

# **Lincoln City - Lancaster County**

## **PLANNING COMMISSION AGENDA**

### **PLANNING COMMISSION**

Dennis Scheer: Chair  
Tracy Corr: Vice-Chair  
Thomas Beckius  
Tracy Edgerton  
Deane Finnegan  
Maja V. Harris  
Chris Hove  
Cristy Joy  
Sandra Washington

### **PLANNING STAFF**

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

## **May 9, 2018**



**NOTICE:** The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, May 9, 2018, at 1:00 p.m. in Hearing Room 112 on the first floor of the County-City Building, 555 S. 10<sup>th</sup> St., Lincoln, Nebraska. For more information, call the Planning Department, (402) 441-7491.

**\*\*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, MAY 9, 2018

Approval of minutes of the regular meeting held April 25, 2018.

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

**ANNEXATION AND RELATED CHANGE OF ZONE:**

Page  
01 1.1a Annexation No. 18002, to annex approximately 33.56 acres, more or less, on property generally located at NW 48th Street and West Holdrege Street.  
**Staff recommendation: Approval**  
**Staff Planner: Rachel Jones, 402-441-7603, [rjones@lincoln.ne.gov](mailto:rjones@lincoln.ne.gov)**

Page  
01 1.1b Change of Zone No. 07063C, from AG (Agricultural District) to R-3 (Residential District) PUD (Planned Unit Development), on approximately 42.05 acres, more or less, on property generally located at NW 48th Street and West Holdrege Street.  
**Staff recommendation: Conditional Approval**  
**Staff Planner: Rachel Jones, 402-441-7603, [rjones@lincoln.ne.gov](mailto:rjones@lincoln.ne.gov)**

**SPECIAL PERMITS:**

Page  
17 1.2 Special Permit No. 1989C, to amend Special Permit 1989B for Planned Service Commercial to expand the boundary, and a waiver to reduce an internal setback to 0 feet, on property generally located at South 27th Street and Kendra Lane.  
**Staff recommendation: Conditional Approval**  
**Staff Planner: Dessie Redmond, 402-441-6373, [dredmond@lincoln.ne.gov](mailto:dredmond@lincoln.ne.gov)**

- 1.3 Special Permit No. 1906B, to extend the allowed height for a personal wireless facility (cell tower), on property generally located at 2601 North 70th Street. **\*\*FINAL ACTION\*\***  
**Staff recommendation: Conditional Approval**  
**Staff Planner: Brian Will, 402-441-6362, [bwill@lincoln.ne.gov](mailto:bwill@lincoln.ne.gov)**

**2. REQUESTS FOR DEFERRAL:**

- 2.1 Text Amendment No. 18006, to amend Sections 27.06.180 and 27.62.150 of the Lincoln Municipal Code to allow outdoor vehicle storage as a conditional use in the I-1 (Industrial District), and repealing said sections as hitherto existing.  
**Staff recommendation: Approval**  
**Staff Planner: Rachel Jones, 402-441-7603, [rjones@lincoln.ne.gov](mailto:rjones@lincoln.ne.gov)**

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

- 3.1 \_\_\_\_\_
- 3.2 \_\_\_\_\_

**4. PUBLIC HEARING AND ADMINISTRATIVE ACTION:**

**CHANGE OF ZONE:**

- 4.1 Change of Zone No. 18010, from B-1 (Local Business) and R-2 (Residential) to B-3 (Commercial), on property generally located at 11751 "A" and 1425 South 118th Streets, and from B-1 to R-2, on property generally located at 11818 "A" Street.  
**Staff recommendation: Conditional Approval**  
**Staff Planner: Tom Cajka, 402-441-5662, [tcajka@lincoln.ne.gov](mailto:tcajka@lincoln.ne.gov)**

**PERMITS:**

- 4.2a Special Permit No. 1629H, to allow a waiver to parking requirements, on property generally located at S. 27th Street and Pine Lake Road.  
**Staff recommendation: Conditional Approval**  
**Staff Planner: Dessie Redmond, 402-441-6373, [dredmond@lincoln.ne.gov](mailto:dredmond@lincoln.ne.gov)**

- 4.2b Use Permit No. 100C, to replace three office/medical lots with two mixed use buildings, including waivers for parking, building height, uses within a rear yard setback, minimum lot area, and lighting, on property generally located at South 27th Street and Pine Lake Road.  
**Staff recommendation: Conditional Approval**  
**Staff Planner: Dessie Redmond, 402-441-6373, [dredmond@lincoln.ne.gov](mailto:dredmond@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 Department Staff Contacts:**

David Cary, <i>Director</i> .....	402-441-6364 .	<a href="mailto:dcary@lincoln.ne.gov">dcary@lincoln.ne.gov</a>
Stephen Henrichsen, <i>Development Review Manager</i> .....	402-441-6374 .	<a href="mailto:shenrichsen@lincoln.ne.gov">shenrichsen@lincoln.ne.gov</a>
Paul Barnes, <i>Long Range Planning Manager</i> .....	402-441-6372 .	<a href="mailto:pbarnes@lincoln.ne.gov">pbarnes@lincoln.ne.gov</a>
Collin Christopher, <i>Planner</i> .....	402-441-6372 .	<a href="mailto:cchristopher@lincoln.ne.gov">cchristopher@lincoln.ne.gov</a>
Michael Brienzo, <i>Transportation Planner</i> .	402-441-6369 .	<a href="mailto:mbrienzo@lincoln.ne.gov">mbrienzo@lincoln.ne.gov</a>
Tom Cajka, <i>Planner</i> .....	402-441-5662 .	<a href="mailto:tcajka@lincoln.ne.gov">tcajka@lincoln.ne.gov</a>
Stacey Groshong Hageman, <i>Planner</i> ...	402-441-6361 .	<a href="mailto:shageman@lincoln.ne.gov">shageman@lincoln.ne.gov</a>
Rachel Jones, <i>Planner</i> ..	402-441-7603 .	<a href="mailto:rjones@lincoln.ne.gov">rjones@lincoln.ne.gov</a>
Dessie Redmond, <i>Planner</i> .....	402-441-6373 .	<a href="mailto:dredmond@lincoln.ne.gov">dredmond@lincoln.ne.gov</a>
Andrew Thierolf, <i>Planner</i> .....	402-441-6371 .	<a href="mailto:athierolf@lincoln.ne.gov">athierolf@lincoln.ne.gov</a>
George Wesselhoft, <i>Planner</i> .....	402-441-6366 .	<a href="mailto:gwesselhoft@lincoln.ne.gov">gwesselhoft@lincoln.ne.gov</a>
Brian Will, <i>Planner</i> .....	402-441-6362 .	<a href="mailto:bwill@lincoln.ne.gov">bwill@lincoln.ne.gov</a>
Kellee Van Bruggen, <i>Transportation Planner</i> .....	402-441-6363 .	<a href="mailto:kvanbruggen@lincoln.ne.gov">kvanbruggen@lincoln.ne.gov</a>
Ed Zimmer, <i>Historic Preservation Planner</i> .	402-441-6360 .	<a href="mailto:ezimmer@lincoln.ne.gov">ezimmer@lincoln.ne.gov</a>

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**The Planning Commission meeting  
which is broadcast live at 1:00 p.m. every other Wednesday  
will be rebroadcast on Wednesdays at 7:00 p.m., Thursdays at 12:00 a.m. and  
Sundays at 12:30 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.



**LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT**

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Annexation #18002 and Change of Zone #07063C	FINAL ACTION? No	DEVELOPER/OWNER Ringneck Development, LLC
PLANNING COMMISSION HEARING DATE May 9, 2018	RELATED APPLICATIONS None	PROPERTY LOCATION NW 48 <sup>th</sup> and W. Holdrege Streets

**RECOMMENDATIONS: APPROVAL (ANNEXATION)  
CONDITIONAL APPROVAL (CHANGE OF ZONE)**

**BRIEF SUMMARY OF REQUEST**

This is a combined staff report for an annexation and change of zone for the I-80 West Lincoln Business Center Planned Unit Development (PUD).

The proposed annexation includes approximately 33 acres. A change of zone is also requested from AG Agriculture District to R-3 Residential District PUD covering the annexation area and one additional parcel that is already annexed.



**JUSTIFICATION FOR RECOMMENDATION**

This property is contiguous to the City limits on the north and east. It is located in the Tier I, Priority A Growth Area. The proposed zoning is appropriate based on the Future Land Use Map in the Comprehensive Plan and matches the land use identified on the approved PUD.

**APPLICATION CONTACT**

Brad Marshall, (402) 458-5672 or [bmarshall@olssonassociates.com](mailto:bmarshall@olssonassociates.com)

**STAFF CONTACT**

Rachel Jones, (402) 441-7603 or [rjones@lincoln.ne.gov](mailto:rjones@lincoln.ne.gov)

**COMPATIBILITY WITH THE COMPREHENSIVE PLAN**

The requested annexation and change of zone are consistent with the 2040 Comprehensive Plan, which identifies future urban density residential land uses and classifies this site within Growth Tier I, Priority A. Priority A includes areas that are not yet annexed but which have approved preliminary plans such as PUDs. Priority A serves as the "future urban area" for purposes of annexation per state statute.

## KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

P. 12.3 - this site is shown as future urban residential on the 2040 Lincoln Area Future Land Use Plan.

P. 12.4 - Urban Residential. Multi-family and single family residential uses in areas with varying densities ranging from more than fifteen dwelling units per acre to less than one dwelling per acre.

Pg. 1.10 - This site is shown in Tier I Priority A on the Growth Tier Map.

The ANNEXATION POLICY- page 12.14-12.15 of the 2040 Comprehensive Plan.

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

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

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

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

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

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

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

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

## ANALYSIS

1. The I-80 West Lincoln Business Center PUD is generally located west of NW 48<sup>th</sup> Street on either side of W. Holdrege Street. This request is to annex 33.56 acres and a change of zone from AG to R-3 PUD over 42.05 acres.
2. The annexation area is contiguous to the City limits on the north and east. The change of zone covers the same boundary as the annexation area with the exception that the change of zone also includes Lot 40, I.T. located adjacent to N.W. 48<sup>th</sup> Street, which is already annexed.
3. The approved PUD shows residential and commercial uses north of W. Holdrege Street. The area along NW 48<sup>th</sup> Street labeled as "Neighborhood Business" on the PUD is allowed to develop as either commercial or residential. The proposed change of zone is in conformance with the future land use map in the Comprehensive Plan which designates this area for residential uses.
4. A PUD site plan was not included with the submittal because no changes to the PUD are proposed from what was approved with the most recent full amendment, Change of Zone #07063B. This change of zone is strictly a revision to the zoning boundary. Details of grading, street profiles, and lot layout have already been approved for the application area with the prior amendment.
5. Final plans for Change of Zone #07063B have not yet been submitted at the time of this staff report publication and should be approved prior to scheduling this Change of Zone #07063C for City Council hearing.
6. The following describes the availability of utilities and services in this area:
  - a. A sewer line is being installed through annexation area between Interstate 80 and W. Holdrege to serve this area.
  - b. There is a 16" water main in NW 48<sup>th</sup> Street and there are also water mains in the local streets abutting the annexation area.
  - c. A conditional zoning and annexation agreement was approved in 2011. The agreement addresses the paving of NW 48<sup>th</sup>, W. Holdrege, and NW 56<sup>th</sup> Streets. W. Holdrege Street is currently a gravel road. The developer would be required to dedicate necessary easements and right-of-way to the City at the time W. Holdrege Street is improved. The developer is requesting to annex down to W. Holdrege Street but access will not be taken to W. Holdrege Street until a timeline is developed for the design and improvement of that street.
  - d. A future trail is planned on the north side of W. Holdrege Street.
  - e. Emergency Services: This area in the Southwest Rural Fire District. After annexation, fire protection will be provided by Lincoln Fire and Rescue (LFR). There is no necessary reimbursement in order for the city fire department to serve this area after annexation. The nearest Lincoln Fire and Rescue Station is located at NW 36<sup>th</sup> and W. Luke Streets.
7. Growth Tier I reflects the "Future Service Limit" where urban services and inclusion in the City limits is anticipated within the 30-year planning period. Tier I includes three Priority Areas for phasing development. Priority A is comprised of undeveloped land within the City limits, as well as areas that are not yet annexed but which have approved preliminary plans such as preliminary plats, use permits, community unit plans, or planned unit developments. Priority A serves as the "future urban area" for purposes of annexation per state statute, and these areas are appropriate for immediate annexation upon final plat approval.

**CONDITIONS OF APPROVAL:** See attached.

**EXISTING LAND USE & ZONING:** Agriculture; AG

### SURROUNDING LAND USE & ZONING

North: Single family residential and vacant; R-3

South: Agriculture; AG

East: Agriculture and vacant; AG and B-2

West: Agriculture; AG

**APPROXIMATE LAND AREA:**

Annexation #17023: 33.56 acres, more or less  
Change of Zone from AG to R-3 PUD: 42.05 acres, more or less

**PROPOSED CITY COUNCIL DISTRICT ASSIGNMENT:** District #4

**LEGAL DESCRIPTIONS:** See attached.

Prepared by

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Rachel Jones, Planner

Date: May 1, 2018

Applicant: Bill Preston  
11904 Arbor Street, Suite 200  
Omaha, NE 68144  
(402) 330-2274 or [mpreston@mffi.com](mailto:mpreston@mffi.com)

Contact: Brad Marshall  
Olsson Associates  
601 P Street, Suite 200  
Lincoln, NE 68508  
(402) 458-5672 or [bmarshall@olssonassociates.com](mailto:bmarshall@olssonassociates.com)

Owner: Ringneck Development, LLC  
11904 Arbor Street, Suite 200  
Omaha, NE 68144

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## APPLICATION HISTORY

- Jan. 2005 Airport West Subarea Study adopted by City Council. This PUD is within the plan boundaries.
- Feb. 2008 Change of Zone No. 07063 was recommended for approval by Planning Commission.
- Annexation No. 07005 was recommended for approval by Planning Commission pending completion of an Annexation Agreement.
- Comprehensive Plan Amendment No. 07003 was recommended for approval by Planning Commission. The 2010 Comprehensive Plan update made the amendment irrelevant and the application was never heard by the City Council.
- Nov. 2011 Change of Zone No. 07063 and Annexation No. 07005 were approved by City Council for approximately 448 dwelling units, 1.5 million square feet of commercial, office, and industrial floor area, and up to 200 hotel/motel rooms. Also included was approval of the I-80 West Lincoln Business Center Conditional Annexation and Zoning Agreement.
- Feb. 2017 Change of Zone No. 07063A and Annexation No. 16014 were approved by City Council for approximately 41 dwelling units in the northern portion of the PUD.
- Feb. 2018 Annexation No. 17023 and Change of Zone No. 07063B were approved by City Council for approximately 20 acres north and south of W. Holdrege Street.

## CONDITIONS OF APPROVAL - CHANGE OF ZONE #07063C

This approval permits a Change of Zone from AG to R-3 PUD over approximately 42.05 acres.

### Site Specific Conditions:

1. The City Council approves associated request:
  - 1.1 Annexation No. 18002
2. Before receiving building permits, the developer shall provide the following documents to the Planning Department:
  - 2.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the planned unit development has been recorded.
  - 2.2 Verification that an aviation and noise easement to the Lincoln Airport Authority on all or that part of the land located within the Airport Environs Noise District has been received by the Lincoln Airport Authority.

### Standard Conditions:

3. The following conditions are applicable to all requests:
  - 3.1 Before occupying the dwelling units/buildings all development and construction shall substantially comply with the approved plans.
  - 3.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
  - 3.3 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.
  - 3.4 The terms, conditions, and requirements of the ordinance shall run with the land and be binding upon the developer, its successors and assigns.
  - 3.5 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefore to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.
  - 3.6 The site plan as approved with this ordinance voids and supersedes all previously approved site plans, however all ordinances approving previous permits remain in full force and effect unless specifically amended by this ordinance.



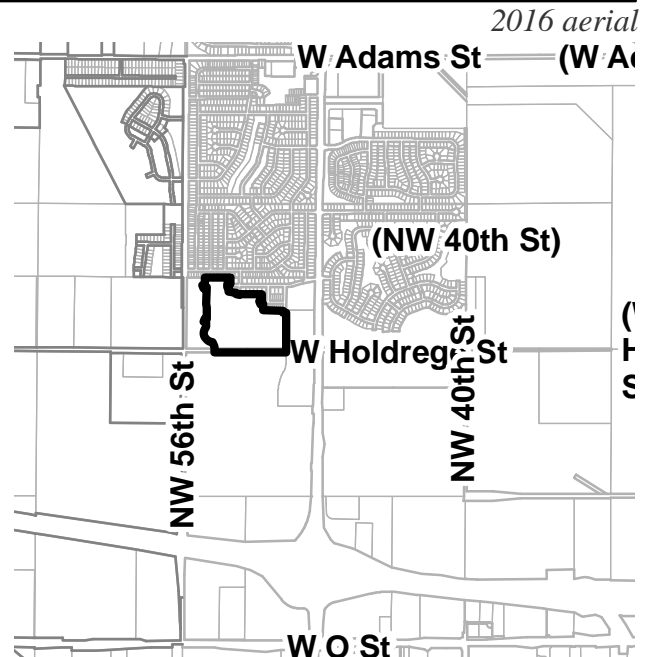
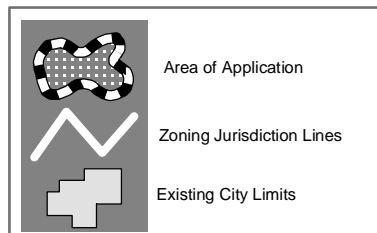
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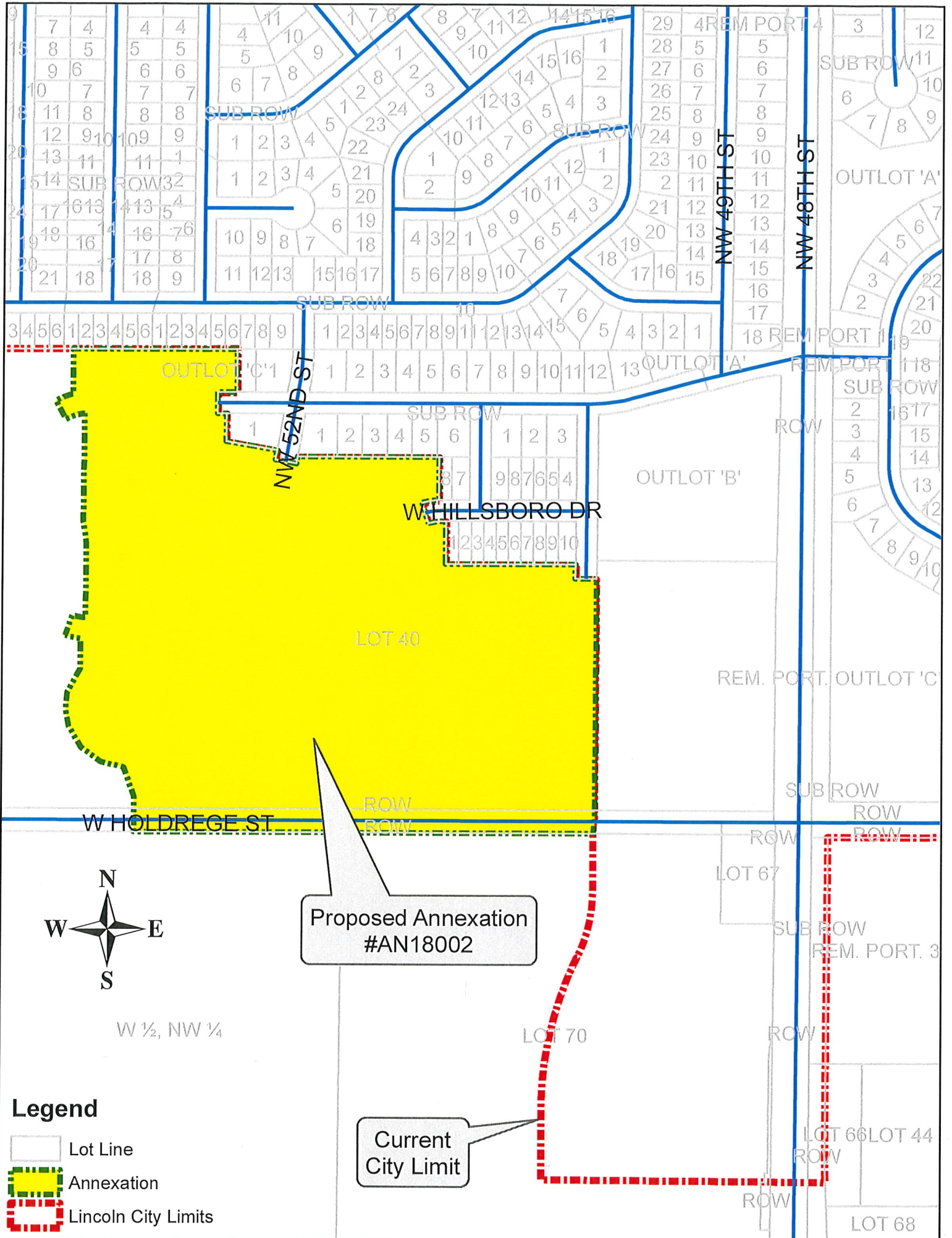
**Annexation #: AN18002**  
**Village West 1st Addition**  
**NW 48th St & W Holdrege St**

**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

Two Square Miles:  
 Sec.18 T10N R06E  
 Sec.19 T10N R06E








Proposed Annexation  
#AN18002

Current  
City Limit

**Legend**

-  Lot Line
-  Annexation
-  Lincoln City Limits

W 1/2, NW 1/4



**LEGAL DESCRIPTION  
ANNEXATION**

A TRACT OF LAND COMPOSED OF A PORTION OF LOT 40 I.T., LOCATED IN THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH P.M.; THENCE WESTERLY ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER ON AN ASSUMED BEARING OF N89°54'57"W, A DISTANCE OF 610.28' TO A POINT, SAID POINT BEING ON THE SOUTH LINE OF LOT 40 I.T., SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING N89°54'57"W ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER, SAID LINE BEING THE SOUTH LINE OF SAID LOT 40 I.T., A DISTANCE OF 1,298.78' TO A POINT; THENCE N00°05'03"E, A DISTANCE OF 65.98' TO A POINT; THENCE N19°24'58"W, A DISTANCE OF 87.24' TO A POINT; THENCE N76°56'47"W, A DISTANCE OF 65.46' TO A POINT; THENCE N54°06'49"W, A DISTANCE OF 69.13' TO A POINT; THENCE N30°39'00"W, A DISTANCE OF 69.13' TO A POINT; THENCE N10°41'27"W, A DISTANCE OF 48.65' TO A POINT; THENCE N05°45'50"E, A DISTANCE OF 47.60' TO A POINT; THENCE N28°33'17"E, A DISTANCE OF 75.08' TO A POINT; THENCE N00°26'53"E, A DISTANCE OF 84.73' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 14°05'44", A RADIUS OF 180.00', AN ARC LENGTH OF 44.28', A CHORD LENGTH OF 44.17', A TANGENT LENGTH OF 22.25', AND A CHORD BEARING OF N77°42'06"W TO A POINT; THENCE N19°20'46"E, A DISTANCE OF 60.00' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 17°41'41", A RADIUS OF 120.00', AN ARC LENGTH OF 37.06', A CHORD LENGTH OF 36.91', A TANGENT LENGTH OF 18.68', AND A CHORD BEARING OF S79°30'04"E TO A POINT; THENCE N00°26'53"E, A DISTANCE OF 209.52' TO A POINT; THENCE N08°33'14"W, A DISTANCE OF 61.03' TO A POINT; THENCE N00°26'53"E, A DISTANCE OF 302.03' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 21°59'02", A RADIUS OF 144.96', AN ARC LENGTH OF 55.62', A CHORD LENGTH OF 55.28', A TANGENT LENGTH OF 28.16', AND A CHORD BEARING OF S72°19'34"W TO A POINT; THENCE N28°39'44"W, A DISTANCE OF 60.00' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 14°44'46", A RADIUS OF 204.97', AN ARC LENGTH OF 52.75', A CHORD LENGTH OF 52.61', A TANGENT LENGTH OF 26.52', AND A CHORD BEARING OF N68°42'31"E TO A POINT; THENCE N00°00'54"W, A DISTANCE OF 126.02' TO A POINT OF INTERSECTION WITH A NORTH LINE OF SAID LOT 40 I.T.; THENCE N89°59'01"E, ON A NORTH LINE OF SAID LOT 40 I.T., A DISTANCE OF 462.00' TO THE NORTHEAST CORNER OF SAID LOT 40 I.T.; THENCE S00°00'54"E, ON A EAST LINE OF SAID LOT 40 I.T., A DISTANCE OF 120.03' TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF WEST GARY GATELY STREET; THENCE S89°59'06"W, ON A SOUTH LINE OF SAID LOT 40 I.T., SAID LINE BEING A NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 54.32' TO THE NORTHWEST CORNER OF SAID RIGHT-OF-WAY; THENCE S00°00'54"E, ON A EAST LINE OF LOT 40 I.T., SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 60.00' TO THE SOUTHWEST CORNER OF SAID RIGHT-OF-WAY; THENCE N89°59'06"E, ON A NORTH LINE OF SAID LOT 40 I.T., SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 25.00' TO A POINT; THENCE S00°14'27"W, ON A EAST LINE OF SAID LOT 40 I.T., A DISTANCE OF 77.71' TO A POINT; THENCE S80°01'21"E, ON A NORTH LINE OF SAID LOT 40 I.T., A DISTANCE OF 145.64' TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF NORTHWEST 52ND STREET; THENCE S09°58'39"W, ON A EAST LINE OF SAID LOT 40 I.T., SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 26.71' TO THE SOUTHWEST CORNER OF SAID RIGHT-OF-WAY; THENCE S80°01'21"E, ON A NORTH LINE OF SAID LOT 40 I.T., SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 60.00' TO THE SOUTHEAST CORNER OF SAID RIGHT-OF-WAY; THENCE N09°58'39"E, ON A WEST LINE OF SAID LOT 40 I.T., SAID LINE BEING A EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 20.00' TO A POINT; THENCE N89°59'06"E, ON A NORTH LINE OF SAID LOT 40 I.T., A DISTANCE OF 399.93' TO A POINT; THENCE S00°00'54"E, ON A EAST LINE OF SAID LOT 40 I.T., A DISTANCE OF 120.36' TO A POINT OF INTERSECTION WITH A NORTH RIGHT-OF-WAY LINE OF WEST HILLSBORO, SAID POINT BEING A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 13°06'02", A RADIUS OF 205.00', AN ARC LENGTH OF 46.87' ON A SOUTH LINE OF SAID LOT 40 I.T., SAID LINE BEING A NORTH LINE OF SAID RIGHT-OF-WAY, A CHORD LENGTH OF 46.77', A TANGENT LENGTH OF 23.54', AND A CHORD BEARING OF S80°03'21"W TO THE NORTHWEST CORNER OF SAID RIGHT-OF-WAY; THENCE S16°29'40"E, ON A EAST LINE OF SAID LOT 40, SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 60.00' TO THE SOUTHWEST CORNER OF SAID RIGHT-OF-WAY, SAID POINT BEING A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 16°28'47", A RADIUS OF 145.00', AN ARC LENGTH OF 41.71' ON A NORTH LINE OF SAID LOT 40 I.T., SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, A CHORD LENGTH OF 41.56', A TANGENT LENGTH OF 21.00', AND A CHORD BEARING OF N81°44'43"E TO A POINT; THENCE N89°59'06"E, ON A NORTH LINE OF SAID LOT 40 I.T., SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 7.65' TO A POINT; THENCE S00°00'54"E, ON A EAST LINE OF SAID LOT 40 I.T., A DISTANCE OF 120.00' TO A POINT; THENCE S89°58'43"E, ON A NORTH LINE OF SAID LOT 40 I.T., A DISTANCE OF 364.46' TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF NORTH WEST 50TH STREET; THENCE S00°14'27"W, ON A WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 39.77' TO THE SOUTHWEST CORNER OF SAID RIGHT-OF-WAY; THENCE S89°45'33"E, ON A SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 60.00' TO THE SOUTHEAST CORNER OF SAID RIGHT-OF-WAY; THENCE S00°14'27"W, A DISTANCE OF 683.07' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA 1,461,739.24 SQUARE FEET OR 33.56 ACRES, MORE OR LESS.

