CORRESPONDENCE
IN LIEU OF
DIRECTORS’ MEETING
MONDAY, JANUARY 16, 2006

I. MAYOR

*1. NEWS RELEASE - RE: Mayor Presents Award Of Excellence For November -(See Release)

*2. Letter from Mayor Coleen Seng to Larry Hudkins, Chair, Lincoln/Lancaster County Public Building Commission - RE: ‘K’ Street Records Facility - (See Letter)

*3. NEWS RELEASE - RE: City’s 4TH Of July Celebration To Remain At Oak Lake -(See Release)

II. DIRECTORS

PLANNING

*1. Memo & Material from Marvin Krout - RE: Proposed code amendments to be considered January 23, 2006 (Bill #06-5, Change of Zone #04066; Bill #06R-9, Miscellaneous #04015; and Bill #06-6, Miscellaneous #05007) (See Material)

*2. Letter from Mike DeKalb to Jill Schuerman, Brian D. Carstens & Assoc. - RE: Stevens Creek Pointe 1st Addition Final Plat #05127-Generally located at 134th & Adams Street -(See Letter)

URBAN DEV./HOUSING REHAB & REAL ESTATE DIVISION

*1. Interoffice Memo from Clinton W. Thomas - RE: 6th-7th, C-D Alley Vacation - Street & Alley Vacation #05009 North/South Alley, west of Lot 1, Kraus & Schmitts Subdivision -(See Memo)

III. CITY CLERK
IV. COUNCIL

A. COUNCIL REQUESTS/CORRESPONDENCE

ROBIN ESCHLIMAN

1. Request to Lynn Johnson, Parks & Recreation Director - RE: Center lanes being painted on bike trails (RFI#2 - 11/09/05)

PATTE NEWMAN


V. MISCELLANEOUS -

*1. E-Mail from Laura Bell - RE: Landscape Ordinance -(Council received copies of this E-Mail on 1/09/06 before Formal Council Meeting) (See E-Mail)

*2. E-Mail from Doug Rotthaus, REALTORS Association of Lincoln - RE: Proceed cautiously with flood standards -(Council received copies of this E-Mail on 1/09/06 before Formal Council Meeting) (See E-Mail)

*3. E-Mail from Janine Copple - RE: Floodplain Ordinance -(See E-Mail)

*4. E-Mail from Phil Harris - RE: Concerning the buffer zone around schools where sex offenders may reside -(See E-Mail)


*7. Letter from Richard Saffee, Site Leader, Lincoln Operations, Pfizer Global Manufacturing - RE: LES Power Cost Adjustment is an inappropriate and unfair mechanism for allocating price increases and costs -(See Letter)

VI. ADJOURNMENT

*HELD OVER UNTIL JANUARY 23, 2006.
MAYOR PRESENTS AWARD OF EXCELLENCE FOR NOVEMBER

Mayor Coleen J. Seng today presented the Mayor’s Award of Excellence for November to Barbara Anderson of the Urban Development Department. The monthly award recognizes City employees who consistently provide exemplary service and work that demonstrates personal commitment to the City. The award was presented at the beginning of today’s City Council meeting.

Anderson has been a community resource specialist with the Workforce Investment Program, also known as One Stop Employment Solutions, for 12 years. She was nominated in the category of customer relations by Urban Development Director Marc Wullschleger.

Mayor Seng recently received a letter from a job-seeking client praising Anderson for going “above and beyond the regular call of duty.” He wrote that she is a “good example of what is right with the City of Lincoln.” She also read from other letters Anderson has received from clients:

- “Thank you for giving the drive and also thank you for making me gain confidence in myself.”
- “Thank you for helping me make my dreams come true! I really appreciate all that you do for me and all the other dislocated workers you work with.”
- “She always had an ear to listen to me and she was always there to cheer me on. I would not be where I am if it wasn’t for the faith Barb had in me.”
- “You are the perfect person for this job because you do care about people and you are not just doing it for a paycheck.”

Wullschleger said most of the individuals Barb works with are financially strained and under a lot of stress. He said Barb’s caseload has exceeded 100 clients for the past several years, but she has maintained superior customer service and has the ability to get people to believe in themselves.

The other categories in which employees can be nominated are valor, safety, loss prevention and productivity. All City employees are eligible for the Mayor’s Award of Excellence except for elected officials and some managers. Individuals or teams can be nominated by supervisors, peers, subordinates and the general public.

Nomination forms are available from department heads, employee bulletin boards or the Personnel Department, which oversees the awards program. All nominations are reviewed by the Mayor’s Award of Excellence Committee, which includes a representative with each union and a non-union representative appointed by the Mayor. Award winners receive a $100 U.S. savings bond, a day off with pay and a plaque. Monthly winners are eligible to receive the annual award, which comes with a $500 U.S. savings bond, two days off with pay and a plaque.
January 9, 2006

Mr. Larry Hudkins, Chair
Lincoln/Lancaster County Public Building Commission
920 “O” Street
Lincoln, NE 68508

Dear Mr. Hudkins:

This is in response to your November 23, 2005, letter requesting that the City of Lincoln “reimburse the Public Building Commission and/or its tenants or vendors in the ‘K Street Records Facility’ for any costs incurred for studies or other expenses related to the proposed sale.” I waited to respond until the City Council completed its consideration of the proposal. Now that the City Council has approved a contingent sale the City looks forward to working with the Public Building Commission on the next phase of this proposal.

The request to “reimburse the Public Building Commission and/or its tenants or vendors in the ‘K Street Records Facility’ for any costs incurred for studies or other expenses related to the proposed sale” appears to be asking for broad opened-ended financial access to the City Treasury. As with any request for funding, the City will only reimburse costs for items which the City has given prior authorization to spend. Does the Commission have a list of studies or expenses it is considering?

Since there has already been a substantial amount of study on different aspects of this proposal, we would not pay for something that would duplicate previous items studied. Before incurring any expenses the “Commission and/or its tenants or vendors” should first obtain written City approval for any expense that they intend to ask the City to reimburse. The City, County and Commission have a tradition of working together.

As we have each done before, the internal costs incurred by City, County or Public Building Commission employees has not been reimbursed.

Sincerely,

Coleen J. Seng
Mayor of Lincoln

cc: /City Council
Lancaster County Commission
City Attorney
County Attorney
CITY’S 4TH OF JULY CELEBRATION TO REMAIN AT OAK LAKE

Mayor Coleen J. Seng today announced that the City’s annual 4th of July celebration will remain at Oak Lake Park, 1st and Charleston streets, for 2006. The Mayor and other City officials considered key issues such as public safety, traffic, parking and access in determining the site. The celebration was forced to move from Holmes Lake Park to Oak Lake Park in 2003 due to the Holmes Lake Restoration Project.

“The necessity to dredge Holmes Lake forced the City to seek out an alternative celebration site,” said Mayor Seng. “What we found was an alternative location for a celebration of this size that provided even more accessibility.”

“The annual Independence Day celebration has really helped show the potential uses for Oak Lake as an event venue,” said Lynn Johnson, Director of the City Parks and Recreation Department. “There is abundant parking near Oak Lake Park and more available across the pedestrian bridge in the Haymarket area and downtown. The fact that it’s located close to arterial streets and bike trails lends itself to good park access.”

Lincoln Police Chief Tom Casady said traffic control at Oak Lake Park has been relatively smooth. “At Holmes, we had to funnel all of the traffic onto two roadways,” he said. “We really have more ways to get folks in and out of the Oak Lake Park area. We’ve had very good experiences the past couple of years with the 4th of July festivities being at Oak Lake Park.”

“Oak Lake Park is not in a high-density neighborhood, so access and traffic flow are more efficient,” said Karl Fredrickson, City Public Works and Utilities Director. “The area also offers a good bus route from the downtown parking garages to the park.”

Specific plans and activities for the City’s 4th of July celebration will be announced in June.
MEMORANDUM

TO: City Council

FROM: Marvin Krout, Director of Planning

SUBJECT: Proposed code amendments to be considered January 23, 2006 (Bill #06-5, Change of Zone No. 04066; Bill #06R-9, Miscellaneous No. 04015; and Bill #06-6, Miscellaneous No. 05007)

DATE: January 10, 2006

cc: Mayor
Ann Harrell
Planning Commission

Council members: Attached are additional materials for your review in advance of the January 23 meeting at which you are scheduled to hear public comments on proposed amendments to the zoning and subdivision ordinances and design standards. The purpose of these materials is to demonstrate that the recommendations coming to you from the Planning Commission and staff are not out of the mainstream of what our peer communities are doing today.

