

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

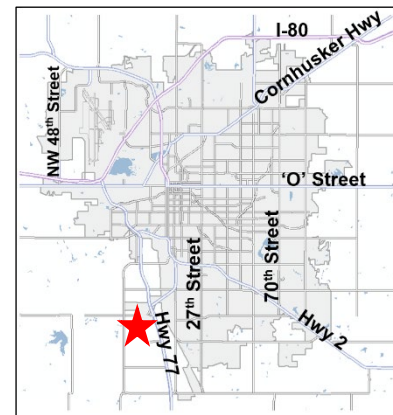
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Change of Zone 05061D	FINAL ACTION? No	DEVELOPER/OWNER Nebraska Horsemen's Benevolent and Protective Association
PLANNING COMMISSION HEARING DATE March 17, 2021	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION S. 1 st Street & W. Denton Road

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for an amendment to the Southwest Village Planned Unit Development (PUD). The applicant proposes revisions to the area south of W. Denton Road to allow a casino with up to 1,210 gaming positions, hotel and related uses associated with the Lincoln Race Course. The land uses north of W. Denton Road would be revised to add dwelling units, decrease the commercial floor area, and allocate square footage and dwellings among the different parcels. Waivers for signs and building height are requested. An amendment to the Conditional Annexation and Zoning Agreement would reflect updates to the street improvements based on the land use changes.



JUSTIFICATION FOR RECOMMENDATION

The proposed amendments are consistent with the commercial zoning and future land use designation. The conditions of approval related to the floodplain, sign plan, traffic improvements, and other conditions should address impacts on property within and adjacent to the PUD.

The requested height waivers are appropriate considering the location of development, scale of the property and commercial zoning. Similar height waivers have been approved previously for multi-family uses in suitable locations such as the proposed site adjacent to several arterial streets and Highway 77.

APPLICATION CONTACT

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STAFF CONTACT

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COMPATIBILITY WITH THE COMPREHENSIVE PLAN

This request is in conformance with the Comprehensive Plan and designated future commercial land use.

WAIVERS

1. Waivers to Chapter 27.72 to allow maximum building heights of 100 feet for the hotel in the B-2 Casino Area, 50 feet for the casino in the B-2 Casino Area, and 55 feet for any residential use and mixed-use building in the PUD. (Recommend Approval)
2. Waivers to the sign regulations in Chapter 27.69 as needed to meet the Sign Plan. (Recommend Approval)
3. Allow modification of the approved Sign Plan by the Planning Director. (Recommend Approval)

KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

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

P. 12.4 - Commercial. Areas of retail, office, service and residential mixed uses. Commercial uses may vary widely in their intensity of use and impact.

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

- Mixed Use Redevelopment Nodes and Corridors should strive to locate:
 - In areas where there is a predominance of commercial or industrial zoning and/or development, focusing on non-residential areas as opposed to existing neighborhoods.
 - On at least one arterial street to help provide for traffic and utility capacity and access to transit.
 - This criterion encourages redevelopment while protecting sensitive environmental areas.

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

- Mixed Use Redevelopment Should:
 - Target existing underdeveloped or redeveloping commercial and industrial areas in order to remove blighted conditions and more efficiently utilize existing infrastructure.
 - Occur on sites supported by adequate road and utility capacity.
 - Be located and designed in a manner compatible with existing or planned land uses.
 - Enhance entryways when developing adjacent to these corridors.

P. 5.1-5.2 - Business & Economy Guiding Principles

- Focus primarily on retention and expansion of existing businesses; attracting new businesses should also be encouraged.
- Promote and foster appropriate, balanced, and focused future economic growth that maintains the quality of life of the community.
- Seek to efficiently utilize investments in existing and future public infrastructure to advance economic development opportunities.
- Provide flexibility to the marketplace in siting future commercial and industrial locations.
- Strive for predictability for neighborhoods and developers.
- Encourage and provide incentives for mixed uses in future developments.
- Encourage preservation or restoration of natural resources within or adjacent to commercial or industrial development.

ANALYSIS

1. The Southwest Village PUD was approved by City Council in 2006 for a mix of uses with office, retail, commercial and industrial development. This amendment proposes to amend the PUD and Development Plan to reflect a proposed casino, hotel, restaurant, parking garage and surface parking associated with the Lincoln Race Course. Land uses north of W. Denton Road would be revised to decrease the overall commercial and industrial uses in favor of increasing the allowed dwelling units. The approved dwellings and square footage north of Denton Road would be allotted among each of the parcels.
2. In 2020, State ballot measures were approved that allowed games of chance to be conducted by authorized gaming operators within licensed racetrack enclosures in Nebraska. According to Lincoln Municipal Code Chapter 27.60, Planned Unit Development District, the development plan may propose and the City Council may approve any permitted use, conditional permitted use, or special permitted use allowed under the zoning code. That provision permits the casino use to be added through the PUD.
3. The entire Southwest Village PUD has three different development areas, I-3, B-2 and AG. These individual areas currently follow zoning regulations associated with the I-3, B-2 and AG zoning districts except where specified in the Development Plan. This amendment is proposing changes to all three development areas. The most significant changes are to the AG Area which is located south of Denton Road and contains the horse racing facilities. The AG Area would be renamed the "B-2 Casino Area" and would generally follow the underlying B-2 zoning to reflect the more commercial nature of the casino complex.

4. The overall PUD is currently approved for up to 1,300,000 square feet of commercial, industrial, and retail uses, 250 hotel rooms, and 410 dwelling units. The proposal is for up to 980,000 square feet of commercial and industrial uses, 650 hotel rooms, and 700 dwelling units. The projected traffic generated across the overall PUD is anticipated to decrease based on the substitution of commercial space with dwellings. A traffic study was submitted to show the reduction in traffic. The study also showed that there is not a need to widen W. Denton Road to four lanes in the future. The study is under review by the Transportation and Utilities Department (LTU). Their preliminary review of the traffic study indicated they are largely in agreement with the updated traffic improvements.
5. Parking for the casino and hotel uses is proposed at a ratio of 1 stall per gambling station. This calculation results in 1,210 required parking stalls. According to the applicant, most customers of the hotel will also use the casino, therefore the parking was based on the casino demand. The developer plans to construct a total of 1,282 stalls on the property west of S. 1st Street. Approximately 245 additional parking stalls for employee and overflow parking will be constructed east of S. 1st Street. The 1:1 parking ratio based on gaming stations is sufficient and should cover both customer and employee demand. It is anticipated that there will be an overlapping customer base between the hotel and casino facilities, and many customers will arrive in the same vehicle as others. It is also unlikely that every gambling station would be occupied at any given time. Parking for the race track, betting and simulcast facilities is calculated at a ratio of 1 stall per 50 square feet of seating area; these uses will require some additional parking beyond the minimum required 1,210 stalls.
6. A sign plan (see images at the end of the attachments) was submitted showing the proposed size and locations of signs for the casino complex. Several wall/roof signs are proposed, and a center sign would be placed at the southwest corner of 1st Street and Denton Road. Sign permits would be issued according to the approved sign plan.
7. Several waivers to the Zoning Ordinance are requested:
 - a. **Waiver to Section 27.72.030 to allow building heights up to 100 feet for the hotel, 50 feet for the casino, and 55 feet for any residential use or mixed-use building throughout the PUD.**

Currently, a grandstand associated with the horse racing track is allowed up to 70 feet in height. All other development in this area currently has a maximum height of 40 feet. Height waivers are requested for both the hotel and casino structures and for future residential and mixed-use buildings. The waiver for the casino is needed specifically to accommodate screening walls for mechanical equipment on the top of the building that will sit some distance back from the outer walls. This property has long been identified for commercial use. These height waivers are appropriate for the development proposed and its location amidst other commercial zoning. The nearest existing residential use is approximately 1,200 feet west of the proposed casino complex buildings.

Several similar height waivers have been approved recently for residential uses within PUDs along major streets. The residential height waiver would apply to all proposed and future residential uses and allows flexibility for development and creation of additional density. The applicant's request was for the height waiver to apply on Parcel 3. However, the Planning Department supports expanding the request to apply across the entire PUD and the applicant agreed to expand the waiver to other parcels.

- b. **Waivers to the sign regulations contained in Chapter 27.69 as needed to meet the proposed Sign Plan.**

The sign plan for the casino and hotel identifies several large signs on the north, east and south building frontages and a freestanding (monument) sign at the southwest corner of S. 1st Street and W. Denton Road. The sign plan allows the signs for the casino complex to be considered as a whole. Following the first submittal of plans, the applicant worked to reduce the requested sign area to reflect their actual sign plan and better fit the Zoning Ordinance.

Although several of the building signs may be considered roof signs if they are not attached to a structural wall, they will appear to be part of an extension of the wall and have a similar impact to wall signs. The wall sign standard allows more than one sign per architectural elevation per building, provided that the total sign area of such wall signs shall not exceed 30% per architectural elevation and no single wall sign shall exceed 500

square feet in sign area. The signs on the buildings were determined not to exceed those maximums.