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 USER: mjohnson  
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Wednesday, April 11, 2018

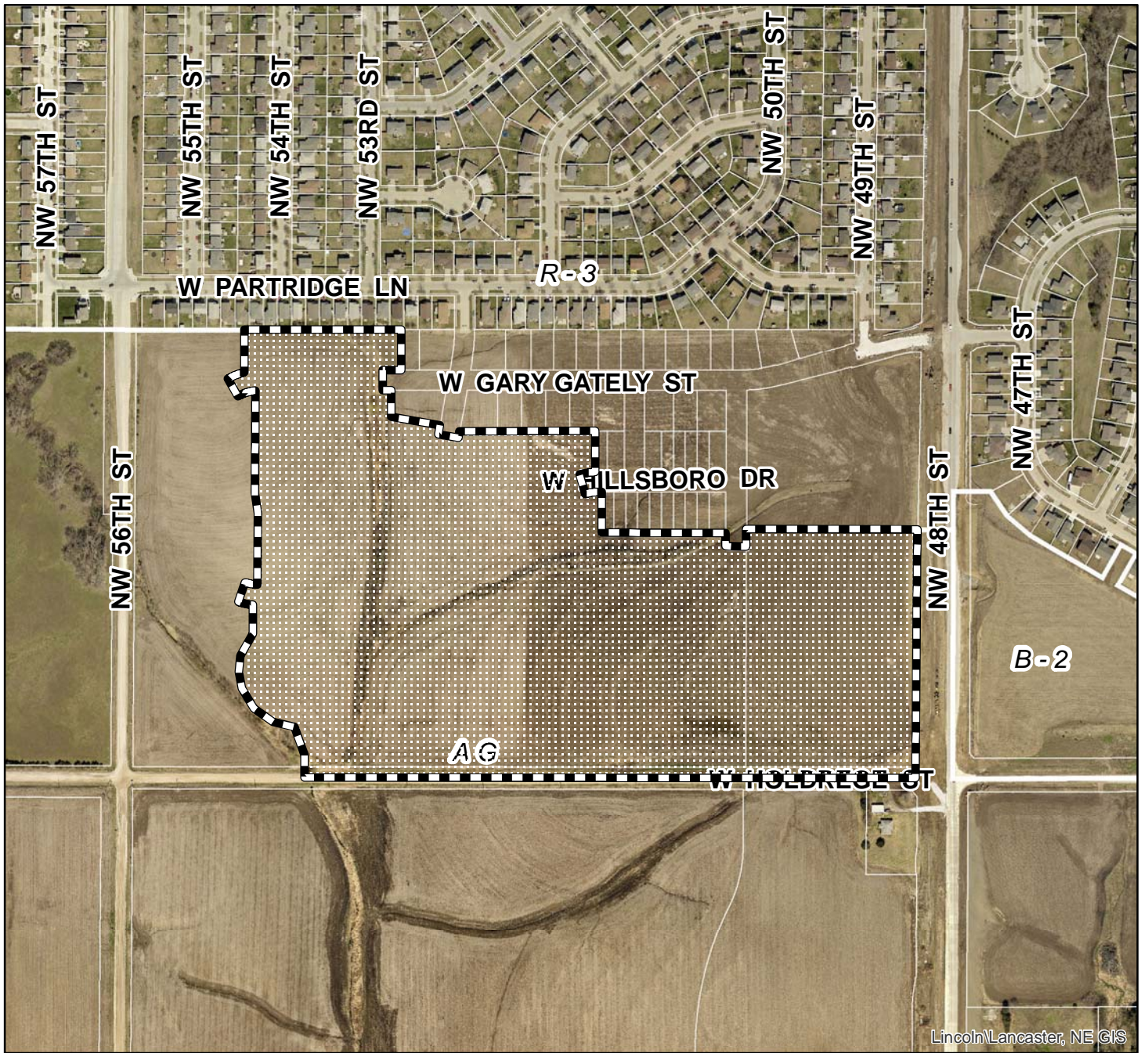
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PROJECT NO: 017-2494  
 DRAWN BY: MRJ  
 DATE: APRIL 11TH, 2018

**VILLAGE WEST 1ST ADDITION  
ANNEXATION EXHIBIT B**

**MOLSSON**  
ASSOCIATES  
 601 P Street, Suite 200  
 P.O. Box 84608  
 Lincoln, NE 68508  
 TEL 402.474.6311  
 FAX 402.474.5160

SHEET  
**2 OF 4**






2016 aerial

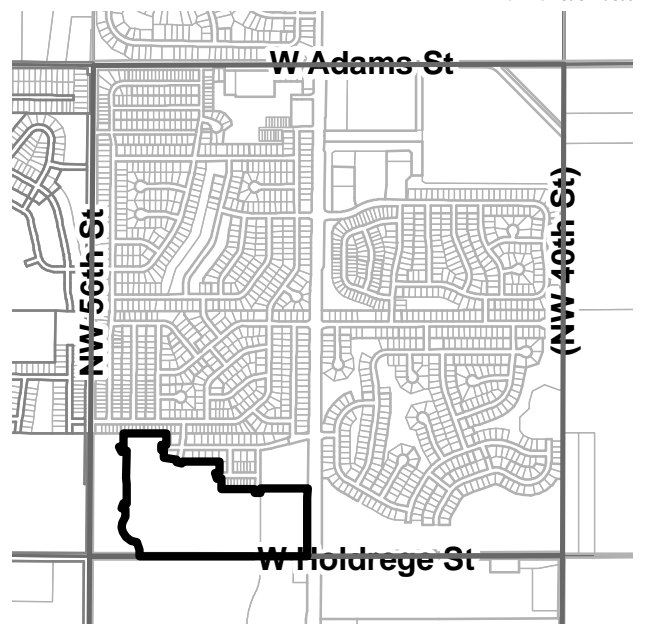
**Change of Zone #: CZ07063C**  
**Village West 1st Addition**  
**NW 48th St & W Holdrege St**

**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.18 T10N R06E

	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction





**LEGAL DESCRIPTION  
CHANGE OF ZONE**

A TRACT OF LAND COMPOSED OF A PORTION OF LOT 40 I.T., LOCATED IN THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6TH P.M.; THENCE WESTERLY ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER ON AN ASSUMED BEARING OF N89°54'57"W, A DISTANCE OF 107.20' TO THE SOUTHEAST CORNER OF LOT 40 I.T., SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING; THENCE CONTINUING N89°54'57"W ON THE SOUTH LINE OF SAID SOUTHWEST QUARTER, SAID LINE BEING THE SOUTH LINE OF SAID LOT 40 I.T., A DISTANCE OF 1,801.86' TO A POINT; THENCE N00°05'03"E, A DISTANCE OF 65.98' TO A POINT; THENCE N19°24'58"W, A DISTANCE OF 87.24' TO A POINT; THENCE N76°56'47"W, A DISTANCE OF 65.46' TO A POINT; THENCE N54°06'49"W, A DISTANCE OF 69.13' TO A POINT; THENCE N30°39'00"W, A DISTANCE OF 69.13' TO A POINT; THENCE N10°41'27"W, A DISTANCE OF 48.65' TO A POINT; THENCE N05°45'50"E, A DISTANCE OF 47.60' TO A POINT; THENCE N28°33'17"E, A DISTANCE OF 75.08' TO A POINT; THENCE N00°26'53"E, A DISTANCE OF 84.73' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 14°05'44", A RADIUS OF 180.00', AN ARC LENGTH OF 44.28', A CHORD LENGTH OF 44.17', A TANGENT LENGTH OF 22.25', AND A CHORD BEARING OF N77°42'06"W TO A POINT; THENCE N19°20'46"E, A DISTANCE OF 60.00' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 17°41'41", A RADIUS OF 120.00', AN ARC LENGTH OF 37.06', A CHORD LENGTH OF 36.91', A TANGENT LENGTH OF 18.68', AND A CHORD BEARING OF S79°30'04"E TO A POINT; THENCE N00°26'53"E, A DISTANCE OF 209.52' TO A POINT; THENCE N08°33'14"W, A DISTANCE OF 61.03' TO A POINT; THENCE N00°26'53"E, A DISTANCE OF 302.03' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 21°59'02", A RADIUS OF 144.96', AN ARC LENGTH OF 55.62', A CHORD LENGTH OF 55.28', A TANGENT LENGTH OF 28.16', AND A CHORD BEARING OF S72°19'34"W TO A POINT; THENCE N28°39'44"W, A DISTANCE OF 60.00' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 14°44'46", A RADIUS OF 204.97', AN ARC LENGTH OF 52.75', A CHORD LENGTH OF 52.61', A TANGENT LENGTH OF 26.52', AND A CHORD BEARING OF N68°42'31"E TO A POINT; THENCE N00°00'54"W, A DISTANCE OF 126.02' TO A POINT OF INTERSECTION WITH A NORTH LINE OF SAID LOT 40 I.T.; THENCE N89°59'01"E, ON A NORTH LINE OF SAID LOT 40 I.T., A DISTANCE OF 462.00' TO THE NORTHEAST CORNER OF SAID LOT 40 I.T.; THENCE S00°00'54"E, ON A EAST LINE OF SAID LOT 40 I.T., A DISTANCE OF 120.03' TO A POINT OF INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF WEST GARY GATELY STREET; THENCE S89°59'06"W, ON A SOUTH LINE OF SAID LOT 40 I.T., SAID LINE BEING A NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 54.32' TO THE NORTHWEST CORNER OF SAID RIGHT-OF-WAY; THENCE S00°00'54"E, ON A EAST LINE OF LOT 40 I.T., SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 60.00' TO THE SOUTHWEST CORNER OF SAID RIGHT-OF-WAY; THENCE N89°59'06"E, ON A NORTH LINE OF SAID LOT 40 I.T., SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 25.00' TO A POINT; THENCE S00°14'27"W, ON A EAST LINE OF SAID LOT 40 I.T., A DISTANCE OF 77.71' TO A POINT; THENCE S80°01'21"E, ON A NORTH LINE OF SAID LOT 40 I.T., A DISTANCE OF 145.64' TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF NORTHWEST 52ND STREET; THENCE S09°58'39"W, ON A EAST LINE OF SAID LOT 40 I.T., SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 26.71' TO THE SOUTHWEST CORNER OF SAID RIGHT-OF-WAY; THENCE S80°01'21"E, ON A NORTH LINE OF SAID LOT 40 I.T., SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 60.00' TO THE SOUTHEAST CORNER OF SAID RIGHT-OF-WAY; THENCE N09°58'39"E, ON A WEST LINE OF SAID LOT 40 I.T., SAID LINE BEING A EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 20.00' TO A POINT; THENCE N89°59'06"E, ON A NORTH LINE OF SAID LOT 40 I.T., A DISTANCE OF 399.93' TO A POINT; THENCE S00°00'54"E, ON A EAST LINE OF SAID LOT 40 I.T., A DISTANCE OF 120.36' TO A POINT OF INTERSECTION WITH A NORTH RIGHT-OF-WAY LINE OF WEST HILLSBORO, SAID POINT BEING A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 13°08'02", A RADIUS OF 205.00', AN ARC LENGTH OF 46.87' ON A SOUTH LINE OF SAID LOT 40 I.T., SAID LINE BEING A NORTH LINE OF SAID RIGHT-OF-WAY, A CHORD LENGTH OF 46.77', A TANGENT LENGTH OF 23.54', AND A CHORD BEARING OF S80°03'21"W TO THE NORTHWEST CORNER OF SAID RIGHT-OF-WAY; THENCE S16°29'40"E, ON A EAST LINE OF SAID LOT 40, SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 60.00' TO THE SOUTHWEST CORNER OF SAID RIGHT-OF-WAY, SAID POINT BEING A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 16°28'47", A RADIUS OF 145.00', AN ARC LENGTH OF 41.71' ON A NORTH LINE OF SAID LOT 40 I.T., SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, A CHORD LENGTH OF 41.56', A TANGENT LENGTH OF 21.00', AND A CHORD BEARING OF N81°44'43"E TO A POINT; THENCE N89°59'06"E, ON A NORTH LINE OF SAID LOT 40 I.T., SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 7.65' TO A POINT; THENCE S00°00'54"E, ON A EAST LINE OF SAID LOT 40 I.T., A DISTANCE OF 120.00' TO A POINT; THENCE S89°58'43"E, ON A NORTH LINE OF SAID LOT 40 I.T., A DISTANCE OF 364.46' TO A POINT OF INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF NORTH WEST 50TH STREET; THENCE S00°14'27"W, ON A WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 39.77' TO THE SOUTHWEST CORNER OF SAID RIGHT-OF-WAY; THENCE S89°45'33"E, ON A SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 60.00' TO THE SOUTHEAST CORNER OF SAID RIGHT-OF-WAY; THENCE N00°14'27"E, ON A WEST LINE OF SAID LOT 40 I.T., SAID LINE BEING A EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 51.13' TO THE SOUTHWEST CORNER OF OUTLOT "B", VILLAGE WEST ADDITION; THENCE S89°54'57"E, ON A NORTH LINE OF SAID LOT 40 I.T., SAID LINE BEING A SOUTH LINE OF SAID OUTLOT "B", A DISTANCE OF 506.04' TO A NORTHEAST CORNER OF SAID LOT 40 I.T., SAID POINT BEING THE SOUTHEAST CORNER OF SAID OUTLOT "B", SAID POINT ALSO BEING ON A WEST RIGHT-OF-WAY LINE OF NORTH WEST 48TH STREET; THENCE S00°51'57"W, ON A EAST LINE OF SAID LOT 40 I.T., SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 133.17' TO A POINT; THENCE S00°23'06"W, ON A EAST LINE OF SAID LOT 40 I.T., SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 601.05' TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA 1,831,850.79 SQUARE FEET OR 42.05 ACRES, MORE OR LESS.

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 USER: mjohnson  
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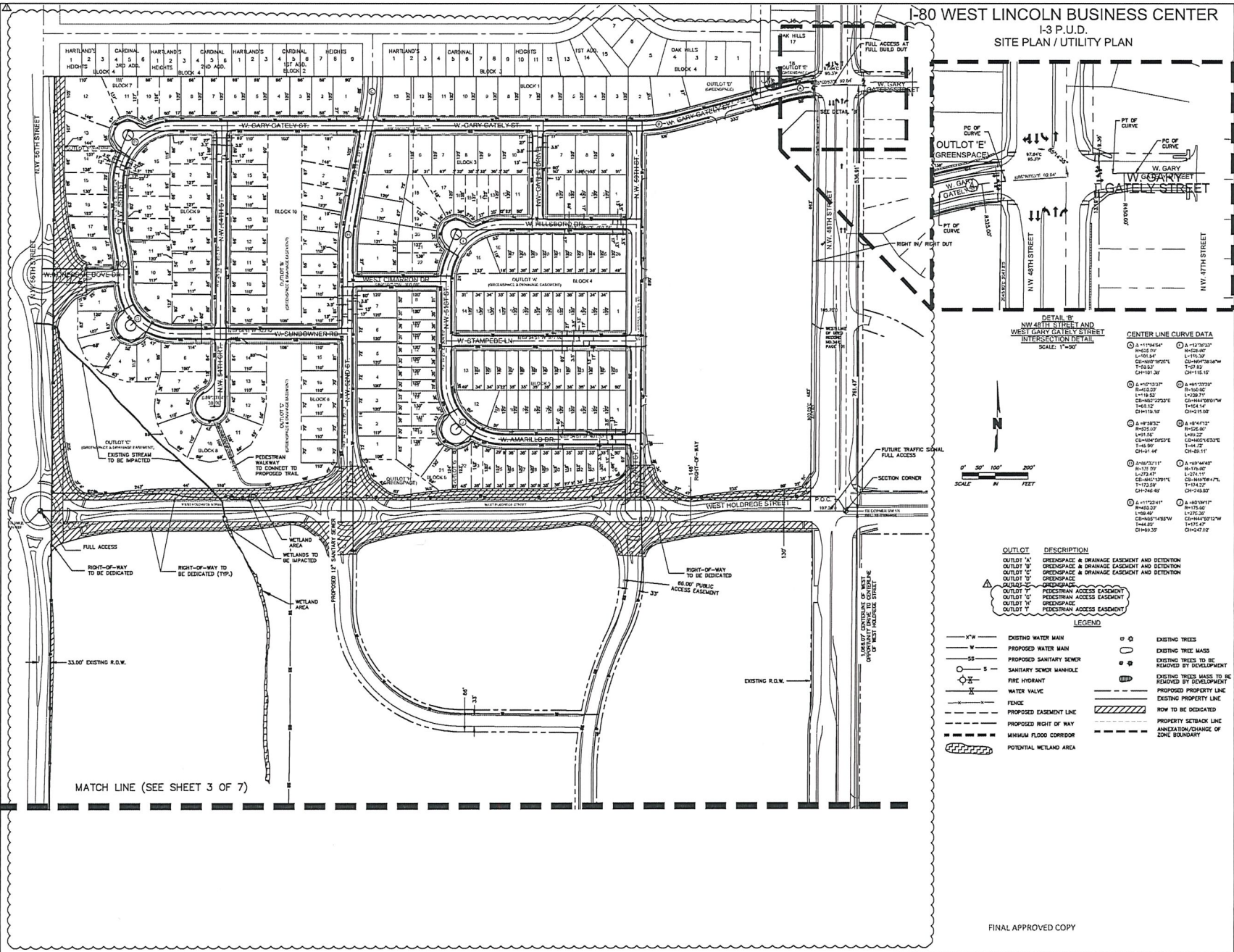
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PROJECT NO: 017-2494
DRAWN BY: MRJ
DATE: APRIL 11TH, 2018

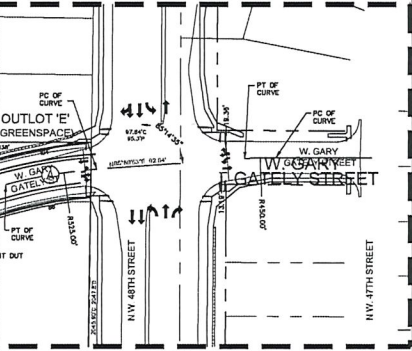
**VILLAGE WEST 1ST ADDITION  
CHANGE OF ZONE EXHIBIT D**


 601 P Street, Suite 200  
 P.O. Box 84608  
 Lincoln, NE 68508  
 TEL 402.474.6311  
 FAX 402.474.5160

SHEET
4 OF 4



1-80 WEST LINCOLN BUSINESS CENTER  
I-3 P.U.D.  
SITE PLAN / UTILITY PLAN



DETAIL 'E'  
WEST GARY STREET AND  
WEST STAMPEDE LN  
INTERSECTION DETAIL  
SCALE: 1"=50'

CENTER LINE CURVE DATA

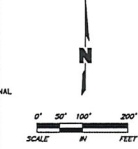
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CH=107.1921'	CH=107.1921'	CH=107.1921'	CH=107.1921'
TA=10.7220°	TA=10.7220°	TA=10.7220°	TA=10.7220°
CH=107.1921'	CH=107.1921'	CH=107.1921'	CH=107.1921'
② A=107°13'37"	R=160.00'	Δ=107°13'37"	R=160.00'
P=102.00'	L=129.77'	P=102.00'	L=129.77'
CH=107.1921'	CH=107.1921'	CH=107.1921'	CH=107.1921'
TA=10.7220°	TA=10.7220°	TA=10.7220°	TA=10.7220°
CH=107.1921'	CH=107.1921'	CH=107.1921'	CH=107.1921'
③ A=107°13'37"	R=160.00'	Δ=107°13'37"	R=160.00'
P=102.00'	L=129.77'	P=102.00'	L=129.77'
CH=107.1921'	CH=107.1921'	CH=107.1921'	CH=107.1921'
TA=10.7220°	TA=10.7220°	TA=10.7220°	TA=10.7220°
CH=107.1921'	CH=107.1921'	CH=107.1921'	CH=107.1921'
④ A=117°23'41"	R=252.00'	Δ=117°23'41"	R=252.00'
P=102.00'	L=183.00'	P=102.00'	L=183.00'
CH=107.1921'	CH=107.1921'	CH=107.1921'	CH=107.1921'
TA=10.7220°	TA=10.7220°	TA=10.7220°	TA=10.7220°
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⑤ A=107°13'37"	R=160.00'	Δ=107°13'37"	R=160.00'
P=102.00'	L=129.77'	P=102.00'	L=129.77'
CH=107.1921'	CH=107.1921'	CH=107.1921'	CH=107.1921'
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CH=107.1921'	CH=107.1921'	CH=107.1921'	CH=107.1921'

OUTLOT DESCRIPTION

OUTLOT 'A'	GREENSPACE & DRAINAGE EASEMENT AND DETENTION
OUTLOT 'B'	GREENSPACE & DRAINAGE EASEMENT AND DETENTION
OUTLOT 'C'	GREENSPACE & DRAINAGE EASEMENT AND DETENTION
OUTLOT 'D'	GREENSPACE
OUTLOT 'E'	GREENSPACE
OUTLOT 'F'	PEDESTRIAN ACCESS EASEMENT
OUTLOT 'G'	PEDESTRIAN ACCESS EASEMENT
OUTLOT 'H'	GREENSPACE
OUTLOT 'I'	PEDESTRIAN ACCESS EASEMENT
OUTLOT 'J'	PEDESTRIAN ACCESS EASEMENT
OUTLOT 'K'	PEDESTRIAN ACCESS EASEMENT
OUTLOT 'L'	PEDESTRIAN ACCESS EASEMENT
OUTLOT 'M'	PEDESTRIAN ACCESS EASEMENT
OUTLOT 'N'	PEDESTRIAN ACCESS EASEMENT
OUTLOT 'O'	PEDESTRIAN ACCESS EASEMENT
OUTLOT 'P'	PEDESTRIAN ACCESS EASEMENT
OUTLOT 'Q'	PEDESTRIAN ACCESS EASEMENT
OUTLOT 'R'	PEDESTRIAN ACCESS EASEMENT
OUTLOT 'S'	PEDESTRIAN ACCESS EASEMENT
OUTLOT 'T'	PEDESTRIAN ACCESS EASEMENT
OUTLOT 'U'	PEDESTRIAN ACCESS EASEMENT
OUTLOT 'V'	PEDESTRIAN ACCESS EASEMENT
OUTLOT 'W'	PEDESTRIAN ACCESS EASEMENT
OUTLOT 'X'	PEDESTRIAN ACCESS EASEMENT
OUTLOT 'Y'	PEDESTRIAN ACCESS EASEMENT
OUTLOT 'Z'	PEDESTRIAN ACCESS EASEMENT

LEGEND

— W —	EXISTING WATER MAIN	○ ○	EXISTING TREES
— W —	PROPOSED WATER MAIN	○	EXISTING TREE MASS
— S —	PROPOSED SANITARY SEWER	○ ○	EXISTING TREES TO BE REMOVED BY DEVELOPMENT
— S —	SANITARY SEWER MANHOLE	○ ○	EXISTING TREES MASS TO BE REMOVED BY DEVELOPMENT
— F —	FIRE HYDRANT	— — —	PROPOSED PROPERTY LINE
— V —	WATER VALVE	— — —	EXISTING PROPERTY LINE
— F —	FENCE	— — —	HOW TO BE DEDICATED
— E —	PROPOSED EASEMENT LINE	— — —	PROPERTY SETBACK LINE
— R —	PROPOSED RIGHT OF WAY	— — —	AMENDMENT/DRAINAGE OF ZONE BOUNDARY
— M —	MINIMUM FLOOD CORRIDOR		
— P —	POTENTIAL WETLAND AREA		



**OLSSON ASSOCIATES**

REVISIONS

NO.	DATE	DESCRIPTION	BY	CHKD.
1	08/11/2007	ISSUED FOR PERMIT	...	...
2	08/11/2007	ISSUED FOR PERMIT	...	...
3	08/11/2007	ISSUED FOR PERMIT	...	...
4	08/11/2007	ISSUED FOR PERMIT	...	...
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7	08/11/2007	ISSUED FOR PERMIT	...	...
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9	08/11/2007	ISSUED FOR PERMIT	...	...
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25	08/11/2007	ISSUED FOR PERMIT	...	...
26	08/11/2007	ISSUED FOR PERMIT	...	...
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30	08/11/2007	ISSUED FOR PERMIT	...	...
31	08/11/2007	ISSUED FOR PERMIT	...	...
32	08/11/2007	ISSUED FOR PERMIT	...	...
33	08/11/2007	ISSUED FOR PERMIT	...	...
34	08/11/2007	ISSUED FOR PERMIT	...	...
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42	08/11/2007	ISSUED FOR PERMIT	...	...
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46	08/11/2007	ISSUED FOR PERMIT	...	...
47	08/11/2007	ISSUED FOR PERMIT	...	...
48	08/11/2007	ISSUED FOR PERMIT	...	...
49	08/11/2007	ISSUED FOR PERMIT	...	...
50	08/11/2007	ISSUED FOR PERMIT	...	...

