailto:Jim.Ferguson@DuncanAviation.com]
Sent: Thursday, May 07, 2015 6:36 AM
To: Joe Coyle
Subject: RE: Cell Tower Proposal at Oak Lake Church

We don't have any issues with the tower. At this time, I don't believe we'd need to meet.

Thanks,
Jim

From: "Joe Coyle" <jcoyle@pyramidnetworkservices.com>
To: <Jim.Ferguson@DuncanAviation.com>
Date: 05/04/2015 02:29 PM
Subject: RE: Cell Tower Proposal at Oak Lake Church

Hi Jim,

I've asked your neighbors to the north, Oak Lake Church, to reach out to you. They have come back around and have agreed to lease us space to build a tower. I have asked them to plan a short meeting with you to discuss our proposal. The proposed site location is near your property line behind an existing stand of trees. Since they have chosen the south side of their property for the site, I have asked them to be good neighbors and go over the site plan and the reasoning behind the area they chose for the monopole tower. They did not like the idea of the tower on the North side of the property due to the possibility of future expansion in that direction. The proposed location of the tower meets all of the current Lincoln zoning setback requirements. Oak Lake also did require that we place the tower to be more than tower height away from your nearest structure. Also, the Lincoln landscaping requirements are the most demanding I've seen – we will be planting 27 trees of 3 different species around the fenced lease area! It will be one of the nicest looking compounds I've been involved with.

If you don't mind, may I please pass along your email address to Pastor Dale Ribble and one of the elders handling the project for them, Dennis Hartmann?

I've attached the Site Plan for your review and an engineering letter explaining that if a monopole were to fail it is designed to collapse on itself. If you approve of the Plan and prefer not to have a meeting for some reason, please let me know.

Thanks Jim.

Joe Coyle
Project Manager
Pyramid Network Services, LLC
(816) 560-5035 (M)
jcoyle@pyramidns.com