

## FACTSHEET

**TITLE:** **SPECIAL PERMIT NO. 1999A**, an amendment to the **Wilderness Hills Community Unit Plan**, requested by Engineering Design Consultants on behalf of Lincoln Federal Bancorp, Inc., on property generally located northeast of the intersection of South 27<sup>th</sup> Street and Whispering Wind Boulevard.

**STAFF RECOMMENDATION:** Conditional Approval, as revised.

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: 10/27/04 and 11/10/04  
Administrative Action: 11/10/04

**RECOMMENDATION:** Conditional Approval, as revised by staff (6-1: Carlson, Carroll, Marvin, Larson, Krieser and Bills-Strand voting 'yes'; Pearson voting 'no'; Taylor and Sunderman absent).

### FINDINGS OF FACT:

1. This proposed amendment to the Wilderness Hills Community Unit Plan would:
  - adjust the rear setback for Lots 9-23, Block 2, to zero feet;
  - adjust the rear setback for Lots 8-34, Block 7, to five feet;
  - allow a waiver of the lot depth-to-width ratio; and
  - allow a waiver to allow double frontage lotsfor the development of an attached single-family and townhome development of approximately 66 units between Wilderness Hills Boulevard and Whispering Wind Boulevard.
2. The revised staff recommendation of conditional approval is based upon the "Analysis" as set forth on p.3-5, concluding that the request is consistent with the intent of the zoning ordinance and the Comprehensive Plan, subject to the modifications required in the conditions of approval.
3. This application was held over for two weeks at the Planning Commission to allow advertising of additional waiver requests.
4. The applicant's testimony is found on p.11-12.
5. There was no testimony in opposition.
6. On November 10, 2004, the majority of the Planning Commission agreed with the revised staff recommendation and voted 6-1 to recommend conditional approval (Pearson dissenting; Taylor and Sunderman absent).
7. The Site Specific conditions of approval required to be completed prior to scheduling this application on the City Council agenda have been satisfied.

**FACTSHEET PREPARED BY:** Jean L. Walker

**DATE:** December 13, 2004

**REVIEWED BY:** \_\_\_\_\_

**DATE:** December 13, 2004

**REFERENCE NUMBER:** FS\CC\2004\SP.1999A

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

**for October 27, 2004 PLANNING COMMISSION MEETING**

**-REVISED STAFF REPORT-**

**NOTE:** Consideration of this request was delayed two weeks to allow additional waivers to be included in the legal notice. This report has been revised to consider the additional waivers along with the request made by the applicant during the public hearing to revise the adjustment to the rear setback for Lots 8-34, Block 7 down to 5' instead of 10'.

**P.A.S.:** Special Permit #1999A for Community Unit Plan.

**PROPOSAL:** To amend the Wilderness Hills CUP by adjusting the rear setback down to 0' for Lots 9-23, Block 2, and down to 5' for Lots 8-34, Block 7; waiving the maximum lot width to depth ratio; waiving the minimum lot depth; and, allowing double-frontage lots for an attached single-family and townhome development of approximately 66 units between Wilderness Hills and Whispering Winds Blvds.

**LOCATION:** Northeast of the intersection of South 27<sup>th</sup> Street and Whispering Wind Blvd.

**LAND AREA:** Approximately 64.35 Acres (entire CUP).

**CONCLUSION:** Subject to the modifications noted in the conditions of approval, this request is consistent with the intent of the Zoning Ordinance and the Comprehensive Plan.

**RECOMMENDATION:**

Adjust rear setback for Lots 9-23, Block 2 to 0'

Lots 8-34, Block 7 to 5'

Exceed the lot depth to width ratio

Allow double-frontage lots

Conditional Approval

Conditional Approval

Conditional Approval

**GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** See attached legal description.

**EXISTING ZONING:** R-3 Residential, R-5 Residential

**EXISTING LAND USE:** Agricultural land being prepared for development.

## **SURROUNDING LAND USE AND ZONING:**

North:	Commercial/Office (under development)	O-3, B-2
South:	Agriculture	AG
East:	Agriculture	AG
West:	Residential & Golf Course	R-3

**COMPREHENSIVE PLAN SPECIFICATIONS:** Page F17 - Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. This can be accomplished in many ways including encouraging appropriate new development on unused land in older neighborhoods, and encouraging a greater amount of commercial space per acre and more dwelling units per acre in new neighborhoods.

**Page F18** - Encourage different housing types and choices, including affordable housing, throughout each neighborhood for an increasingly diverse population.

**Page F20 & F21** - Principles of mixed-use development.

**Page F31** - Tier 1 Priority Areas - This site is within the Future Service Limit. The remainder of the section is within Tier 1, Priority Area A. That area within the Future Service Limit can be served by city utilities; those lands in Priority Area A are designated to receive city services within the next 12 years.

**Page F87** - Increasing the use of alternate means of transportation, including public transportation, bicycle transit, and pedestrian movement by improving and expanding facilities and services and encouraging compact, walkable land use patterns and project designs.

**HISTORY: June 24, 2004** - Annexation #02012, Change of Zone #3423 from AG to R-3, R-5, O-3 and B-2, Special Permit #1999 for Community Unit Plan, and Use Permit #154 for retail/commercial for Wilderness Hills were approved.

## **ANALYSIS:**

1. The Wilderness Hills project approved in June of this year is part of an overall conceptual plan showing the phased development of the section of land bounded by Yankee Hill and Rokeby Roads, and by South 27<sup>th</sup> and South 40<sup>th</sup> Streets. This first phase provides for approximately 640 residential units and 500,000 square feet of commercial floor area.
2. The community unit plan (CUP) approved by Special Permit #1999 provides for a mix of residential uses in areas zoned R-3 and R-5. The uses include single-family (both detached and attached), townhouses, and apartments.
3. The site layout proposed for this development modifies the original street and lot configuration approved by the Wilderness Hills CUP, but could have been approved administratively by the Planning Director if additional waivers were not required. However, the proposed layout requires additional waivers not originally approved as part of the original CUP and must be approved by the City Council.