The first set of materials is excerpted from the Web page of “Omaha by Design.” Omaha by Design is a broad-based private nonprofit organization that was established several years ago to help create a more attractive and lively community. This organization developed an Urban Design Plan that was adopted in 2004 by the Omaha Planning Commission and City Council as an element of their comprehensive plan, and it is currently working on implementing the wide-ranging goals of the plan, including goals calling for more landscaping and environmental improvements. Omaha’s private sector has recognized the importance of a high-quality physical environment to their future economic development efforts.

The second set of materials are excerpted from ordinances of several mid-sized cities in our region. The landscaping and screening requirements adopted by these cities in most cases go well beyond the standards recommended for Lincoln.
Let me also take this opportunity to try to briefly make a couple of points to correct some misconceptions that you may have picked up about the proposed amendments.

1. These amendments are not just about planting more trees and bushes. The amendments contain very wide-ranging but interrelated elements, such as:
   - Reducing the front yard (along the street) setbacks in the newer commercial and industrial zoning districts. This will add considerably to the development potential and value of this land, and will allow for project designs that are more pedestrian-friendly.
   - Allowing staff to approve modifications or waivers to all design standards, existing and proposed.
   - Providing standards to more clearly express the necessary ingredients for adequate pedestrian circulation in new non-residential developments.
   - Increasing tree planting requirements for development in the City’s older business districts, but not in the newer zoning districts where they are adequate. In fact, in many cases, there will be a slight reduction in the number of trees required in the newer districts. But standards in the older business districts are not adequate; they require only 1/4 the number of trees to be planted as in newer districts, and allow paving for drives and parking to cover the entire front yard with no landscaping.

2. This project was not just dreamed up by me or my planners. When I came to Lincoln three years ago, there were two proposed special ordinances on the Planning Commission’s pending list: the “entryway corridors” ordinance and the “public way corridors” ordinance. The Planning Department had been told to work with the development community and come back with revised recommendations, and that’s what we have done. We have had numerous meetings with various representatives of the development community over the last 15 months, at which we listened carefully, and as a result of which we made numerous changes to the original set of recommendations. The Board of Realtors, after a more detailed briefing before the Planning Commission hearing, decided that they would not oppose the package. The Pedestrian/Bicycle Advisory Committee and the Health Board have endorsed the proposed pedestrian guidelines. And the Zucker report endorses the administrative waivers of design standards.
Background and Goals

Background

What is Omaha By Design?

Omaha By Design began as an initiative of the Omaha Community Foundation. In 1999, the Omaha Community Foundation commissioned the Omaha Philanthropy Study to explore the visions Omahan's have for their city's future and help define how the Foundation can better serve the community. The study, "Omaha, Above All Others On A Stream," found that Omahan's want their communities to have five traits. For the next two years, OCF researched what it meant to be connected, smart, significant, sparkling and fun. At that time an organization called Lively Omaha was created as a product of that research.

In January 2001, Lively Omaha was formed to put these five key attributes to work, transforming Omaha into an energetic and beautiful city by fostering lively, secure and distinctive places throughout the community. Places of activity. Places of pride. Places that connect its citizens and visitors to the community.

Great Places. Great Spaces.

Lively Omaha joined with the Project for Public Spaces (PPS) to build a model program that would engage the community in its development. PPS is a 30-year old non-profit organization that helps create and sustain public places that build communities.

By creating a broad-based community initiative, Lively Omaha sought to align the wide-ranging interests that deal in public spaces - from city hall to convention halls, from street neighborhood to riverfront development. The result is much more than beautification, it is a transformation of how
connect with our city and utilize its tremendous resources like parks, plazas, buildings, markets, transportation and public art.

Lively Omaha is a resource to promote the design and use of the most attractive, exciting and pedestrian friendly use of these spaces. Lively Omaha is working to make Omaha’s Public Places Great through:

- Education and Website resources about public spaces.
- Facilitation of the Place Game to evaluate public spaces.
- Demonstration projects to illustrate great place making.
- Advocacy for quality public spaces.

As Lively Omaha’s advocacy role grew and the city’s needs became apparent, the organization took on a new project of major importance to our community, Omaha By Design. The advocacy project was a partnership between the office of the Mayor, the Planning Department and Lively Omaha to create a comprehensive urban design plan for the City of Omaha. After 15 months, the Omaha By Design partnership created an Urban Design Element that was unanimously adopted by both the Planning Board and City Council and became an official part of the Master Plan. The Omaha By Design plan was so successful and received such public attention, that instead of retiring the name, it replaced “Lively Omaha.”

The new Omaha by Design continues to advocate for the creation of great public spaces by supporting projects and initiatives that promote the development of great places throughout the Omaha area. Our original education focus is maintained through our consolidated Lively Omaha and Omaha by Design website providing up-to-date information on place making activities throughout the City. Place Game and Place Definition Process are still offered to assist in the development and implementation of neighborhood improvement plans. We have expanded our mission under the rubric of Omaha by Design to insure that it will carry-on all Lively Omaha and Omaha by Design initiatives.

Goals

Thirty years ago the redevelopment of downtown Omaha began with a dream to “Return to the R.” The Gene Leahy Mall was the first step in realizing the dream and a major catalyst for the development of the ConAgra Campus and the Heartland of America Park. The dream expanded to riverfront and then, in six short years a transformation occurred with two billion dollars of investment in the Riverfront and downtown Omaha — the First National Bank Tower, Qwest Center Omaha, Holland Performing Arts Center, Gallup University, the National Park Service District Office, to name a few.

We now have bold dreams to transform all areas of Omaha. Mayor Mike Fahey, the Omaha Planning Department, the Omaha Community Foundation, and generous donors have created Omaha by Design, a cooperative effort to extend the benefits of quality urban design throughout Omaha. Through the efforts of a volunteer Working Review Committee, consultants, city officials and hundreds of interested citizens, Omaha By Design created a plan with three main areas of focus: Green Omaha, Civic Omaha and Neighborhood Omaha.

The seven goals of Green Omaha relate to landscape and environmental issues. The nine goals of Civic Omaha include design guidelines, streetscapes, public art, lighting, building preservation, and the design of public buildings. The five Neighborhood Omaha goals encompass preservation of neighborhoods, improving newer neighborhoods, and creating walkable new neighborhoods as the...
City continues to grow.

It is a bold, new plan for a bold, new Omaha that will help shape public projects, private investments and philanthropic contributions. No other city the size of Omaha has attempted such a comprehensive plan. After one year of research, meetings and consensus building, the Working Review Committee agreed upon the 21 goals that have become the new Urban Design Element for the City of Omaha Master Plan. Each goal has objectives, policies and implementation measures.

The Plan was unanimously approved by both the Omaha Planning Board and the Omaha City Council during 2004. Each year Omaha By Design will work on specific activities within each major area of Green, Civic and Neighborhood as well as Land Use Recommendation and Pilot Projects. Follow the links below to see what we have planned in each of these areas.

- **2005 Green Goals**
- **2005 Civic Goals**
- **2005 Neighborhood Goals**
- **2005 Pilot Projects**
- **2005 Land Use Goals**

**People Create Great Places**

At Omaha By Design we believe that listening to the community is the best way to find out how to make a place great. You and your neighbors are the experts! Omaha by Design provides the help and resources to make your city’s public spaces better, based on your input.

**Volunteer Place Game Facilitators**

Anne Camp
Norita Collar
Angela Elkenberry
Carol Haas
Mary Irwin
Larry Jacobsen
Julie Kalkowski
Christopher Grimmond

Amy Krueger
Ken Mayer
Pat Salerno
John Scott
Connie Spellman
L.B. (Red) Thomas
Sara Woods
Chris Rupert

**Omaha By Design Advisory Committee:**

Chair: Rex Fisher, Qwest Nebraska
Ron Abdouch, Neighborhood Center for Greater Omaha
Tawanna Black, Destination Midtown
Anne Boyle, Public Service Commission
Karla Ewert, Greater Omaha Chamber of Commerce

http://www.livelyomaha.org/History-Background.html
Larry Foster, Omaha Parks and Recreation  
George Haechter, BVH Architecture  
Barbara Haggart, Lively Omaha  
Kent Holm, Douglas County Environmental Services  
Norm Jackman, Kirkham Michael Engineering  
Elwin Larson, HDR, Inc.  
Michael Leighton, Omaha Community Foundation  
Jennifer Mahlendorf, Mayor’s Office  
Ed Miller, The Gallup Organization  
Steve Oltmans, Papio NRD  
Bob Peters, Omaha City Planning  
John Royster, Big Muddy Workshop  
Curt Simon, Metro Area Transit  
John Scott, William and Ruth Scott Family Foundation  
Marty Shukert, RDG Planning and Design  
L.B. “Red” Thomas, ConAgra, retired  
Allan Tubach, artist  
Hank Vieregger, Omaha Public Works  
Del Weber, UNO, Chancellor emeritus  
Mark Wiesman, Wiesman Development