The freestanding sign would have approximately 500 square feet of sign area and will contain up to 320 square feet of electronic changeable copy. It will serve as a center sign advertising the commercial center as a whole as well as individual businesses. The sign standards for the B-2 zoning district allow one center sign per frontage and one freestanding sign per building. The standard sign area for center and freestanding signs ranges from 50 to 150 square feet depending on whether the sign is located in the front yard. The proposed sign area of 500 square feet is larger than the standard maximum for any one sign. However, the sign is appropriate in size considering that the developer proposes a single large center sign in place of multiple smaller signs that they would have been allowed under the standards. Specifically, they would have otherwise been allowed up to two center signs and two freestanding signs. The combined area of 500 square feet and 320 square feet of electronic changeable copy sign does not exceed the cumulative amount allowed under the individual signs.

Based on the above considerations, the sign plan meets the intent of the sign ordinance.

c. Allow modification of the approved Sign Plan by the Planning Director.

This waiver will allow administrative approvals of future changes to the sign plan as needed to meet minor differences in the final design as long as they are in keeping with the spirit of the original approved plan.

8. The Annexation and Zoning Agreement will be amended to address the necessary traffic improvements, timing and financial responsibility. The traffic study was prepared to justify changes to the access points and improvements based on the proposed casino complex and other land use changes. The agreement must be finalized prior to scheduling the application on the City Council.
9. S. 1st Street is classified as a minor arterial. W. Denton Road is classified as a major arterial. The traffic signal at 1st Street and Denton Road will be made operational to serve the increased traffic caused by the casino complex. The main access to the casino complex will be from two access points on S. 1st Street. For this reason, the focus and priority for street improvements will change from W. Denton Road to S. 1st Street. Two access points on 1st Street are proposed. The northernmost access corresponds to the main casino entrance and will prohibit left-out turning motions to meet the Access Management Policy. The southernmost access will be constructed with a roundabout that allows full access. Both intersections on 1st Street will have enhanced pedestrian crossings to facilitate pedestrian movement across 1st Street to the other parking lots and future commercial development.

A right-in/right-out access is proposed on Denton Road. The deviation request to allow the access on Denton Road has been approved by the Transportation and Utilities Department. A median will be required in Denton Road to limit the turning movements. The traffic study intends to demonstrate that the scope of improvement for Denton Road can be reduced from a future four-lane roadway to a two-lane roadway.

There is existing right-of-way east of 1st Street leftover from prior development plans and the re-alignment of Denton Road. Some of the right-of-way will be vacated, as feasible and new right-of-way dedicated for the new street layout. In addition, a portion of right-of-way for 1st Street would be vacated as the right-of-way is far wider than necessary.

10. There is floodplain located south of W. Denton Road and conservation easement on the east side of S. 1st Street. The development area will be shown as removed from the floodplain through a Letter of Map Revision - Based on Fill (LOMR-F). The developer is allowed to submit two separate LOMR-F applications. The first will include the casino and parking garage areas. The second will cover the horse track and barn areas. A floodplain permit for the initial grading work has been issued. Full building permits for the casino and parking garage will not be issued until the first LOMR-F is approved by FEMA.
11. A future trail is planned to extend from the south end of this property north to Pioneers Boulevard along S. Folsom Street. From Denton Road north, the trail will run along the west side of Folsom Street. South of Denton Road, the trail will be mostly within an existing LES easement outside the application area. However, as the trail approaches Denton Road from the south, it will be located along the east side of Folsom Street. A condition of

approval would identify an appropriate trail location and crossings at Denton Road and Folsom Street.

12. Lincoln Fire and Rescue (LFR) recommends approval of this application as long as all parties are aware this location is beyond the travel time goal of four minutes from the nearest fire station, at approximately between six and seven minutes of travel. Paved areas free of obstructions will be required on all sides of the hotel to facilitate fire truck access.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Lincoln Race Course and vacant; B-2 PUD

SURROUNDING LAND USE & ZONING

North: Agriculture and LES substation; AG

South: Single-Family Detached and Vacant; AG

East: Vacant, Hwy 77; AG

West: Single-Family Detached and Agriculture; R-3, AGR and AG

APPLICATION HISTORY: See attached.

APPROXIMATE LAND AREA: 237 acres

LEGAL DESCRIPTION: See attached.

Prepared by:

Rachel Jones, Planner

Date: March 8, 2021

Applicant/Owner: Nebraska Horsemen's Benevolent and Protective Association
7055 S. 1st Street
Lincoln, NE 68512
(402) 499-3398 or lynnem@nebraskapropane.com

Contact: Andrew Willis
233 S. 13th Street
Lincoln, NE 68508
(402) 474-6900 or awillis@clnewilliams.com

Other Owners: Waverly Development Co LLC
440 N. 8th Street, Suite 140
Lincoln, NE 68508

Southport Ventures Co LLC
3501 Plantation Drive, Suite 100
Lincoln, NE 68516

Dial-Hwy 77 LLC
11506 Nicholas Street, Suite 100
Omaha, NE 68154

CDW Properties LLC
5355 W. Sprague Road
Hallam, NE 68368

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APPLICATION HISTORY - CHANGE OF ZONE 05061D

Jun. 2006	CZ05061 was approved by City Council for a PUD overlay and for a change of zone from AG and AGR to B-2 Planned Neighborhood Business to allow approximately 160 dwelling units and approximately 1,300,000 square feet of office, retail, commercial and industrial floor area. AN05014 Annexation of 463.8 areas was approved by City Council.
Sept. 2012	CZ05061A was approved by City Council to amend the PUD to show a horse race course, simulcast facility, barns, and accessory buildings and to allow all B-2 zoning district conditional and special permitted uses as permitted uses; to show a new AG area be eliminating the R-5 area and moving the I-3 area, and to waive the requirement for all of 1 st Street to be paved.
Mar. 2015	CZ05061B was approved by City Council to amend the Development Plan, which adjusted regulations regarding the location and height of signs.
Feb. 2019	CZ05061C was approved by City Council to approve a Phase 2 for construction of a horse racing track and allow excavation as a permitted conditional use.

CONDITIONS OF APPROVAL - CHANGE OF ZONE 05061D

This approval permits an amendment to the Southwest Village Planned Unit Development with revisions to the land uses, site plans, grading and drainage plans, Development Plan, and other sheets, including adding a casino complex as a permitted use, with waivers to allow maximum building heights of 100 feet for the hotel in the B-2 Casino Area, 50 feet for the casino in the B-2 Casino Area, and 55 feet for any residential use or mixed-use building in the PUD, waivers to the sign regulations as necessary to meet the approved Sign Plan, and to allow future modifications to the approved Sign Plan by the Planning Director.

Site Specific Conditions:

1. The City Council approves associated request:
 - 1.1 Amendment to the Highway 77 & Warlick Boulevard Conditional Annexation and Zoning Agreement
2. Before receiving building permits or before a final plat is approved the developer shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 2 copies with all required revisions and documents as listed below upon approval of the planned unit development by the City Council.
 - 2.1 Submit the full amended plan set including sheets that were not changed, remove bubbling and strikeouts on the Cover Sheet notes.
 - 2.2 Revise the sign plan to reflect a maximum of 320 square feet of electronic changeable copy sign area for the 500 square foot center sign. For the center sign, delete the "FACE SF" and "30% FACE SF" categories in the table.
 - 2.3 Show the planned location of the trail within the right-of-way and 6' Bike Trail Easement to the satisfaction of the Parks and Recreation Department.
 - 2.4 Shade the bike trail easement so it is easily identified.
 - 2.5 Revise the land use table to change "Casino" to "Casino Resort" for consistency. Add the asterisk (*) note that appears for the B-2 Area as it appears on the land use tables in the Development Plan.
 - 2.6 In the Development Plan under the parking section, note the parking calculation for the race course, grandstand, simulcast and betting facilities to the satisfaction of the Planning Director.
 - 2.7 Identify Folsom Street to be constructed from W. Denton Road to the driveway in Phase 3.
 - 2.8 Identify the access road on the south side of the B-2 Casino Area with a consistent line type and consistent width.
 - 2.9 On the west side of the B-2 Casino Area, accurately identify a 50-foot setback and previous and proposed easements and show the barns outside of the setbacks and easements.
 - 2.10 Identify that the parking area shown in the area of Schmidt Place and Schmidt Court is only to be constructed after they have been vacated.
 - 2.11 Delete the 5-foot setback to the 10-foot utility easement that is shown through Lot 1, Block 2.
 - 2.12 Show the setback at the southeast corner of Lot 1, Block 2.
 - 2.13 State the purpose of Outlot B.
 - 2.14 Under the note on Sheet 5, change "AG Area" to "B-2 Casino Area".