4. To facilitate pedestrian access to the adjacent arterial street sidewalk system, and to the pocket park shown in Outlot D and the open space in Outlot C, a sidewalk should be extended across both Outlots C and D to South 27<sup>th</sup> Street in line with Rockport Drive.
5. The application requests five waivers (each is discussed individually below):
  - A. Waive the maximum allowed block length - As measured, the block length is actually less than 1,320' and a waiver is not required.
  - B. Allow double-frontage lots - This request applies to Lots 1-5, Block 2. Screening consistent with the Design Standard for lots backing onto streets (Chapter 3.50, Section 7.4) is required. To mitigate double frontage, any fence erected along the rear property lines should be buffered by landscaping that is planted between the fence and the street in an amount at least equal to a 50% screen to 6' in height.
  - C. Allow lots less than 120' in depth along arterial streets - This waiver applies to Lot 8, Block 2, which has an average lot depth of 116'. The lot depth was reduced after a 15' dedication of right-of-way to allow for a right-turn lane off South 27<sup>th</sup> Street at Wilderness Hills Blvd, and the reduction is not significant. However, a note must be added to clearly label the land to be dedicated as right-of-way near the intersection of South 27<sup>th</sup> Street and Wilderness Hills Blvd.
  - D. Allow lot lines not radial to the streets - This condition does exist for several lot lines throughout this portion of the CUP, but the Subdivision Ordinance allows the standard to be waived by staff. In this case, staff does not object to lot line adjustment.
  - E. Adjust the rear setback for Lots 9-23, Block 2 down to 0', and down to 5' for Lots 8-34, Block 7 - This waiver was not requested as part of the original CUP, and cannot be approved administratively. For Lots 9-23, which are those lots between South 27<sup>th</sup> Street and Keystone Drive, Outlot F separates them from South 27<sup>th</sup> Street. This outlot varies from approximately 15' to 45' in width. The developer is proposing to create this outlot so that a uniform landscape screen can be controlled and maintained along South 27<sup>th</sup> Street. Staff has met with the applicant and is recommending this setback be adjusted to 5' instead of 0'. This will provide a minimum effective setback of 20' from the edge of the South 27<sup>th</sup> Street right-of-way and the townhouses. This is consistent with the front setback in the R-3 and will maintain an adequate separation between the homes and the street in this area.

For Lots 8-34, which are the lots between Keystone Drive and South 28<sup>th</sup> Street, the request is to adjust the rear setback down to 5' to allow for a common open space at the rear of the lots. This open space is in an outlot, and varies in width from approximately 13' to 42'. The setback combined with the outlot serve to provide adequate open space and separation in this area.
  - F. Exceed the maximum lot depth-to-width ratio - This applies to Lots 5 and 6, Block 2, which exceed the maximum 3:1 ratio. Where the lots are to developed with

townhouses, Section 26.23.140 of the Land Subdivision Ordinance allows the Planning Director to modify the requirement. In this case, the lots are to be developed with townhouses, and as they only slightly exceed the 3:1 ratio the impact is not significant. The adjustment is granted administratively and does not require City Council approval.

6. The concept of reducing lot area and seeking waivers to provide common open spaces or uniform screening/landscaping is allowed with a CUP. With the adjustments to the rear setback as modified by staff, the site plan allows for an acceptable separation between buildings and streets, and provides adequate amounts of open space.
- A landscape screen is required for Lots 1-8, Block 2 (modified for Lots 1-5 as noted in paragraph 5(B) above) because they back onto a street. However, Lots 9-23, Block 2 are not adjacent to a street, and a landscape screen is not required. As the waiver to the rear setback is requested for Lots 9-23 to provide for a uniformly landscaped area, the site plan should show at least the minimum screening required for lots adjacent to a major street (50% to 6' in height). Additional screening/landscaping can be installed, but this will ensure an adequate amount is provided in Outlot F.
- It is noted that a street name change has been requested to allow Keystone Drive as shown on the site plan. This proposed name change is being reviewed by the Street Naming Committee.
- There are other minor corrections required on the site plan which are noted as conditions of approval.

## **CONDITIONS:**

### Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department and the plans are found to be acceptable, the application will be scheduled on the City Council's agenda:
  - 1.1 Revise the site plan to show:
    - 1.1.1 Revise the references in General Notes #22 and #23 and in CUP Site Note #7 from "Two-family" to "Single-family Attached."
    - 1.1.2 Revise the Waiver Table by deleting waivers #1 and #5, and by amending #6 and #7 to note that the rear setback for Lots 9-23, Block 2 and Lots 8-34, Block 7 is adjusted to 5'.
    - 1.1.3 Revise the title of the Waiver Table to read "WAIVER TABLE (CITY OF LINCOLN LAND SUBDIVISION AND ZONING REGULATIONS)."

- 1.1.4 Indicate the purpose of Outlot C, Block 2.
- 1.1.5 Show a sidewalk extending across both Outlots C and D connecting the sidewalk along South 27<sup>th</sup> Street to the sidewalk along South 28<sup>th</sup> Street in line with Rockport Drive.
- 1.1.6 Add Note #10 to CUP Site Notes that reads "THE LANDSCAPE SCREEN ALONG SOUTH 27<sup>TH</sup> STREET WILL MEET OR EXCEED THE REQUIREMENTS OF THE CITY OF LINCOLN DESIGN STANDARDS, CHAPTER 3.5, SECTION 7.4. SCREENING FOR LOTS 1-5, BLOCK 2 MUST ALSO MEET OR EXCEED THAT STANDARD, AND IF A FENCE IS ERECTED ALONG REAR PROPERTY LINES PLANTS MUST BE INSTALLED BETWEEN THE SIDEWALK AND THE FENCE TO PROVIDE A MINIMUM 50% SCREEN TO 6' IN HEIGHT. THE PROPERTY OWNERS OF EACH LOT MUST MAINTAIN THE PLANTS."
- 1.1.7 Show the additional easements per the L.E.S review.
- 1.1.8 Revise the typical street cross sections to include sidewalks.
- 1.1.9 Label the area along South 27<sup>th</sup> Street near the intersection with Wilderness Hills Blvd to be dedicated as right-of-way
- 1.2 Make revisions and corrections noted in the Public Works and Utilities' review to the satisfaction of Public Works and Utilities.
- 1.3 Make revisions and corrections noted in the Parks and Recreation Department's review.
- 1.4 The street name change to Keystone Drive must be approved by the Street Name Committee.
- 1.5 Revise the legal description on Sheet 18 of 18 to include the names of the I.T. lots involved in Special Permit #1999A for the Wilderness Hills community unit plan.
- 2. This approval adjusts the rear setback for Lots 9-23, Block 2, to zero feet, and Lots 8-34, Block 7, to 5'; waives the minimum lot depth for Lot 8, Block 2; and allows Lots 1-5, Block 2 as double frontage lots for Wilderness Hills CUP.