2003 – 2004 Omaha By Design Working Review Committee

Robert Peters, Planning Department  
Del Weber, Lively Omaha Advisory Committee

Co-Chairmen

Deidra Andrews, Neighborhood Center for Greater Omaha  
John Burcaw, Local 109 – Painters Union  
Larry Ferguson, Public Art Commission  
John Fullenkamp, Fullenkamp, Doyle & Jobeun  
Ann Goldstein, community volunteer  
Patrick Gorup, Greater Omaha Chamber of Commerce  
Martin Janousek, AIA President, Nebraska Chapter  
Jerry Kelley, City Planning Board  
David Kuehl, Kuehl Capital Corporation  
Randy Lenhoff, Seldin Company  
Ken Lyons, First National Bank  
Jennifer Mahlendorf, Office of the Mayor  
Mike McMeekin, Lamp, Rynearson & Associates  
Hillary Nather-Detisch, All About Omaha  
Jay Noddle, Grubb & Ellis/Pacific Realty  
Dorsey Olson, Neon Products Company, Inc.  
John Royster, Big Muddy Workshop  
Steve Seline, Waitt Media, Inc.  
Martin Shukert, RDG Planning and Design  
Chuck Sigerson, City of Council member  
Red Thomas, Lively Omaha Advisory Committee  
Jerry Torczon, BHI  
Beverly Traub, League of Women Voters  
Rebecca Valdez, Chicano Awareness Center

Special Thanks

http://www.livelyomaha.org/History-Background.html
Omaha By Design wants to thank the creative talent of Redstone Communication for the wonderful new Omaha By Design logo and their public relations expertise.

The Omaha Community Foundation (OCF) is celebrating its 20th anniversary and has come a long way since its inception in 1982. With the help of its donors, OCF is making a difference in the community. What started out as a $300,000 challenge grant has turned into assets totaling more than $380 million. Even more impressive is that over $140,000,000 has been given to worthwhile agencies through the Foundation donors.

OCF believes Omaha by Design has the potential to change the way Omahan’s look at philanthropy while, at the same time, making some very positive physical changes that will make Omaha a more successful and lively city.
Master Plan Recommendations to Become City Code

On September 16, 2005, Omaha by Design and Mayor Mike Fahey announced the next step in the City’s efforts to strengthen its comprehensive urban design plan. In the first major revision to the City’s Zoning Code since 1987, the policies of the newly adopted Urban Design Element will become provisions of the Zoning Code and other related City Codes.

After a year of research, meetings and consensus building in December 2004, led by Jonathan Barnett, nationally recognized urban planner, both the Omaha Planning Board and the Omaha City Council unanimously approved the new Urban Design Element and Land Use Amendment. This effort was made possible by the generous support of the Knights of Ak-Sar-Ben and other corporate and foundation donors.

Mayor Fahey, Steve Jensen, City Planning director and Paul Kratz, City Attorney have all pledged their full support to the project. The City has allocated $40,000 in addition to the staff support necessary to complete the regulations. Most of the funding necessary to complete the project will come from private donors.

Del Weber, co-chairman of the comprehensive design plan for Omaha by Design and Steve Jensen, will lead the process and co-chair a Technical Advisory Group made up of design professionals, real estate developers and agents, property managers, business representatives, lawyers, advertising executives and community leaders. Public meetings, like those held during the Urban Design Element phase, will again be used to gather citizen input.

Brian Blaesser talks with Omaha by Design sponsor Bruce Lauritzen as Del Weber and Councilman Jim Suttle confer.

Brian Blaesser, attorney with Robinson & Cole LLP and Jonathan Barnett, urban planner with WRT
Planning and Design, will serve as the consultant team. Their expertise, and knowledge of the Omaha by Design Urban Design process that produced the Urban Design Element, will be invaluable in the next step in the process.

The revisions to the Code will include modifying existing zoning classifications and provisions, creating new zoning classifications and developing new urban design guidelines. Provisions will address commercial corridors and intersections, public buildings, infill development, and pedestrian oriented streetscapes. Areas of civic importance will be identified and given higher design emphasis.

New design criteria in the Zoning Code will seek to foster an aesthetically attractive urban environment in the City and improve the functional relationships of buildings, streets, parking, open space, landscaping, and existing site development features. Improving building design in areas of civic importance, providing for new pedestrian-oriented places, improving existing commercial corridor re-energized neighborhood business districts will also be addressed.

Omaha by Design will serve as the project manager for the process. We welcome your questions and comments. Please tell us what you think at www.omahabydesign.org or clicking here to send us an email.

Translating the policies of the newly adopted Urban Design Element into provisions of the Zoning and other related City Code provisions is Omaha by Design's highest priority as we continue to improve our great city.

[Home Page]
Policies:

1. There should be standards for the size and other characteristics of parking lots containing more than a specified number of parking places in new development so that they hold and filter stormwater runoff, reduce heat effects and provide a landscaped environment without compromising public safety and effective snow removal.

Implementation:

1. The Zoning Code should be amended to include water-retention standards and filtration requirements for parking, including requirements that the retention and filtration continue to be effective.

2. Parking lot design requirements should be revised so that landscaping that provides for water retention and filtration can be made an integral part of the design.

Goal 7: A Green Image for Omaha

The achievement of the goals relating to the Papio park system, the trail system, freeway landscaping, green streets, and green parking lots should provide a green public open space framework for Omaha that will transform the perception of the City for both residents and visitors.
Goal 6: Green Parking Lots

Background

Large parking lots create heat islands, accelerate water run-off, and transmit automobile pollutants into the water table. Parking lots are also a big part of the image of the modern city. Developments that need to provide for water retention could do so by combining water-retention with the landscape design of parking lots. Existing City landscaping standards for parking lots require primarily buffering at the edges. Such requirements could be modified to require parking lot designs that enhance both the environment and the appearance of the city.

Goal 6: Statement

Large parking lots for industrial, commercial, institutional, and apartment residential uses in the City should be designed to minimize negative effects on the environment and microclimate and provide a landscaped environment.

Objectives:

1. Large parking lots should be designed to hold and filter stormwater runoff, reduce heat effects, and provide a landscaped environment.
Corridor Improvement Program: Edge Treatments

Edges are defining aspects in the landscape. Two edges are found in the front of a property: the external edge—the public parkway near the curb and the internal edge along the private property, immediately adjacent to which begins the internal portion of the property.

The edges of a site should frame, protect, and showcase a site, whether its use is office, commercial, institutional, governmental, industrial, or residential. The views created by edge treatments afford the passing motorist or pedestrian constantly unfolding scenes that are important visual cues as to locations of entrances to building, parking, and the nature of business or residence. The consideration of view and the visual qualities that a site presents to passers-by and users is a critical aspect for owners of properties along the corridors.

This chapter looks at the edges of a site from the standpoint of how to accentuate the edges of a property. The expected results of adherence to the objectives are listed below:

- Viewer’s sight lines will be directed to property focal points and away from lesser views.
- The perception of a property, and the use of that property, will be controlled by the way it is framed by internal and foundation treatments. Adherence will position the property in the public’s mind.
- The real value of the property will be positively affected.
- The real value of the adjacent property will be positively affected.

Text written by DLK Architecture

Should you have questions or require additional information, please contact the City’s Economic Development at (630) 443-4093.
Corridor Improvement Program: Internal Treatments

Once the edges of a property have been defined with pedestrian walkways, fences, and shade, screen and/or buffering plantings, it becomes important to look at the portion of the lot inside the edge. This internal space may contain surface parking, building structures, pedestrian walkways, ground signs, and unprogrammed open space. By adding new landscape plantings an owner can ease urban heat sink issues as well as modify seasonal winds, drifting snows, and glare. When combined with pedestrian passageways in parking lots landscaping not only improves aesthetics but also improves safety by separating vehicular circulation from pedestrian circulation. Landscape plantings are also useful in dressing up an existing façade. Building entry points can be emphasized when landscape is planted in the horizontal plane that lies before the doorway. When the pedestrian circulation system is well thought-out and executed, the distance a pedestrian must traverse from parking to entry will be safe and enjoyable.