SITE PLAN  
I-3 P.U.D.  
1-80 WEST LINCOLN BUSINESS CENTER  
LINCOLN, NE  
SHEET 2A OF 7

FINAL APPROVED COPY

DATE: 08/11/2007  
 TIME: 10:00 AM  
 PROJECT: 1-80 WEST LINCOLN BUSINESS CENTER  
 SHEET: 2A OF 7  
 DRAWN BY: ...  
 CHECKED BY: ...  
 APPROVED BY: ...  
 DATE: 08/11/2007

April 11, 2018

Mr. David Cary  
Planning Department, City of Lincoln  
County-City Building  
555 So. 10<sup>th</sup> Street  
Lincoln, Nebraska 68508

RE: I-80 West Lincoln Business Center H-3 Planned Unit Development  
Applications for Annexation and Change of Zone

Dear Mr. Cary:

On behalf of the Owner, Ringneck Development, LLC ("Ringneck"), we are requesting an application for Annexation and Change of Zone. Ringneck Development, LLC is a party to the Conditional Annexation and Zoning Agreement ("Agreement") approved by the City on November 9, 2011 that master planned the infrastructure to provide the future annexation of the property.

Ringneck is requesting to annex and change of zone an area totaling 33.7 acres (annexation) and 42.1 acres (Change of Zone) and is legally described as shown on Exhibits "A" and "B" enclosed herein.

Exhibits "A" and "B" describe the area seeking annexation. Exhibits "C" and "D" describe the area seeking to change zone from AG to R-3 Planned Unit Development ("R-3 Property").

The proposed Change of Zone request contains 33.7 acres of Residential Area and 8.5 acres of Neighborhood Business Area. Regulations applicable to these properties of the PUD are described the adopted Development Plan contained in the Agreement.

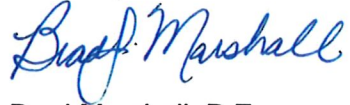
Ringneck's request for annexation and change of zone for the Properties to entitle and zone the property to prepare it for the next stage of development. The PUD plans show conceptual uses and street layouts for the unannexed areas of the Property. Ringneck understands it will need to submit application to amend the PUD for the Property prior to submitting applications for final plat to show more detail of the uses and grading/drainage.

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

1. Application for Change of Zone and Annexation
2. Application Fees (\$988)
3. Exhibits and Legal Descriptions

If you require further information or have any questions, please do not hesitate to contact me at [bmarshall@olssonassociates.com](mailto:bmarshall@olssonassociates.com) or (402) 458-5672.

Sincerely,

A handwritten signature in blue ink that reads "Brad Marshall". The signature is written in a cursive, flowing style.

Brad Marshall, P.E.

Enclosures

cc with enclosures: Mike Preston  
Todd Lorenz  
File

F:\2017\2001-2500\017-2494\20-Management\Communication\L\_Cary\_2018-4-11.doc

**LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT**

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Special Permit #1989C	FINAL ACTION? No	DEVELOPER/OWNER Sid Dillon/Sun Holdings, LLC
PLANNING COMMISSION HEARING DATE May 9, 2018	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION 2627 Kendra Lane

**RECOMMENDATION: CONDITIONAL APPROVAL**

**BRIEF SUMMARY OF REQUEST**

This is a request for an amendment to Special Permit #1989B to expand the boundaries of the Special Permit to include Lot 1, Tamarin Ridge First Addition and then a waiver to reduce setbacks as follows:

- The internal south setback to 0 feet on Lot 4, Tamarin Ridge Addition (where adjacent to Tamarin Ridge First Addition),
- The internal north setback to 0 feet on Lot 1, Tamarin Ridge First Addition.

**JUSTIFICATION FOR RECOMMENDATION**

This amendment will allow for the construction of a canopy to cross an internal lot line while adhering to the intent of the approved plan. The expansion of the boundaries and the waiver to reduce the setbacks are justifiable because the abutting south property functions as part of the dealership premises.



**APPLICATION CONTACT**

Jeremy Williams, Design Associates  
(402) 474-3000  
jeremy@daoflincoln.com

**STAFF CONTACT**

Dessie E. Redmond, Planner  
(402) 441-6373  
dredmond@lincoln.ne.gov

**COMPATIBILITY WITH THE COMPREHENSIVE PLAN**

This amendment would be in keeping with the intent of the previously approved plan and would be supported by the Comprehensive Plan.

**WAIVERS**

1. Reduce the internal south setback to 0 feet on Lot 4, Tamarin Ridge Addition (where adjacent to Tamarin Ridge First Addition). (Recommend Approval)
2. Reduce the internal north setback to 0 feet on Lot 1, Tamarin Ridge First Addition. (Recommend Approval)

**KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN**

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

P. 12.4 - Commercial. Areas of retail, office, service and residential mixed uses. Commercial uses may vary widely in their intensity of use and impact. Individual areas designated as commercial in the land use plan may not be appropriate for every commercial zoning district.

P. 5.1-5.2 - Business & Economy Guiding Principles

- Focus primarily on retention and expansion of existing businesses; attracting new businesses should also be encouraged.
- Strive for predictability for neighborhoods and developers.
- Encourage commercial centers to encompass a broad range of land uses with the integration of compatible land use types.

**ANALYSIS**

1. This site is located at 2627 Kendra Lane and is zoned H-4 General Commercial and operates under a Planned Service Commercial Special Permit. Sid Dillon is an existing car dealership located on the site. Surrounding uses include a hotel and multi-family (apartments) to the west, commercial to the north, and S. 27<sup>th</sup> Street abutting to the east. To the south is a healthcare facility.
2. There are other automobile dealerships in this general vicinity including one across the street on the east side of S. 27<sup>th</sup> Street and one at the northeast corner of S. 27<sup>th</sup> Street and Yankee Hill Road. These are also in the H-4 zoning district with Planned Service Commercial Special Permits. Additionally, there are three auto dealerships on the south side of Yankee Hill Road between S. 30<sup>th</sup> and S. 37<sup>th</sup> Streets.
3. The requested internal setback reductions would be within the premise of the dealership with the proposed expansion of the Special Permit boundaries of Lot 1, Tamarin Ridge First Addition. The setback waiver will allow for the construction of a canopy to cross an internal lot line without negatively affecting neighbors.

**CONDITIONS OF APPROVAL:** See attached

**SURROUNDING LAND USE & ZONING:**

North: Commercial); H-4  
 South: Healthcare facility; R-4  
 East: Auto dealership; H-4  
 West: Hotel and multi-family (apartments); H-4 and R-4

**APPLICATION HISTORY:** See attached

**APPROXIMATE LAND AREA:** 12.97 acres

**LEGAL DESCRIPTION:** Lots 1-4, Block 1, Tamarin Ridge Addition, and Lot 1, Tamarin Ridge First Addition, located in the NE 1/4 of Section 24-9-6, Lincoln, Lancaster County, Nebraska.

Prepared by:

---

Dessie E. Redmond, Planner  
 (402) 441-6373

Date: May 1, 2018

Applicant/Contact: Jeremy Williams, Design Associates  
1609 N Street

Lincoln, NE 68508

Owner:

Sid Dillon, Inc.  
2627 Kendra Lane  
Lincoln, NE 68512

Sun Holdings, LLC.  
4533 Union Hill Road  
Lincoln, NE 68516

F:\DevReview\SP\18000\SP1989C Sid Dillon.dr.docx

## CONDITIONS OF APPROVAL - SPECIAL PERMIT #1989C

Per Section 27.63.470 this approval grants a waiver to reduce the internal south setback to 0 feet on Lot 4, Tamarin Ridge Addition (where adjacent to Tamarin Ridge First Addition) and to reduce the internal north setback to 0 feet on Lot 1, Tamarin Ridge First Addition. Also, to expand the boundaries of the Special Permit to include Lot 1, Tamarin Ridge First Addition.

### Site Specific Conditions:

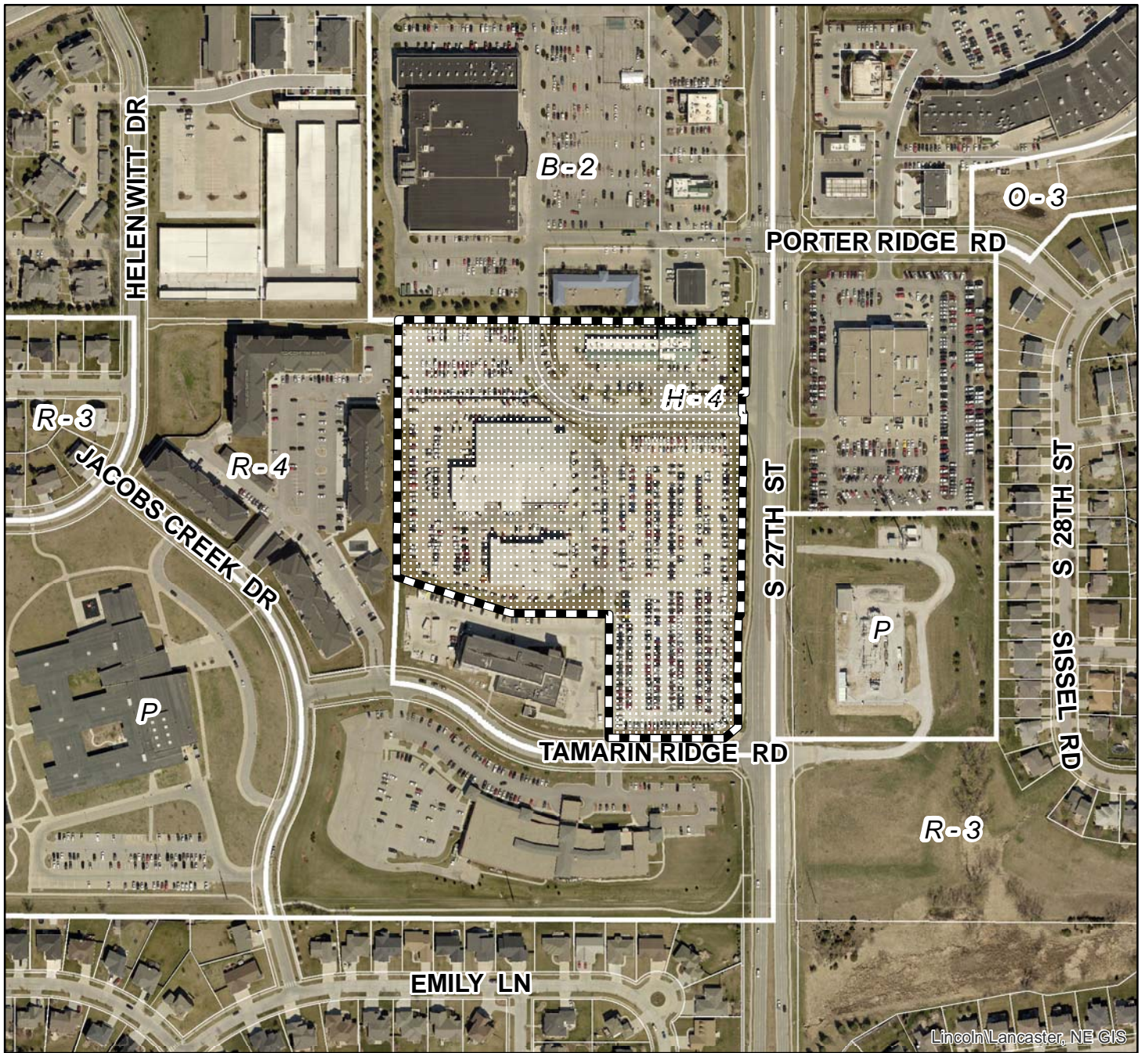
1. Before receiving building permits the permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 3 copies with all required revisions and documents as listed below:
  - 1.1. This approval is contingent upon the approval of an Administrative Amendment to SP07015A to reduce the boundaries of the Special Permit to exclude Lot 1, Tamarin Ridge First Addition.
  - 1.2. Update the site plan with the most recently approved Final Plans for SP1989A.

### Standard Conditions:

2. The following conditions are applicable to all requests:
  - 2.1. Before starting the operation 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.

## APPLICATION HISTORY

November 22, 2011	Administrative Amendment (AA) #11062 to Special Permit (SP) #1989A to reduce the internal side yards to 0 feet and to revise the land use on Lot 3 from Retail/Commercial to Commercial was approved by the Planning Director.
October 30, 2007	AA07103 to SP1989A to reduce the front yard setbacks for Lots 1 and 4 along S. 27 <sup>th</sup> Street from 40 feet to 20 feet and Lots 1-4 along Kendra Land from 50 feet to 32 feet and the side yard setback on the south side of Lot 4 from 50 feet to 20 feet was approved by the Planning Director.
October 12, 2007	SP1989B to revise SP1989A to construct a new ground sign identifying individual businesses at The Shoppes at Tamarin Ridge that exceed the height restriction was withdrawn by the applicant.
July 30, 2007	SP1989A to revise SP1989 for a change in lighting plan for Sid Dillon Automobile Dealership to modify the requirement that all outside lighting shall meet the City Design Standards for parking lots was approved by the Planning Commission.
January 6, 2006	Design Associates submitted an application for an administrative amendment to amend the lighting requirements for SP1989 (Sid Dillon). This administrative amendment was denied by the Planning Director due to the fact the proposed lighting plan did not substantially match Williamson and DuTeua lighting plans.
March 16, 2005	AA05018 to SP2022 (Williamson) to revise notes pertaining to lighting standards was approved by the Planning Director.
July 28, 2004	AA04059 to SP2022 to increase the floor area of the auto dealership (Williamson) to 65,200 square feet was approved by the Planning Director.
February 12, 2004	AA04005 to SP1989 to modify the land use table for Lots 1 and 2, Block 1 from 22,500 square feet of retail/commercial floor area to 5,200 square feet of floor area for a sit-down restaurant, 7,874 square feet of floor area for retail/commercial and 9,426 square feet of unassigned floor area was approved by the Planning Director.
November 3, 2003	SP2022 for Planned Service Commercial to include a 43,500 square feet auto dealership (Williamson) was approved by the City Council.
March 3, 2003	SP1989 for Planned Service Commercial to include an 80,000 square feet auto dealership (Sid Dillon) was approved by the City Council.
February 10, 1999	SP1629A to revise SP1629 for a 40,000 square feet auto dealership (DuTeau) was approved by the Planning Commission.



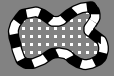


2016 aerial

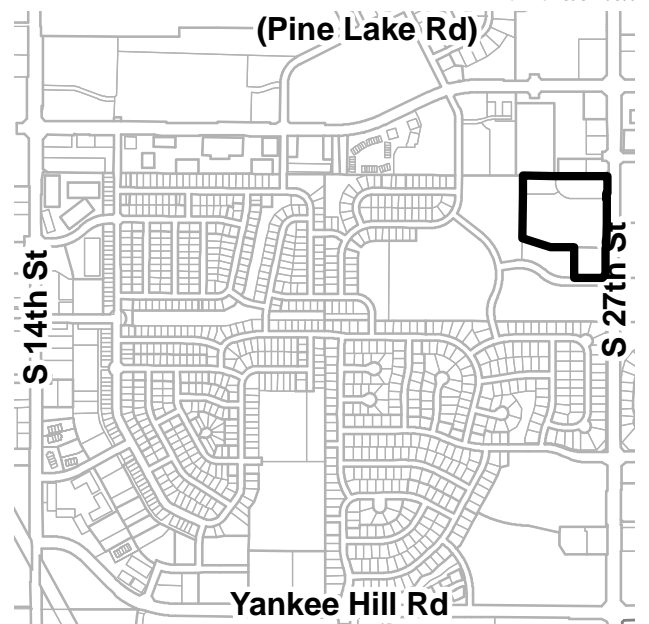
**Special Permit #: SP1989C**  
**Sid Dillon**  
**S 27th St & Kendra La**

**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.24 T09N R06E**

	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction



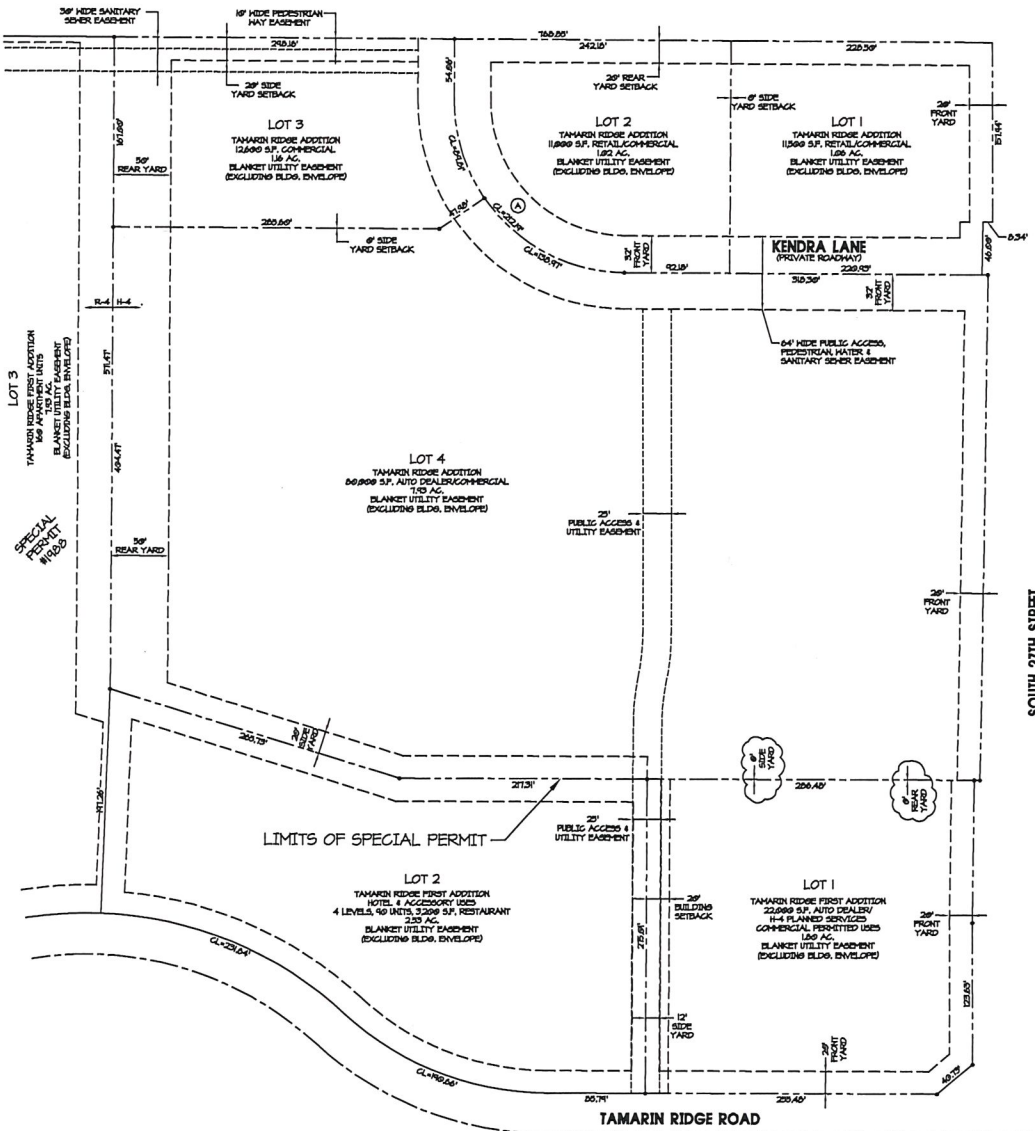
13 APR 2018

**GENERAL NOTES**

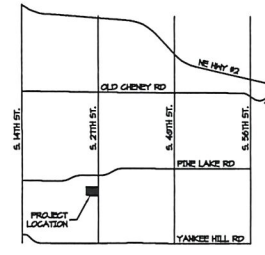
1. THE OWNER/DEVELOPER RESERVES THE RIGHT TO BUILD ANYWHERE WITHIN THE REQUIRED SETBACKS AS PER THE L.I.N.G. OR AS SHOWN ON THE PLAT.
2. DIRECT VEHICULAR ACCESS TO SOUTH 27TH STREET IS HEREBY REQUISITED EXCEPT AT TAMARIN RIDGE ROAD AND KENDRA LANE.
3. ALL CURBLOTS, MEDIAN, CENTER ISLANDS AND PRIVATE ROADWAYS IN THE PUBLIC RIGHT-OF-WAY SHALL BE MAINTAINED BY AN ASSOCIATION OF HOMEOWNERS AND/OR THE PROPERTY OWNERS.
4. COMMON AND PUBLIC ACCESS EASEMENTS ARE HEREBY GRANTED OVER ALL PRIVATE ROADWAYS, PRIVATE DRIVES, DRIVE AISLES, PARKING STALLS AND SIDEWALKS TO BE SHOWN ON FUTURE AMENDMENTS.
5. UTILITY EASEMENTS TO BE APPROVED AS REQUIRED BY L.I.S.
6. BLANKET UTILITY EASEMENTS ARE HEREBY GRANTED ON ALL LOTS EXCEPT BUILDING ENVELOPES. ANY CONSTRUCTION OR GRADE CHANGES IN L.I.S. TRANSMISSION LINE EASEMENT CORRIDORS ARE SUBJECT TO L.I.S. APPROVAL AND MUST BE IN ACCORDANCE WITH L.I.S. DESIGN AND SAFETY STANDARDS. LANDSCAPING MATERIAL SELECTIONS WITHIN EASEMENT CORRIDORS SHALL FOLLOW ESTABLISHED GUIDELINES TO MAINTAIN HIGHWAY CLEARANCE FROM UTILITY FACILITIES.
7. FRONT, SIDE AND REAR YARD SETBACKS SHALL BE IN ACCORDANCE WITH THE INDIVIDUAL ZONING DISTRICT UNLESS OTHERWISE NOTED.
8. PRIVATE DRIVES SHALL BE SURFACED WITH 6 INCHES OF PORTLAND CEMENT OR 3 INCHES OF PORTLAND CEMENT BASE AND 2 1/2 INCHES OF ASPHALTIC CONCRETE SURFACE OR 6 INCHES OF ASPHALTIC CONCRETE. ALL PRIVATE ROADWAYS SHALL HAVE A 3 INCH CURB AND A 6 INCH RASSED CURB.
9. ALL PAVEMENT RADII TO BE 26' AND PAVEMENT WIDTH TO BE 27' UNLESS NOTED OTHERWISE.
10. SIDEWALKS SHALL BE LOCATED ON BOTH SIDES OF ALL INTERIOR STREETS. SIDEWALKS SHALL ALSO BE LOCATED ALONG THE WEST SIDE OF SOUTH 27TH STREET. SIDEWALKS SHALL BE A MINIMUM OF 4' IN WIDTH. SIDEWALKS ALONG PRIVATE ROADWAYS SHALL BE LOCATED A MINIMUM OF 6 FEET FROM THE BACK OF CURB. SIDEWALKS SHALL BE A MINIMUM OF 6 FEET IN WIDTH IF LOCATED ADJACENT TO THE CURB. SIDEWALKS SHALL BE A MINIMUM OF 4 INCHES THICK CONCRETE, 5 INCHES THICK AT DRIVEWAY CROSSINGS.
11. SANITARY SEWER AND WATER LINES TO BE 8" AND 6" PIPE RESPECTIVELY UNLESS SHOWN OTHERWISE AND TO BE BUILT TO THE CITY LINKAGE SPECIFICATIONS.
12. ALL CURVILINEAR DIMENSIONS ARE CHORD LENGTHS.
13. ALL PROPOSED FRONT TURNLANS SHALL BE 10 FEET HIGH. 80 FOOT TANGENT LENGTH WITH 10 FOOT REVERSE CURVE LENGTH (200' RADII BACK TO BACK). ALL OTHER FRONT TURNLANS SHALL BE INSTALLED IN CONNECTION WITH FUTURE IMPROVEMENT PROJECTS. SURETY SHALL BE POSTED GUARANTEEING THE PROVISION OF TURNLANS.
14. TOPOGRAPHIC GRADING CONTOURS ARE AT NAVD 1985 DATUM.
15. ALL LOT LINES ARE CONCEPTUAL AND FINAL PLATS MAY SHOW DIFFERENT LOT WIDTHS.
16. THE DEVELOPER AGREES TO COMPLY WITH THE DESIGN STANDARDS OF THE CITY OF LINCOLN FOR EROSION CONTROL AND SEDIMENTATION DURING AND AFTER LAND PREPARATION AND TO SUBMIT A SEDIMENT AND MAINTENANCE SCHEDULE BEFORE SITE GRADING IS DONE.
17. AS HIGH TREES AS POSSIBLE SHALL BE RETAINED. THOSE TREES THAT MUST BE REMOVED WILL BE REPOSED OF IN AN APPROPRIATE MANNER IN ACCORDANCE WITH LINCOLN-LANCASTER COUNTY AIR POLLUTION REGULATIONS AND STANDARDS.
18. PAVING IMPROVEMENTS OF SOUTH 27TH STREET AT KENDRA LANE AND TAMARIN RIDGE ROAD IS APPROVED IN CONCEPT ONLY. THE FINAL DESIGN MAY REQUIRE REVISIONS TO MEET DESIGN STANDARDS.
19. ANY RELOCATION OF EXISTING L.I.S. FACILITIES WILL BE AT THE OWNER/DEVELOPER'S EXPENSE.