The waiver of the preliminary plat process shall only be effective for a period of ten (10) years from the date of the city's approval, and shall be of no force or effect thereafter. If any final plat on all or a portion of the approved community unit plan is submitted five (5) years or more after the approval of the community unit plan, the city may require that a new community unit plan be submitted, pursuant to all the provisions of section 26.31.015. A new

community unit plan may be required if the subdivision ordinance, the design standards, or the required improvements have been amended by the city; and as a result, the community unit plan as originally approved does not comply with the amended rules and regulations.

Pursuant to the proposed annexation agreement: (1) impact fees will be collected from development based on the number of lots and the type of development in the final plat; and (2) due to a court challenge to the collection of impact fees, the City is requiring security to guarantee the necessary contribution to cover part of the cost of providing infrastructure (such as water, sanitary sewer, arterial streets, parks and trails) necessitated by development of the lots within this development. If the impact fees are upheld, the security will be returned. However, if for whatever reason the impact fees are not collected, the developer will pay this pre-determined amount or the City will use the security to pay for part of the cost of these improvements needed to serve the development.

Before the approval of a final plat, the public streets, private roadway improvements, sidewalks, sanitary sewer system, water system, drainage facilities, land preparation and grading, sediment and erosions control measures, storm water detention/retention facilities, drainageway improvements, street lights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs, must be completed or provisions (bond, escrow or security agreement) to guarantee completion must be approved by the City Law Department. The improvements must be completed in conformance with adopted design standards and within the time period specified in the Land Subdivision Ordinance.

Permittee agrees:

to complete the street paving of public streets shown on the final plat within two (2) years following the approval of the final plat.

To complete the paving of private roadways shown on the final plat within two (2) years following the approval of this final plat.

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

to construct the sidewalk in the pedestrian way easements in Outlots C and D at the same time as Keystone Drive is paved and to agree that no building permit shall be issued for construction on Lot 9, Block 2 and Lot 8, Block 7 until such time as the sidewalk in the pedestrian way easement is constructed.

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

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

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

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

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

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

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

to complete the planting of the street trees within this plat within four (4) years following the approval of the final plat.

to complete the planting of the landscape screen within this plat within two (2) years following the approval of the final plat.

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

to complete any other public or private improvement or facility required by Chapter 26.23 (Development Standards) of the Land Subdivision Ordinance in a timely manner which inadvertently may have been omitted from the above list of required improvements.

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

to complete the public and private improvements shown on the Community Unit Plan.

to retain ownership of or the right of entry to the outlots in order to maintain the outlots and private improvements on a permanent and continuous basis and to maintain the plants in the medians and islands on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating, in writing, a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the private improvements have been satisfactorily installed and the documents creating the association have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.



to continuously and regularly maintain the street trees along the private roadways and landscape screens.

to submit to the lot buyers and home builders a copy of the soil analysis.

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

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

to perpetually maintain the sidewalks in the pedestrian way easements on Outlots C and D at their own cost and expense.

to properly and continuously maintain and supervise the private facilities which have common use or benefit, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development, and that these are the responsibility of the land owner.

to relinquish the right of direct vehicular access to South 27<sup>th</sup> Street and Yankee Hill Road except as shown on the plat.

General:

3. Before receiving building permits:

- 3.1 The permittee shall have submitted a revised and reproducible final plan including 5 copies showing the following revisions and the plans are acceptable:
- 3.2 The construction plans shall comply with the approved plans.
- 3.3 Final Plats shall be approved by the City.

Standard:

4. The following conditions are applicable to all requests:

- 4.1 Before occupying the dwelling units all development and construction shall have been completed in compliance with the approved plans.
- 4.2 All privately-owned improvements shall be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.
- 4.3 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.

- 4.4 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 4.5 The applicant shall sign and return the letter of acceptance to the City Clerk within 30 days following the approval of the special permit, provided, however, said 30-day period may be extended up to six months by administrative amendment. The clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filling fees therefor to be paid in advance by the applicant.
5. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Prepared by:

Brian Will  
441-6362, [bwill@lincoln.ne.gov](mailto:bwill@lincoln.ne.gov)  
Planner  
October 28, 2004

**APPLICANT/**

**OWNER:** Lincoln Federal Bancorp, Inc.  
1101 N Street  
Lincoln, NE 68508 (402) 474-1400

**CONTACT:** Jason Thiellen  
EDC  
2200 Fletcher Avenue  
Lincoln, NE 68521 (402) 438-4014

**SPECIAL PERMIT NO. 1999A  
TO AMEND THE WILDERNESS HILLS COMMUNITY UNIT PLAN,**

**PUBLIC HEARING BEFORE PLANNING COMMISSION:**

October 27, 2004

Members present: Carlson, Taylor, Larson, Pearson, Carroll and Bills-Strand; Marvin, Sunderman and Krieser absent.

Staff recommendation: Deferral.

Ex Parte Communications: None.

Proponents

1. **Jason Thiellen of Engineering Design Consultants** appeared on behalf of **Lincoln Bancorp LLC**, and indicated general agreement with the deferral and conditions of approval, except Condition #2. Thiellen requested that the rear yard setback for Lots 8-34, Block 7, be reduced to 5 feet instead of 10 feet. He submitted maps of the general area of the amendment. With these townhomes, they are trying to have a common open space, landscaped green area. Because of the common outlot that they are trying to achieve, they cannot meet any of the rear yard setbacks in the R-3 zoning district. They initially thought 10 feet would be enough; however, it is not enough and they are requesting to reduce it to 5 feet.

Brian Will of Planning staff clarified that the intent of the deferral is to readvertise the application, including the additional waiver requests, with a new staff report to include a review of the additional waivers and the change from 10 feet to 5 feet.

Taylor moved to defer two weeks, with continued public hearing and action on November 10, 2004, seconded by Carlson and carried 6-0: Carlson, Taylor, Larson, Pearson, Carroll and Bills-Strand voting 'yes'; Marvin, Sunderman and Krieser absent.

**CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION:**

November 10, 2004

Members present: Carlson, Pearson, Carroll, Marvin, Larson, Krieser and Bills-Strand; Sunderman and Taylor absent.