Text written by DLK Architecture

Should you have questions or require additional information, please contact the City’s Economic Development, at (630) 443-4093.
New parking lots or additions to existing parking lots in nonresidential and in multifamily developments which are adjacent to arterial streets, collector streets, at-grade expressways or freeway frontage roads must be screened. They must also be screened when across a street from residential zoning. The interiors of parking lots that are required to be screened also need to be landscaped if they have twenty or more spaces. Parking lots or additions to existing parking lots are exempted from the ordinance in the following cases.

### Exceptions to Parking Lot Screening Requirements

1. Parking lots in one family or two family residential projects in any zoning district
2. Parking lots in industrial districts located on collector streets with industrial zoning on both sides of the street
3. Entire parking lot is 150 feet beyond the property line abutting the street.

**Required Screening**

Parking lots or additions to existing parking lots are to be continuously screened from view of the street except at driveways. Vehicle queuing and holding areas such as in car washes, drive up windows, and gasoline pumping stations are also to be screened.

Screening for additions to existing parking lots shall generally be required for the addition area only. (See Figure 4.1) If required existing landscaping materials are removed or destroyed, they must be replaced.

Screening can be accomplished with plants and berms. Fences or walls may be used as long as they are in combination with plants. When shrubs and trees are used exclusively for screening, the planting width should be at least 5 feet wide and adjacent to the parking lot paving. When berms are used in combination with plants, the planting strip should be at least 10 feet wide. Shrubs may be evergreen or deciduous as long as the screening is solid for 8 months of the year.

Walls and fences may be used as a sole source of screening only in the Central Business District if they are compatible with the architecture of adjacent buildings and berms or plants would result in the loss of parking spaces. The required screening must be 18 inches in height at the time of planting and reach a minimum of 3 feet in height above the parking surface after 3 years of growth.

The required screening can be in the landscape buffers and street yard. Shrub spacing is recommended to be about 3/4 of its mature spread, or close enough that there will be a continuous screen after 3 years of growth.

**Required Parking Lot Trees**

One shade tree or two ornamental trees are required for each 20 spaces. Vehicle holding spaces are not counted for this calculation. Up to one-half of the required street yard trees may be used to satisfy these parking lot tree requirements. In parking lots with 50 or more spaces with two or more aisles and three or more bays in one contiguous area, at least one-half of the required trees must be in interior planting islands with at least 25 square feet of permeable area for each tree. The minimum planting sizes for parking lot requirements are shown in the chart below.

Whenever the required number of trees results in the loss in potential parking spaces to the extent that the amount of parking spaces required by the zoning ordinance...

- No buffer is required
- 40 parking spaces provided

- Landscaped Street Yard Required: 250 x 15 sq. ft. = 3,750 sq. ft.
- Landscaped street yard provided = 4,230 sq. ft.
- Street yard trees required = 8 shade trees
- Street yard trees provided = 7 shade, 2 ornamentals
- Parking lot trees required = 0 shade trees
- Queuing area screening is provided with shrubs and berms
- Buffer area = 250'
  divided by 40' = 6.25
- 7 shade trees are required in the buffer
- Shade trees provided in the buffer = 7
- 14 Parking stalls provided

Figure 4.2 Combined Street Yard and Parking Lot Landscaping

Figure 4.3 Street Yard Landscaping, Queuing Area and Buffer Area Screening
Article 10 | Landscaping and Screening
Sec. 20-1002 | Street Trees

(1) the construction or expansion of a single detached Dwelling;
(2) the construction or expansion of a duplex; and
(3) agricultural uses.

(d) Contents of a Landscape Plan
All Landscaping plans shall include at least the following information:

(1) the location, size, planting type and quantity of all proposed Landscape Materials along with common and botanical names of all species. The size, grading and condition shall be specified according to American Association of Nurseryman Standards;

(2) the location, size and common name of all existing plant material to be retained on the site and a copy of the Tree Protection plan for implementation during construction;

(3) mature sizes of plant material shall be drawn to scale and identified on the plan by a name or appropriate key;

(4) the location of hose connection, spigots and other watering sources;

(5) the location of all trees, 12 inch Caliper or larger, that are proposed for removal; and

(6) the location, dimensions, and design of all Screening required by this chapter.

(7) The signature and seal of a registered Landscape Architect.

20-1002 Street Trees
Street trees shall be provided at a rate of at least one Shade Tree per 40 feet of public or private Street Frontage, or portion thereof. Required Street trees shall be located within the required Street Setback, a minimum of 50’ behind the curb line toward the interior of the Lot. Street trees may be clustered when circumstances prevent 40-foot spacing, such as Corner Lots where trees would conflict with the sight triangle of motorists on the Streets, overhead utility lines, utility Easements, existing mature trees or topographic features. Street Trees may also be clustered in groups of 3, 5 or 7 where such clustering is combined with Berming, trees and Shrubs in a planned manner and shown on the approved site or development plan.

20-1003 Interior Parking Lot Landscaping

(a) Purpose
The Parking Lot Landscaping standards of this section require interior Landscaping within Parking Lots to break up large, unsightly expanses of pavement and to provide relief from the heat island effect associated with paved areas.

(b) Applicability
The interior Parking Lot Landscaping standards of this section apply to all off-Street Parking Lots containing 5 or more off-Street Parking Spaces; provided, however, that for Lots that are less than one hundred fifty (150) feet deep, the interior Landscaping requirements may be waived in conformance with the Alternative Compliance procedure provided in Sec. 20-1007. For Lots less than one hundred fifty (150) feet deep, all Landscaping shall be concentrated in the Setback from public rights of way or from residentially zoned property.
(c) Landscape Area

(1) Parking Lots shall contain at least 60 square feet of Landscaping area per Parking Space.

(2) Required minimum Parking Lot perimeter Landscaping may not be used to satisfy minimum interior Parking Lot Landscaping requirements.

(3) Landscape areas within the Parking Area shall be constructed with concrete curbing to minimize damage to plant material.

(4) Landscape areas to be credited toward meeting these standards shall have minimum dimensions of 9 feet in all directions.

(5) Landscape medians in parking Lots shall be planted with a mixture of two or more plant materials: Ground Cover, trees or Shrub. Medians with less than ten feet (10') in width shall not be planted with grass; however, the landscape median may contain a pedestrian walk that separates the total area into mowable strips of three or more feet on either side of the walk.

(d) Trees and Shrubs

At least one Shade Tree and three Shrubs shall be provided per ten Parking Spaces within off-Street Parking Areas. One Shade Tree or Ornamental Tree may be substituted for three Shrubs, but Shrubs may not be substituted for Shade Trees.

(e) Other Landscaping

In addition to required Shade Trees and Shrubs, landscape areas within the interior of off-Street Parking Areas shall be planted with turf, Ground Cover, Ornamental Trees, or Shrubs.

(f) Location and Arrangement of Landscaping

Landscaping and planting areas shall be reasonably dispersed throughout Parking Lots. Landscape areas and plantings shall be located and arranged to provide shade to parked vehicles, to safely direct traffic flows within the Lot, to allow the Principal Building to be seen from the Street and for the Street to be seen from the Principal Building and/or to provide Landscaping and shade along protected pedestrian walkways within the interior of the Parking Lot. Landscaping location and arrangement of plant materials shall be designed with consideration given to the adjacent zonings, plantings and land uses.

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20-1004 Parking Lot Perimeter Landscaping

(a) Purpose

The Parking Lot perimeter Landscaping standards of this section are intended to Screen views of Parking Lots from Streets and roads.

(b) Applicability

(1) The Parking Lot perimeter Landscaping standards of this section apply to all off-Street Parking Lots containing 5 or more off-Street Parking Spaces.

(2) The Parking Lot perimeter Landscaping standards of this section shall apply to all new development and to redevelopment of existing Parking Lots which
result in an increase of 20% or greater of the number of spaces in the existing Parking Lot.

(c) Landscape/Screening Material
Parking Lots shall be landscaped and screened from view of Street rights-of-way with a minimum of one Shade Tree or Ornamental Tree per 25 linear feet of Parking Lot Frontage (required Street trees may be counted toward satisfying this requirement) and at least one of the following:

1. a solid masonry wall with a minimum Height of three feet (3') and a maximum Height of four feet (4'); or

2. a Berm with a minimum Height of two feet (2'), a maximum Height of three feet (3') and a maximum 3:1 slope. The Berm shall be located entirely on the property with the Parking Lot. Where Parking is allowed on a site and it is impracticable to provide a 15-foot wide buffer on a side adjoining residential uses or across an Alley from residential uses, with the approval of the Planning Director as part of the Site Plan Review process, a solid fence or wall at least six (6) feet in Height may be substituted for the buffer on the side adjoining or across the Alley from the residential uses.