- 2.15 Identify a clear, paved access route free of all obstructions for emergency access on the southwest side of the hotel to the satisfaction of Lincoln Fire and Rescue.
- 2.16 Identify any current and future conservation easements.
- 2.17 Identify a pedestrian crossing at S. 1st Street and W. Blueflag Court with a center pedestrian refuge to the satisfaction of LTU.
- 2.18 Remove the parking stalls from the access road connection located south of the parking garage.
- 2.19 Prior to receiving building permits, the Southwest Village 3rd Addition final plat must be approved and filed.
- 2.20 In the note on Sheet 3 about pedestrian access, change “analyzed” to “approved” by LTU.
- 2.21 Add more details showing Schmidt Court and existing right-of-way in that area.
- 2.22 Show a street connection at Schmidt Court that connects to the conceptual layout on the east side of S. 1st Street.
- 2.23 On Sheet 3, add a note stating that 1) Schmidt Drive, between South 1st Street and Schmidt Court is to be vacated and removed, and 2) Schmidt Court is to be paved from the roundabout to Schmidt Place with construction of South 1st Street.
- 2.24 Add a label for the future Schmidt Court.
- 2.25 Address the attached comments from Watershed Management.
- 2.26 Revise the Traffic Study to the satisfaction of Lincoln Transportation and Utilities.

Standard Conditions:

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

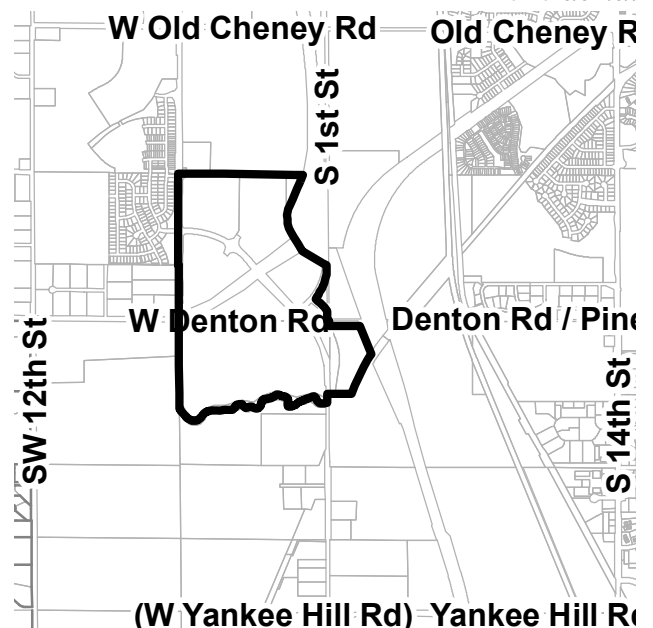
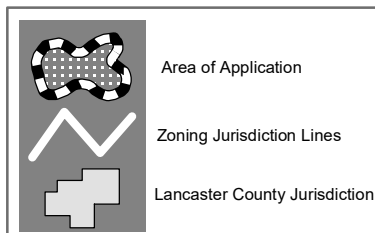


Change of Zone #: CZ05061D
Southwest Village PUD
S 1st St & W Denton Rd

Zoning:

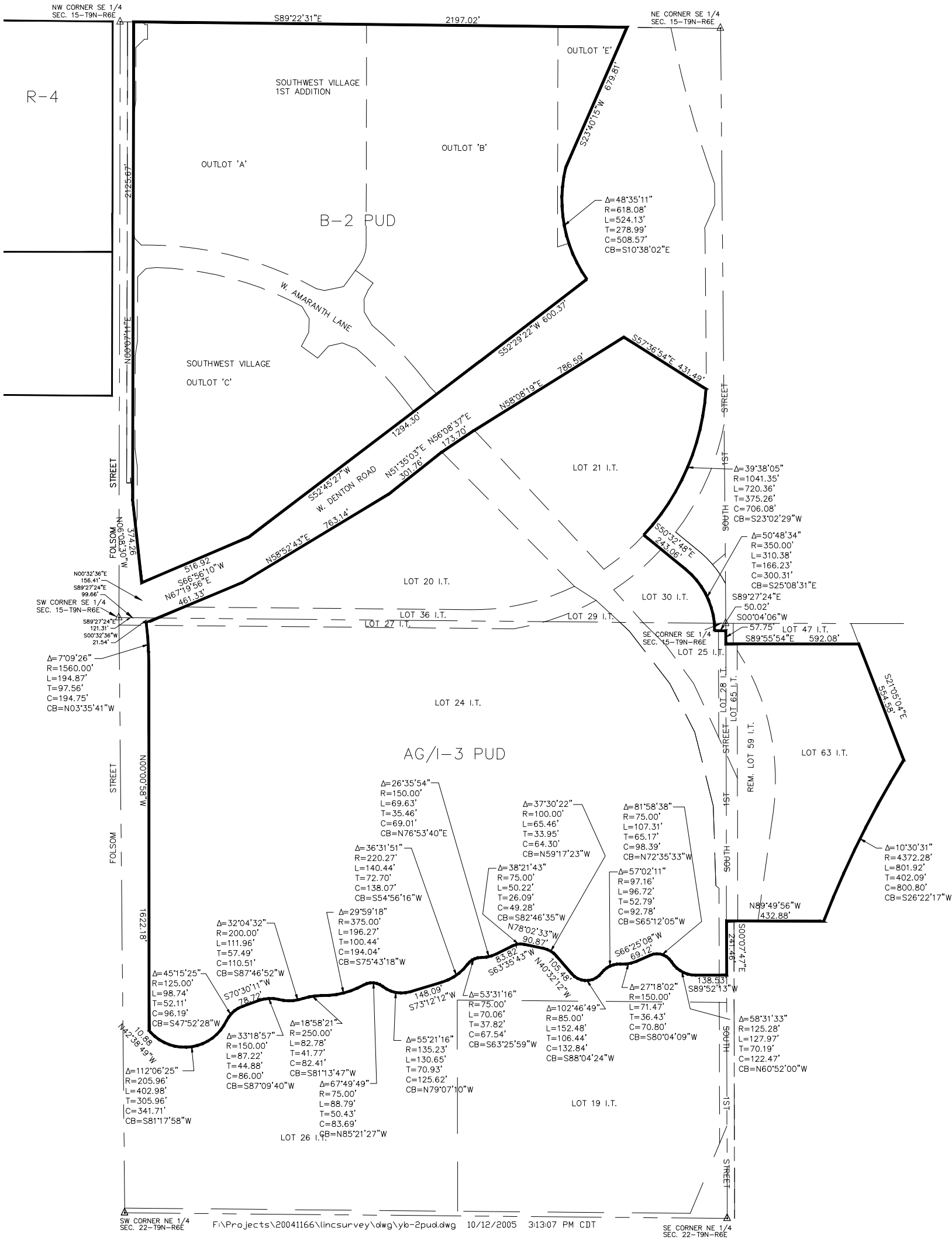
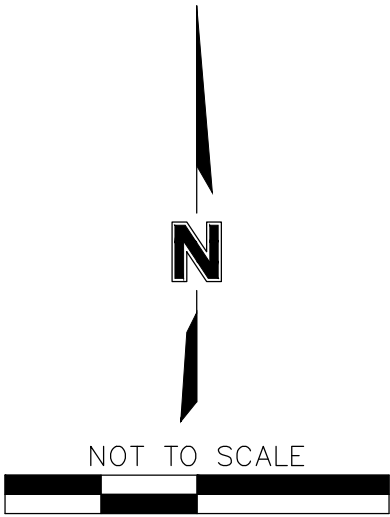
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4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

Three Square Miles:
Sec.15 T09N R06E
Sec.22 T09N R06E
Sec.23 T09N R06E



DWG: F:\2021\00501-01000\021-00589\40-Design\Exhibits\Casino PUD Legal Description Area_Exhibit Plan.dwg
DATE: Feb 11, 2021 2:31pm XREFS: Casino PUD Legal Description Area