Staff recommendation: Conditional Approval, as revised.

Ex Parte Communications: None.

Proponents

1. **Jason Thiellen of Engineering Design Consultants** appeared on behalf of **Lincoln Federal Bancorp**. This amendment (Keystone Village) amends the Wilderness Hills CUP in an area that

was previously in a lot layout that consisted of single family and some townhomes. This amendment proposes attached single family and townhomes for a total of 66 units. This area features a 1-acre pocket park with a pedestrian way through to 27<sup>th</sup> Street. There will be landscaped berms between the units.

The purpose of the request to reduce the rear yard setbacks on some of the units, particularly the townhouse units, is to accommodate the concept of the Keystone Village to have a couple of common spaces and the units situated to provide as much privacy from each unit as possible. The proposal attempts to accomplish a uniform landscaped area allowing the architect to do some landscaping to give each unit owner some privacy.

Thiellen showed photographs of the architecture and style of the townhome units as well as the entrance to the development.

Thiellen agreed with all conditions of approval.

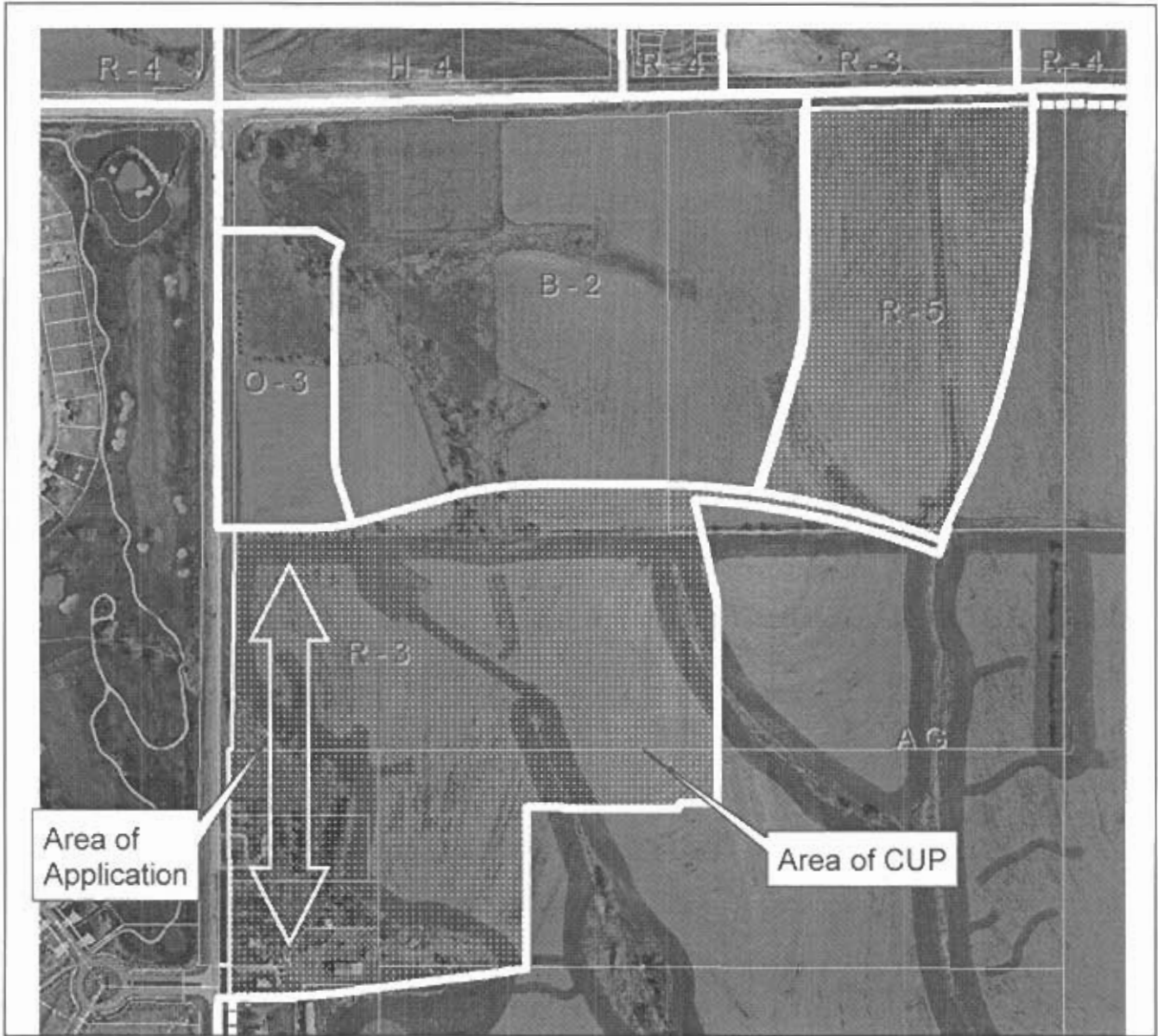
Thiellen confirmed that the entrance way off of 27<sup>th</sup> Street will be bermed - no fencing. They are trying to mirror what Wilderness Ridge Golf Course is doing on the west side.

There was no testimony in opposition.

**ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

November 10, 2004

Carlson moved to approve the revised staff recommendation of conditional approval, seconded by Carroll and carried 6-1: Carlson, Carroll, Marvin, Larson, Krieser and Bills-Strand voting 'yes'; Pearson voting 'no'; Taylor and Sunderman absent. This is a recommendation to the City Council.