3. Provided that, the Planning Director may waive this parking Lot perimeter Landscaping and Screening requirement if the Director determines that the purpose of this requirement is otherwise met or that the overall spirit and intent of this Development Code is not undermined by granting the waiver.

(d) Landscape Area
Required landscape/Screening material shall be located between the Street right-of-way and the Parking Lot. This landscape area shall have a minimum width of ten feet (10'), although a buffer width of five feet (5') is permitted if it is provided in conjunction with a solid masonry wall of a minimum Height of three feet (3').

20-1005 Bufferyards

(a) Purpose
The standards of this section are intended to mitigate the impacts associated with incompatible land uses on adjacent properties. The standards require landscape Bufferyards between such uses to minimize the harmful impacts of noise, dust/debris, glare and other objectionable activities.

(b) Applicability
The Bufferyard standards of this section apply to all development or redevelopment requiring site plan review.

(c) Table of Required Bufferyards
Bufferyards are required in accordance with the following table. To determine the type of Bufferyard required, first identify the zoning of the site that is being developed (the first column of the table) and each adjacent site (along the top of the table). Find where the zoning of the developing site and each adjacent site intersect on the table. If a Bufferyard is required, a numeral at the intersection will indicate the type of Bufferyard required. Width and landscape planting options for Bufferyards are explained in Sec. (d) through (f). Where the required Bufferyard is
L. **Perimeter Plantings:** Plantings as specified in Tables 1 and 2 shall be provided at the perimeter of each development site, except single-family and duplex lots, based on the orientation of property and the classification of the road(s) to which it is adjacent. Perimeter plantings may be located anywhere between the property line and adjacent pavement or structure, in a landscaped area of the minimum depth designated, however, the minimum number of shade trees along street frontages should be located within 15 feet of the right or as close to the right of way as site features allow (except along freeway rights-of-way). Minimum depth of the perimeter landscaped area along interior lot line shall be 10 feet. **V** the requirements of a land use buffer along the same property line exceed those of the perimeter plantings, the land use buffer requirements shall supersede.

### Table 1 - Perimeter Plantings Along Street Frontages

<table>
<thead>
<tr>
<th>Per 100 Lin. Ft. Adjacent To</th>
<th>Parkway (minimum 50 ft. depth, or as designated)</th>
<th>Freeway (minimum 100 ft. depth)</th>
<th>Arterial (minimum 25 ft. depth)</th>
<th>Collector (minimum 25 ft. depth)</th>
<th>Local (minimum ft. dept)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Building or Open Area</td>
<td>3 shade trees 1 ornamental tree 50 shrubs 300 sf bed*</td>
<td>2 shade trees 1 ornamental tree 16 shrubs 100 sf bed*</td>
<td>2 shade trees 1 ornamental tree 12 shrubs 75 sf bed*</td>
<td>2 shade trees 1 ornamental tree</td>
<td>2 shade trees 1 ornamental tree</td>
</tr>
<tr>
<td>Parking Lot</td>
<td>As above and ADD shrubs or berm to 3 ft. for continuous screening</td>
<td>As above and ADD shrubs or berm to 3 ft. for continuous screening</td>
<td>As above and ADD shrubs or berm to 3 ft. for continuous screening</td>
<td>As above and ADD shrubs or berm to 3 ft. for continuous screening</td>
<td>As above and ADD shrubs or berm to 3 ft. for 7 ft. screen</td>
</tr>
<tr>
<td>Service Area (loading docks, outside storage and activities)</td>
<td>As above and ADD evergreen trees, shrubs, and/or berm to accomplish 100% screening</td>
<td>As above and ADD evergreen trees, shrubs, and/or berm to accomplish 75% screening</td>
<td>As above and ADD evergreen trees, shrubs, and/or berm to accomplish 75% screening</td>
<td>As above and ADD evergreen trees, shrubs, and/or berm to accomplish 50% screening</td>
<td>As above and ADD evergreen trees, shrubs, and/or berm to accomplish 50% screening</td>
</tr>
</tbody>
</table>

* Decorative planting bed with flowers, other color, small shrubs and nonturf ground cover
** Also includes private shared drives that serve as a local street.

### Notes To Table 1:

1. A 3 foot high decorative wall of a design compatible with the architecture of the primary structure may also be used in lieu of berms or shrubs for parking lot screening.

2. Service area screening shall be designed to meet above criteria after 5 years of normal growth.

### Table 2 - Perimeter Plantings Along Lot Lines

<table>
<thead>
<tr>
<th>Per 100 Lin. Ft.</th>
<th>Side, At Street</th>
<th>Side, At Rear</th>
<th>Rear</th>
</tr>
</thead>
</table>

http://www.ci.lenexa.ks.us/codemaster/Title 4/1/D/2.html
# May be reduced or deleted adjacent to service area or other nonpublic areas or obvi-views.

M. **Internal Parking Lot, Landscaped Areas:** Every parking lot of over 10 spaces: 3,500 square feet shall contain internal landscaped areas based on the following design cri-

1. **Amount:** The following percentage of the total parking lot area shall be dedicat-internal landscaped areas. Where there is more than 1 district parking area on a site, this amount should be provided for each lot. Where multiple lots are provided on a multi-use si: the lots may reflect the predominant use for which the spaces serve.

   For multi-family projects - 10 percent of total parking lot area.

   For office and commercial sites - 7.5 percent of total parking lot area.

   For industrial or warehouse sites - 5 percent of total parking lot area.

   The total parking lot area shall be measured along the perimeter of the lot includin-

   parking spaces, access drives, cruise lanes, and landscaped islands within the perimeter at

   the corners of the lot. The total parking lot area shall not include loading and service areas

   shall include drive-up areas for customer service and drives and maneuvering areas that a-

   jointly used by parking lot and service traffic.

2. **Design:** Islands and Stormwater Best Management Practices (BMP’s), such as

   satisfying this requirement shall be of a minimum of 8 feet in width and 125 square feet in

   A minimum of 1 tree shall be planted per 300 feet of overall internal landscaped area, with

   least 1 tree planted in each island. The remainder of the island shall be landscaped with

   additional trees, shrubs, ground cover or turf. Plantings should anticipate foot traffic patte-

   used to discourage foot traffic where dictated by safety concerns and shall provide adequ-

   visibility for the safety of pedestrians and vehicles.

3. **Location:** Islands should be designed in locations based on the priority of: a) d

   major drives and cruise lanes, b) delineating the end of parking rows, c) at aisle intersect-

   and d) internal to the parking rows themselves.

N. **Land Use Buffers:** Land use buffers are intended to enhance community appea-

   rance and welfare by protecting residents and visitors from the traffic, noise, glare, trash, activ-

   vibration, odor, visual disorder and other adverse or harmful effects associated with some

1. **Determining Required Land Use Buffer Design Type:** An appropriate land use

   buffer shall be provided between uses based on the intensity of the uses as defined below. The

   first step in determining the buffer required is to calculate the numerical difference between

   land use intensity (LUI) factors of the 2 adjoining uses from Table 3.

**Table 3 - Land Use Intensity Factor**

<table>
<thead>
<tr>
<th>Land Use</th>
<th>LUI Factor</th>
</tr>
</thead>
<tbody>
<tr>
<td>Residential: Less than 4 units per acre</td>
<td>1</td>
</tr>
<tr>
<td>Residential: 4-8 units per acre</td>
<td>3</td>
</tr>
<tr>
<td>Residential: 8-16 units per acre</td>
<td>6</td>
</tr>
<tr>
<td>Residential: 16-36 units per acre</td>
<td>7</td>
</tr>
</tbody>
</table>
surrounding uses and structures. Fences between residential uses may utilize high quality design, preferably with masonry columns in more visible locations. Wails adjacent to common uses should generally be masonry construction, however, wood/masonry designs may be approved adjacent to residential uses.

Fences or walls should generally be located in the middle of the buffer area, or adjacent to the higher intensity use. A gate shall be provided to allow for maintenance of buffer area on the opposite side of the fence by the landowner.

c. **Berms:** The use of well-designed berms is encouraged in land use buffer designs. Although due to topographic constraints and the existence of vegetation, berms may not be desirable for portions of a land use buffer. When used, berms should be designed to integrate with the natural topography of the site.

d. **Compatibility Of Landscape Materials:** Supplemental buffer plantings should be compatible with the existing vegetation within the buffer area.

e. **Development Within Land Use Buffers:** Land use buffers may contain pedestrian, equestrian or bike trails, provided, that the total width of the buffer is maintained. No event shall structures or uses, such as, but not limited to, playfields, stables, swimming pools, tennis courts, parking lots and vehicular use areas, equipment storage and open storage, or buildings be permitted within land use buffers.