**SPECIAL PERMIT-PLANNED SERVICE COMMERCIAL (H-4) GENERAL NOTES**

1. THE OWNER/DEVELOPER RESERVES THE RIGHT TO BUILD ANYWHERE WITHIN THE BUILDING ENVELOPE SHOWN ON THIS SPECIAL PERMIT.
2. BUILDING HEIGHT SHALL NOT EXCEED 20 FEET (H-4).
3. PARKING LOT LIGHTING SHALL MEET CITY OF LINCOLN DESIGN STANDARDS FOR PARKING LOTS. ALL OUTSIDE LIGHTING SHALL MEET CITY OF LINCOLN DESIGN STANDARDS RELATIVE TO LIGHT MEASUREMENTS AT THE ZONED PROPERTY LINE.
4. THIS SPECIAL PERMIT CONTAINS 4 COMMERCIAL LOTS. LOTS 1-4, BLOCK 1 SHALL CONTAIN 15,000 S.F. OF RETAIL COMMERCIAL USES AS PERMITTED BY H-4 PLANNED SERVICE COMMERCIAL INCLUDING 8,000 S.F. OF AUTOMOTIVE DEALERSHIP.
5. SIGNAGE SHALL BE AS PER SECTION 21.04 OF THE LINCOLN MUNICIPAL CODE. HOWEVER, POLE SIGNS AND OFF PREMISES SIGNS SHALL BE PROHIBITED.
6. AN ADMINISTRATIVE AMENDMENT TO APPROVE A SIGNIFICANT SITE PLAN ON EACH LOT WILL NOT BE REQUIRED UNLESS THE SITE INCLUDES A DRIVE THRU FACILITY, CONVENIENCE STORES/AS PUMPS AND/OR A CAR WASH.
7. THE SQUARE FOOTAGE IN THE H-4 LAND USE TABLE SHOWN ON THIS PAGE MAY BE ADJUSTED BY ADMINISTRATIVE AMENDMENT AS LONG AS THE TOTAL FLOOR AREA (15,000 S.F.) MAY BE INCREASED BY THE TROPS SHOWN IN THE TABLES. THE TOTAL FLOOR AREA (15,000 S.F.) MAY BE INCREASED BY AN ADMINISTRATIVE AMENDMENT.
8. HANOVER TO ALLOW THE PLANNING COMMISSION TO APPROVE THE SITE PLANS, GRADING SIGN LOCATIONS AND REQUIRED LANDSCAPE PLANS AT THE TIME OF THE SPECIAL PERMIT ON THE H-4 PARCELS.
9. HANOVER TO THE ZONING ORDINANCE FOR A REDUCTION OF THE FRONT YARD SETBACK OF 30' TO 25' ALONG SOUTH 27TH STREET ON THE H-4 PARCELS. SETBACK PARCEL REDUCED TO 25' AS PERMITTED IN THE ZONING DISTRICT.
10. HALVER OF THE REQUIRED SIDE YARD SETBACK ALONG THE NORTH PROPERTY LINE FROM 50' TO 25' ON THE H-4 PARCELS.
11. INTERNAL SETBACKS BETWEEN LOTS ARE 0'.
12. THE OWNER OF LOT 4, BLOCK 1 HAS THE RIGHT TO PROVIDE VEHICULAR ACCESS THROUGH THE SITE DURING NON-BUSINESS HOURS 9 PM TO 7 AM.
13. OVERHEAD DOORS THAT OPEN INTO MECHANICAL/SERVICE BAYS ON THE SOUTH AND WEST SIDES OF THE BUILDING SHALL BE 50% SCREENED WITH CONSPICUOUS TREES AT LEAST AS HIGH AND THICK THE HEIGHT OF SAID DOOR AT THE POINT OF PLANTING. DOORS FOR SERVICE ACCESS, HIGH CAR TRIP OR DELIVERY AREA ARE EXCEPTED FROM THIS SCREENING REQUIREMENT.
14. NO OUTDOOR SPEAKERS SHALL BE PERMITTED ON THE AUTO DEALERSHIP LOT ONLY. MENU BOARD SPEAKERS ON DRIVE THRU'S SHALL BE PERMITTED.
15. NO SIGN OR LIGHTED BAND SHALL BE PERMITTED ON THE SOUTH AND WEST SIDES OF THE AUTO DEALERSHIP BUILDING ONLY.
16. DISPLAY LOT LIGHTING LEVELS FOR LOT 4, BLOCK 1, AFTER DARK AND DURING BUSINESS HOURS, DISPLAY LOT LIGHTING LEVELS SHALL NOT EXCEED AND AVERAGE FOOT CANDLE MEASUREMENT GREATER THAN 20' AND AFTER BUSINESS HOURS DISPLAY LOT LIGHTING LEVELS SHALL NOT EXCEED AN AVERAGE FOOT CANDLE MEASUREMENT GREATER THAN 4. THE LIGHT FIXTURES FOR DISPLAY LOT LIGHTING SHALL BE MODIFIED TO ADD FULL CUTOFF SHIELDS, ANY FUTURE REPLACEMENT OF THE EXISTING FIXTURES SHALL BE A FULL CUTOFF DESIGN.
17. OUTSIDE LIGHTING LEVELS BEYOND THE DISPLAY LOT AREA FOR LOT 4, BLOCK 1, SHALL NOT EXCEED AN AVERAGE FOOT CANDLE MEASUREMENT GREATER THAN 4.



**SITE PLAN**  
SCALE: 1" = 30'



**LEGAL DESCRIPTION:**  
 LOTS 1-4, BLOCK 1, TAMARIN RIDGE ADDITION  
 LOT 1, TAMARIN RIDGE FIRST ADDITION  
 LOT 1, EX. 4442 2P ON E. P. OR ST. 20871-20840S  
 TAMARIN RIDGE FIRST ADDITION

**OWNERS OF RECORD:**  
 LOTS 3 & 4, BLOCK 1, TAMARIN RIDGE ADDITION  
 LOT 1, TAMARIN RIDGE FIRST ADDITION  
 302 DOLLAR INC  
 2627 KENDRA LANE  
 LINCOLN, NE 68502

LOTS 1 & 2, BLOCK 1, TAMARIN RIDGE ADDITION  
 SEM HOLDINGS LLC  
 4533 LINCOLN HILL ROAD  
 LINCOLN, NE 68506

**APPLICANT:**  
 DESIGN ASSOCIATES OF LINCOLN, INC  
 1804 N. STREET  
 LINCOLN, NE 68506  
 402-714-3008

**CURVE DATA:**  
 R=100.00'  
 L=220.70'  
 T=58.08'  
 Δ=94.155°  
 CL=32.71'  
 CB=44°30'7" H

**REVISIONS:**

- 1. ADDITION OF LOT 1, TAMARIN RIDGE FIRST ADD.
- 2. REDUCE INTERNAL SIDE YARD ON LOT 4, TAMARIN RIDGE FIRST ADDITION ADJACENT TO LOT 1, TAMARIN RIDGE FIRST ADDITION FROM 25' TO 0'.
- 3. REDUCE INTERNAL REAR YARD ON LOT 1, TAMARIN RIDGE FIRST ADDITION FROM 25' TO 0'.

**TAMARIN RIDGE**  
 SPECIAL PERMIT #1918C  
 LINCOLN, NEBRASKA

**Design Associates**  
 1717 F STREET, SUITE 100 • LINCOLN, NE 68502  
 PHONE: 402.714.3008 • FAX: 402.714.3008  
 WWW.DESIGNASSOCIATES.COM

**SITE PLAN**

**1 OF 1**

# Design Associates

of Lincoln, Inc.



ARCHITECTS • PLANNERS • ENGINEERS

April 11, 2018

Mr. David Cary  
Director of Planning  
City of Lincoln /Lancaster County  
555 South 10th Street, Ste. 213  
Lincoln, NE 68508

Re: Amendment to Special Permit #1989B  
Planned Service Commercial

Dear Mr. Cary:

On behalf of SID DILLON, INC., owner of Lot 3&4, Tamarin Ridge Addition and Lot 1, Tamarin Ridge First Addition and On behalf on SUN HOLDINGS LLC., LOT 1&2, Tamarin Ridge Addition we submit this application for an Amendment to Special Permit #1989B for Planned Service Commercial. With this amendment we are requesting a waiver to reduce the side yard setback (LMC 27.72.040) to 0' adjacent to the B-2 zoning of Tamarin Ridge First Addition to the South.

This adjacent property was recently acquired by Sid Dillon Inc. for expansion of the existing Sid Dillion dealership.

Included with this submittal is the following information:

Special Permit Amendment Application  
Special Permit Amendment Filing Fee - \$988.00  
This cover letter and the site plan will be uploaded to ProjectDox.

Please feel free to contact us (402) 474-3000 if we can provide any additional information or answer any questions that will assist in the review of this application.

Sincerely,

Jeremy Williams, P.E.

**LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT**

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

<b>APPLICATION NUMBER</b> Special Permit #1906B	<b>FINAL ACTION?</b> Yes	<b>DEVELOPER/OWNER</b> YMCA of Lincoln
<b>PLANNING COMMISSION HEARING DATE</b> May 9, 2018	<b>RELATED APPLICATIONS</b> None	<b>PROPERTY ADDRESS/LOCATION</b> 2601 North 70 <sup>th</sup> Street

**RECOMMENDATION: CONDITIONAL APPROVAL**

**BRIEF SUMMARY OF REQUEST**

This is a request to correct the approved height for a personal wireless facility located on the site of the Northeast YMCA. The facility was originally approved for a maximum height of 78', but is actually 84' tall. This application will allow the facility to remain in its current form at 84' in height, the top 4' of which is a lightning rod.



**JUSTIFICATION FOR RECOMMENDATION**

This will increase the maximum allowed height from 78' to 84', where the top 4' of the facility is a lightning rod. The adjustment to correct the height is not significantly greater than the already allowed height, and located in the parking lot of a large civic facility the use is not out of place or incompatible.

**APPLICATION CONTACT**

Richard Krueger, (736)-852-0576, or richard.krueger@crowncastle.com

**STAFF CONTACT**

Brian Will, (402) 441-6362 or bwill@lincoln.ne.gov

**COMPATIBILITY WITH THE COMPREHENSIVE PLAN**

The Comprehensive Plan designates this area for Urban Residential land uses. However, the immediate area is not developed with only residential uses. The site is located adjacent to an arterial street, faces a church across the street, and one block away are Robin Mickle Middle School and Tyrrell Park. Personal wireless facilities are allowed in any zoning district by special permit when appropriate, and this is an appropriate location for a wireless facility in this neighborhood.

## KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

**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 11.23** - 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

1. This request seeks to correct the maximum allowed height of a personal wireless facility located in the parking lot of the Northeast YMCA, by extending the allowed height from 78' to 84'. It is necessary because the tower was actually constructed to 84' in height, thereby exceeding the allowed height by 6'.
2. SP#1906 was originally approved in 2001, and allowed a personal wireless facility to replace a light pole, and extend up to a maximum of 78' in height. The original plan showed two carriers using either flush-mounted or compact canister antenna arrays being located on the tower.
3. SP#1906A was approved in 2016 allowing an antenna array to be either a flush-mounted or compact design, one more typical of the current technology for wireless facilities. The maximum height was still approved for 78', however that application showed that the tower had only been built to 74'.
4. The most recent plans submitted for building permits to upgrade antenna facilities on the tower showed the tower at 84'. It was noted that this exceeded the maximum allowed height and therefore was not allowed.
5. The definition of 'maximum height' varies across the United States, but in the City of Lincoln the maximum height is measured to very top of the facility, including any appurtenances such as lightning rods or antennas. It is possible there was misunderstanding on the part of carriers and their design professionals regarding Lincoln's definition, and that was reflected in the plans previously submitted to the City for review.
6. This request represents a 6' increase over the original approval, 4' of which consists of a lightning rod. This is an appropriate location for a wireless facility in the neighborhood, as the site is adjacent to an arterial street, faces a church across the street, and is one block away from Robin Mickle Middle School and Tyrrell Park.
7. If approved, this request does not significantly increase the intensity of land use on this site, and will result in no actual changes in the height of the facility. It will allow it to remain as it exists, and continue to accommodate up to three carriers and provide wireless service to users in this area. The proposed use is compatible with the surrounding uses, and subject to the conditions of approval complies with the Zoning Ordinance and Comprehensive Plan.

**CONDITIONS OF APPROVAL:** See attached.

**EXISTING LAND USE & ZONING:** Indoor Recreation Facility R-2

**SURROUNDING LAND USE & ZONING**

North:	Multiple-family Dwellings	R-4
South:	Single-family Residential	R-2
East:	Church	R-2
West:	Single-family Residential, Daycare Facility	R-2

**APPLICATION HISTORY**

**May 2001** - Special Permit #1906 was approved authorizing a 78'-tall, low-profile wireless facility, replacing a light pole in the parking lot of the Northeast YMCA.

**May 2016** - Special Permit #1906A was approved authorizing an additional antenna array other than a flush-mounted, compact array to be located on the facility.

**APPROXIMATE LAND AREA:** Approximately 2.1 acres more or less.

**LEGAL DESCRIPTION:** Lot 5, Harland Taylor 2nd Addition, located in the NE 1/4 of Section 16-10-7, Lincoln, Lancaster County, Nebraska

Prepared by

\_\_\_\_\_  
Brian Will, 402-441-6362, [bwill@lincoln.ne.gov](mailto:bwill@lincoln.ne.gov)  
Planner  
March 22, 2018

Applicant/

Contact: Richard Krueger  
Crown Castle  
1600 Utica Ave Ste#475  
St. Louis Park, MN 55416  
763-8522-0576  
[Richard.krueger@crowncastle.com](mailto:Richard.krueger@crowncastle.com)

Owner:

YMCA of Lincoln  
570 Fallbrook Blvd Ste#210  
Lincoln, NE 68521

F:\DevReview\SP\1900\SP1906B Sprint at NE YMCA Extension.bjw.docx

## CONDITIONS OF APPROVAL - SPECIAL PERMIT #1906B

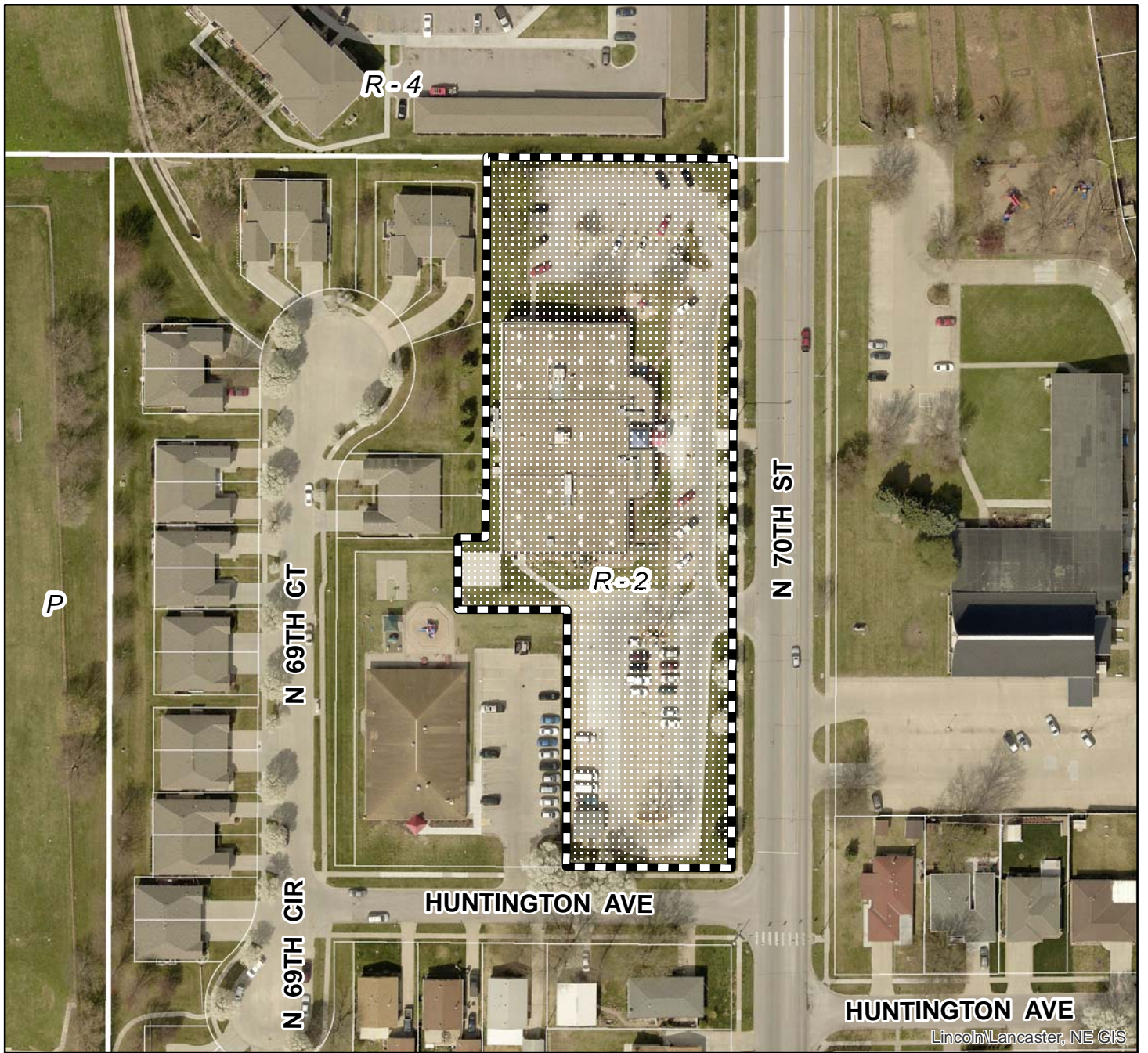
Per Section 27.63.720 this approval permits a personal wireless facility up to 84' in height.

### Site Specific Conditions:

1. Before receiving building permits the permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 3 copies with all required revisions and documents as listed below:
  - 1.1 Revise the plan to show the existing tree which serves as required landscaping.
2. Before receiving building permits provide the following documents to the Planning Department:
  - 2.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.

### Standard Conditions:

3. The following conditions are applicable to all requests:
  - 3.1 Before installation of the new antennas all development and construction shall substantially comply with the approved plans.
  - 3.2 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.
  - 3.3 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.
  - 3.4 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
  - 3.5 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.
  - 3.6 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.



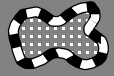


2016 aerial

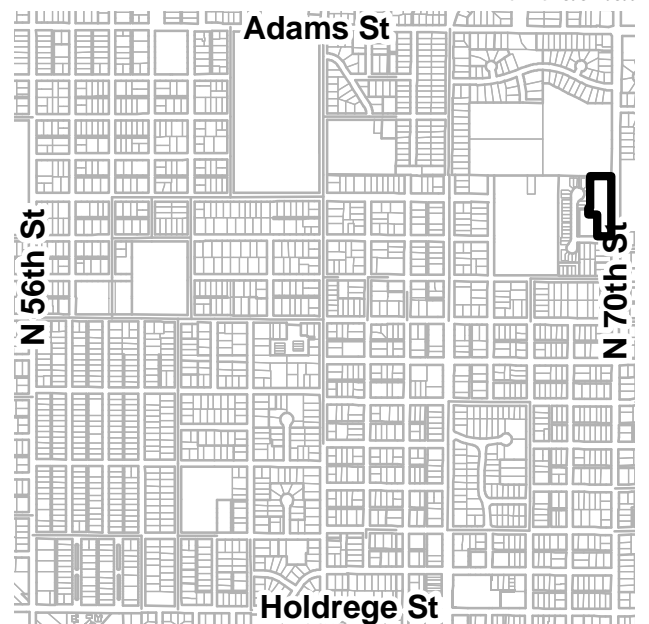
**Special Permit #: SP1906B  
N 70th St & Walker Ave**

**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.16 T10N R07E

	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction





Crown Castle  
Minneapolis District  
1600 Utica Ave S, Suite 475  
St. Louis Park, MN 55416

City of Lincoln Planning Department –

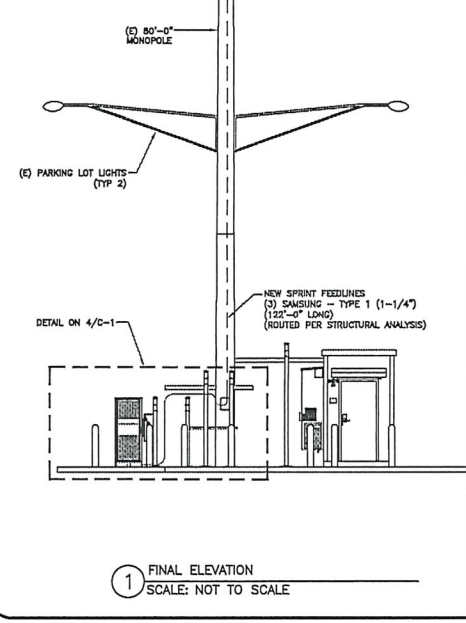
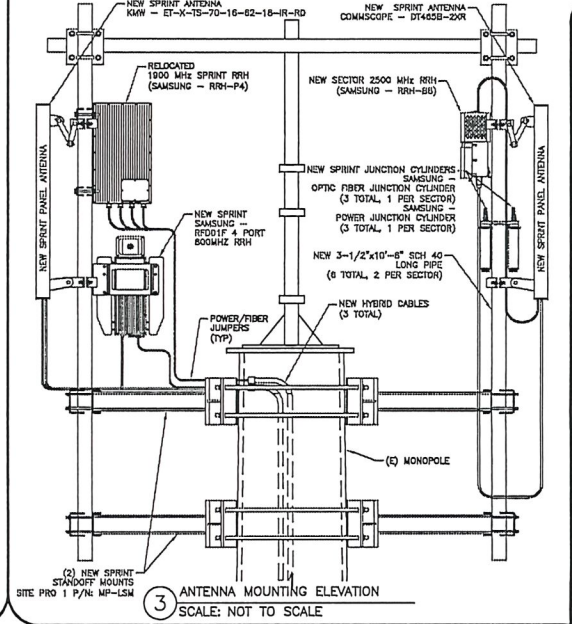
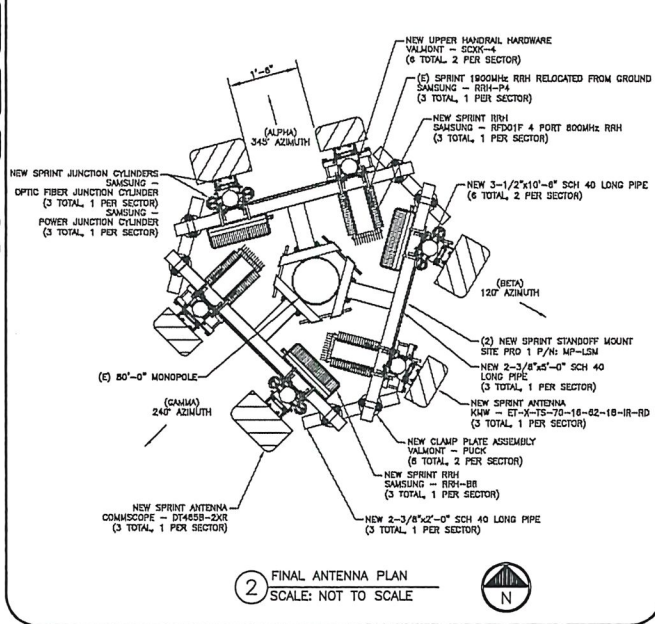
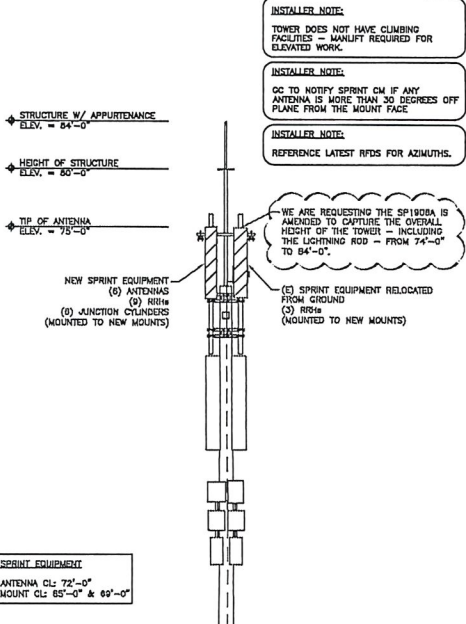
In 2014 SP1906 was amended to SP1906A, allowing the tower to extend to a height of 74 feet AGL. When this amendment was applied for the existing lightning rod – and therefore the overall height of the tower – was not accurately depicted in the site plan as showing the actual height of the overall tower as 84 feet AGL.