USER: jfasnacht



PROJECT NO:	021-00589
DRAWN BY:	JEF
DATE:	01-21-2021

SOUTHWEST VILLAGE PLANNED UNIT DEVELOPMENT
AMENDMENT TO PUD
LEGAL DESCRIPTION

olsson

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

EXHIBIT

1

**LEGAL DESCRIPTION
SOUTHWEST VILLAGE PLANNED UNIT DEVELOPMENT**

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF OUTLOTS "C" AND "E", SOUTHWEST VILLAGE ADDITION, AND OUTLOTS "A" AND "B", SOUTHWEST VILLAGE 1ST ADDITION, AND A PORTION OF WEST AMARANTH LANE, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 6 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 15; THENCE EAST ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER ON AN ASSUMED BEARING OF SOUTH 89 DEGREES 27 MINUTES 24 SECONDS EAST, A DISTANCE OF 99.66 FEET TO A POINT; THENCE NORTH 00 DEGREES 32 MINUTES 36 SECONDS EAST, A DISTANCE OF 156.41 FEET TO **THE TRUE POINT OF BEGINNING**; THENCE NORTH 06 DEGREES 08 MINUTES 30 SECONDS WEST, A DISTANCE OF 374.26 FEET TO A POINT LOCATED 60.00 FEET EAST OF THE WEST LINE OF SAID SOUTHEAST QUARTER; THENCE NORTH 00 DEGREES 07 MINUTES 11 SECONDS EAST ALONG A LINE 60.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2,125.67 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF SAID SOUTHEAST QUARTER; THENCE SOUTH 89 DEGREES 22 MINUTES 31 SECONDS EAST ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2,197.02 FEET TO A POINT; THENCE SOUTH 23 DEGREES 40 MINUTES 15 SECONDS WEST, A DISTANCE OF 679.81 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE; THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 48 DEGREES 35 MINUTES 11 SECONDS, A RADIUS OF 618.08 FEET, AN ARC LENGTH OF 524.13 FEET, A CHORD BEARING OF SOUTH 10 DEGREES 38 MINUTES 02 SECONDS EAST, AND A CHORD DISTANCE OF 508.57 FEET TO A POINT, THENCE SOUTH 52 DEGREES 29 MINUTES 22 SECONDS WEST, A DISTANCE OF 600.37 FEET TO A POINT, THENCE SOUTH 52 DEGREES 45 MINUTES 27 SECONDS WEST, A DISTANCE OF 1,294.30 FEET TO A POINT, THENCE SOUTH 66 DEGREES 56 MINUTES 10 SECONDS WEST, A DISTANCE OF 516.92 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 3,784,400.25 SQUARE FEET OR 86.8779 ACRES, MORE OR LESS.

TOGETHER WITH:

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF LOTS 20 I.T., 21 I.T., 29 I.T., 30 I.T., AND 36 I.T., A PORTION OF SCHMIDT PLACE RIGHT -OF-WAY AND SOUTH 1ST STREET RIGHT-OF-WAY, ALL LOCATED IN THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 6 EAST; AND LOTS 25 I.T., 27 I.T., AND 28 I.T., A PORTION OF LOTS 24 I.T., AND 26 I.T., A PORTION OF SOUTH 1ST STREET RIGHT-OF-WAY, ALL LOCATED IN THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 6 EAST; AND LOTS 63 I.T., AND 65 I.T., AND THE REMAINING PORTION OF LOT 59 I.T., AND A PORTION OF SOUTH 1ST STREET RIGHT-OF-WAY, AND A PORTION OF SCHMIDT COURT RIGHT-OF-WAY ALL LOCATED IN THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 9 NORTH, RANGE 6 EAST, ALL OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 15, THENCE EAST ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER ON AN ASSUMED BEARING OF SOUTH 89 DEGREES 27 MINUTES 24 SECONDS EAST, A DISTANCE OF 121.31 FEET TO A POINT, THENCE SOUTH 00 DEGREES 32 MINUTES 36 SECONDS WEST, A DISTANCE OF 21.54 FEET TO **THE TRUE POINT OF BEGINNING**; THENCE NORTH 67 DEGREES 19 MINUTES 56 SECONDS EAST, A DISTANCE OF 461.33 FEET TO A POINT, THENCE NORTH 58 DEGREES 52 MINUTES 43 SECONDS EAST, A DISTANCE OF 763.14 FEET TO A POINT, THENCE NORTH 51 DEGREES 35 MINUTES 03 SECONDS EAST, A DISTANCE OF 301.76 FEET TO A POINT, THENCE NORTH 56 DEGREES 08 MINUTES 37 SECONDS EAST, A DISTANCE OF 173.70 FEET TO A POINT, THENCE NORTH 58 DEGREES 08 MINUTES 19 SECONDS EAST, A DISTANCE OF 786.59 FEET TO A POINT, THENCE SOUTH 57 DEGREES 36 MINUTES 54 SECONDS EAST, A DISTANCE OF 431.49 FEET TO A POINT, SAID POINT BEING A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 39 DEGREES 38 MINUTES 05 SECONDS, A RADIUS OF 1,041.35 FEET, AN ARC LENGTH OF 720.36 FEET, A CHORD BEARING OF SOUTH 23 DEGREES 02 MINUTES 29 SECONDS WEST, AND A CHORD DISTANCE OF 706.08 FEET TO A POINT, THENCE SOUTH 50 DEGREES 32 MINUTES 48 SECONDS EAST, A DISTANCE OF 243.06 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 50 DEGREES 48 MINUTES 34 SECONDS, A RADIUS OF 350.00 FEET, AN ARC LENGTH OF 310.38 FEET, A CHORD BEARING OF SOUTH 25 DEGREES 08 MINUTES 31 SECONDS EAST, AND A CHORD DISTANCE OF 300.31 FEET TO A POINT, THENCE SOUTH 89 DEGREES 27 MINUTES 24 SECONDS EAST, A DISTANCE OF 50.02 FEET TO A POINT OF

INTERSECTION WITH THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 22, THENCE SOUTH 00 DEGREES 04 MINUTES 06 SECONDS WEST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 57.75 FEET TO A POINT, THENCE SOUTH 89 DEGREES 55 MINUTES 54 SECONDS EAST, A DISTANCE OF 592.08 FEET TO A POINT, THENCE SOUTH 21 DEGREES 05 MINUTES 04 SECONDS EAST, A DISTANCE OF 554.58 FEET TO A POINT, SAID POINT BEING A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 10 DEGREES 30 MINUTES 31 SECONDS, A RADIUS OF 4,372.28 FEET, AN ARC LENGTH OF 801.92 FEET, A CHORD BEARING OF SOUTH 26 DEGREES 22 MINUTES 17 SECONDS WEST, AND A CHORD DISTANCE OF 800.80 FEET TO A POINT, THENCE NORTH 89 DEGREES 49 MINUTES 56 SECONDS WEST, A DISTANCE OF 432.88 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 22, THENCE SOUTH 00 DEGREES 07 MINUTES 47 SECONDS EAST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 241.46 FEET TO A POINT, THENCE SOUTH 89 DEGREES 52 MINUTES 13 SECONDS WEST, A DISTANCE OF 138.53 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 58 DEGREES 31 MINUTES 33 SECONDS, A RADIUS OF 125.28 FEET, AN ARC LENGTH OF 127.97 FEET, A CHORD BEARING OF NORTH 60 DEGREES 52 MINUTES 00 SECONDS WEST, AND A CHORD DISTANCE OF 122.47 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 81 DEGREES 58 MINUTES 38 SECONDS, A RADIUS OF 75.00 FEET, AN ARC LENGTH OF 107.31 FEET, A CHORD BEARING OF NORTH 72 DEGREES 35 MINUTES 33 SECONDS WEST, AND A CHORD DISTANCE OF 98.39 FEET TO A POINT, THENCE SOUTH 66 DEGREES 25 MINUTES 08 SECONDS WEST, A DISTANCE OF 69.12 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 27 DEGREES 18 MINUTES 02 SECONDS, A RADIUS OF 150.00 FEET, AN ARC LENGTH OF 71.47 FEET, A CHORD BEARING OF SOUTH 80 DEGREES 04 MINUTES 09 SECONDS WEST, AND A CHORD DISTANCE OF 70.80 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 57 DEGREES 02 MINUTES 11 SECONDS, A RADIUS OF 97.16 FEET, AN ARC LENGTH OF 96.72 FEET, A CHORD BEARING OF SOUTH 65 DEGREES 12 MINUTES 05 SECONDS WEST, AND A CHORD DISTANCE OF 92.78 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 102 DEGREES 46 MINUTES 49 SECONDS, A RADIUS OF 85.00 FEET, A ARC LENGTH OF 152.48 FEET, A CHORD BEARING OF SOUTH 88 DEGREES 04 MINUTES 24 SECONDS WEST, AND A CHORD DISTANCE OF 132.84 FEET TO A POINT, THENCE NORTH 40