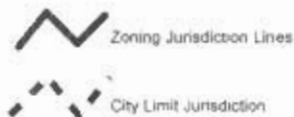
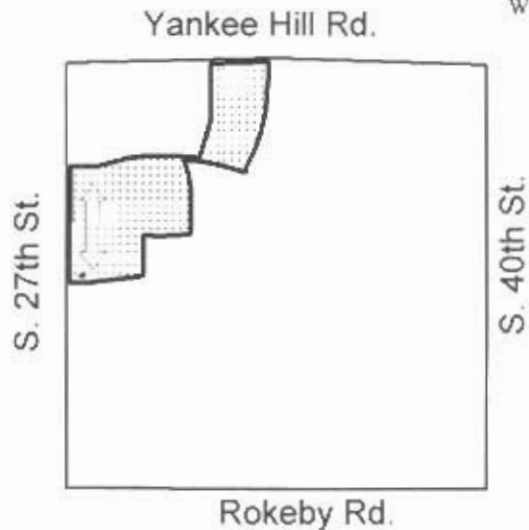
**Special Permit #1999A**  
**S. 27th St. & Yankee Hill Rd.**



**Zoning:**

One Square Mile  
 Sec. 30 T09N R7E

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation 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





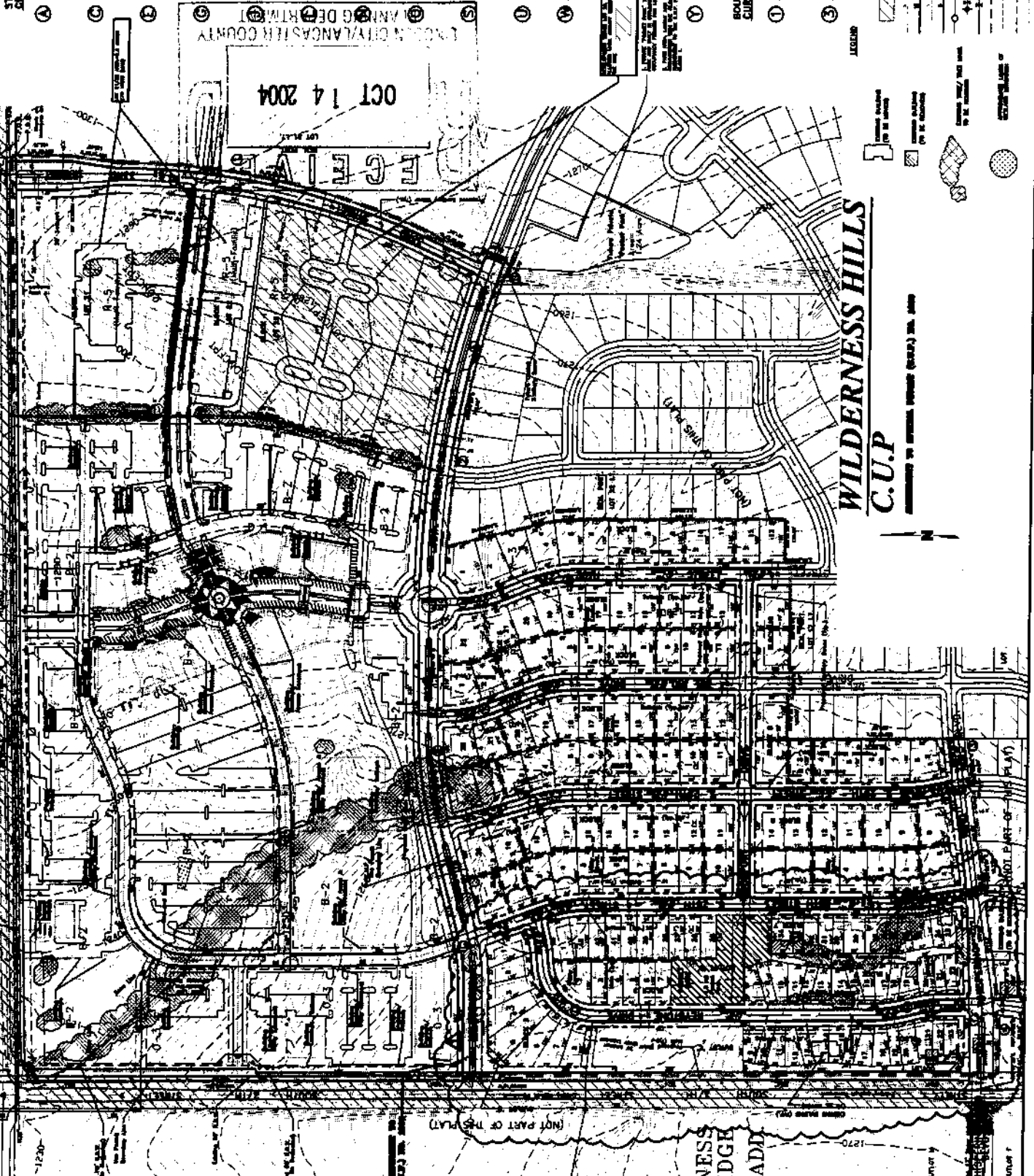


Project Name: WILDERNESS HILLS  
 Date: OCT 14 2004  
 Location: Lincoln, Nebraska  
 Drawing Title: C.U.P. SITE PLAN  
 Drawing No: 10:25:40 AM, Irons/1:3.81521

AMENDMENT TO SPECIAL PERMIT/C.U.P.#1999  
 WILDERNESS HILLS  
 Lincoln, Nebraska  
 C.U.P. SITE PLAN

PRELIMINARY  
 SHEET 2 OF 16

- STREET CENTERLINE SURVEY DATA**
- 1. CENTERLINE OF STREET
  - 2. RIGHT-OF-WAY LINE
  - 3. PROPERTY LINE
  - 4. CURB LINE
  - 5. SIDEWALK LINE
  - 6. DRIVEWAY LINE
  - 7. DRIVEWAY CURB LINE
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PROJECT NO. 10:25:40 AM, Irons/1:3.81521  
 DATE: OCT 14 2004  
 WILDERNESS RIDGE  
 WILDERNESS HILLS C.U.P.  
 (NOT PART OF THIS PLAN)