0. **Landscaping Of Monument Signs:**

1. **Minimum Sign Monument Landscaped Area:** An area equal to 3 times the sign monument shall be landscaped using ornamental trees and shrubs, and ground cover beds or other decorative ground treatments contrasting with the lawn or other ground cover on the site.

2. **Minimum Landscape Material:** As a minimum, the monument sign landscape shall include as a minimum:

   a. One shade tree per 500 square feet of required landscaped area or additional portion thereof.

   b. One ornamental tree per 200 square feet of required landscaped area or additional portion thereof.

   c. Two shrubs per 20 square feet of required landscaped area or additional major portion thereof.

3. **Landscape Design Concept:** The landscaped area shall surround and integrate the sign monument, and shall use various materials of different heights and textures to preserve design interest and incorporate the sign into the overall landscape program. Street trees, additional shade trees, where required, should be located so as to accent the sign while maintaining visibility. Ornamental trees should also be used for accent, and to break up or screen the area for freeway signs. Shrubs should be massed to provide 3-dimensional impact in contrast to surfaces of the sign monuments.

4. **New Monument Signs On Existing Sites:** When a new monument sign is inscribed on a site of less than 330 feet of road frontage, the entire frontage on which the sign is located shall be brought up to current standards for perimeter plantings along that frontage.

P. **Site Feature Buffering And Screening:** Site features, such as but not limited to following, shall be effectively screened from the view of roadways and adjacent sites by fences, walls and/or plant material.

1. **Trash Receptacles:** Trash receptacles shall be screened from view by walls or in the residential zoning districts and by masonry walls in all other districts. The fence or wall shall be a minimum of 6 feet in height and shall provide complete visual screening and be compatible in material and color with the principal structure on the lot.

2. **Permitted Outdoor Storage:** Outdoor storage areas that are permitted by the board shall be screened from view by privacy fences or walls with a minimum height of 6 feet in accordance with the fence regulations of this Code. Nonopaque fencing, such as vinyl coa-chaining is not permitted to satisfy the requirements of this Section if sufficient plant material is provided to effectively screen the storage area from view.

*See Subsection 4-1-B-24-F-5 of this Chapter.*

3. **Service And Loading Areas:** Service and loading areas will be screened by perimeter plantings or, when required, by land use buffers, in order to better screen these areas. The concentration of required plantings may be necessary adjacent to these features.

http://www.ci.lenexa.ks.us/codemaster/Title_4/1/D/2.html 01/10/2006
18.62.050 Residential Landscaping

A. In residential districts, large deciduous shade or evergreen trees shall be required within the interior of each lot at a ratio of three (3) trees for every single-family dwelling, four (4) trees for every two-family dwelling and one (1) tree for every dwelling unit for multifamily buildings. For single-family and two-family dwellings, at least one (1) required interior lot tree may be a street tree in compliance with Section 18.62.045. Multifamily developments are required to have street trees in addition to the required interior lot trees. Perimeter and buffer landscaping trees shall not count toward the required number of trees within the interior of any lots.

B. When perimeter landscape buffers are required in accordance with adopted buffer design guidelines for a residential use where adjacent to a nonresidential use, the landscape planting requirements shall be determined on a case-by-case basis. Such landscaping shall provide a solid visual screen, unless this requirement is otherwise modified by the Planning Commission or Governing Body. (Ord. 02-54 § 2, 2002)

18.62.060 Nonresidential Landscaping

A. Within the front and corner side yards where a street right-of-way separates a nonresidential use from property zoned or designated on the Comprehensive Plan Map for residential use, a continuous fifteen (15) foot landscape area shall be provided with landscaping, clustered or spaced linearly and need not be placed evenly, at a rate of one (1) deciduous shade or evergreen tree for every thirty (30) feet of linear street frontage, and screening (berms/shrubs) across one hundred (100) percent of the street frontage to a minimum height of three (3) feet as measured from the grade of the parking lot or adjacent street curb, whichever is of the higher elevation. In addition, one (1) ornamental tree shall be planted for every three (3) required deciduous shade or evergreen tree.

B. Where a street right-of-way separates a nonresidential use from property zoned or designated on the Comprehensive Plan Map for nonresidential use, a continuous fifteen (15) foot landscape area shall be provided with landscaping at a rate of one (1) deciduous shade or evergreen tree for every fifty (50) feet of linear street frontage, and screening (berms/shrubs) across one hundred (100) percent of all parking and vehicular areas to a minimum height of three (3) feet as measured from the grade of the parking and vehicular use areas. In addition, one (1) ornamental tree shall be planted for every three (3) required deciduous shade or evergreen tree.

C. Within the rear and interior side yards of properties zoned C-O and C-1, a wall landscaping/berming or a fence which incorporates a landscaping treatment shall be provided at a minimum height of six (6) feet along that portion abutting property zoned or designated on the Comprehensive Plan Map for residential use. Such screening shall be installed within a continuous twenty (20) foot landscape area. In addition, trees shall be provided at a rate of one (1) deciduous shade or evergreen tree for every thirty (30) feet of linear property along those property lines. Also, one (1) ornamental tree shall be planted for every three (3) required deciduous shade or evergreen tree.

D. Within the rear and interior side yards of properties zoned C-2 through M-3, inclusive, a landscaping/berming or a berming/masonry wall combination which incorporates a landscape treatment shall be provided at a minimum height of six (6) to eleven (11) feet along that portion abutting property zoned or designated on the Comprehensive Plan Map for residential use. In addition, trees shall be provided at a rate in accordance with adopted buffer design guidelines. The minimum rate shall be one (1) shade or evergreen tree for every thirty (30) feet of linear property along the property line and one (1) ornamental tree for each three
L. Indigenous and drought resistant plant material should be used wherever possible. If such plant materials are not used, then an irrigation system shall be installed to provide water during a three (3) year establishment period.

M. Earthen berms and existing topography should, whenever practical, be incorporated into the landscape treatment of a site.

N. Required landscape plantings shall be coordinated with the location of utilities, driveways and traffic clearance zones. (Ord. 02-54 § 2, 2002)

18.62.080 Interior Landscaping Requirements Within Parking and Vehicular Use Areas

Except for those developments as listed in Section 18.62.030, all residential and nonresidential developments shall include the following interior landscaping standards within their parking and vehicular use areas:

A. Landscaping and planting areas shall be reasonably dispersed throughout the parking lot.

B. The interior dimensions of any planting area or landscape islands shall be a minimum of one hundred sixty-five (165) square feet in area. Landscape islands shall be a minimum of nine (9) feet in width, as measured from back of curb to back of curb, and shall be constructed at a ratio of one (1) per each twenty (20) parking spaces. Each area shall be protected by vertical curbs or similar structures, and be designed and grouped into a parking and vehicular use area to create defined aisles and entrances for on-site traffic circulation.

C. One (1) shade tree shall be provided for every parking and vehicular use landscape island.

D. Landscape strips between parallel parking rows shall be a minimum of ten (10) feet in width. When incorporating pedestrian walkways, such strips shall be a minimum of twenty (20) feet in width to accommodate vehicular overhangs, walk, lights, posts and other appurtenances. Landscape aisles and strips shall include medium to large deciduous trees at a minimum of one (1) tree every thirty (30) linear feet, in addition to other parking lot landscape requirements.

E. Primary landscape materials shall be trees which provide shade or are capable of providing shade at maturity. Ornamental trees, evergreen trees, shrubbery, hedges and other planting materials may be used to compliment the landscaping, but shall not be the sole means of landscaping. Effective use of earth berms and existing topography is also encouraged as a component of the landscaping plan.

F. No tree, shrub, hedge or berm shall be placed which the City Traffic Engineer determines is an obstruction to visibility, or extends into a sight-distance-triangle as set forth in Section 18.68.150. (Ord. 02-54 § 2, 2002)

18.62.085 Building Facade/Foundation Landscaping Requirements

Except for those developments as listed in Section 18.62.030, nonresidential developments shall include the following building facade and foundation landscaping standards, unless modifications to these standards are otherwise approved by the Planning Commission as part of site development plan approval:

A. Landscaping and planting areas shall be placed to provide a buffer between the parking lot or drives and building walls or pedestrian circulation. Landscape areas may be placed adjacent to the building wall or adjacent to the curb to coordinate with building overhangs and canopies, if any. A variety of shrubs, ornamental trees and/or shade trees are encouraged. Any trees used should accommodate pedestrian circulation.
subsequent owners and their agents, shall be responsible for maintenance of landscaping on the property on a continuing basis for the life of the development. Plant materials which exhibit evidence of insect pests, disease and/or damage shall be appropriately treated, and dead plants promptly removed and replaced within the next planting season after installation. All landscaping will be subject to periodic inspection by the City's Code Enforcement and Planning Departments. Should landscaping not be installed, maintained and replaced as needed to comply with the approved plan, the owner and its agent or agents shall be considered in violation of the terms of the Certificate of Occupancy.