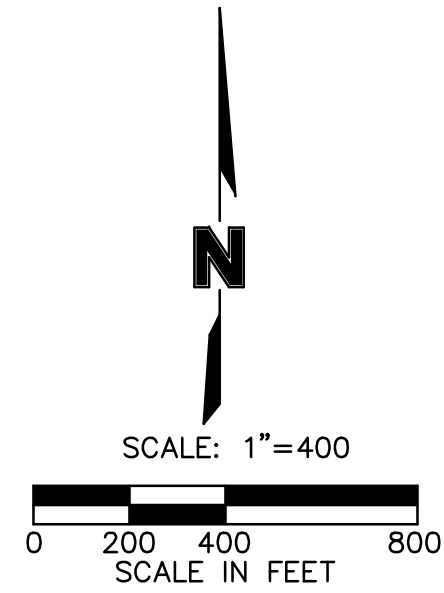
DEGREES 32 MINUTES 12 SECONDS WEST, A DISTANCE OF 105.48 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 37 DEGREES 30 MINUTES 22 SECONDS, A RADIUS OF 100.00 FEET, AN ARC LENGTH OF 65.46 FEET, A CHORD BEARING OF NORTH 59 DEGREES 17 MINUTES 23 SECONDS WEST, AND A CHORD DISTANCE OF 64.30 FEET TO A POINT, THENCE NORTH 78 DEGREES 02 MINUTES 33 SECONDS WEST, A DISTANCE OF 90.87 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 38 DEGREES 21 MINUTES 43 SECONDS, A RADIUS OF 75.00 FEET, AN ARC LENGTH OF 50.22 FEET, A CHORD BEARING OF SOUTH 82 DEGREES 46 MINUTES 35 SECONDS WEST, AND A CHORD DISTANCE OF 49.28 FEET TO A POINT, THENCE SOUTH 63 DEGREES 35 MINUTES 43 SECONDS WEST, A DISTANCE OF 83.82 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 26 DEGREES 35 MINUTES 54 SECONDS, A RADIUS OF 150.00 FEET, AN ARC LENGTH OF 69.63 FEET, A CHORD BEARING OF SOUTH 76 DEGREES 53 MINUTES 40 SECONDS WEST, AND A CHORD DISTANCE OF 69.01 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 53 DEGREES 31 MINUTES 16 SECONDS, A RADIUS OF 75.00 FEET, AN ARC LENGTH OF 70.06 FEET, A CHORD BEARING OF SOUTH 63 DEGREES 25 MINUTES 59 SECONDS WEST, AND A CHORD DISTANCE OF 67.54 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 36 DEGREES 31 MINUTES 51 SECONDS, A RADIUS OF 220.27 FEET, AN ARC LENGTH OF 140.44 FEET, A CHORD BEARING OF SOUTH 54 DEGREES 56 MINUTES 16 SECONDS WEST, AND A CHORD DISTANCE OF 138.07 FEET TO A POINT, THENCE SOUTH 73 DEGREES 12 MINUTES 12 SECONDS WEST, A DISTANCE OF 148.09 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 55 DEGREES 21 MINUTES 16 SECONDS, A RADIUS OF 135.23 FEET, AN ARC LENGTH OF 130.65 FEET, A CHORD BEARING OF NORTH 79 DEGREES 07 MINUTES 10 SECONDS WEST, AND A CHORD DISTANCE OF 125.62 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 67 DEGREES 49 MINUTES 49 SECONDS, A RADIUS OF 75.00 FEET, AN ARC LENGTH OF 88.79 FEET, A CHORD BEARING OF NORTH 85 DEGREES 21 MINUTES 27 SECONDS WEST, AND A CHORD DISTANCE OF 83.69 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 29 DEGREES 59 MINUTES 18 SECONDS, A RADIUS OF 375.00 FEET, AN ARC LENGTH OF 196.27 FEET, A CHORD BEARING OF SOUTH 75 DEGREES 43 MINUTES 18 SECONDS WEST, AND A CHORD DISTANCE OF 194.04 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A

COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 18 DEGREES 58 MINUTES 21 SECONDS, A RADIUS OF 250.00 FEET, AN ARC LENGTH OF 82.78 FEET, A CHORD BEARING OF SOUTH 81 DEGREES 13 MINUTES 47 SECONDS WEST, AND A CHORD DISTANCE OF 82.41 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 32 DEGREES 04 MINUTES 32 SECONDS, A RADIUS OF 200.00 FEET, AN ARC LENGTH OF 111.96 FEET, A CHORD BEARING OF SOUTH 87 DEGREES 46 MINUTES 52 SECONDS WEST, AND A CHORD DISTANCE OF 110.51 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 33 DEGREES 18 MINUTES 57 SECONDS, A RADIUS OF 150.00 FEET, AN ARC LENGTH OF 87.22 FEET, A CHORD BEARING OF SOUTH 87 DEGREES 09 MINUTES 40 SECONDS WEST, AND A CHORD DISTANCE OF 86.00 FEET TO A POINT, THENCE SOUTH 70 DEGREES 30 MINUTES 11 SECONDS WEST, A DISTANCE OF 78.72 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 45 DEGREES 15 MINUTES 25 SECONDS, A RADIUS OF 125.00 FEET, AN ARC LENGTH OF 98.74 FEET, A CHORD BEARING OF SOUTH 47 DEGREES 52 MINUTES 28 SECONDS WEST, AND A CHORD DISTANCE OF 96.19 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 112 DEGREES 06 MINUTES 25 SECONDS, A RADIUS OF 205.96 FEET, AN ARC LENGTH OF 402.98 FEET, A CHORD BEARING OF SOUTH 81 DEGREES 17 MINUTES 58 SECONDS WEST, AND A CHORD DISTANCE OF 341.71 FEET TO A POINT, THENCE NORTH 42 DEGREES 38 MINUTES 49 SECONDS WEST, A DISTANCE OF 10.88 FEET TO A POINT, THENCE NORTH 00 DEGREES 00 MINUTES 58 SECONDS WEST, A DISTANCE OF 1,622.18 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 07 DEGREES 09 MINUTES 26 SECONDS, A RADIUS OF 1,560.00 FEET, AN ARC LENGTH OF 194.87 FEET, A CHORD BEARING OF NORTH 03 DEGREES 35 MINUTES 41 SECONDS WEST, AND A CHORD DISTANCE OF 194.75 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 6,538,986.40 SQUARE FEET OR 150.1144 ACRES, MORE OR LESS.

SOUTHWEST VILLAGE

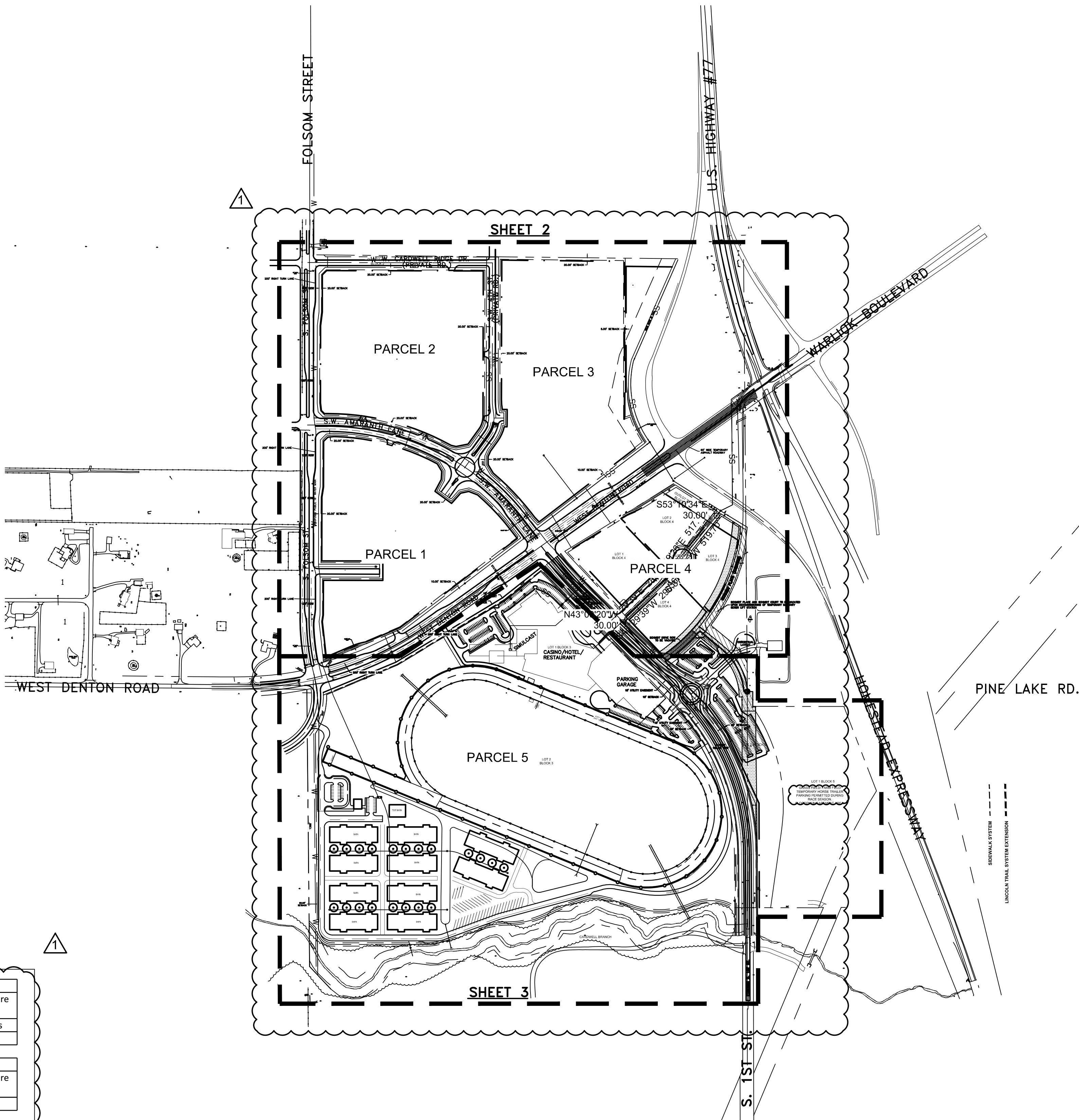
AMENDMENT TO THE P.U.D.