510







**WILDERNESS HILLS  
TOWNHOUSE EXHIBIT  
LINCOLN, NEBRASKA**

Drawn By: LEF  
 Dwg.: Siteplan\_083004  
 Date: 09/13/04  
 Job#: 04-025

SHEET  
 1 OF 1



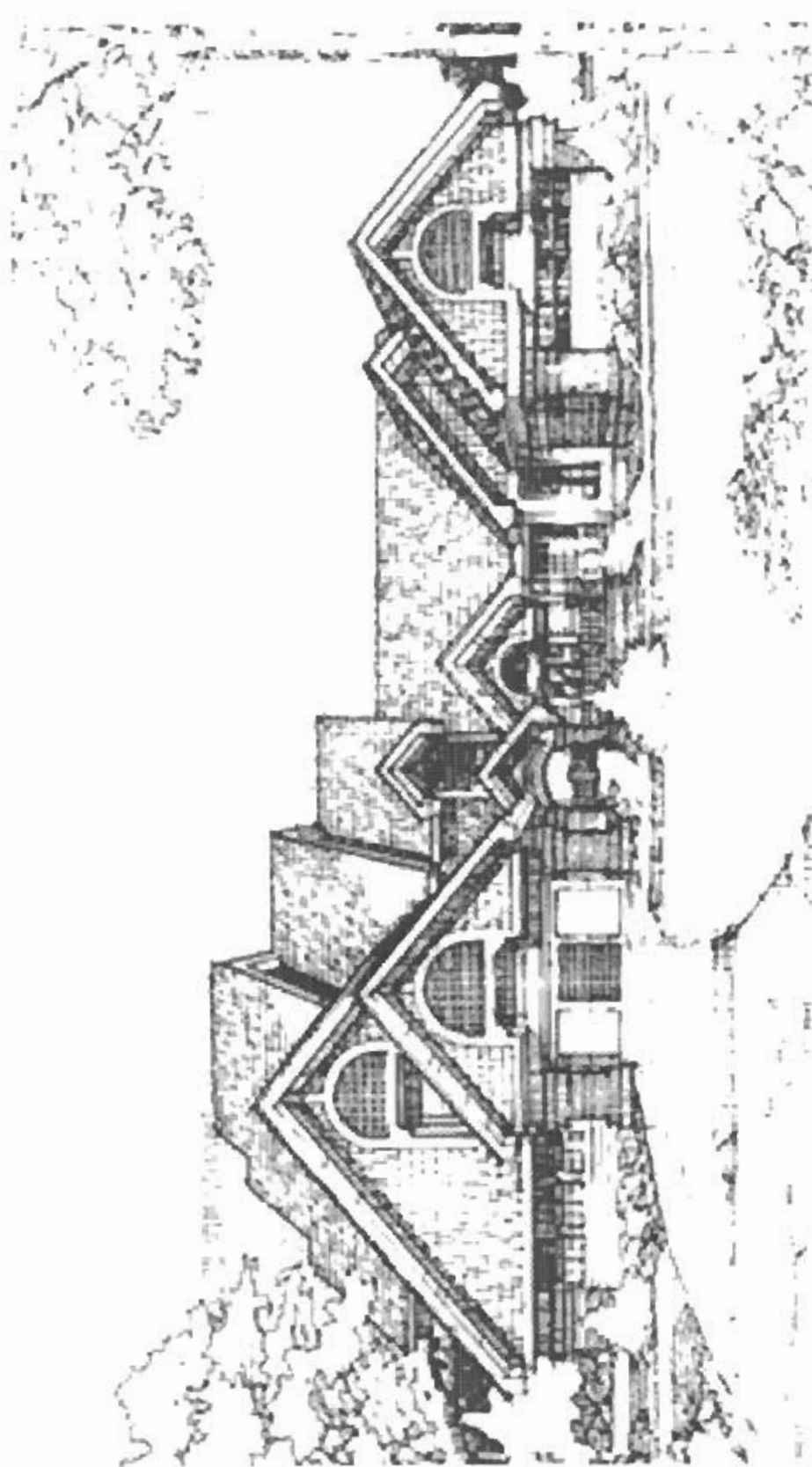
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**KEYSTONE VILLAGE**  
TOWNHOMES DEVELOPED BY KEYSTONE HOMES IN WILDERNESS HILLS

SEP 28 2004

018



**KEYSTONE VILLAGE**  
TOWNHOMES DEVELOPED BY KEYSTONE HOMES IN WILDERNESS HILLS

SEP 28 2004

PROPERTY TAXES  
COUNTY DEPARTMENT



Engineering Design Consultants

2200 Fletcher Ave.  
Suite 102  
Lincoln, NE 68521  
Ph 402-438-4014  
Fx 402-438-4026

September 15, 2004

Brian Will  
Planning Department  
City-County Building  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508

RE: Wilderness Hills  
Amendment to Community Unit Plan #1999  
EDC Job #04-036-20

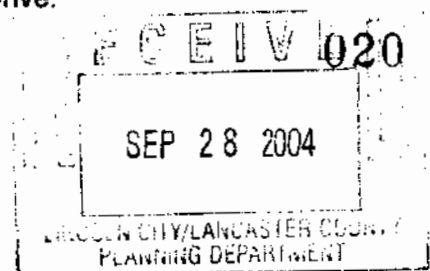
Dear Brian,

On behalf of Engineering Design Consultants client, Lincoln Federal Bancorp Inc., we hereby submit the following applications for the above referenced plat per the subdivision review process:

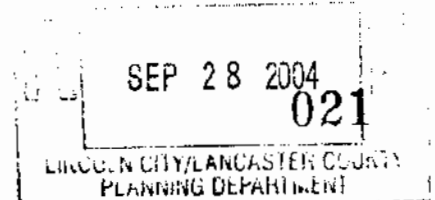
1. Amendment to Community Unit Plan #1999.
2. Application for a Street Name Change.

Keystone Village has been added to the Wilderness Hills Community Unit Plan as an upscale neighborhood that encompasses a unique townhouse arrangement coupled with landscaped common open space, a one acre park, and beautiful views overlooking the Wilderness Ridge Golf Course across South 27<sup>th</sup> Street. The following changes have been made to the Community Unit Plan:

1. Lots, Blocks, and Use Table
  - a. Lots 1 – 8, Block 2 – Two-Family.
  - b. Lots 9 – 24, Block 2 – Townhouse.
  - c. Lots 1 – 7, 35 – 43, Block 7 – Two-Family.
  - d. Lots 8 – 34, Block 7 – Townhouse.
  - e. Outlot E – Common green space.
  - f. Outlot F – Landscape Berm/Entrance Sign.
  - g. Outlot G – Entrance Sign.
2. The Community Unit Plan density calculations have been adjusted to reflect the changes made to the Community Unit Plan by this amendment.
3. Adobe Street has been extended and renamed to Keystone Drive.