We are applying to amend SP1906A as to accurately capture the total height of the tower as 84 feet AGL instead of the recorded 74 feet AGL that is recorded with the City of Lincoln.

Sincerely,

A handwritten signature in black ink, appearing to read 'Richard Krueger', written over a horizontal line.

Richard Krueger  
Crown Castle



6391 SPRINT PARKWAY  
OVERLAND PARK, KS 66251-2650

1 CITY PLACE DRIVE, SUITE 490  
ST. LOUIS, MO 63141

**SPRINT SITE NUMBER:**  
OM63XC478

**BU #:** 879190  
**F2 - FILL-IN-LINCOLN QWEST LIN**

2601 N. 70TH STREET  
LINCOLN, NE 68505

EXISTING 80'-0" MONOPOLE

**ISSUED FOR:**

REV	DATE	DRWN	DESCRIPTION	DISL/GA
A	10/11/17	MAJ	PRELIMINARY	LR
0	01/17/18	MAJ	CONSTRUCTION	JL
1	03/01/18	MAJ	CONSTRUCTION	JL

DocuSign  
JUSTIN PETER LINRETTE  
STATE OF ILLINOIS  
4/12/2018 10:07:06 PM EDT

Crown Castle USA, Inc. COA #CA1844

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

**SHEET NUMBER:** **REVISION:**  
**C-1** **1**



**LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT**

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Change of Zone #18010	FINAL ACTION? No	DEVELOPER/OWNER Old City Building Group
PLANNING COMMISSION HEARING DATE May 9, 2018	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION 11751 & 11818 "A" Street

**RECOMMENDATION: CONDITIONAL APPROVAL**

**BRIEF SUMMARY OF REQUEST**

This is a request from the applicant for a change of zone from B-1 Local Business and R-2 Residential to B-3 Commercial and from the Planning Director from B-1 Local Business to R-2 Residential. The B-1 and R-2 to B-3 area is approximately 13,640 sq ft. or 0.31 acres. The B-1 to R-2 area is approximately 6,600 sq. ft. or 0.15 acres.



**JUSTIFICATION FOR RECOMMENDATION**

The 2040 Comprehensive Plan encourages new businesses in commercial zoning. The B-3 allows more opportunities for business than the B-1. The expansion of commercial zoning to B-3 is only appropriate with conditions in proposed zoning agreement. The zoning agreement addresses the impact of the expanded zoning on the adjacent properties. Commercial zoning is not appropriate for the northeast corner of "A" St. and 118<sup>th</sup> St. R-2 zoning is appropriate for the existing use.

**APPLICATION CONTACT**

Andrey Rybak, 402-580-0122  
[andrey@oldcitybuildinggroup.com](mailto:andrey@oldcitybuildinggroup.com)

**STAFF CONTACT**

Tom Cajka, (402) 441-5662 or  
[tcajka@lincoln.ne.gov](mailto:tcajka@lincoln.ne.gov)

**COMPATIBILITY WITH THE COMPREHENSIVE PLAN**

The requested change of zone if approved with the proposed zoning agreement is in conformance with the 2040 Comprehensive Plan and the 2040 Lancaster County Future Land Use Plan.

## KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

P. 12.3 - this site is shown as future commercial and urban residential on the 2040 Lincoln Area Future Land Use Plan.

p. 12.4 - commercial includes areas of retail, office, service and residential mixed uses. Commercial uses may vary widely in their intensity of use and impact.

P. 5.1-5.2 - Business & Economy Guiding Principles

- 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.
- Strive for predictability for neighborhoods and developers.

P. 5.6 - Based on the projected population growth rates, the Plan identifies the potential for 58.6 million square feet of occupied retail, office, and service uses by 2040. A substantial portion of this future commercial capacity will be accommodated on sites already zoned or approved for commercial development or that have been identified in the Plan for future commercial land use.

## ANALYSIS

1. The applicant has requested a change of zone from B-1 and R-2 to B-3 on the southwest corner of "A" Street and S. 118<sup>th</sup> Street. The applicant is proposing the site to be used for his construction business. Contractor service is not an allowed use in the B-1 or R-2 districts.
2. Lots 1 and 2 are located at the southwest corner of "A" St. and S. 118<sup>th</sup> Street. The north half of Lot 2 is zoned B-1, while the south half is zoned R-2. Having a lot with two different zoning districts can cause confusion with setbacks and what uses are allowed.
3. The Planning Department is requesting a change of zone from B-1 to R-2 on the northeast corner of 118<sup>th</sup> Street and "A" Street. This lot is currently used as a ball field and is owned by Waverly School District. Commercial zoning is not needed for this use. The Waverly School District has been notified of this proposed change of zone and they do not object.
4. The B-1 and B-3 districts have many uses that are permitted in both districts such as; restaurants, gas stations, convenience stores, retail sales, offices and clubs. Uses that are allowed in B-3 but not B-1 are; contractor services, cabinet shops, indoor theatre and vehicle sales. Vehicle sales must be 100 feet from any residential use or district so this property would not be allowed to have vehicle sales since it could not meet the setback to residential.
5. There is B-1 zoning on the northwest corner and the southeast corner. These lots are privately owned and the owners have not requested a change of zone. In the future, if requested, these lots may also be appropriate for rezoning to B-3 with conditions.
6. A zoning agreement is being requested as part of this change of zone in order to address the impact of the proposed zoning. With this change of zone the commercial area is expanding to the south along S. 118<sup>th</sup> Street. This expansion could result in a larger commercial building and potentially more traffic. "A" Street is classified as a minor arterial street in the Comprehensive Plan. With the potential for increase traffic the zoning agreement requires relinquishing access to "A" Street, dedicating 17 feet of right-of-way and paving a portion of the alley if taking access to the alley.
7. The applicant intends to demolish all buildings on site and build a new 4,500 sq. ft. building and parking lot. Through the zoning agreement landscaping will be required for the parking lot, the gravel within "A" Street right-of-way will need to be removed and a solid fence is required along the south lot line.

**CONDITIONS OF APPROVAL:** See attached.

**EXISTING LAND USE & ZONING:** Commercial building, single family dwelling and ball field.

**SURROUNDING LAND USE & ZONING**

FOR SW CORNER OF "A" AND S. 118<sup>TH</sup>.

North:	B-1 Business	Single family dwelling
South:	R-2 Residential	Single family dwelling
East:	B-1 Business	Auto repair
West:	R-2 Residential	Single family dwellings

FOR NE CORNER OF "A" AND S. 118<sup>TH</sup>.

North:	R-2 Residential	Ball field
South:	B-1-Business	Auto repair
East:	R-2 Residential	Ball field
West:	B-1 Business	Single family dwelling

**APPROXIMATE LAND AREA:**

B-1 and R-2 to B-3 is approximately 13,640 sq. ft. or 0.31 acres.

B-1 to R-2 is approximately 6,600 sq. ft. or 0.15 acres

**LEGAL DESCRIPTION:**

For B-1 and R-2 to B-3: Lots 1, 2 and the north 22' of Lot 3, Block 3, Walton Addition, located in Section 31, Township 10 North, Range 8 East, Lancaster County, NE.

For B-1 to R-2: Lot 7, Block 2 Gierens 1<sup>st</sup> Addition to Walton, located in Section 30, Township 10 North, Range 8 East, Lancaster County, NE.

Prepared by

---

Tom Cajka, Planner

Date: April 26, 2018

Applicant: Andrey Rybak  
9338 Northern Sky Rd.  
Lincoln, NE 68505  
402-580-0122

Contact: Same as applicant

Owner: Old City Building Group  
9338 Northern Sky Rd.  
Lincoln, NE 68505  
402-580-0122  
andrey@oldcitybuildinggroup.com

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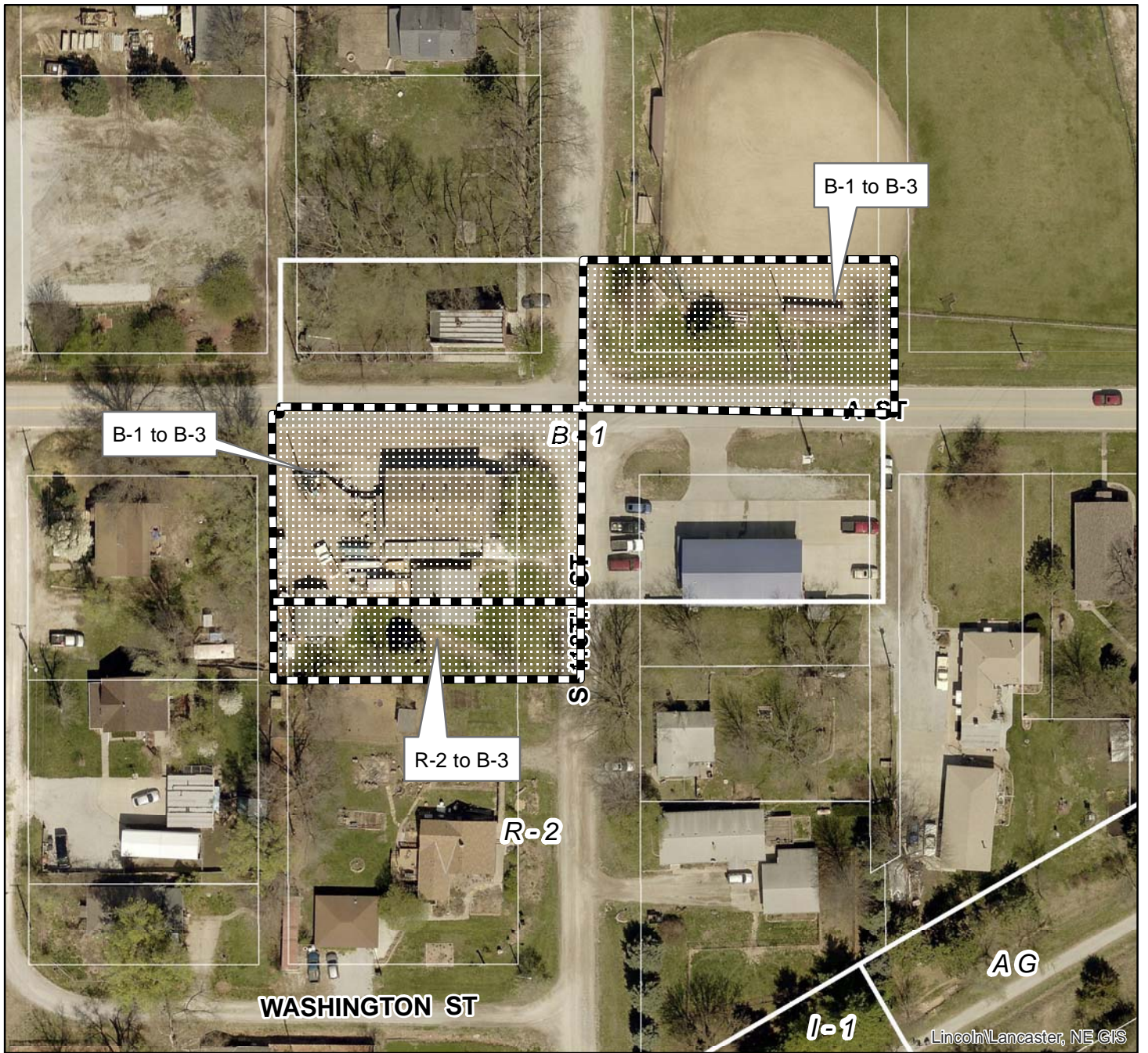
## CONDITIONS OF APPROVAL - CHANGE OF ZONE #18010

### Site Specific Conditions:

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

The zoning agreement requires the following:

- a. Relinquish direct access to "A" Street
- b. Dedicate 17 feet of right-of-way along "A" Street.
- c. Provide a 10' wide landscape area along "A" Street.
- d. Provide a 6' high solid fence along the south lot line and along the west lot line where not used for access.
- e. Pave the alley from "A" Street to any access to the property if using the alley for access.
- f. Remove the gravel from "A" Street right-of-way and seed the area with grass.



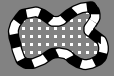


2016 aerial

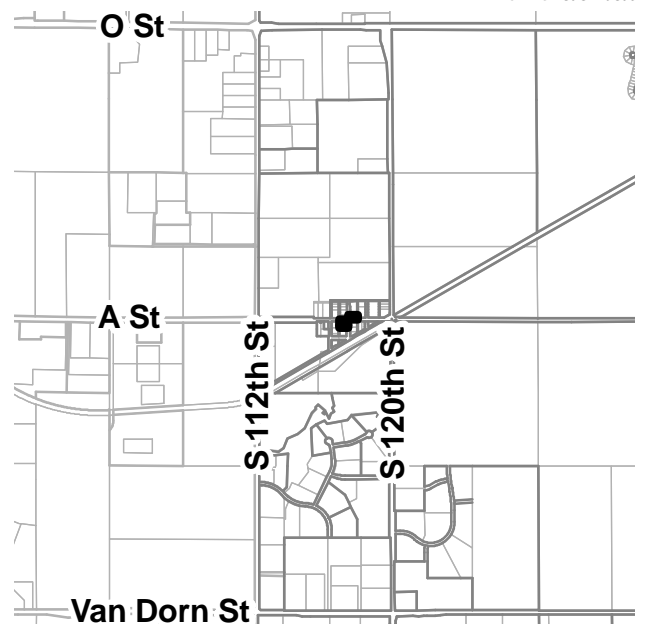
**Change of Zone #: CZ18010  
S 118th St & A St**

**Zoning:**

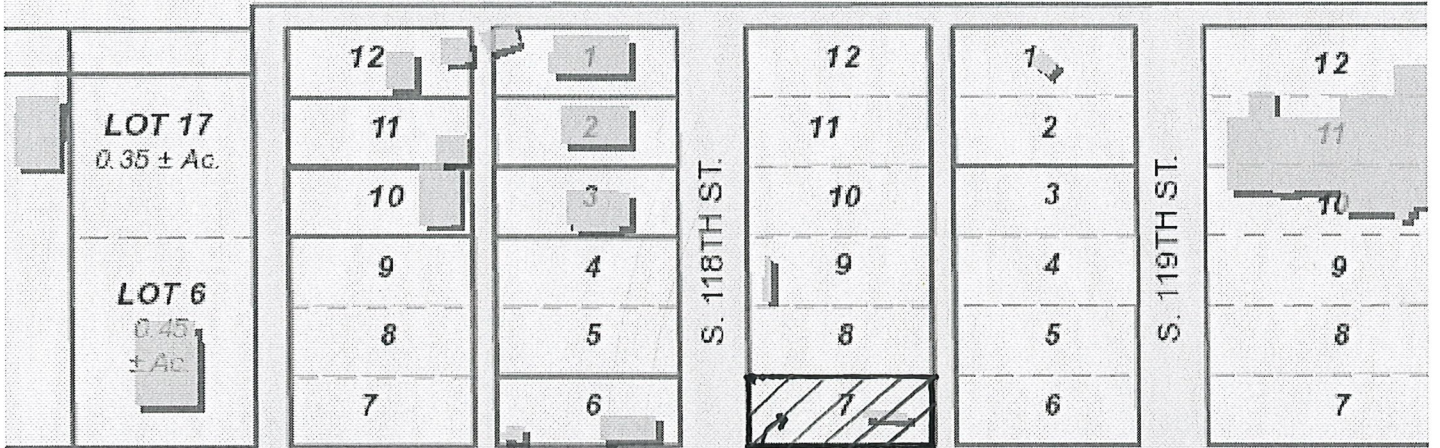
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial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

Two Square Miles:  
Sec.30 T10N R08E  
Sec.31 T10N R08E

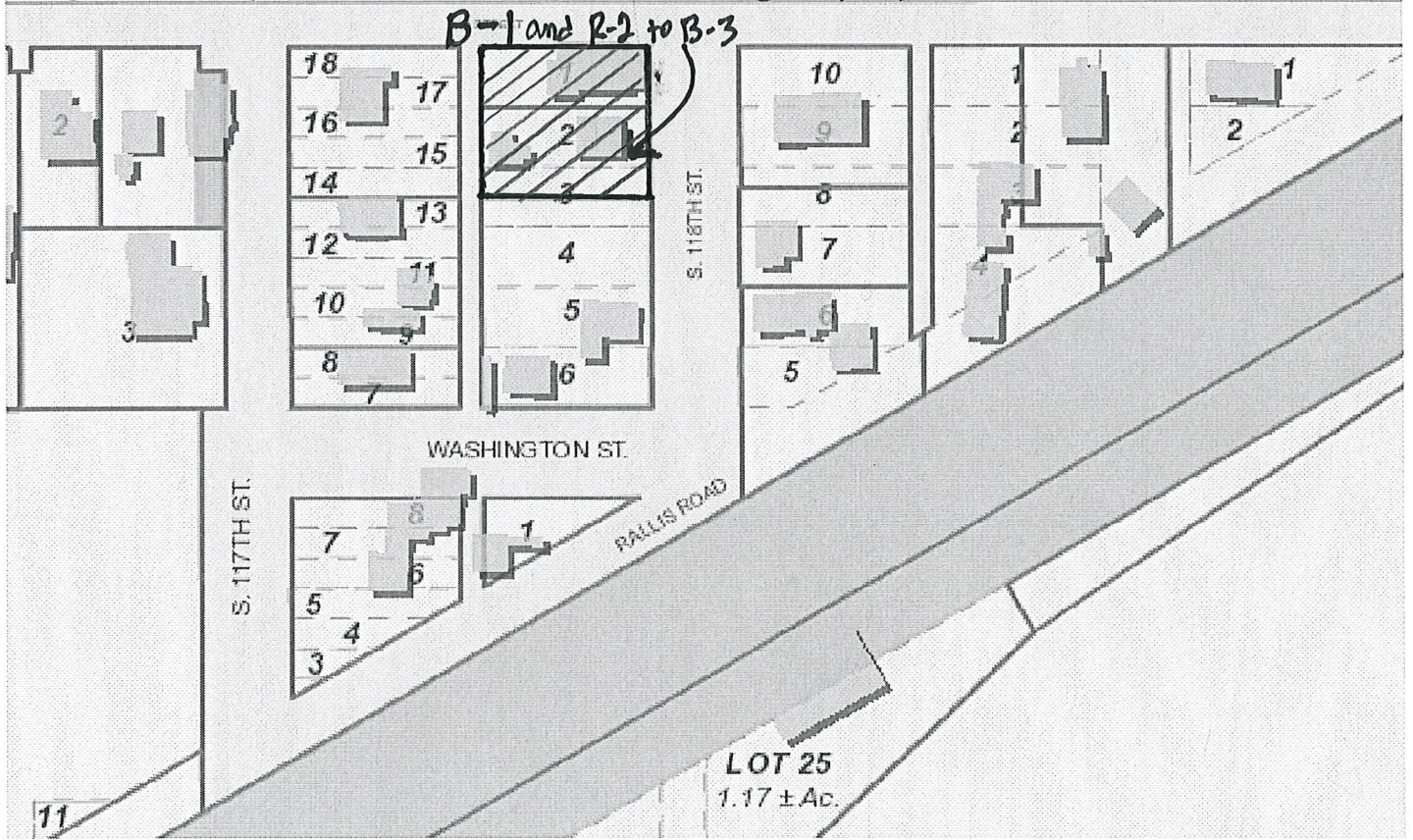
	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction



**LOT 60**  
 20.69 ± Ac. Total  
 20.17 ± Ac. Net



AST. B-1 to R-2



**Lancaster County/City of Lincoln GIS Map**

**CHANGE OF ZONE #18010**



Printed: Apr 17, 2018

DISCLAIMER: The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments. If you have questions or comments regarding the data displayed on this map, please email [ags@lincoln.ne.gov](mailto:ags@lincoln.ne.gov) and you will be directed to the appropriate department.

Hi Tom,

My name is Andrey Rybak and I requested a change of zoning from B-1 to B-3. The change of zone would allow me to apply for a demo permit to tear down the old and run down shop, house and garage currently on the property, and build a new one like the one across the street. B-3 zoning would allow me to build a 4,500 sq ft shop that I could have an office and some storage for my new home construction company. I think it would also benefit the town of Walton to get rid of uninhabited old buildings and put up something new and appealing.  
Thank you for your consideration.

Kind regards,

Andrey Rybak  
Old City Building Group



**LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT**

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Use Permit #100C Special Permit #1629H	FINAL ACTION? No	DEVELOPER/OWNER Krueger Development
PLANNING COMMISSION HEARING DATE May 9, 2018	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION 7155 S. 29 <sup>th</sup> Street

**RECOMMENDATIONS: USE PERMIT #100C: CONDITIONAL APPROVAL  
SPECAIL PERMIT #1629H: CONDITIONAL APPROVAL**

**BRIEF SUMMARY OF REQUEST**

This is a request to amend a Use Permit (UP) and Special Permit (SP) to develop two mixed-use buildings that include underground parking with a total of 23,700 square feet of commercial area on the first floor and 135 multi-family dwelling units on the first through fourth floors of the west building and the first through the fifth floors on the east building. Revisions to the parking requirements to be 1 stall per 300 square feet for all commercial uses and 1.5 stalls per dwelling unit for residential uses (apartments) are being requested. Waivers for parking, building height, uses within a rear yard setback, minimum lot area and lighting are also being requested.



**JUSTIFICATION FOR RECOMMENDATION**

An amendment to the UP for mixed-use buildings and to an amendment to the SP to grant a waiver to the parking requirements are generally in conformance with land uses in this area and are consistent with the Comprehensive Plan. Justification for each waiver is detailed in the Analysis.

**APPLICATION CONTACT**

Marcia Kinning, REGA Engineering  
(402) 484-7342  
marcia@regaeng.com

**STAFF CONTACT**

Dessie E. Redmond, Planner  
(402) 441-6373  
dredmond@lincoln.ne.gov

**COMPATIBILITY WITH THE COMPREHENSIVE PLAN**

This request is in keeping with the intent of the previously approved plans and is supported by the Comprehensive Plan as it encourages mixed uses for future developments. The area of the subject property is designated as a Regional Center in the Comprehensive Plan, which is described as a unique blend of commercial and other compatible land uses including retail shopping, restaurants, entertainment complexes, cultural and artistic institutions, offices, personal and business service facilities. It also states, the center should include residential uses.