COVER SHEET



ENGINEER & PREPARER

OLSSON
601 S. ST.
LINCOLN, NE 68508
PHONE: (402)474-6311



LAND USE TABLE

Parcel 1: B-2 Area	
Uses	Floor Area (Square Feet)
Residential	200 Dwelling Units
Commercial	150,000 sf
Parcel 2: B-2 Area	
Uses	Floor Area (Square Feet)
Commercial	225,000 sf
Parcel 3: B-2 Area	
Uses	Floor Area (Square Feet)
Residential	250 Dwelling Units
Commercial	250,000 sf
OR	
Residential	500 Dwelling Units
Commercial	100,000 sf
Parcel 4: I-3 Area	
Uses	Floor Area (Square Feet)
Hotel	250 Rooms
Commercial/Industrial	130,000 sf
Parcel 5: B-2 Casino Area	
Uses	Floor Area (Square Feet)
Casino Resort includes: 1210 Gaming Positions, Restaurant, Retail, Event Center	225,000 SF Casino
Future Hotel	200 Hotel Rooms
Horse Racing Track, Grandstand, Horse Barns and Related Facilities	As shown on Site Plan
PUD LAND USE TOTALS (Parcels 1 - 5)	
Uses	Floor Area (Square Feet)
Commercial	980,000 SF
Hotel	250 Rooms
Dwelling Units	700 Units

CENTERLINE CURVE TABLE						
CURVE	RADIUS	DELTA	LENGTH	TANGENT	CHORD	
A	175.00	35°55'43.01"	109.74	56.74	107.95	
B	1500.00	52°21'29.73"	1370.74	737.41	1323.54	
C	4000.00	04°17'49.62"	299.10	150.07	299.93	
D	1400.00	13°20'42.73"	294.99	156.89	286.33	
E	350.00	48°17'25"	485.14	290.67	447.22	
F	2000.00	27°27'42.82"	958.61	488.69	949.45	
G	4000.00	04°17'49.62"	299.10	150.07	299.93	
H	1000.00	16°40'31"	291.04	146.56	290.01	
I	1000.00	69°22'50"	1210.92	692.18	1138.28	
J	1000.00	87°08'02"	141.96	71.10	141.84	

P.U.D. BOUNDARY CURVE DATA					
CURVE	RADIUS	DELTA	LENGTH	TANGENT	CHORD
1	290.80	12°29'35"	63.41	31.83	63.28
2	26.19	44°19'03"	20.25	10.66	19.75
3	377.50	11°11'52"	44.98	22.56	44.91
4	403.50	154°28'04"	1087.82	1780.88	787.05
5	215.50	130°12'33"	489.74	464.35	390.95
6	1400.00	51°54'20"	341.99	183.74	330.41
7	501.99	32°31'08"	284.91	146.41	284.10
8	1091.35	32°27'45"	675.48	348.95	684.75
9	66.50	97°30'25"	113.17	75.84	100.00
10	1560.00	7°09'26"	194.87	97.56	194.75
11	618.08	48°35'11"	524.13	278.99	508.57

LEGAL DESCRIPTION (PARCELS 4 & 5)

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF LOTS 20 1ST, 21 1ST, 20 1ST, 20 1ST, AND 36 1ST, A PORTION OF SCHMIDT PLACE RIGHT-OF-WAY AND SOUTH 1ST STREET RIGHT-OF-WAY, ALL LOCATED IN THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 6 EAST, AND LOTS 23 1ST, 27 1ST, AND 28 1ST, A PORTION OF LOTS 24 1ST, AND 29 1ST, A PORTION OF SOUTH 1ST STREET RIGHT-OF-WAY, ALL LOCATED IN THE NORTHEAST QUARTER OF SECTION 22, TOWNSHIP 9 NORTH, RANGE 6 EAST, AND LOTS 63 1ST, AND 65 1ST, AND THE REMAINING PORTION OF LOT 36 1ST, AND A PORTION OF SOUTH 1ST STREET RIGHT-OF-WAY, AND A PORTION OF SCHMIDT COURT RIGHT-OF-WAY, ALL LOCATED IN THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 9 NORTH, RANGE 6 EAST, ALL OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 15, THENCE EAST ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER ON AN ASSUMED BEARING OF SOUTH 89 DEGREES 27 MINUTES 24 SECONDS EAST, A DISTANCE OF 121.31 FEET TO A POINT, THENCE SOUTH 00 DEGREES 32 MINUTES 36 SECONDS WEST, A DISTANCE OF 215.4 FEET TO THE TRUE POINT OF BEGINNING, THENCE NORTH 87 DEGREES 19 MINUTES 56 SECONDS EAST, A DISTANCE OF 461.33 FEET TO A POINT, THENCE NORTH 58 DEGREES 52 MINUTES 43 SECONDS EAST, A DISTANCE OF 763.14 FEET TO A POINT, THENCE NORTH 51 DEGREES 34 MINUTES 03 SECONDS EAST, A DISTANCE OF 301.76 FEET TO A POINT, THENCE NORTH 56 DEGREES 08 MINUTES 37 SECONDS EAST, A DISTANCE OF 173.70 FEET TO A POINT, THENCE NORTH 58 DEGREES 08 MINUTES 19 SECONDS EAST, A DISTANCE OF 780.59 FEET TO A POINT, THENCE SOUTH 57 DEGREES 36 MINUTES 54 SECONDS EAST, A DISTANCE OF 431.49 FEET TO A POINT, SAID POINT BEING A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 98 DEGREES 36 MINUTES 58 SECONDS, A RADIUS OF 1541.35 FEET, AN ARC LENGTH OF 720.36 FEET, A CHORD BEARING OF SOUTH 23 DEGREES 02 MINUTES 29 SECONDS WEST, AND A CHORD DISTANCE OF 706.08 FEET TO A POINT, THENCE SOUTH 50 DEGREES 32 MINUTES 48 SECONDS EAST, A DISTANCE OF 245.06 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 90 DEGREES 48 MINUTES 34 SECONDS, A RADIUS OF 350.00 FEET, AN ARC LENGTH OF 310.38 FEET, A CHORD BEARING OF SOUTH 25 DEGREES 06 MINUTES 31 SECONDS EAST, AND A CHORD DISTANCE OF 300.31 FEET TO A POINT, THENCE SOUTH 89 DEGREES 27 MINUTES 24 SECONDS EAST, A DISTANCE OF 50.02 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF THE NORTHEAST QUARTER OF SECTION 22, THENCE SOUTH 00 DEGREES 04 MINUTES 56 SECONDS WEST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 57.75 FEET TO A POINT, THENCE SOUTH 89 DEGREES 55 MINUTES 54 SECONDS EAST, A DISTANCE OF 582.08 FEET TO A POINT, THENCE SOUTH 21 DEGREES 05 MINUTES 04 SECONDS EAST, A DISTANCE OF 554.58 FEET TO A POINT, SAID POINT BEING A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 10 DEGREES 30 MINUTES 31 SECONDS, A RADIUS OF 437.29 FEET, AN ARC LENGTH OF 801.92 FEET, A CHORD BEARING OF SOUTH 22 DEGREES 22 MINUTES 17 SECONDS WEST, AND A CHORD DISTANCE OF 800.80 FEET TO A POINT, THENCE NORTH 89 DEGREES 49 MINUTES 56 SECONDS WEST, A DISTANCE OF 432.48 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF THE NORTHEAST QUARTER OF SAID SECTION 22, THENCE SOUTH 00 DEGREES 07 MINUTES 47 SECONDS EAST ALONG THE EAST LINE OF SAID NORTHEAST QUARTER, A DISTANCE OF 241.46 FEET TO A POINT, THENCE SOUTH 89 DEGREES 52 MINUTES 13 SECONDS WEST, A DISTANCE OF 138.33 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 58 DEGREES 31 MINUTES 33 SECONDS, A RADIUS OF 125.38 FEET, AN ARC LENGTH OF 127.97 FEET, 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COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 33 DEGREES 31 MINUTES 16 SECONDS, A RADIUS OF 75.00 FEET, AN ARC LENGTH OF 70.08 FEET, A CHORD BEARING OF SOUTH 63 DEGREES 25 MINUTES 59 SECONDS WEST, AND A CHORD DISTANCE OF 67.54 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 07 DEGREES 48 MINUTES 46 SECONDS, A RADIUS OF 75.00 FEET, AN ARC LENGTH OF 88.79 FEET, A CHORD BEARING OF NORTH 85 DEGREES 21 MINUTES 27 SECONDS WEST, AND A CHORD DISTANCE OF 88.89 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 29 DEGREES 59 MINUTES 18 SECONDS, A RADIUS OF 375.00 FEET, AN ARC LENGTH OF 1182.77 FEET, A CHORD BEARING OF SOUTH 75 DEGREES 43 MINUTES 18 SECONDS WEST, AND A CHORD DISTANCE OF 1184.00 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 32 DEGREES 54 MINUTES 21 SECONDS, A RADIUS OF 250.00 FEET, AN ARC LENGTH OF 111.98 FEET, A CHORD BEARING OF SOUTH 67 DEGREES 46 MINUTES 30 SECONDS WEST, AND A CHORD DISTANCE OF 110.51 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 33 DEGREES 18 MINUTES 27 SECONDS, A RADIUS OF 150.00 FEET, AN ARC LENGTH OF 87.22 FEET, A CHORD BEARING OF SOUTH 87 DEGREES 09 MINUTES 40 SECONDS WEST, AND A CHORD DISTANCE OF 86.02 FEET TO A POINT, THENCE SOUTH 70 DEGREES 30 MINUTES 11 SECONDS WEST, A DISTANCE OF 77.72 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 45 DEGREES 15 MINUTES 25 SECONDS, A RADIUS OF 125.00 FEET, AN ARC LENGTH OF 88.74 FEET, A CHORD BEARING OF SOUTH 47 DEGREES 32 MINUTES 09 SECONDS WEST, AND A CHORD DISTANCE OF 86.19 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 112 DEGREES 06 MINUTES 25 SECONDS, A RADIUS OF 208.96 FEET, AN ARC LENGTH OF 402.36 FEET, A CHORD BEARING OF SOUTH 81 DEGREES 17 MINUTES 58 SECONDS WEST, AND A CHORD DISTANCE OF 341.71 FEET TO A POINT, THENCE NORTH 42 DEGREES 38 MINUTES 49 SECONDS WEST, A DISTANCE OF 10.88 FEET TO A POINT, THENCE NORTH 00 DEGREES 07 MINUTES 58 SECONDS WEST, A DISTANCE OF 1622.16 FEET TO A POINT OF CURVATURE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 07 DEGREES 09 MINUTES 26 SECONDS, A RADIUS OF 1560.00 FEET, AN ARC LENGTH OF 194.87 FEET, A CHORD BEARING OF NORTH 03 DEGREES 33 MINUTES 41 SECONDS WEST, AND A CHORD DISTANCE OF 194.75 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 6,538,988.40 SQUARE FEET OR 150.1144 ACRES, MORE OR LESS.