4. CUP Site Note #7 has been changed to read: TWO-FAMILY LOTS CAN BE DEVELOPED AS SINGLE-FAMILY LOTS, EXCEPT FOR LOTS 1 – 8, BLOCK 2 AND LOTS 1 – 7, 35 – 43, BLOCK 7.
5. CUP site Note #9 has been added and reads: DIRECT VEHICULAR ACCESS TO WILDERNESS HILLS BLVD. FROM LOTS 1 – 5, BLOCK 2 IS HEREBY RELINQUISHED.
6. The following waivers are requested for this submittal:
  - a. A waiver is requested to Title 26, Section 26.23.130 to waive the maximum block length requirement of 1,320 feet for Keystone Drive. The long block through this development is required to obtain the uniqueness of the townhouse design and allows for the lot layout to work around the park located in the middle of the neighborhood.
  - b. A waiver is requested to Title 26, Section 26.23.140 for double frontage lots for Lots 1 – 5, Block 2. Double frontage lots are proposed to eliminate potential driveway conflicts with commercial traffic on Wilderness Hills Boulevard. CUP Note #9 indicates direct vehicular access to Wilderness Hills Boulevard shall be relinquished from these lots.
  - c. A waiver is requested to Title 26, Section 26.23.140 to waive the requirement that lots abutting a major street have 120 feet of lot depth for Lot 8, Block 2, due to additional Right-of-Way taking proposed to accommodate a right turn lane at the intersection of South 27<sup>th</sup> and Wilderness Hills Boulevard.
  - d. A waiver is requested to Title 26, Section 26.23.140 to waive the requirement that all lot lines must be radial to the streets for Lots 8 – 34, Block 7 and Lots 9 – 24, Block 2 to provide a unique neighborhood concept for the Wilderness Hills development (See enclosed exhibit showing proposed building orientation).
  - e. A waiver is requested to Title 27, Section 27.15.080 to reduce the minimum rear yard setback requirement in the R-3 zone from the smallest of 30 feet or 20 % of the depth to zero feet, for Lots 9 – 24, Block 2. To obtain a unique design for the townhouse area, a 20 foot outlot has been added to buffer the units from South 27<sup>th</sup> Street. Maintenance of the outlot is proposed to be the responsibility of the home owners association to provide a consistent landscaped area along the border of the townhouse development, enabling the townhouses to be marketed to those that are looking for minimal lawn upkeep. Adding this outlot reduces the lots length significantly and makes meeting a rear yard setback impossible to maintain a uniformed landscaped outlot and the overall unique concept of this proposed neighborhood.



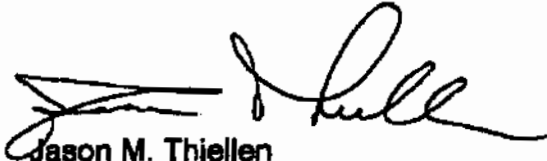
Wilderness Hills  
Amendment to Community Unit Plan #1999  
EDC Job #04-036-20  
September 15, 2004  
Page 3

- f. A waiver is requested to Title 27, Section 27.15.080 to reduce the minimum rear yard setback requirement in the R-3 zone from the smaller of 30 feet or 20 % of the depth to 5 feet for Lots 8 – 34, Block 7. The lots will back onto a common outlot and shared open space maintained by the home owners association creating a common green space and landscaped area to help achieve the unique design of the townhouse area. The common landscaped green space allows for the townhouses to be marketed to those who want minimal lawn upkeep.

If you have any additional questions or concerns please contact me at 438-4014 or at [jthiellen@edc-civil.com](mailto:jthiellen@edc-civil.com).

Sincerely,

ENGINEERING DESIGN CONSULTANTS, L.L.C.



Jason M. Thiellen  
Land Planner

Enclosed:  
8 Sets of Sheets 1 – 5, 12, 13, and 18  
21 Copies of Sheet 2  
Ownership Certificate  
Townhouse Exhibit  
Townhouse Elevation Exhibits

022

# M e m o r a n d u m

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**To:** Brian Will, Planning Department

**From:** Chad Blahak, Engineering Services  
Dennis Bartels, Engineering Services

**Subject:** Wilderness Hills Amendment #1999 to Preliminary Plat

**Date:** October 7, 2004

**cc:** Randy Hoskins

Engineering Services has reviewed the amendment to the preliminary plat and CUP for Wilderness Hills located on the southeast corner of South 27th Street and Yankee Hill Road and has the following comments:

- **Water Main** - The water system is satisfactory.
- **Sanitary Sewer** - The following comments need to be addressed.
  - (2.1) The sanitary system is satisfactory.
- **Grading/Drainage** - The following comments need to be addressed.
  - (3.1) Revised detention/pond information needs to be provided to ensure that the detention requirements for the site are still being met by the revised detention pond.
  - (3.2) Information for the major storm pat at Area 'A5' in the drainage calculations appear to need revising. The calculations show a street section flow path. However, this is at a sump condition in the road. A swale will be required at this location and the appropriate capacity calculations need to be provided.
- **Streets** - The following comments need to be addressed.
  - (4.1) There does not appear to be a need for an additional block length waiver for Keystone Drive. The block length adjacent to South 27th Street was waiver with the original submittal.
  - (4.2) Public Works does not approve the requested waiver of design standards for pedestrian easement. There does not appear to be sufficient justification for the waiver.

**General** - The information shown on the preliminary plat relating to the public water main system, public sanitary sewer system, and public storm sewer system has been reviewed to determine if the sizing and general method providing service is satisfactory. Design considerations including, but not limited to, location of water main bends around curves and cul-de-sacs, connection of fire hydrants to the public main, temporary fire hydrant location, location and number of sanitary sewer manholes, location and number of storm sewer inlets, location of storm sewer manholes and junction boxes, and the method of connection storm sewer inlets to the main system are not approved with this review. These and all other design considerations can only be approved at the time construction drawings are prepared and approved.

AA1999 tjtjwpd

# Memo



**To: Brian Will, Planning Department**

**From: Mark Canney, Parks & Recreation**

**Date: October 7, 2004**

**Re: Wildmess Hills SPA 1999A**

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Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and the following comments:

1. Before street trees may be assigned, all streets and roadways on the preliminary plat need to be identified as either public or private and labeled as such (on the layout of the streets and not just the cross sections).

If you have any additional questions, comments or concerns, please feel free to contact me at 441-8248. Thank you.