**WAIVERS**

1. Creation of lots without frontage on a public street or private roadway provided that access is dedicated during the platting process, Subdivision Ordinance 26.23.140(g). (Previously Approved)
2. Required parking be provided on the same lot as the use which required the parking, Zoning Ordinance

27.67.030(d). (Previously Approved)

3. Commercial parking to be 1 stall per 300 square feet for all uses instead of each specific use or special condition use, Zoning Ordinance 27.67.040. (Recommend Approval)
4. Parking for multi-family dwelling units to be 1.5 stalls per dwelling unit instead of 2 per dwelling unit. A minimum of 40 percent of the total multi-family dwelling units shall be 1 bedroom or studio units; 3 bedrooms units are prohibited, Zoning Ordinance 27.67.040 under the provisions of 27.72.030(a). (Recommend Approval)
5. Reduction of the rear yard setback from 40 feet to 20 feet in the portion of the O-3 zoning district located on the eastern edge of the development that is north of the pedestrian easement and running to Pine Lake Road, Zoning Ordinance 27.72.030(a). (Previously Approved)
6. The landscape in the portion of the O-3 zoning district located on the eastern edge of the development that is north of the pedestrian easement and running to Pine Lake Road, Zoning Ordinance 27.72.060(c)(2). (Previously Approved)
7. O-3 building height from 45 feet to 65 feet, Zoning Ordinance 27.72.030(a). (Recommend Approval)
8. Residential decks/balconies permitted within the rear yard setback, Zoning Ordinance 27.72.060(f)(4). (Recommend Approval)
9. H-4 zoning district minimum lot area of 15,000 square feet, Zoning Ordinance 27.72.040(a). (Previously Approved)
10. Exterior lighting trespass and glare across interior lot lines, Chapter 3.100, Section 9. (Recommend Approval)

#### **KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN**

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

P. 12.4 - Commercial. Areas of retail, office, service and residential mixed uses. Commercial uses may vary widely in their intensity of use and impact. Individual areas designated as commercial in the land use plan may not be appropriate for every commercial zoning district.

P. 5.1-5.2 - Business & Economy Guiding Principles

- Focus primarily on retention and expansion of existing businesses; attracting new businesses should also be encouraged.
- Strive for predictability for neighborhoods and developers.
- Encourage commercial centers to encompass a broad range of land uses with the integration of compatible land use types.
- Encourage and provide incentives for mixed uses in future developments.
- Seek to efficiently utilize investments in existing and future public infrastructure to advance economic development opportunities.

P. 5.6 - The South Ridge Village center is designated as a Reginal Center on Map 5.1: Existing and Proposed Commercial Centers.

- Residential mixed-use is encouraged in some commercial areas; especially for Regional, Community, Neighborhood, and Mixed-Use Office Centers.
- Based on the projected population growth rates, the Plan identifies the potential for 58.6 million square feet of occupied retail, office, and service uses by 2040. A substantial portion of this future commercial capacity will be accommodated on sites already zoned or approved for commercial development or that have been identified in the Plan for future commercial land use.

P. 5.7-5.8 - Strategies for Commercial Centers

- Include higher density residential uses within and/or adjacent to all Commercial Centers except for Highway Oriented Commercial Areas.
- Develop Commercial Centers as compact clusters or mixed use nodes with appropriate site design features to accommodate shared parking and ease of pedestrian movement, to minimize impacts on adjacent areas, and encourage a unique character.

P. 5.9 - Regional Centers Description

- Regional Centers generally include a unique blend of commercial and other compatible land uses. Within this type of center, one may find retail shopping, restaurants, entertainment complexes, cultural and artistic institutions, offices, personal and business service facilities, public institutions and governmental functions, and the center should include residential uses.

P. 5.1-5.2 - Business & Economy Guiding Principles

- Encourage commercial centers to encompass a broad range of land uses with the integration of compatible land use types.

P. 5.14-5.16 - Strategies for Commercial Infill

- Discourage auto-oriented strip commercial development and seek opportunities for residential mixed use redevelopment and/ or transit oriented development of existing commercial strips.
- 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.
- Avoid encroachment into existing neighborhoods during expansion of existing commercial and industrial uses, and take steps to ensure expansions are in scale with the adjacent neighborhood, are properly screened, fulfill a demonstrated need and are beneficial to health and safety.

P. 5.6 - Based on the projected population growth rates, the Plan identifies the potential for 58.6 million square feet of occupied retail, office, and service uses by 2040. A substantial portion of this future commercial capacity will be accommodated on sites already zoned or approved for commercial development or that have been identified in the Plan for future commercial land use.

P. 5.8 - Transition of uses; less intense office uses and residential mixed use buildings near residential areas.

P. 1.6 - Approximately 20% of new dwelling units will be built within the existing City, with about 3,000 in the Downtown and Antelope Valley areas, 1,000 in existing neighborhoods, and 4,000 in mixed use redevelopment nodes and corridors.

P. 6.1 - 1,000 dwelling units are slated for existing residentially-zoned land throughout the existing city, primarily on vacant lots. The remaining 4,000 dwelling units are anticipated to be located primarily in Mixed Use Redevelopment Nodes and Corridors including existing commercial centers and along major transportation corridors.

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

P. 6.2-6.3 - Guiding Principles for Mixed Use Redevelopment

- Mixed Use Redevelopment Should:
  - Occur on sites supported by adequate road and utility capacity.
  - Be located and designed in a manner compatible with existing or planned land uses.
  - Encourage substantial connectivity and convenient access to neighborhood services (stores, schools, parks) from nearby residential areas.
  - Promote activities of daily living within walking distance, and provide sidewalks on both sides of all streets, or in alternative locations as allowed through design standards or review process.
  - Develop with substantial connectivity between developing or existing neighborhoods and developing or

redeveloping commercial centers.

P. 6.6-6.7 - Strategies for Mixed Use Redevelopment Nodes and Corridors

- Mixed Use Redevelopment Nodes and Corridors should strive to locate:
  - In proximity to planned or existing neighborhoods and community services, to facilitate access to existing community services or to address a deficiency by providing services such as grocery stores, childcare centers, and restaurants.
  - On at least one arterial street to help provide for traffic and utility capacity and access to transit.
  - In areas appropriate for residential mixed use redevelopment, outside of areas identified as Industrial Centers and Highway Oriented Commercial Areas in LPlan 2040 to avoid conflicts with health and safety.
  - Strive for residential densities of at least seven dwelling units per gross acre within buildable areas inside the project boundary. This strategy encourages significant returns on public investment by developing high-quality properties with sustained value, supports new businesses in the mixed use center, makes public transportation more viable, and uses land and infrastructure more efficiently.

## ANALYSIS

1. This is a combined staff report for UP100C and SP1629H. This report contains a single background and analysis for both items with separate conditions of approval.
2. In the area of this amendment it is approved for three office/medical lots of 53,660 square feet in the UP.
3. The request to amend the UP is to instead develop two mixed-use buildings that include underground parking with 23,700 square feet of commercial area on the first floor and 135 multi-family dwelling units split between the first through fourth floors of the west building and the first through the fifth floors on the east building. The proposal includes residential decks/balconies on the south and north sides of the buildings.
4. Within the boundaries of the entire UP, the already approved total commercial area is 82,000 square feet.
5. The west proposed mixed-use building will have an underground parking garage with a ground floor consisting of a mixture of commercial floor area (12,540 square feet) and 58 apartment units with three additional floors of apartment units. The building height from ground floor to top of the building is approximately 50 feet.
6. The east proposed mixed-use building will have an underground parking garage, with the ground floor consisting of a mixture of commercial floor area (11,160 square feet) and 77 apartment units with four additional floors of apartment units. The building height from ground floor to top of the building is approximately 62 feet.
7. 35 feet tall multi-family (apartment) buildings are permitted by right in the O-3 zoning district. Decks/balconies are permitted by right in the rear yard in all zoning districts provided the combined floor area of any patio, terrace, deck and any accessory building located in the rear yard does not occupy more than 40% of the rear yard and that the patio, terrace, or deck:
  - i) is uncovered;
  - ii) projects off of the first story of the dwelling or below;
  - iii) is no closer than ten feet from the rear lot line;
  - iv) does not encroach into a required side yard;
  - v) is a projection off of a single- or two-family structure.

Therefore, decks/balconies are not allowed in the rear yard on floors 2-5.

8. The Comprehensive Plan states that transitional uses, such as residential mixed-use buildings should be located near residential areas. These proposed mixed-use buildings are located in a transitional area between commercial development and single-family residential.

9. The Comprehensive Plan encourages residential densities in mixed-use developments. This strategy supports new businesses and makes public transportation more viable, and uses land and infrastructure more efficiently.
10. Due to the revisions of the parking areas, which overlap between the UP boundaries and the SP boundaries, an amendment to the SP is also requested. A total of 215,000 square feet commercial area remains with the SP.
11. This development will result with an increase in trip generations. S. 27<sup>th</sup> Street and Pine Lake Road are both built to arterial standards to handle this type of trip generation. The Comprehensive Plan requires mixed-use development to be on at least one arterial street. Additionally, Porter Ridge Road and S. 29<sup>th</sup> Street, while designated as local streets in our Comprehensive Plan, are also built to accommodate a greater number of trip generations. Both have approximately 45 feet of pavement width, typically a local street has a width of 27 feet of pavement. Therefore, the existing public street network and infrastructure are there to support the proposed mixed-use development.
12. Waivers to the UP for parking, building height, uses within a rear yard setback, minimum lot area and lighting are also being requested.
  - a. Waiver to commercial parking requirements. Commercial parking to be 1 stall per 300 square feet for all uses. There has been precedent for this type of waiver approval for commercial centers that are close to full build out. The need to track parking stalls counts diminishes as they are already existing. Further, this waiver is acceptable due to the existence of non concurrent uses which can share parking, and the likelihood that shoppers will visit multiple tenants on one visit. Many services are within walking distance so it is likely that residents may choose to walk or use public transportation further reducing the reliance on personal vehicles. Additionally, there is precedent for granting this waiver for similar projects.
    - SouthPointe was approved with a parking waiver from 4.5 stalls per 1000 square feet to 1 stall per 300 square feet, regardless of use.
    - In August 2016, a text amendment was approved for the B-5 zoning district for the 1 stall per 300 square feet requirement.
    - Edgewood Shopping Center was approved with a parking waiver from 4.5 stalls per 1000 square feet to 1 stall per 300 square feet, regardless of use.
    - East Park Plaza was approved with a parking waiver for 1 stall per 300 square feet, regardless of use.
    - Gateway was approved with a parking waiver from for 1 stall per 300 square feet, regardless of use.
  - b. Waiver to residential parking requirements. Residential parking for multi-family dwelling units to be 1.5 stalls per dwelling unit (instead of 2 stalls per dwelling unit). Parking areas for the SP overlap with the existing SP1629G boundaries so this request includes the amendment SP1629H. This is justifiable because a minimum of 40 percent of the total multi-family dwelling units will be 1 bedrooms or studios and 3 or more bedrooms are prohibited. Also, the existence of non concurrent uses, which can share parking.
    - 225 N. Cotner was approved to decrease the parking requirement for residential uses from 2 stalls per unit to 1.4 stalls per unit.
  - c. Waiver to building height in the O-3 zoning district from 45 feet to 65 feet. Due to the drop in topography between the property's southern boundary and the proposed mixed-use buildings south wall, along with a 40 foot setback, a 65 feet height waiver is justifiable. Additionally, the abutting properties to the south are located in the R-3 zoning district, which has a required rear yard setback of 20 feet for residential uses. Therefore, this is approximately 60 feet or more of setback space between the properties. The drop in grade and setback distance mitigates negative impacts on surrounding properties. There is a precedent for granting height waivers for similar projects.
    - Wandering Creek - Height waiver approved for multi-family residential for up to 50 feet

- Broadmoor Ashbrook Apartments - Height waiver approved from 35 feet to 40 feet
  - Cheney Ridge Community Unit Plan - Height waiver approved for up to 45 feet
  - 225 N. Cotner - Height waiver approved for up to 55 feet
  - Wilderness Heights PUD is requesting a height waiver for up to 55 feet
- d. Waiver to uses permitted in rear yard setbacks. A small portion of the west mixed-use building will have balconies extending into the rear yard setback along the south boundary. This waiver is justifiable due to the existing conditions/infrastructure, the irregular shape of the area, and only a small portion of the decks on the west part of the south side of the building are encroaching.
- e. Waiver to minimum lot area of 15,000 square feet. This waiver is being requested on existing buildings that have already been approved and built within the development.
- f. Waiver to exterior lighting trespass across interior lot lines. Within the development there are lots created for individual buildings with an outlot surrounding the lot that consists of parking areas and drive aisles. It is typical to grant a waiver for light trespass across interior lot lines within the boundaries of a permit.

**CONDITIONS OF APPROVAL:** See attached

**SURROUNDING LAND USE & ZONING:**

North: Pine Lake Road; B-5  
 South: Two-family dwellings; R-3  
 East: Single-family detached; R-3  
 West: S. 27<sup>th</sup> Street; B-2

**APPLICATION HISTORY:** See attached

**APPROXIMATE LAND AREA:**

Use Permit #100C: 8.86 acres  
 Special Permit #1629H: 23.63 acres

**LEGAL DESCRIPTIONS:**

Use Permit #100C: A portion of Lot 9, South Ridge Village Addition and Lots 10 through 13, South Ridge Village Addition; Lots 1 through 6, South Ridge Village 2nd Addition; Lots 1 through 6, South Ridge Village 3rd Addition; Lots 1 through 7, South Ridge Village 5th Addition; a portion of Lot 1, South Ridge Village 6th Addition, Lots 2 through 4, South Ridge Village 10th Addition; a portion of Outlot 'A', South Ridge Village 12th Addition; a portion of Outlot 'A', South Ridge Village 13th Addition; a portion of South 29th Street and Porter Ridge Road, all located in the Northwest Quarter of Section 19, Township 9 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska.

Special Permit #1629H: Lots 1 through 8 and a portion of Lot 9, South Ridge Village Addition, Lots 1 and 2, South Ridge Village 4th Addition, Lot 2 and a portion of Lot 1, South Ridge Village 6th Addition, Lot 1, South Ridge Village 7th Addition, Lot 1, South Ridge Village 8th Addition, Lot 1, South Ridge Village 9th Addition, Lots 2, 3 & 4, South Ridge Village 10th Addition, Lot 1, South Ridge Village 11th Addition, a portion of Outlot 'A', South Ridge Village 12th Addition, Lot 1 and a portion of Outlot 'A', South Ridge Village 13th Addition, the remaining portion of Lot 1, Block 1, Porter Ridge West 4th Addition, a portion of Porter Ridge Road, all located in the Northwest Quarter of Section 19, Township 9 North, Range 7 East of the 6th P.M., Lincoln, Lancaster County, Nebraska.

Prepared by:

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Dessie E. Redmond, Planner  
(402) 441-6373

Date: May 1, 2018

Applicant/Contact: Marcia Kinning  
REGA Engineering  
601 Old Cheney Road, Suite A  
Lincoln, NE 68512

Owner: Rick Krueger  
South Ridge Village, LLC  
8200 Cody Drive, Suite F  
Lincoln, Nebraska 68512

F:\DevReview\UP\UP100C South Ridge Village MU Buildings.docx

## CONDITIONS OF APPROVAL - USE PERMIT #100C

This approval permits 23,700 square feet of commercial area and 135 dwelling units, including waivers for:

- Commercial parking to be 1 stall per 300 square feet regardless of use, and
- Parking for multi-family dwelling units to be 1.5 stalls per dwelling unit. A minimum of 40 percent of the total multi-family dwelling units shall be 1 bedroom or studio units; 3 bedrooms units are prohibited, and
- O-3 building height from 45 feet to 65 feet, and
- Residential decks/balconies permitted within the rear yard setback, and
- H-4 zoning district minimum lot area of 15,000 square feet, and
- Exterior lighting trespass and glare across interior lot lines.

### Site Specific Conditions:

1. The City Council approves associated request:
  - 1.1. Special Permit #1629H
2. The permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 3 copies with all required revisions and documents as listed below upon approval before receiving building permits:
  - 2.1. Change Waiver #8 to read "Residential decks/balconies are allowed within the rear yard setback."
  - 2.2. Change the note located on the plans just south of the apartment that reads "10' parking setback and landscape buffer" to "40' parking and building setback and landscape buffer."
  - 2.3. Add an arrow from the lot line for the apartments to the southern lot line for the 35' dimension. Clearly show the setback is 40' not 35' but it is acceptable for the lot line to be 35' back.
  - 2.4. Revise General Note #10 to read "Landscaping and screening need not be shown on the plan but will be provided for at the time of building permit and be maintained by the property owner except for that area adjacent to lots 1-17, Block 1, Porter Ridge West 20<sup>th</sup> Addition, which is shown on Sheet 2 of 4."
  - 2.5. Add a General Note: "Due to parking reduction requirements, 3 or more bedroom apartment units are prohibited".
3. Revise Grading Plans and Drainage Report to the satisfaction of the Watershed Management Department.
4. Revise Landscape Plans to meet Chapter 3.50: Design Standards for Screening and Landscaping to the satisfaction of the Planning Department.

### Standard Conditions:

5. The following conditions are applicable to all requests:
  - 5.1. Before occupying the dwelling units or buildings all development and construction is to substantially comply with the approved plans.
  - 5.2. All privately-owned improvements, including landscaping and recreational facilities, are to be permanently maintained by the Permittee or an appropriately established homeowners association approved by the City.
  - 5.3. 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.

- 5.4. This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 5.5. The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefore to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.
- 5.6. 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.

## CONDITIONS OF APPROVAL - SPECIAL PERMIT #1629H

Per Section 27.63.470 this approval grants a waiver to the commercial minimum parking requirements in the Planned Service Commercial for commercial parking to be 1 stall per 300 square feet regardless of use.

### Site Specific Conditions:

1. The City Council approves associated request:
  - 1.1. Use Permit #100C
2. Before receiving building permits the permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 3 copies with all required revisions and documents as listed below:
  - 2.1. On the lot where the current daycare is located add "See Special Permit #08052 for details."

### Standard Conditions:

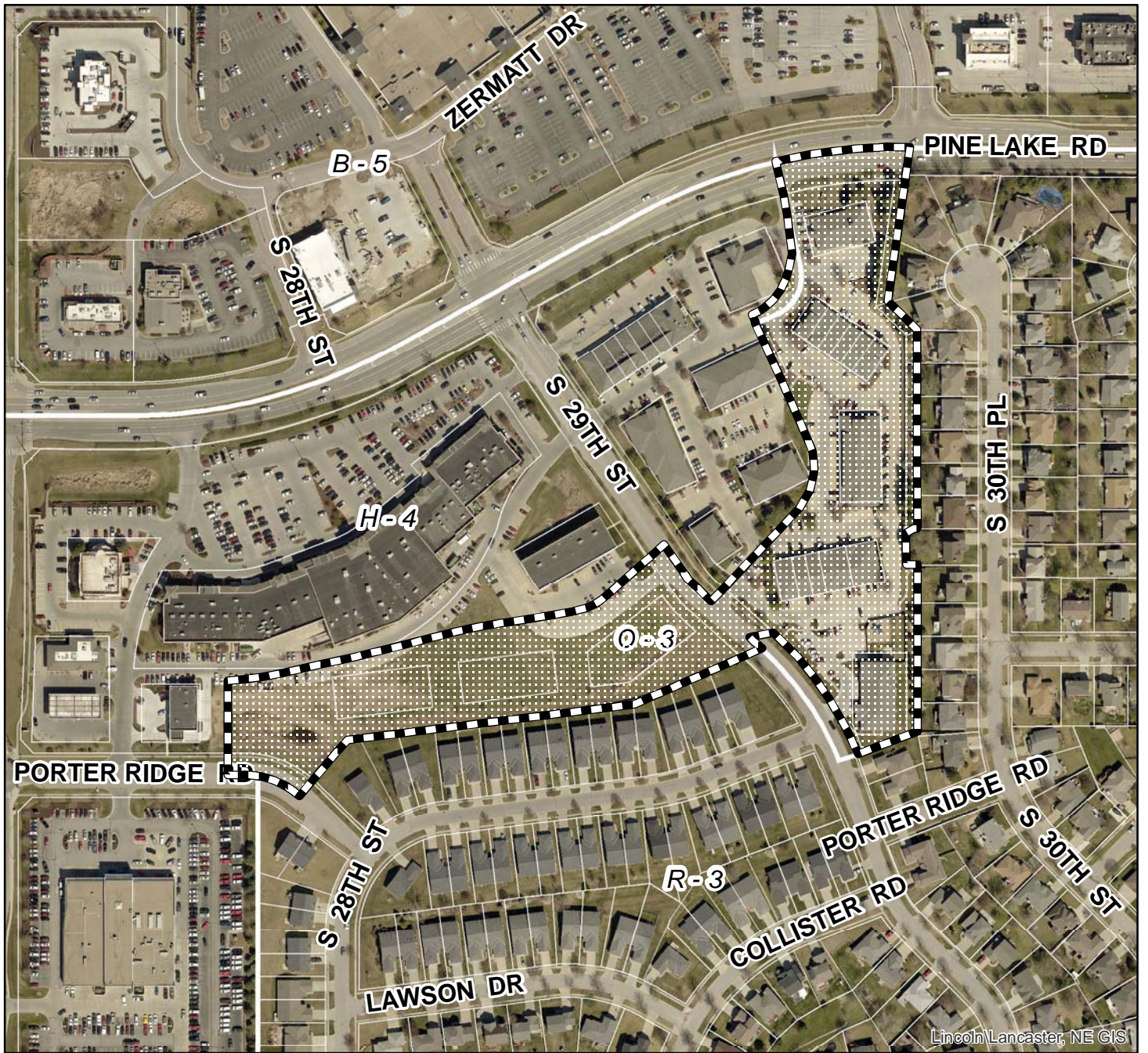
3. The following conditions are applicable to all requests:
  - 3.1. Before occupying starting the operation all development and construction shall substantially comply with the approved plans.
  - 3.2. All privately-owned improvements, including landscaping and recreational facilities, shall be permanently maintained by the Permittee or an appropriately established homeowners association approved by the City.
  - 3.3. 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.
  - 3.4. The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
  - 3.5. 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.
  - 3.6. 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.

## APPLICATION HISTORY for UP100C

February 28, 1994	City Council approved CZ2740 over this area which established the general areas of the R-3, O-3, and H-4 Districts.
September 16, 1996	City Council approved UP100 to develop 100,000 square feet of offices uses.
December 9, 1996	City Council approved CZ2952 which located the zoning district boundaries on the north side of Porter Ridge Road.
August 28, 2000	City Council approved CZ3273 from O-3 to R-3 and from R-3 to O-3 to bring the zoning district boundaries into alignment with the platted lot lines.
September 11, 2000	City Council approved amendment UP100A which adjusted the boundaries of the use permit to align with the O-3 Office Park District boundary lines, and adjust the location of the required landscape screen from the office park property to the residential property to the south.
February 23, 2009	City Council approved Change of Zone (CZ) #08073 from R-3 to O-3.
February 23, 2009	City Council approved SP08052 to operate a 10,500 square foot early childhood care facility with a 5,919 square foot playground for up to 100 children with a requested waiver of the requirement that an early childhood care facility with 31 or more children be located on an arterial street.
March 9, 2009	City Council approved amendment UP100B to expand the South Ridge Village Use Permit boundaries by approximately .98 acres for an early childhood care facility in the O-3 zoning district.

## APPLICATION HISTORY for SP1629H

February 1994	This area was annexed and the zoning was changed from AG to H-4 and O-3.
December 12, 1996	City Council approved SP1629 to develop 215,000 square feet of Planned Service Commercial uses.
February 10, 1999	Planning Commission approved amendment SP1629A to construct a 40,000 square foot automobile dealership building and conduct associated automobile and truck sales.
March 26, 1999	City Council approved CZ3161 from O-3 to H-4.
July 11, 2000	The applicant withdrew SP1629C to revise the boundaries of the South Ridge Village special permit boundary. It was found that the revision was not needed.
August 14, 2000	City Council approved amendment SP1629B to add a 45 square foot, 6.5 foot high illuminated ground sign and replace the approved 100 square foot, 45 foot high pole sign with a 75 square foot, 10 foot high ground sign.
February 4, 2002	City Council denied amendment SP1629D for an additional ground sign for the gas station at S. 27th Street and Porter Ridge Road.
August 26, 2002	City Council approved amendment SP1629E to adjust the building envelope and the building square footages, and permit a 50' tall clock tower.
September 26, 2005	City Council approved amendment SP1629F to adjust the side yard setback from 50' to 25' to allow vehicles to be displayed for sale and for no other uses.
July 18, 2007	Planning Commission approved amendment SP1629G with condition to add an indoor kennel.