LEGAL DESCRIPTION (PARCELS 1, 2 & 3)

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF OUTLOTS "C" AND "E", SOUTHWEST VILLAGE ADDITION, AND OUTLOTS "A" AND "B", SOUTHWEST VILLAGE 1ST ADDITION, AND A PORTION OF WEST AMARANTH LANE, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 9 NORTH, RANGE 6 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST QUARTER OF SAID SECTION 15, THENCE EAST ALONG THE SOUTH LINE OF SAID SOUTHEAST QUARTER ON AN ASSUMED BEARING OF SOUTH 89 DEGREES 27 MINUTES 24 SECONDS EAST, A DISTANCE OF 99.66 FEET TO A POINT, THENCE NORTH 00 DEGREES 32 MINUTES 36 SECONDS EAST, A DISTANCE OF 156.41 FEET TO THE TRUE POINT OF BEGINNING, THENCE NORTH 06 DEGREES 08 MINUTES 30 SECONDS WEST, A DISTANCE OF 374.26 FEET TO A POINT LOCATED 60.00 FEET EAST OF THE WEST LINE OF SAID SOUTHEAST QUARTER, THENCE NORTH 00 DEGREES 07 MINUTES 11 SECONDS EAST ALONG A LINE 60.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2,125.67 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF SAID SOUTHEAST QUARTER, THENCE SOUTH 89 DEGREES 22 MINUTES 31 SECONDS EAST ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER, A DISTANCE OF 2,197.02 FEET TO A POINT, THENCE SOUTH 23 DEGREES 40 MINUTES 18 SECONDS WEST, A DISTANCE OF 879.81 FEET TO A POINT OF CURVATURE OF A NON TANGENT CURVE, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 48 DEGREES 35 MINUTES 11 SECONDS, A RADIUS OF 618.08 FEET, AN ARC LENGTH OF 524.13 FEET, A CHORD BEARING OF SOUTH 10 DEGREES 38 MINUTES 02 SECONDS EAST, AND A CHORD DISTANCE OF 508.57 FEET TO A POINT, THENCE SOUTH 52 DEGREES 29 MINUTES 22 SECONDS WEST, A DISTANCE OF 600.37 FEET TO A POINT, THENCE SOUTH 52 DEGREES 45 MINUTES 27 SECONDS WEST, A DISTANCE OF 1,294.30 FEET TO A POINT, THENCE SOUTH 66 DEGREES 56 MINUTES 10 SECONDS WEST, A DISTANCE OF 516.92 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 3,784,400.25 SQUARE FEET OR 86.8779 ACRES, MORE OR LESS.

PROPERTY OWNERS

PARCEL 1	—	WAVELY DEVELOPMENT CO LLC 4440 N 8 ST, STE 140 LINCOLN, NE
PARCEL 2	—	SOUTHPONT VENTURES CO LLC 251 PLATATION DR, STE 110 LINCOLN, NE
PARCEL 3	—	DIAL-HWY 77 LLC 11506 NICHOLAS ST, STE 100 OMAHA, NE
PARCEL 4	—	CDW PROPERTIES LLC 5355 W SRAQUE RD HALLAM, NE
PARCEL 5	—	NEBRASKA HORSEMAN'S BENEVOLENT & PROTECTIVE ASSOCIATION 100 S 1 ST LINCOLN, NE