INTER-DEPARTMENT COMMUNICATION



**DATE:** October 11, 2004  
**TO:** Brian Will, City Planning  
**FROM:** Sharon Theobald  
Ext 7640  
**SUBJECT:** DEDICATED EASEMENTS  
DN# 87S-30E

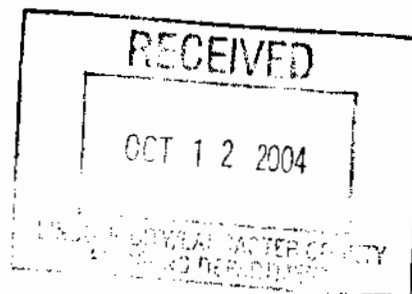
Attached is the C.U.P. for Wilderness Hills.

**In reviewing the dedicated transmission line or other electrical easements shown on this plat, LES does not warrant, nor accept responsibility for the accuracy of any such dedicated easements.**

ALLTEL, Time Warner Cable, and the Lincoln Electric System will require the additional easements marked in red on the map, along with blanket utility easements over the Outlots, as noted.

*Sharon Theobald*

ST/ss  
Attachment  
c: Terry Wiebke  
Easement File



## LEGAL DESCRIPTION

C.U.P. BOUNDARY

A tract of land located in the Northwest and Southwest quarter of section 30, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska. More particularly described as follows:

Referring to the Northwest corner of said Northwest quarter; thence  $S00^{\circ}03'13''E$  on an assumed bearing along the west line of said Northwest quarter, a distance of 1,301.18 feet; thence  $N89^{\circ}56'47''E$ , a distance of 50.00 feet to a point on the east right-of-way line of South 27th Street, said point also being the point of beginning; thence  $N89^{\circ}50'48''E$ , a distance of 263.39 feet to the point of curvature of a radial curve to the left having a central angle of  $15^{\circ}00'00''$ , a radius of 400.00 feet, an arc length of 104.72 feet, a chord length of 104.42 feet and a chord bearing of  $N82^{\circ}20'48''E$ ; thence along said curve, a distance of 104.72 feet; thence  $N74^{\circ}50'48''E$ , a distance of 296.68 feet to the point of curvature of a radial curve to the right having a central angle of  $15^{\circ}00'00''$ , a radius of 1,200.00 feet, an arc length of 314.16 feet, a chord length of 313.26 feet and a chord bearing of  $N82^{\circ}20'48''E$ ; thence along said curve, a distance of 314.16 feet; thence  $N89^{\circ}50'47''E$ , a distance of 316.69 feet to the point of curvature of a radial curve to the right having a central angle of  $07^{\circ}57'59''$ , a radius of 2,600.00 feet, an arc length of 361.50 feet, a chord length of 361.21 feet and a chord bearing of  $S86^{\circ}10'13''E$ ; thence along said curve, a distance of 361.50 feet; thence  $N17^{\circ}23'24''E$ , a distance of 419.88 feet to the point of curvature of a radial curve to the left having a central angle of  $17^{\circ}32'36''$ , a radius of 530.00 feet, an arc length of 162.28 feet, a chord length of 161.65 feet and a chord bearing of  $N08^{\circ}37'06''E$ ; thence along said curve, a distance of 162.28 feet; thence  $N00^{\circ}09'12''W$ , a distance of 619.81 feet to a point on the south right-of-way line of Yankee Hill Road; thence  $N88^{\circ}45'38''E$  on said right-of-way line, a distance of 706.31 feet; thence  $S00^{\circ}02'28''W$ , a distance of 161.04 feet; thence  $S05^{\circ}44'43''W$ , a distance of 140.69 feet to the point of curvature of a non tangent curve to the right having a central angle of  $25^{\circ}02'01''$ , a radius of 2,033.00 feet, an arc length of 888.25 feet, a chord length of 881.20 feet and a chord bearing of  $S12^{\circ}29'26''W$ ; thence along said curve, a distance of 888.25 feet; thence  $S25^{\circ}00'27''W$ , a distance of 151.43 feet; thence  $S69^{\circ}21'56''E$ , a distance of 8.74 feet; thence  $S20^{\circ}38'04''W$ , a distance of 87.08 feet; thence  $N69^{\circ}21'41''W$ , a distance of 15.52 feet to the point of curvature of a non tangent curve to the left having a central angle of  $17^{\circ}16'22''$ , a radius of 2,558.00 feet, an arc length of 771.16 feet, a chord length of 768.24 feet and a chord bearing of  $N77^{\circ}59'36''W$ ; thence along said curve, a distance of 771.16 feet; thence  $S13^{\circ}28'51''E$ , a distance of 221.69 feet; thence  $S12^{\circ}35'31''E$ , a distance of 83.37 feet; thence  $S02^{\circ}58'55''E$ , a distance of 79.47 feet; thence  $S00^{\circ}07'52''E$ , a distance of 558.72 feet; thence  $S89^{\circ}56'50''W$ , a distance of 120.00 feet; thence  $S00^{\circ}07'52''E$ , a distance of 15.60 feet; thence  $S89^{\circ}52'08''W$ , a distance of 360.00 feet; thence  $N00^{\circ}07'52''W$ , a distance of 5.02 feet; thence  $S89^{\circ}52'08''W$ , a distance of 120.00 feet; thence  $S00^{\circ}07'52''E$ , a distance of 500.68 feet to the point of curvature of a non tangent curve to the left having a central angle of  $01^{\circ}47'32''$ , a radius of 1,898.24 feet, an arc length of 59.38 feet, a chord length of 59.37 feet and a chord bearing of  $S83^{\circ}46'12''W$ ; thence along said curve, a distance of 59.38 feet; thence  $S82^{\circ}52'26''W$ , a distance of 566.38 feet to the point of curvature of a radial curve to the right having a central angle of  $07^{\circ}10'02''$ , a radius of 1,542.00 feet, an arc length of 192.89 feet, a chord length of 192.77 feet and a chord bearing of  $S86^{\circ}27'27''W$ ; thence along said curve, a distance of 192.89 feet; thence  $N89^{\circ}57'32''W$ , a distance of 116.47 feet to a point on the east right-of-way line of South 27th street; thence along said right-of-way line for the next five courses;  $N00^{\circ}00'55''W$ , a distance of 99.32 feet; thence  $N00^{\circ}03'13''W$ , a distance of 665.12 feet; thence  $N89^{\circ}28'16''E$ , a distance of 9.44 feet; thence  $N00^{\circ}36'10''E$ , a distance of 660.11 feet; thence  $N00^{\circ}03'13''W$ , a distance of 23.11 feet to the point of beginning.

Containing 2,803,164.00 square feet or 64.3518 acres, more or less.