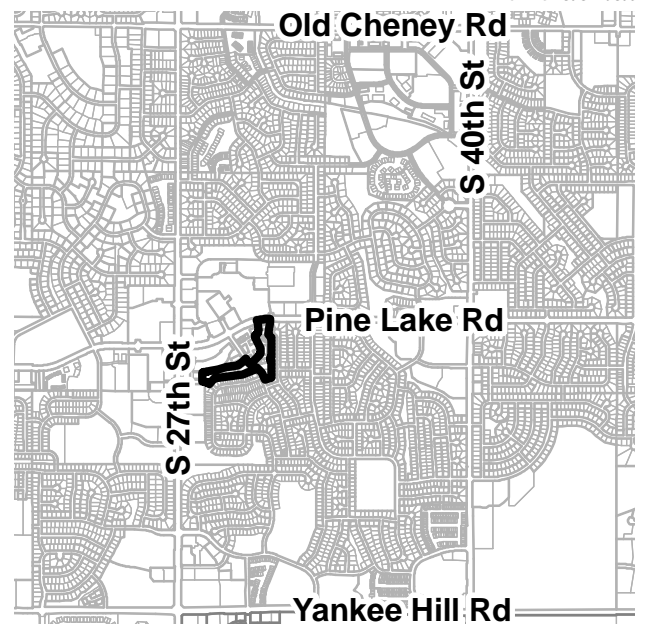
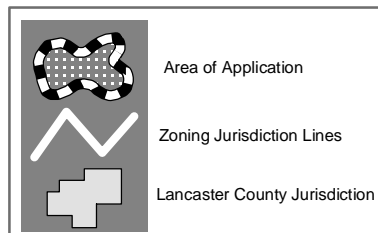
2016 aerial

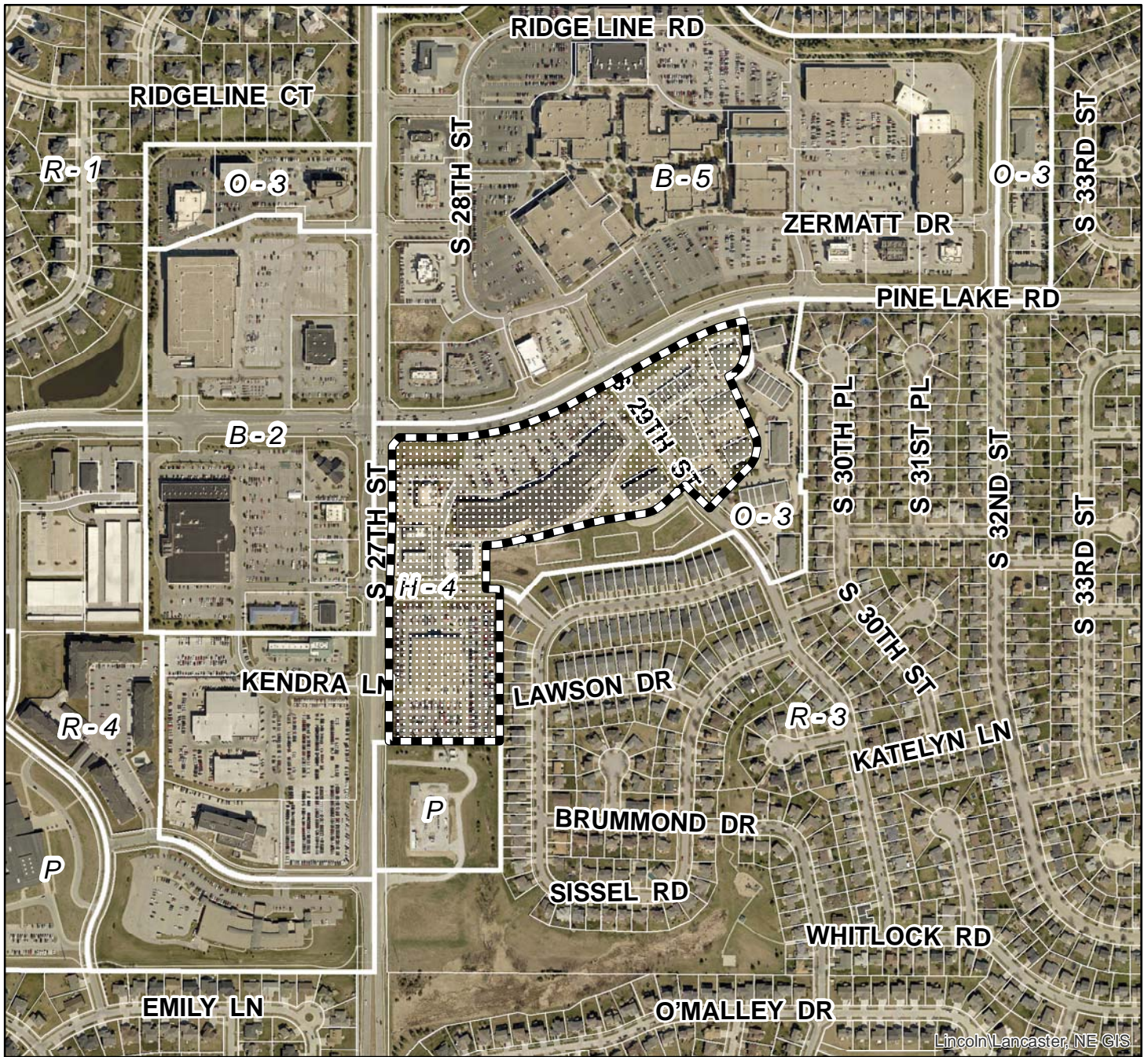
**Use Permit #: UP100C**  
**South Ridge Village**  
**S 29th St & Pine Lake Rd**

**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

**Two Square Miles:**  
**Sec.18 T09N R07E**  
**Sec.19 T09N R07E**





Lincoln/Lancaster, NE GIS

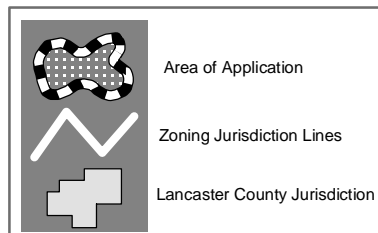
2016 aerial

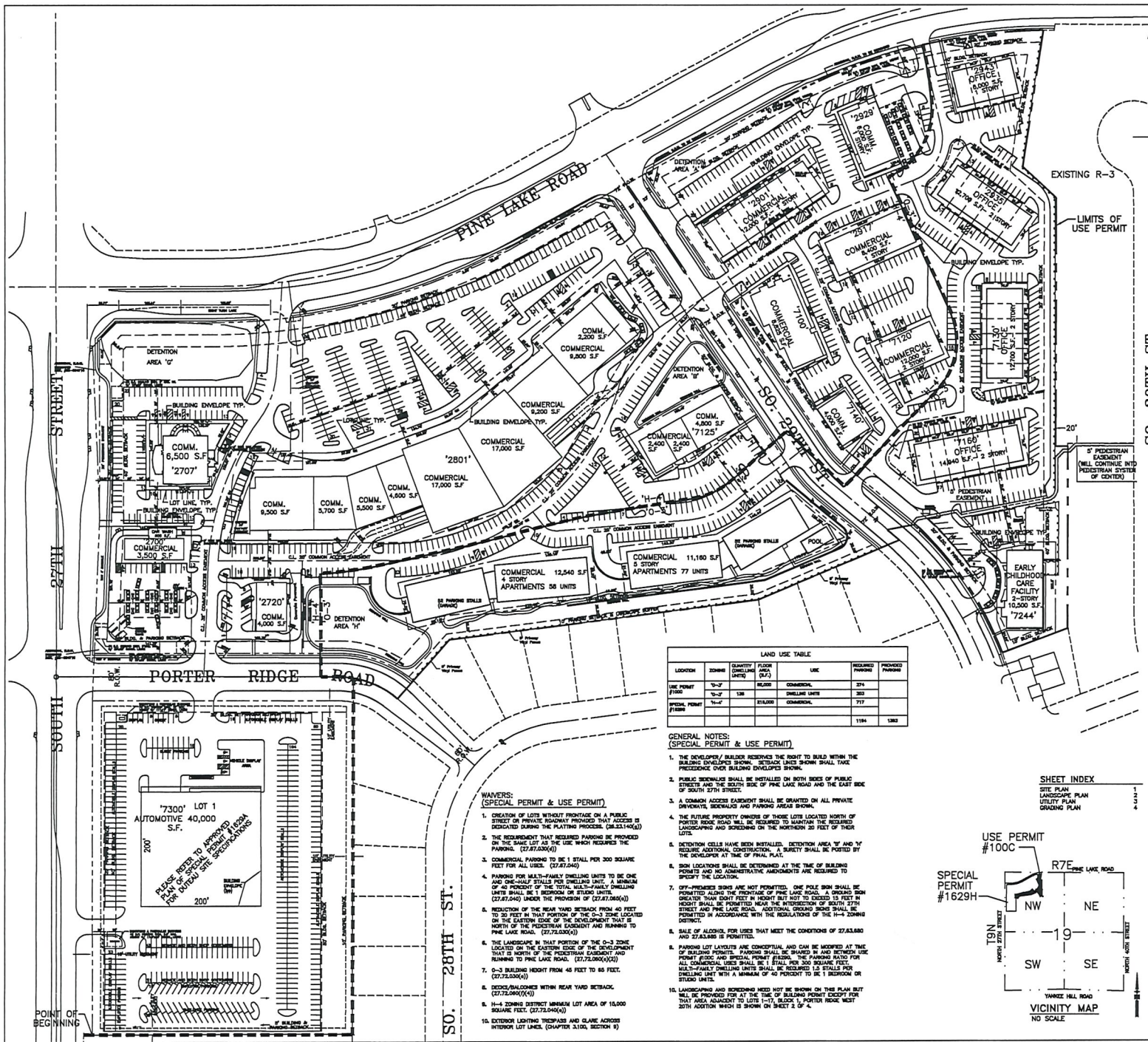
**Special Permit #: SP1629H**  
**South Ridge Village**  
**S 29th St & Pine Lake Rd**

**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.19 T09N R07E





NO.	REVISIONS	DATE	BY
1	DESCRIPTION		
2	AK of SP to Full Amend.	4/17/18	MLK

PROJECT  
151304-LOFT

**REGA**  
ENGINEERING  
GROUP, INC.

801 OLD CONEY RD., SUITE A  
LINCOLN, NEBRASKA 68502  
(402)484-7342

- ENGINEERING
- PLANNING
- LAND SURVEYING

**USE PERMIT #100C LEGAL DESCRIPTION:**

Large description of a portion of Lot 1, South Ridge Village Addition and Lots 10 through 15, including bearings and distances for various boundaries and easements.

**USE PERMIT #1629H LEGAL DESCRIPTION:**

Large description of Lot 1, South Ridge Village Addition, including bearings and distances for various boundaries and easements.

LOCATION	ZONING	QUANTITY (SQ. FT.)	FLOOR AREA (SQ. FT.)	USE	REQUIRED PERCENT	PROVIDED PERCENT
USE PERMIT #100C	SP-1	138	2888	COMMERCIAL	3%	
SPECIAL PERMIT #1629H	SP-1	2720	58200	COMMERCIAL	77%	
					116%	138%

- GENERAL NOTES: (SPECIAL PERMIT & USE PERMIT)**
- THE DEVELOPER/BUILDER RESERVES THE RIGHT TO BUILD WITHIN THE BUILDING ENVELOPE SHOWN. SETBACK LINES SHALL TAKE PRECEDENCE OVER BUILDING ENVELOPES SHOWN.
  - PAVING SHALL BE MAINTAINED WITHIN THE BOUNDS OF PUBLIC EASEMENTS AND THE SOUTH SIDE OF PINE LAKE ROAD AND THE EAST SIDE OF SOUTH 27TH STREET.
  - A COMMON 7'7" STRIP SHALL BE MAINTAINED ON ALL PRIVATE DRIVEWAYS, SIDEWALKS AND PARKING AREAS SHOWN.
  - THE FUTURE PROPERTY OWNER OF THOSE LOTS LOCATED NORTH OF PORTER RIDGE ROAD WILL BE REQUIRED TO MAINTAIN THE REQUIRED LANDSCAPING AND SCREENING ON THE NORTHERN 20 FEET OF THEIR LOTS.
  - DETENTION CELLS HAVE BEEN INSTALLED. DETENTION AREA 'W' AND 'Y' REQUIRE ADDITIONAL CONSTRUCTION. SAFETY SHALL BE POSTED BY THE DEVELOPER AT THE TIME OF FINAL PLAN.
  - OFF-PREMISES SIGNS ARE NOT PERMITTED. ONE POLE SIGN SHALL BE PERMITTED ALONG THE PORTAGE OF PINE LAKE ROAD. A SIGNAGE HEIGHT OF 20 FEET SHALL BE PERMITTED. THE SIGNAGE SHALL BE PERMITTED IN ACCORDANCE WITH THE REGULATIONS OF THE 16-4 ZONING DISTRICT.
  - SALE OF ALCOHOL FOR USES THAT MEET THE CONDITIONS OF 27.63.080 AND 27.63.085 IS PERMITTED.
  - PARKING LOT LAYOUTS ARE CONCEPTUAL AND CAN BE MODIFIED AT THE TIME OF BUILDING PERMITS. PARKING SHALL BE SHARED IN AND BETWEEN USE PERMIT #100C AND SPECIAL PERMIT #1629H. A PROPOSED RATIO FOR ALL COMMERCIAL USES SHALL BE 1 STALL PER 300 SQUARE FEET. MULTI-FAMILY DWELLING UNITS SHALL BE 1 STALL PER 200 SQUARE FEET OR LESS. THE RATIO SHALL BE 1 STALL PER 400 SQUARE FEET OR LESS FOR DWELLING UNITS WITH A MINIMUM OF 40 PERCENT TO BE PROVIDED FOR AT THE TIME OF BUILDING PERMIT EXCEPT FOR THAT AREA ADJACENT TO LOTS 10-17, BLOCK 1, PORTER RIDGE WEST 20TH ADDITION WHICH IS SHOWN ON SHEET 2 OF 4.
  - EXTERIOR LIGHTING TRUSS AND CLARE ACROSS EXTERIOR LOT LINES. (CHAPTER 31.04, SECTION 9)

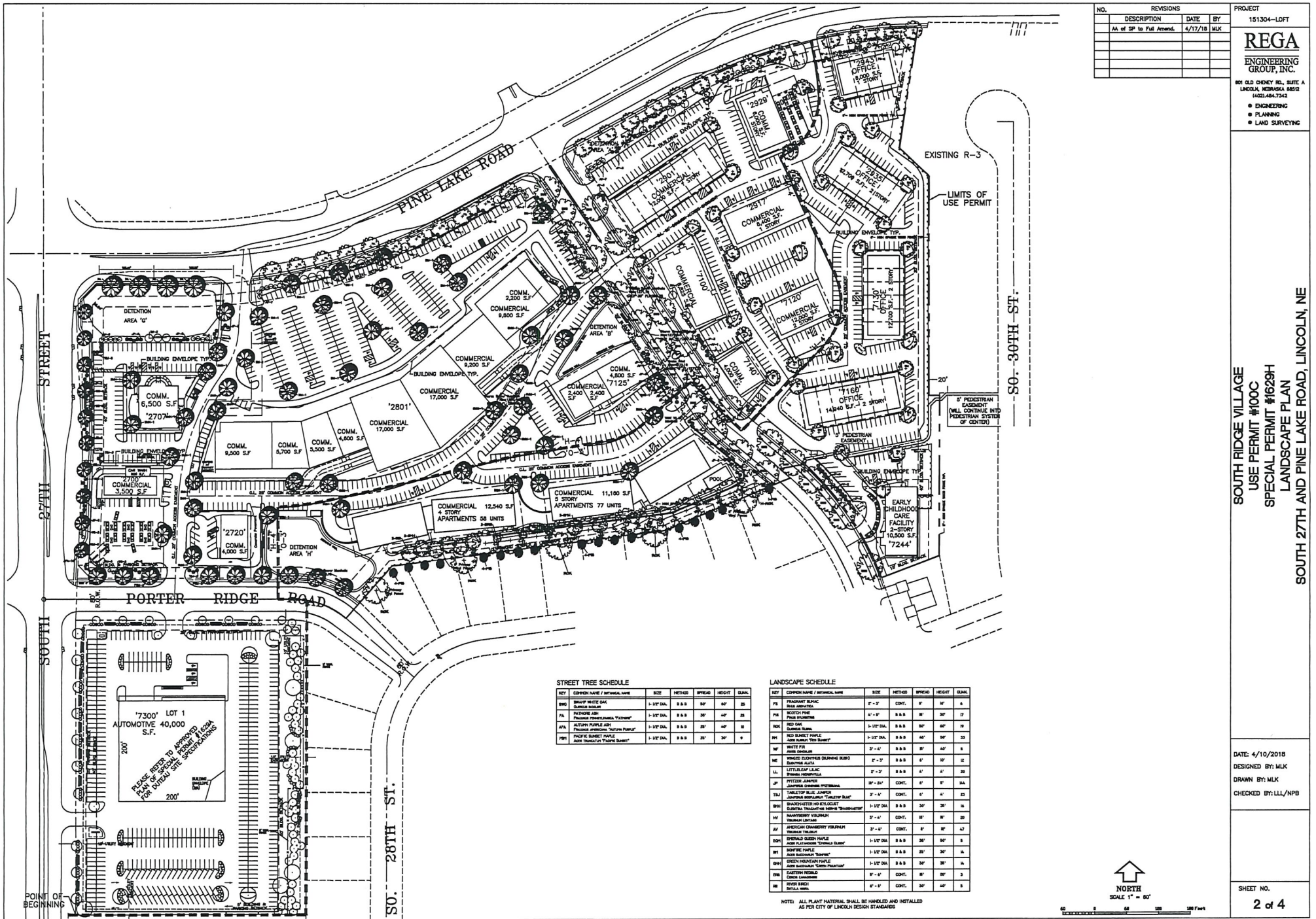
- WAVERS: (SPECIAL PERMIT & USE PERMIT)**
- CREATION OF LOTS WITHOUT FRONTAGE ON A PUBLIC STREET OR PRIVATE ROADWAY PROVIDED THAT ACCESS IS MAINTAINED DURING THE PLAYING PROCESS. (27.63.140(4))
  - THE REQUIREMENT THAT REQUIRED PARKING BE PROVIDED ON THE SAME LOT AS THE USE WHICH REQUIRES THE PARKING. (27.67.050(2))
  - COMMERCIAL PARKING TO BE 1 STALL PER 300 SQUARE FEET FOR ALL USES. (27.67.040)
  - PARKING FOR MULTI-FAMILY DWELLING UNITS TO BE ONE AND ONE-HALF STALLS PER DWELLING UNIT. A MINIMUM OF 40 PERCENT OF THE TOTAL MULTI-FAMILY DWELLING UNITS SHALL BE 1 BEDROOM OR STUDIO UNITS. (27.67.040) UNDER THE PROVISION OF (27.67.050(4))
  - REDUCTION OF THE REAR YARD SETBACK FROM 40 FEET TO 30 FEET IN THAT PORTION OF THE 0-3 ZONE LOCATED NORTH OF THE PORTER RIDGE EASEMENT AND RUNNING TO PINE LAKE ROAD. (27.72.060(4))
  - THE LANDSCAPE IN THAT PORTION OF THE 0-3 ZONE LOCATED ON THE EASTERN EDGE OF THE DEVELOPMENT THAT IS NORTH OF THE PORTER RIDGE EASEMENT AND RUNNING TO PINE LAKE ROAD. (27.72.060(4)(2))
  - 0-3 BUILDING HEIGHT FROM 45 FEET TO 48 FEET. (27.72.060(4))
  - DECKS/BALCONIES WITHIN REAR YARD SETBACK. (27.72.060(4)(2))
  - 1-4 ZONING DISTRICT MINIMUM LOT AREA OF 10,000 SQUARE FEET. (27.72.060(4))
  - EXTERIOR LIGHTING TRUSS AND CLARE ACROSS EXTERIOR LOT LINES. (CHAPTER 31.04, SECTION 9)



SOUTH RIDGE VILLAGE  
 USE PERMIT #100C  
 SPECIAL PERMIT #1629H  
 SITE PLAN  
 SOUTH 27TH AND PINE LAKE ROAD, LINCOLN, NE

DATE: 4/10/2018  
 DESIGNED BY: MLK  
 DRAWN BY: MLK  
 CHECKED BY: LLL/NPB

SHEET NO.  
 1 of 4



NO.	REVISIONS	DATE	BY
	DESCRIPTION		
	As of SP to Full Approval	4/17/18	MLK

PROJECT  
151304-LOFT

**REGA**  
ENGINEERING  
GROUP, INC.

901 S.D. CISKY RD., SUITE A  
LINCOLN, NEBRASKA 68512  
(402) 484-7343

- ENGINEERING
- PLANNING
- LAND SURVEYING

SOUTH RIDGE VILLAGE  
USE PERMIT #100C  
SPECIAL PERMIT #1629H  
LANDSCAPE PLAN  
SOUTH 27TH AND PINE LAKE ROAD, LINCOLN, NE

DATE: 4/10/2018  
DESIGNED BY: MLK  
DRAWN BY: MLK  
CHECKED BY: LLL/NPB

SHEET NO.  
2 of 4

STREET TREE SCHEDULE

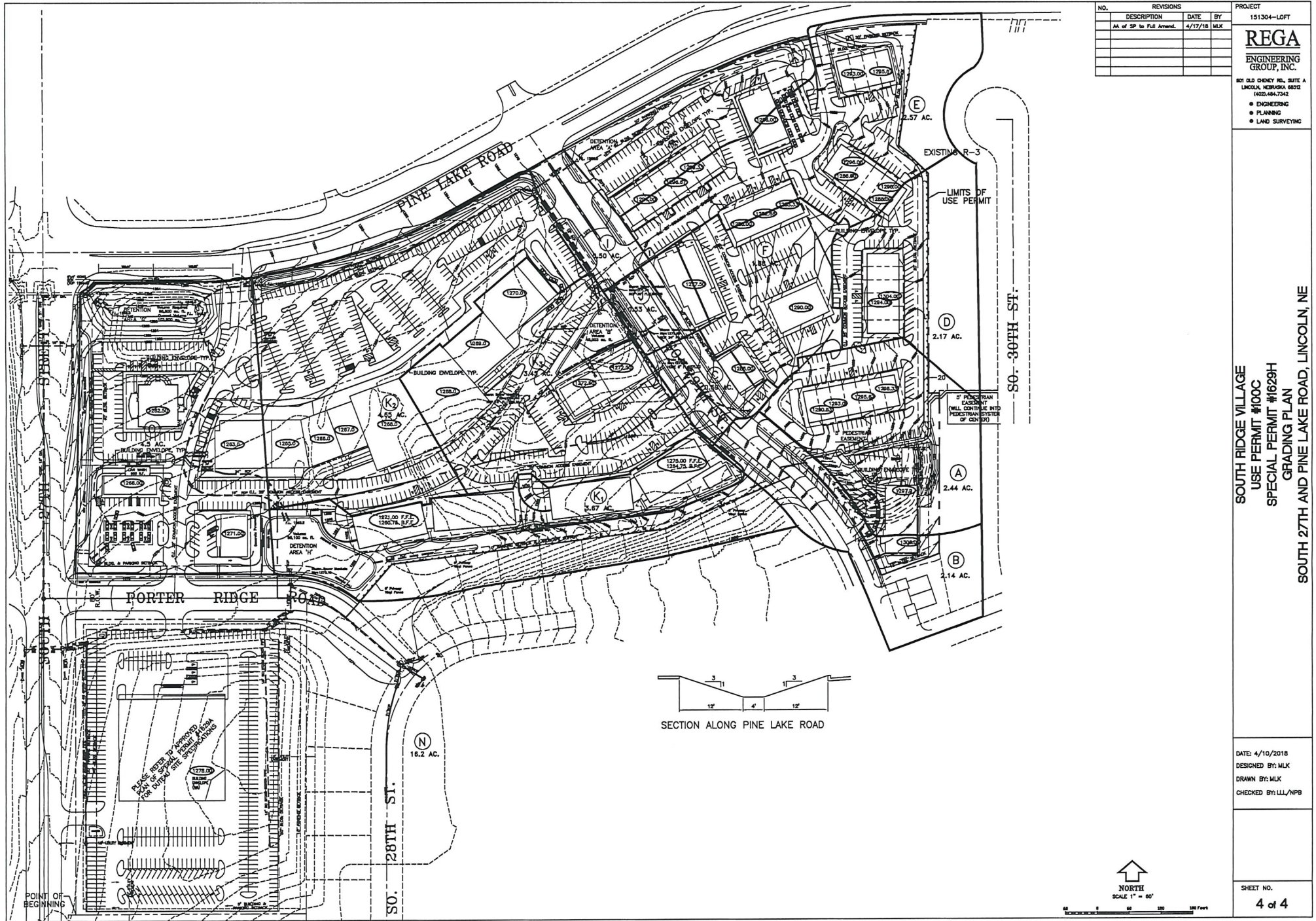
KEY	COMMON NAME / BOTANICAL NAME	SIZE	METHOD	SPREAD	HEIGHT	DEATH
BW	BURF WHITE OAK	1-1/2" DIA.	B.B.	30'	40'	25
PA	PATSHIRE ASH	1-1/2" DIA.	B.B.	20'	40'	25
PA	PATSHIRE PERSICARIA "PATSHIRE"	1-1/2" DIA.	B.B.	20'	40'	25
PA	AUTUMN PURPLE ASH	1-1/2" DIA.	B.B.	20'	40'	25
PA	PAGE C. BARNET MAPLE	1-1/2" DIA.	B.B.	20'	30'	25
PA	Ash (varieties: "Patshire", "Barnet")	1-1/2" DIA.	B.B.	20'	30'	25