B. All landscape materials shall be installed in accordance with the current planting procedures established by the most recent addition of The American Standard for Nursery Stock, as published by the American Association of Nurserymen.

C. Selection of planting materials shall correspond with the preferred trees and shrubs specie list as outlined in Section 18.62.040. Substitutions shall be approved by the City Planner, in accordance with species normally grown in northeastern Kansas.

D. Trees planted in fulfillment of this section shall only be planted during the spring (March 15 through June 15) or fall (September 15 through December 1). Planting at other times during the year may occur after receiving verbal approval by the Director of Planning. Written approval will be provided if requested. (Ord. 02-54 § 2, 2002)

**18.62.110 Screening Requirements**

Landscaping plans for all multifamily residential, commercial, industrial and nonresidential developments shall include a detailed drawing of enclosure and screening methods as provided hereinafter.

A. Unattractive elements such as trash, service and loading areas are to be located out of public view from streets, adjacent residential properties, and other highly visible areas such as parking lots access drives, etc.

B. Refuse enclosures shall be screened from public view on at least three (3) sides with a six (6) to eight (8) foot opaque screen of either masonry, landscaping treatment or other compatible building or landscaping materials.

C. Exterior ground-mounted or building-mounted equipment including, but not limited to, mechanical equipment, utilities' meter banks and coolers shall be screened from public view with landscaping or with an architectural treatment compatible with the building architecture.

D. All rooftop equipment shall be screened from public view with an architectural treatment which is compatible with the building architecture and integral to the overall appearance of the building. The methods of screening of rooftop equipment include, but are not limited to, encasement or partition screens. Equipment screens shall be required at a height that is as high or higher than the equipment being screened. After submittal of justification and careful analysis (i.e., site line visibility study), the Planning Commission may grant exceptions to the screening requirements of one of the following exception criteria is valid:

1. A building is located at a high elevation in relation to surrounding properties and it is demonstrated that rooftop equipment will not be visible.

2. A building is located in the middle of an industrial park and rooftop equipment is not visible from arterial roadways, residential properties, nor will it have a negative impact upon any sensitive areas or scenic view or vistas.
3. A building is sited in a manner where the location and setback of rooftop equipment from the building edge in relation to the elevation and visibility of surrounding properties is such that the equipment will not be visible from any distance and additional screening measures are not required.

E. All buildings or additions in nonresidential districts shall provide an opaque screening fence or wall not less than six (6) feet in height within all rear and side yards abutting property zoned for residential purposes. Such screening shall be placed so the required perimeter landscape area is located between the property line and the fence or wall. Such screening shall not be placed on property lines or within the landscape area of the development and shall not extend in front of the building line of adjacent dwellings. Such screening shall not be required where similar screening exists on the abutting residential property or where a screened storage lot is provided.

F. In industrial and commercial districts, storage of materials, products or equipment outside of a fully-enclosed building shall be one hundred (100) percent screened from public view, except when adjacent to another storage area which is one hundred (100) percent screened from public view.

G. Outdoor display confinement areas shall be enclosed with materials compatible to the building architecture such as decorative fencing (i.e., wrought iron), a building wall or other similar enclosure. Limited visibility into the display confinement area may be permitted depending upon the location of the area and the visibility of the area from nearby roadways. The display merchandise may not extend above or be stacked higher than the confinement area enclosure.

H. For purposes of this section, the phrase "screened from public view" means not visible from the subject property from, adjoining properties or any street right-of-way at any distance. (Ord. 02-54 § 2, 2002)

18.62.120 Tree Preservation

A. Tree Preservation: Site plans and plats shall be designed to preserve existing trees and vegetation to the greatest extent possible and shall seek to incorporate existing stands of trees as well as individual trees. Sensitivity to site grading, storm drainage, building location, public/private utility layouts and orientation and parking lot configuration shall be demonstrated by the developer to ensure tree and vegetation preservation. Particular attention shall be paid to the preservation of trees and their natural understory vegetation on steep, rocky or erodible slopes; riparian areas; wetlands or other environmentally sensitive areas. The intent of these regulations is to recognize the need to alter the landscape during site development activities, while setting out standards necessary to ensure tree preservation and protection of environmentally sensitive areas to the greatest extent possible.

B. Tree Survey: The City Planner, Planning Commission, or Governing Body may require applicants to submit a tree survey indicating the size and common name of trees within the application area. Unless otherwise specified, the survey shall identify by common name and indicate by caliper size each tree twelve (12) inches or greater, as measured four and one-half (4 1/2) feet above the ground. The tree survey shall be prepared on a topographic survey of the site to establish the tree elevation at the trunk and the drip line for individual trees and at the edge of the drip line for wooded areas. The City Planner may grant an exception for trees or wooded areas that will not be removed or will not be adversely affected by site development operations.

C. Trees Preserved - Plat or Plan Review Determination: The developer shall prepare and present a tree preservation concept plan and statement of intent at
January 11, 2006

Ms. Jill Schuerman  
Brian D. Carstens and Assoc.  
601 Old Cheney Road, Suite ‘C’  
Lincoln, NE 68512

RE: Stevens Creek Pointe 1st Addition Final Plat # 05127 Generally located at 134th and Adams Street

Dear Ms. Schuerman:

Stevens Creek Pointe 1st Addition located northwest of 134th and Adams was approved by the Planning Director on January 11, 2006. The plat and the subdivision agreement must be recorded in the Register of Deeds. The fee is determined at $.50 per existing lot and per new lot and $20.00 per plat sheet for the plat, and $.50 per new lot and $5.00 per page for associated documents such as the subdivision agreement. If you have a question about the fees, please contact the Register of Deeds. Please make check payable to the Lancaster County Register of Deeds. The Register of Deeds requests a list of all new lots and blocks created by the plat be attached to the subdivision agreement so the agreement can be recorded on each new lot.

Pursuant to § 26.11.060(d) of the Lincoln Municipal Code, this approval may be appealed to the Planning Commission and any decision of the Planning Commission to the City Council by filing a letter of appeal within 14 days of the action being appealed. The plat will be recorded with the Register of Deeds after the appeal period has lapsed (January 26, 2006), and the recording fee and signed subdivision agreement have been received.

Sincerely,

Mike DeKalb  
Planner

CC: Gerry & Dianne Krieser  
5212 Troon Drive  
Lincoln, NE 68526

City Council  
Dennis Bartels, Public Works & Utilities  
Terry Kathe, Building & Safety  
Sharon Theobald, Lincoln Electric  
Jean Walker, Planning  
File

Q:\Boilerplates\FP Approval.wpd
INTEROFFICE MEMORANDUM

TO: Mayor Seng & City Council Members
FROM: Clinton W. Thomas

DEPARTMENT: City Council Office
DEPARTMENT: Housing Rehab & Real Estate Division

ATTENTION: 
DATE: January 4, 2006

COPIES TO: Teresa J. Meier
Marvin Krout
Dana Roper
Byron Blum
SUBJECT: Street & Alley Vacation No. 05009
North/South Alley, west of Lot 1,
Kraus & Schmitts Subdivision

A request has been made to vacate the remaining, unvacated portion of the north/south alley lying in the block bounded by 6th, 7th, C and D Streets. The area was viewed and appears the portion to be vacated has been filled with some of the fill which was placed on the abutting lots. A utility pole with disconnected wires dangling from it was observed along the west side of the area where the alley is perceived to be. It is not known if these utilities were abandoned or simply placed underground; however, Lincoln Electric System has requested an easement be retained over the area for any existing, or future, utilities.

The area to be vacated contains approximately 355 square feet. Due to its small size and location in the center of the block, it is considered to have very little, if any, value to anyone except the abutting property owner. Given its size and the fact utility easements will retained over the area, its value to the abutting property owner is also considered to be minimal. It is suggested a nominal sum of $50.00 be placed on it.

Therefore, if the area is vacated, it is recommended a nominal amount of $50.00 be charged to the abutting property owner.

Respectfully submitted,

Clinton W. Thomas
Certified General Appraiser #990023

dge
Dear City Council Members,

Please do not change the landscaping requirement! What we have in place is plenty of landscaping on parking lots. The extra landscaping causes poorer visibility while driving in parking lots (greater chances for pedestrian and car accidents) as well as additional hiding places for potential robbers and/or molesters. Also, if we want to have retail in Lincoln, the retailers and their signage does need to be visible. Retailers pay a large portion of taxes and need to be able to allow customers to have safe and easy access into their properties. The cost not only for initial plantings, but also maintenance and upkeep is unnecessary. The extra watering necessary to keeping all of the additional landscaping alive is not being resourceful. Thanks for your consideration.

Laura M. Bell
Broker/Manager
Commercial Realty Group, LLC
1630 South 70th Street, Suite 201
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Dear City Council,

All flood proposals should be delayed until negative impacts on business expansion and job creation can be minimized. The exemption for the creation of 100 jobs should be included and a "reasonableness" standard should be applied by the City Council who should maintain the ability to exempt certain business expansion plans where significant flood impact can be minimized. Denying expansion plans and job growth for certain Lincoln businesses puts Lincoln employees and wages at risk.

In 2004 when "new-development" flood proposals were brought forward, they were promoted to the business community by city staff as giving no reason to worry about impact on businesses because they only apply to new development areas. Now, the Beal Slough proposal is being promoted by city staff that it will only bring the city standards in compliance with the new-development areas. (Catch 22 or egg before the chicken?).

I believe the City Council has yet to consider the impact of this measure when applied to the Salt Creek area. I expect that many more businesses owners and home owners, who are currently unaware of the consequences, will be negatively impacted by this proposal. This is fundamentally wrong in my opinion. It seems the worst news, for many uninformed citizens, is being saved for last to minimize objections at this stage.

I do not expect anyone to say flood control measures are not important and I believe risks to Lincoln citizens should be fully disclosed. However, at this point I encourage you to pause and fully evaluate potential negative impacts on business expansion and job creation. A hurry up and vote agenda on an item that has a one-percent risk this year seems questionable. I encourage each of you to consider the down-side to a vote that will predictably hurt job growth in Lincoln. Please don't vote against job expansion!

Again, I would like to see the City Council maintain its ability to create future exemptions where significant flood impact can be minimized. Take the time to delay and evaluate possible options.

Thank you for your consideration.

Doug Rotthaus
Executive Vice President
REALTORS® Association of Lincoln
mailto: DougR@LincolnREALTORS.com
Notice: If you are not the intended recipient of this e-mail message, any use, distribution or copying of the message is prohibited. Please notify the sender by reply email and destroy the original message and all copies. Thank you.
Council Members, I urge you to please approve the amendments so that updated maps of both new growth areas and existing urban areas be used as soon as possible. Also that there be no exemptions for building in the floodplain, and that the new mapping include the entire previously mapped areas up to 150 acres of drainage area of the tributaries. To eliminate the smaller creeks and tributaries in the upper drainage areas would eliminate major clout of flood control. It is in these areas that perhaps the most important storm water retention takes. Water that is not absorbed in these areas gains volume and velocity as it leaves these areas and is harder to hold back.

thank-you!
Janine Copple
InterLinc: City Council Feedback for General Council

Name: Phil Harris
Address: 7750 S 28th ST
City: Lincoln, NE, 68516
Phone: 402-421-2541
Fax:
Email: citizenphil@gmail.com

Comment or Question:
To the Lincoln City Council:

This wave of hysteria concerning the buffer zone around schools where sex offenders may reside is just plain a waste of time. Obviously, I have no love for, nor would I lose any sleep over the plight of those who molest children, but this issue has all the earmarks of another "feels good but really does nothing" misadventure.

Point 1:
Of all of the documented cases of attempted child molestations, how many of them were committed near or at the residence of the sex offender? If the answer to that question is greater than zero... were these residences within any kind of boundary that resembles what these ordinances are speaking about?

Point 2:
These buffer zones will restrict severely the available areas in which sex offenders can reside. How fair is it to (non-sex-offending) people who live in those areas to have a dozens of sex-offenders foisted into their neighborhoods by order of the government?

This is likely a bad idea, which serves no purpose but to sidestep the real difficult issues regarding child molestation and sexual predators in our community.
InterLinc: City Council Feedback for
General Council

Name: Aaron Brown
Address: 2415 n 64 st
City: Lincoln, NE, 68507
Phone: 402-658-6005
Fax:
Email: abrownne@msn.com

Comment or Question:
I have heard on the radio that the reason wal mart can't get approval for a site on 84th is the mayor has threatened to veto. Let the mayor do it, the voters of Lincoln will know exactly who to blame for the loss of jobs and the additional market choice. As a new member of the community I am confused as to why any city would turn down a company who wanted to turn a vacant lot into a job/tax creating business. I'm sure there are at least a couple of you who have been suckered in by the anti-wal mart propagandists, but I would urge you to let the people decide for themselves. There is no reason you should limit market forces; if the people of north Lincoln want to shop at wal-mart, who are you to decide they shouldn’t have that choice? If the mayor would like to continue his anti-business stance, the voters can deal with him as the Gallups of the world move down the road. ** As a new Lincolnite, I don't yet know the sex of the mayor. If the mayor is a woman, please substitute "she" for "he" where appropriate.
Date: January 9, 2006

To: Chair and Council Members, Lincoln City Council

From: Wachiska Audubon Society, Conservation Committee

Regarding: Proposed flood plain boundary modifications, Salt Creek flood plain

The Wachiska Audubon Society supports the adoption of the newly updated flood plain maps for the Salt Creek watershed for several reasons. The slight increase in available flood plain land that may result from a more precise mapping the Salt Creek flood plain can bring real benefits to the city in the form of more open space. More open space or green space permits creation of recreation opportunities, provides habitat for birds and wildlife, helps to clean the air, reduces noise and increases the attractiveness of residential areas.

However, as citizens, we are also concerned that Lincoln residents be made aware of the real potential for future flooding in their neighborhoods, especially in view of Lincoln's history of flooding. We support adoption of the new updated maps in order to reduce the possibility of a tragedy or a significant economic loss that could occur if known areas of the flood plain continue to be developed using the old maps and old boundaries.

Since it is clear now that the models, and methods used by the Department of Public Works engineers to update the Salt Creek flood plain are the same as those used by FEMA, and since these map boundaries were achieved with the direct help and support of FEMA, the boundaries will almost certainly be officially adopted in a few years. If these new maps were to be ignored, put on the shelf and forgotten for two or three years, the city could be open to charges of irresponsible conduct and perhaps to lawsuits by homeowners and businesses should a major flood occur during that time. Now that accurate information exists, the right thing to do is to make homeowners aware of their risk and insurance problems if they build or remodel their house in an area known to have flooding potential. It's also important to let residents of low lying neighborhoods know in general what amount of risk may result from filling and building activity elsewhere in the flood plain.

Please modernize the flood plain maps. Support the amendments offered by the Lincoln Public Works Department to update the Salt Creek floodplain maps using the best available information.

Tim R. Knott, Wachiska Audubon Society, Lincoln
January 6, 2006

Honorable Ken Svoboda-Chair
City Council – City Hall
555 So. 11th, Room #111
Lincoln, Nebraska 68508

Dear Mr. Svoboda:

As you know, Pfizer is one of Lincoln’s largest employers and has a long and prosperous history of creating jobs and making capital improvements in the City of Lincoln and Lancaster County. Pfizer employs over 700 people in the City of Lincoln alone. We appreciate the partnership that our company has established with LES over the years. However, we also believe improvements are possible. Specifically, we believe the LES PCA (Power Cost Adjustment) is an inappropriate and unfair mechanism for allocating price increases and costs.

Our concern is that LES electrical rates are increasing at an unsustainable pace and place a heavy burden on large power users and, consequently, large employers in the area. The 12.41% increase put into effect in 2005 will result in a yearly increase to Pfizer of approximately $200,000. The proposed PCA could amount to an increase of an additional $188,600 in 2006. This PCA expense is very difficult to predict, challenges our budgeting process and becomes a bottom line expense that is extremely difficult to pass on to our customers. We believe that additional costs like these will have a direct impact on economic development in Lincoln and Lancaster County.

Pfizer is opposed to LES’s proposed power cost adjustment because it unfairly taxes large power users at a much higher rate (percentage of total use) than residential customers, and other rate classes. As a City Council representative, we are asking that you and your fellow Council members to vote against this PCA proposal when it comes before the City Council. We would like to see LES utilize other tools such as locking in fuel rates and transportation costs to better plan for energy price increases in the future, rather than relying on a tool that makes it easy for them to pass these costs along to their customers.

Sincerely,

Richard Saaf
Site Leader, Lincoln Operations