LANDSCAPE SCHEDULE

KEY	COMMON NAME / BOTANICAL NAME	SIZE	METHOD	SPREAD	HEIGHT	DEATH
FB	FRAGRANT BANYAN	8" - 12"	CONT.	8'	10'	6
FB	BIG BANYAN	8" - 12"	CONT.	8'	10'	6
FB	SCOTCH PINE	8" - 12"	B.B.	8'	20'	17
FB	PINE SPREADER	8" - 12"	B.B.	8'	20'	17
ROD	RED OAK	1-1/2" DIA.	B.B.	30'	40'	19
ROD	CHERRY BARK	1-1/2" DIA.	B.B.	30'	40'	19
ROD	RED BARKED MAPLE	1-1/2" DIA.	B.B.	30'	40'	19
ROD	AMERICAN BIRCH	1-1/2" DIA.	B.B.	30'	40'	19
WF	WHITE FIB	2" - 4"	B.B.	30'	40'	19
WF	WINDSOR GARDEN GARDEN BIRD	2" - 3"	B.B.	30'	40'	19
WF	BRASSICA BARK	2" - 3"	B.B.	30'	40'	19
LL	LITTLE LEAF ALAC	2" - 3"	B.B.	30'	40'	19
LL	BRASSICA BARK	2" - 3"	B.B.	30'	40'	19
JP	JAPANESE JASMINE	8" - 12"	CONT.	8'	10'	6
JP	JAPANESE SPICE JASMINE	8" - 12"	CONT.	8'	10'	6
TRJ	TANGETTO BLUE JASMINE	8" - 12"	CONT.	8'	10'	6
TRJ	JAPANESE SPICE JASMINE	8" - 12"	CONT.	8'	10'	6
BH	BANQUETTER FOR BLOSSOM	1-1/2" DIA.	B.B.	30'	40'	19
BH	BRASSICA BARK	1-1/2" DIA.	B.B.	30'	40'	19
WV	WINDSOR GARDEN BIRD	2" - 3"	CONT.	8'	10'	6
AV	AMERICAN CHERRY VIRGINIAN	2" - 3"	CONT.	8'	10'	6
AV	BRASSICA BARK	2" - 3"	CONT.	8'	10'	6
ROH	RED OAK	1-1/2" DIA.	B.B.	30'	40'	19
ROH	CHERRY BARK	1-1/2" DIA.	B.B.	30'	40'	19
ROH	RED BARKED MAPLE	1-1/2" DIA.	B.B.	30'	40'	19
ROH	AMERICAN BIRCH	1-1/2" DIA.	B.B.	30'	40'	19
ROH	GREEN MOUNTAIN MAPLE	1-1/2" DIA.	B.B.	30'	40'	19
ROH	BRASSICA BARK	1-1/2" DIA.	B.B.	30'	40'	19
ROH	WINDSOR GARDEN BIRD	2" - 3"	CONT.	8'	10'	6
ROH	BRASSICA BARK	2" - 3"	CONT.	8'	10'	6
ROH	WINDSOR GARDEN BIRD	2" - 3"	CONT.	8'	10'	6

NOTE: ALL PLANT MATERIAL SHALL BE HANDED AND INSTALLED AS PER CITY OF LINCOLN DESIGN STANDARDS





NO.	REVISIONS			PROJECT
	DESCRIPTION	DATE	BY	
	AA of SP to Full Amend.	4/17/18	MLK	151304-LOFT

**REGA**  
ENGINEERING GROUP, INC.  
801 OLD DIXIE RD., SUITE A  
LINCOLN, NEBRASKA 68502  
(402) 484-7342

- ENGINEERING
- PLANNING
- LAND SURVEYING

SOUTH RIDGE VILLAGE  
USE PERMIT #100C  
SPECIAL PERMIT #1629H  
GRADING PLAN  
SOUTH 27TH AND PINE LAKE ROAD, LINCOLN, NE

DATE: 4/10/2018  
DESIGNED BY: MLK  
DRAWN BY: MLK  
CHECKED BY: LLL/NPB

SHEET NO.  
4 of 4



# REGA

ENGINEERING  
GROUP, INC.

File No. 151304-LOFT  
April 11, 2018

Mr. David Cary  
Director of Planning  
Dessie Redmond, Planner  
City of Lincoln/ Lancaster County  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508

RE: SOUTH RIDGE VILLAGE  
USE PERMIT #100C  
& ~~ADMINISTRATIVE~~ AMENDMENT TO SPECIAL PERMIT #1629G  
South 27<sup>th</sup> Street & Pine Lake Road

Dear David,

On behalf of South Ridge Village, LLC, we are submitting an amendment to Use Permit #100B and ~~Administrative~~ Amendment to Special Permit #1629G of South Ridge Village.

The amendment to the Use Permit includes replacing the 3 office/medical lots of 53,660 square feet located in the south west portion of the use permit with 2 mixed use buildings. The 2 mixed-use buildings include underground parking, 23,700 square feet of commercial area on the main/first floor and 135 multi-family dwelling units located on the first through fourth floor of the west building and first through fifth floor of the east building. The total commercial area within the use permit is shown as 82,000 square feet with a total of 135 dwelling units.

Due to the revisions of the parking areas, which overlap into the existing Special Permit #1629G, an ~~administrative~~ amendment to the special permit is also being requested. The total commercial areas previously approved at 215,000 square feet remains with the special permit. General Notes and waivers have been updated and combined with the Use Permit.

With these applications we are requesting that all uses within the development be referred to as commercial and be required to meet a parking requirement of 1 stall per 300 square feet ratio. For the multi-family dwelling units, a parking requirement of 1.5 stalls per dwelling unit is being requested with a minimum of 40 percent to be 1 bedroom or studio units.

The development had provided private sewer and water for portions of the development. A portion of the existing private sanitary sewer will be removed and a proposed private 8" sanitary sewer line is shown to give service to both mixed-use buildings.

With the previously approved applications, detention areas had been shown for the development. An updated drainage study is being provided for review, with the previously approved drainage study. A topographic survey of the area found some of the drainage basins needed some tweaking, specifically K<sub>1</sub> and K<sub>2</sub>.

In addition, a third basin, K<sub>3</sub>, was added to the current study. To acquire the detention area required, Detention Areas 'B' and 'H' will need additional grading and retaining wall construction to achieve pre-development conditions.

The developer held a neighborhood meeting which invited the business owners within the development as well as the surrounding homeowners. Concerns had been expressed with the screening and the location of a sidewalk located between the mixed-use buildings and the south property line. Trees have been planted within the area in question to alleviate some screening issues and the developer is willing to plant additional screening if needed. The proposed sidewalk has been shown closer to the proposed mixed-use buildings allowing the existing trees to be a buffer. Another concern from the neighbors is the need for stop signs. The developer is in the process of installing stop signs within the South Ridge Village Development.

The following are waivers previously approved as well as newly requested with this application.

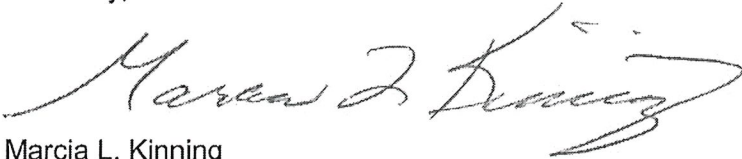
1. Creation of lots without frontage on a public street or private roadway provided that access is dedicated during the platting process. (26.23.140(g)) *PREVIOUSLY APPROVED*
2. The requirement that required parking be provided on the same lot as the use which requires the parking. (27.67.030(d)) *PREVIOUSLY APPROVED*
3. Commercial parking to be 1 stall per 300 square feet for all uses. (27.67.040)  
*Within the development there are different uses. Calculating parking for all allowed uses with one ratio is beneficiary.*
4. Parking for multi-family dwelling units to be one and one-half stalls per dwelling unit. A minimum of 40 percent of the total multi-family dwelling units shall be 1 bedroom or studio units. (27.67.040) under the provisions of (27.72.030(a)).  
*The mixed use is providing an environment for individuals to utilize city transportation as well as other alternate transportation other than automobiles. The demand for parking will be minimized.*
5. Reduction of the rear yard setback from 40 feet to 20 feet in the portion of the O-3 Zone located on the eastern edge of the development that is north of the pedestrian easement and running to Pine Lake Road. (27.72.30(a)) *PREVIOUSLY APPROVED*
6. The landscape in the portion of the O-3 Zone located on the eastern edge of the development that is north of the pedestrian easement and running to Pine Lake Road. (27.72.060(c)(2)) *PREVIOUSLY APPROVED*
7. O-3 building height from 45 feet to 65 feet. (27.72.030(a)).  
*The east proposed mixed-use building will have an underground parking garage, main/first floor consisting of a mixture of commercial area, apartment amenities and apartments, and four additional floors of apartment units. The west proposed mixed-use building will have an underground parking garage, main/first floor consisting of commercial area and apartments, and three additional floors of apartment units. The adjacent property to the existing single family residences to the south are substantially higher than the ground level of the location where the mixed-use buildings will be located.*
8. Decks/balconies within rear yard setback. (27.72.060(f)(4)).  
*A small portion of the west mixed-use building will have balconies extending into the rear yard setback along the south line of the development. Due to the existing internal drive and the shape of the property, the building location cannot be shifted.*
9. H-4 Zoning District minimum lot area of 15,000 square feet. (27.72.040(a))  
*This waiver is being requested on existing buildings that have already been approved and built within the development. This request is now shown to clarify the acceptance of the existing conditions.*

Page 3

10. Exterior Lighting trespass and glare across interior lot lines. (Chapter 3.100, Section 9)  
*Within the development there are lots created for individual building with an outlot surrounding the lots that consists of parking areas and drive aisles. For safety concerns, it is beneficial to all tenants with the development to have lighting cross lot lines internally.*

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: Rick Krueger

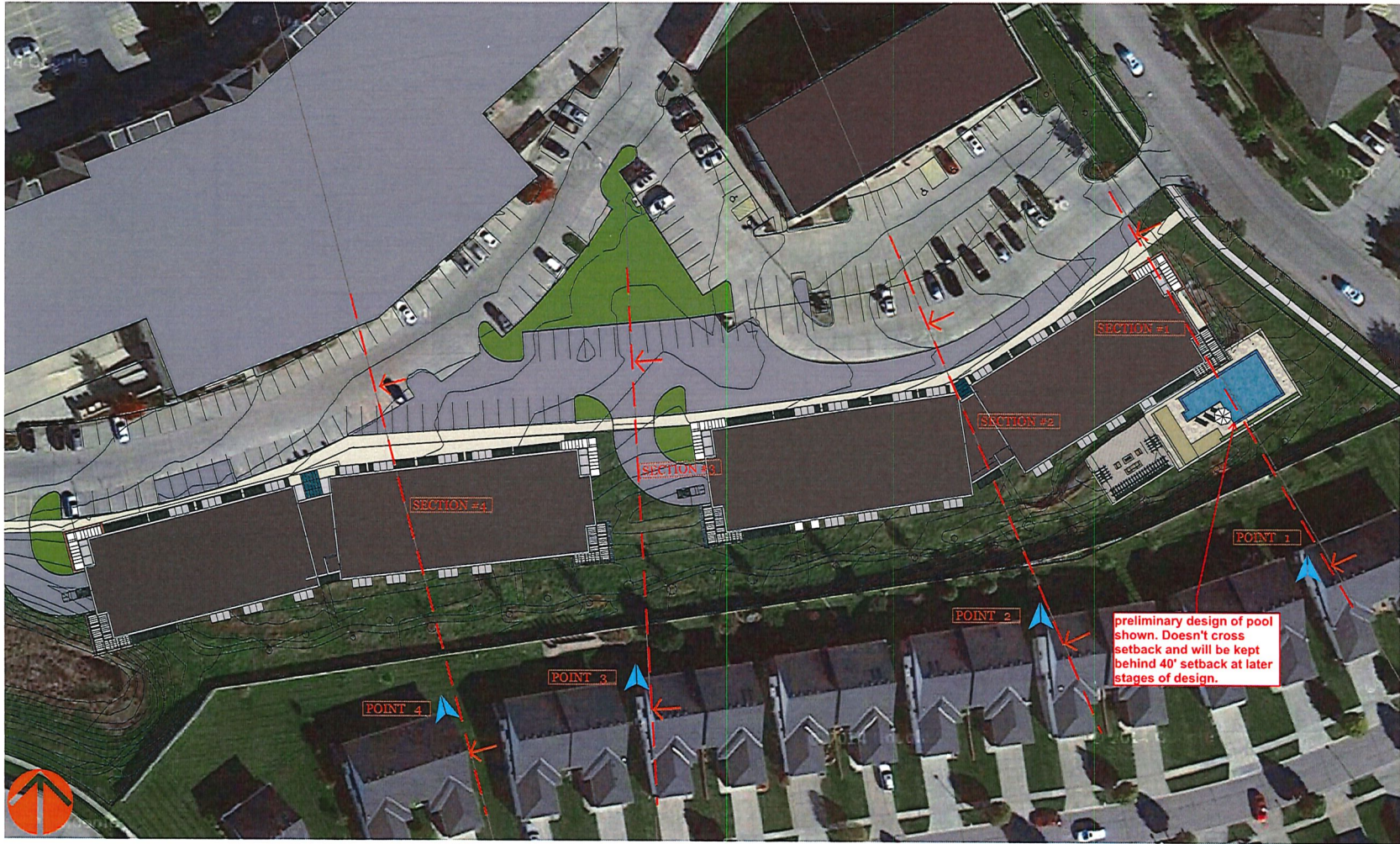
Enclosures: Application Form

Application Fee of \$988.00 (Amendment to Use Permit)

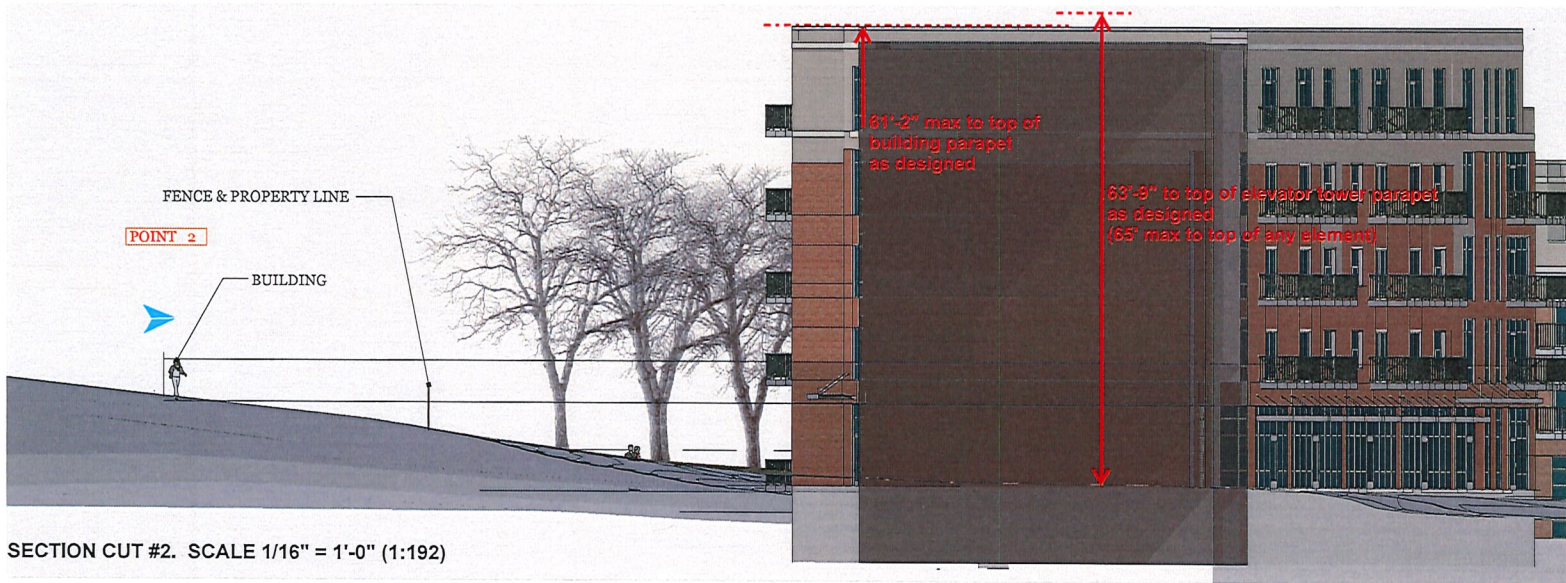
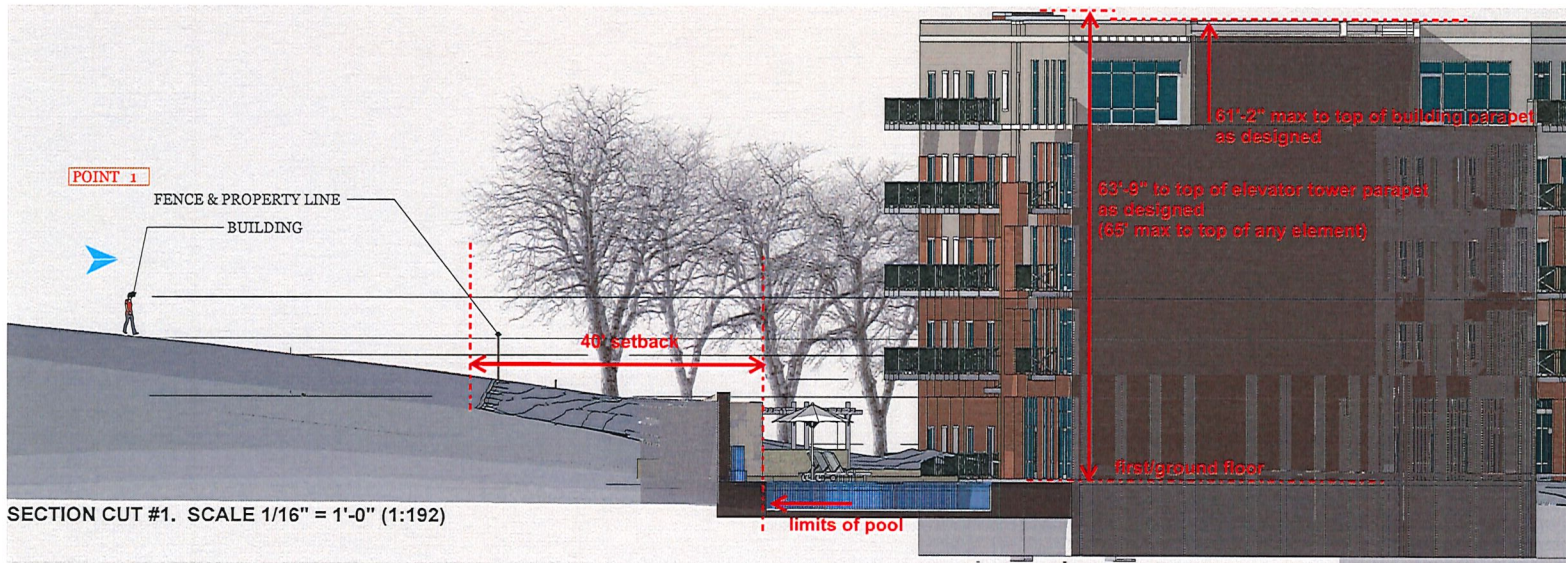
Application Fee of \$206.00 (Administrative Amendment to Special Permit)

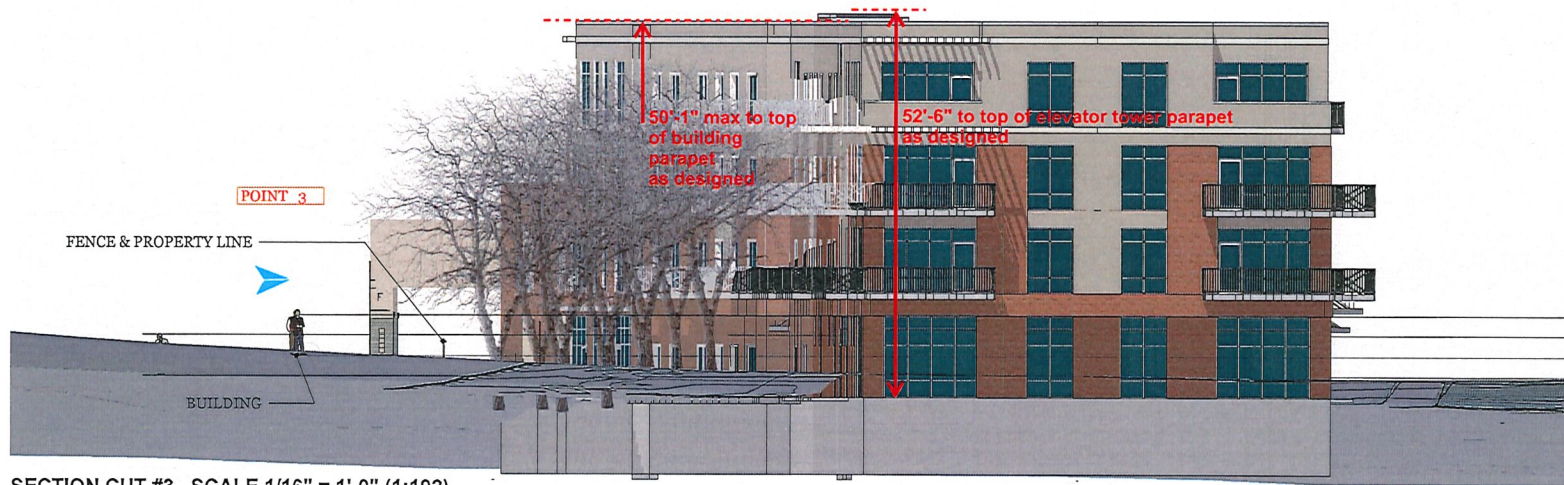
Drainage Study (for Watershed)

1 Copy of Sheets 1 through 4 of 4 (for Watershed)

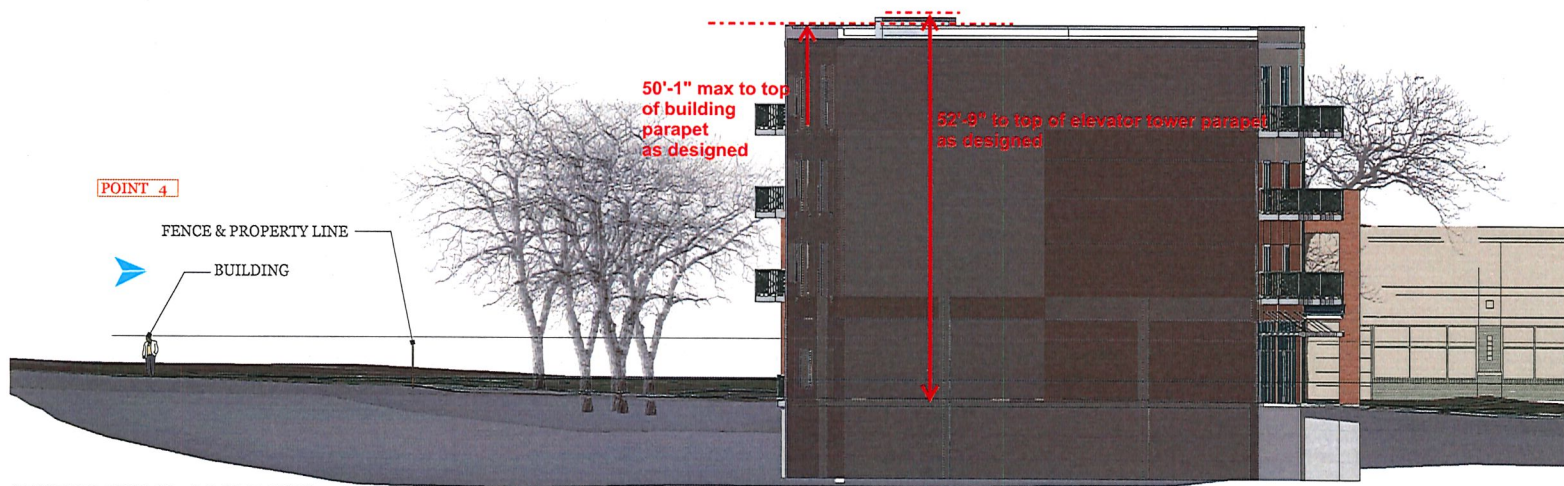


SITE PALN WITH SECTION CUTS. SCALE 1" = 60' (1:720)





SECTION CUT #3. SCALE 1/16" = 1'-0" (1:192)



SECTION CUT #4. SCALE 1/16" = 1'-0" (1:192)



SOUTH-WEST VIEW FROM PINE LAKE AND S29TH STREET



EAST VIEW FROM STARCREST CLEANERS/ PHILLIPS 66 GAS STATION

**KRUEGER** development  
838 CODY DRIVE, SUITE F,  
LINCOLN, NE 68512  
PHONE 402.423.7377  
WWW.KRUEGERDEVELOPMENT.COM



LOOKING NORTH, AERIAL VIEW



WEST VIEW FROM S29TH STREET

**KRUEGER** | development  
8308 CODY DRIVE, SUITE F,  
LINCOLN, NE 68513  
PHONE 402.422.7277  
WWW.KRUEGERDEVELOPMENT.COM