GENERAL SITE NOTES

- REFER TO SOUTHWEST VILLAGE DEVELOPMENT PLAN FOR ZONING AND DESIGN STANDARDS.
- A BUSINESS ASSOCIATION SHALL BE ESTABLISHED TO MAINTAIN ALL OPEN SPACE AREAS INCLUDING THE PRIVATE ROADWAYS AND MEDIANS WITHIN THE LIMITS OF THE P.U.D.
- LOTS MAY BE CREATED WITHOUT FRONTAGE TO A PUBLIC STREET OR PRIVATE ROADWAY IF THEY HAVE ACCESS TO A PUBLIC ACCESS EASEMENT.
- LOT DIMENSIONS ARE CONCEPTUAL AND WILL BE FINALIZED AT TIME OF FINAL PLATTING.
- THE YARD SETBACKS REGULATES STRUCTURAL WALLS ONLY AND DOES NOT RESTRICT OVERHANGS, PATIOS, DOOR SWINGS, WINDOW SWINGS, ETC. FROM ENCRoACHING INTO THE SETBACKS.
- A COMMON ACCESS EASEMENT WILL BE PROVIDED OVER ALL DRIVES AND PARKING STALLS, AS SUCH DRIVES AND PARKING STALLS MAY EXIST IN THE COMMERCIAL AREAS.
- DETAILS OF ALL SIGNS, INCLUDING TYPE, HEIGHT AND SIZE WILL BE SUBMITTED SEPARATELY FOR REVIEW AT TIME OF SIGN PERMITS AND ARE NOT REQUIRED TO BE SHOWN ON THE PLAN. ALL SIGNS SHALL BE IN CONFORMANCE WITH THE SOUTHWEST VILLAGE PUD DEVELOPMENT PLAN.
- FINAL SITE LAYOUT AND INDIVIDUAL LANDSCAPE PLANS FOR COMMERCIAL BUILDINGS IN THE B-2 AREA LESS THAN 100,000 S.F. SHALL BE APPROVED THROUGH THE BUILDING PERMIT PROCESS. SITE LAYOUT PLANS FOR BUILDINGS LARGER THAN 100,000 S.F. SHALL BE APPROVED ADMINISTRATIVELY BY THE PLANNING DIRECTOR.**
- FENCES, DUMPSTERS, DECORATIVE STRUCTURES AND ACCESSORY BUILDINGS ARE NOT SHOWN ON THE PLANS IF THEY ARE 1000 SQUARE FEET OR SMALLER AND ARE OUTSIDE OF THE SIGHT TRIANGLES AND SETBACKS AND ARE IN CONFORMANCE WITH ALL APPLICABLE ORDINANCES AND CODES OF THE SOUTHWEST VILLAGE PUD.
- LOTS 5 AND 6, BLOCK 6 SHALL BE RESTRICTED TO OFFICE AND BANK USES BY THE PUD. THERE SHALL BE AN ADDITIONAL 2 ACRES OF OFFICE USE WITHIN THE B-2 AREA.**
- ALL BUILDINGS OVER 100,000 SQUARE FEET WITHIN THE PUD, EXCEPT IN THE ABA B-2 CASINO AREA, SHALL BE SUBJECT TO THE DESIGN CRITERIA. EACH BUILDING'S ELEVATIONS SHALL BE FIRST SUBMITTED TO THE LANDLORD'S COORDINATING ARCHITECT FOR REVIEW AND APPROVAL. THEN A LETTER OF APPROVAL FROM THE LANDLORD'S COORDINATING ARCHITECT STATING HOW THE BUILDING CONFORMS TO THE DESIGN CRITERIA SHALL BE SUBMITTED ALONG WITH THE ELEVATION TO THE PLANNING DIRECTOR FOR REVIEW AND APPROVAL BY ADMINISTRATIVE AMENDMENT PRIOR TO ISSUANCE OF BUILDING PERMITS.
- OUTDOOR STORAGE / GARDEN CENTERS SHALL NOT BE PERMITTED ON THE EAST SIDE OF ANY BUILDING IN LOT 1, BLOCK 2 WITHIN 800' OF HIGHWAY 77 RIGHT OF WAY.
- STORM WATER ENERGY DISSIPATION IN THE FORM OF ROCK RIP RAP OR OTHER SUITABLE MATERIAL SHALL BE INSTALLED AT ALL STORM SEWER OUTLETS.
- ADDITIONAL RIGHT OF WAY SHALL BE DEDICATED TO THE NDOT TO ALLOW FOR RIGHT TURN LANES AS REQUIRED BY THE TRAFFIC STUDY.
- ~~ADDITIONAL~~ RIGHT OF WAY FOR S. 1ST STREET SHALL BE DEDICATED TO THE CITY OF LINCOLN BY DEEDS, OR FINAL PLAT.
- THE FUTURE BIKE TRAIL CROSSING AT THE INTERSECTION OF WEST DENTON ROAD AND SOUTH 1ST STREET SHALL BE AN AT GRADE CROSSING.
- ADDITIONAL SIDEWALK CONNECTIONS CONSISTENT WITH THE INCENTIVE CRITERIA OF THE CHAPTER 3.105 SECTION 3 OF THE CITY OF LINCOLN DESIGN STANDARDS TO BE APPROVED BY ADMINISTRATIVE AMENDMENT PRIOR TO APPROVAL OF THE FINAL PLAT.
- AN INITIAL LETTER OF MAP REVISION BASED ON FILE (LDMR-F) WILL BE SUBMITTED TO THE CITY OF LINCOLN AND FEMA FOR APPROVAL. TO REMOVE THE CASINO AND PARKING GARAGE SITES FROM THE FLOODPLAIN, ONCE APPROVED BY THE CITY OF LINCOLN AND SUBMITTED TO FEMA, LIMITED BUILDING PERMITS FOR THE CASINO AND PARKING GARAGE CAN BE APPROVED. FULL BUILDING PERMITS FOR THE CASINO AND PARKING GARAGE CANNOT BE APPROVED UNTIL THE INITIAL LDMR-F IS APPROVED BY FEMA. A SECOND LDMR-F WILL BE REQUIRED TO UPDATE THE FEMA FLOODPLAIN TO REFLECT THE GRADING OF THE HORSE TRACK AND BARN AREA. BUILDING PERMITS FOR THE BARN CANNOT BE APPROVED UNTIL SECOND LDMR-F IS APPROVED BY FEMA.**
- THE DEVELOPER SHALL BE PERMITTED TO COMPLETE THE GRADING IN PHASES, PROVIDED THAT ANY PHASED GRADING SHALL TEMPORARILY PROVIDE A RATIO OF THREE ACRE FEET OF MITIGATED FLOOD STORAGE VOLUME FOR EVERY ONE ACRE FOOT OF FLOOD STORAGE VOLUME IMPACTED. AT THE TIME ANY PORTION OF THE PROPERTY SOUTH OF WEST DENTON ROAD IS FINAL PLATTED, THE DEVELOPER SHALL SUBMIT A GRADING PLAN SHOWING THE COMPLETION OF A PERCENTAGE OF THE FLOOD STORAGE THAT IS PROPORTIONATE TO THE NUMBER OF DEVELOPABLE ACRES BEING FINAL PLATTED.
- THE ROUTING OF THE FORCE MAIN ADJACENT TO WILDERNESS PARK SHALL BE APPROVED BY THE ~~CITY OF LINCOLN~~ **CITY OF LINCOLN**.
- THE HORSE TRACK AREA IN THE B-2 CASINO PUD AREA WILL INCLUDE THE RACE TRACK, GRANDSTAND, CASINO, RESTAURANT FACILITY, HOTELS, CLUBHOUSE, PADDOCK, PARKING, BARN, CARE TAKERS RESIDENCE, TESTING BUILDING, AND OTHER NECESSARY STRUCTURES ASSOCIATED WITH A HORSE RACE TRACK AND CASINO.
- THE SITE PLAN FOR THE HORSE TRACK, CASINO, AND ACCESSORY BUILDINGS IS CONCEPTUAL AND MAY VARY AT TIME OF BUILDING PERMIT.
- THE HORSE PARK SHALL GAIN THE PERMITS NECESSARY FROM THE NDEQ, FOR APPROPRIATE STORAGE, DISCHARGE, AIR QUALITY, ETC FOR THE EQUESTRIAN WASTE.
- AN ADDITIONAL 20' OF CONSTRUCTION EASEMENT FOR THE FUTURE TRUNK SEWER WILL BE PROVIDED ALONG THE WEST TRUNK SEWER ALIGNMENT IF THE PROPERTY TO THE WEST HAS NOT BEEN FINAL PLATTED AND THE CITY REQUIRES THE EASEMENT FOR CONSTRUCTION OF THE TRUNK SEWER MAIN.
- SIDEWALKS ARE TO BE CONSTRUCTED ON WEST DENTON ROAD AND SOUTH 1ST STREET. THESE SIDEWALKS SHALL BE GRADED AND CONSTRUCTED TO MATCH FUTURE ROADWAY RIGHT OF WAY.
- ~~GRADES, DRAINAGE FACILITIES MAY BE REQUIRED TO MAINTAIN THE BUREAU HATCH SECTION DRAINAGE~~
- SIDEWALKS TO BE CONSTRUCTED ALONG S. 1ST STREET WHEN PUBLIC ROADWAY IMPROVEMENTS ARE INSTALLED. SIDEWALKS ALONG W. DENTON ROAD SHALL BE CONSTRUCTED WHEN S. FOLSOM STREET ROADWAY IMPROVEMENTS ARE INSTALLED. THE ACTUAL LOCATION OF THE SIDEWALKS SHALL BE COORDINATED WITH THE CITY.
- ALL CONSTRUCTION, GRADE CHANGES, AND OBSTRUCTIONS IN LES TRANSMISSION CORRIDORS REQUIRE LES APPROVAL.
- AN EASEMENT OR ROW WILL BE PROVIDED FOR THE EXISTING SANITARY SEWER BETWEEN GAILYN ROAD AND ROURABOUT OF SW 4TH AND AMARANTH LANE TO THE SATISFACTION OF THE PUBLIC WORKS & UTILITIES - WASTEWATER DEPARTMENT.
- THERE SHALL BE A CORRIDOR WITH EASEMENTS FOR A FUTURE SANITARY SEWER TRUNK LINE AS SHOWN, TO THE SATISFACTION OF THE PUBLIC WORKS & UTILITIES - WASTEWATER DEPARTMENT.
- TRAFFIC SIGNS AND SIGALS TO DISPLAY RACE RESULTS AND WILL BE COUNT AS SIGAGE ON PROPERTY AND THERE WILL BE NO LIMIT TO TOTE BOARD SIZE AS LONG AS ADVERTISING IS NOT VISIBLE FROM PUBLIC RIGHT OF WAY.

SHEET INDEX

- | | |
|-------|--|
| 1 | COVER SHEET |
| 2-3 | SITE PLAN |
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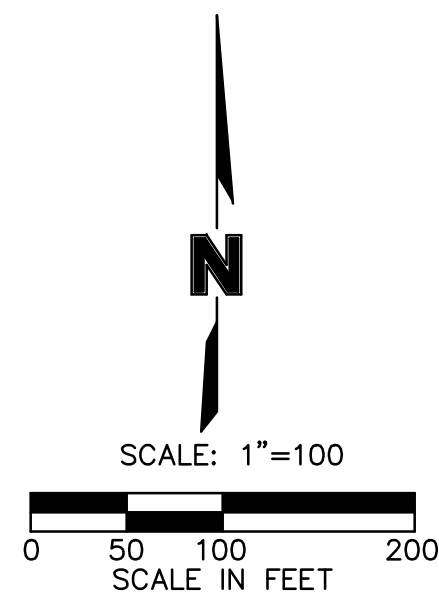
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checked by: ESB
approved by: ESB
QA/QC by: ESB
project no.: 021-00589
drawing no.:
date: 01/20/2021

SHEET
1 OF 20

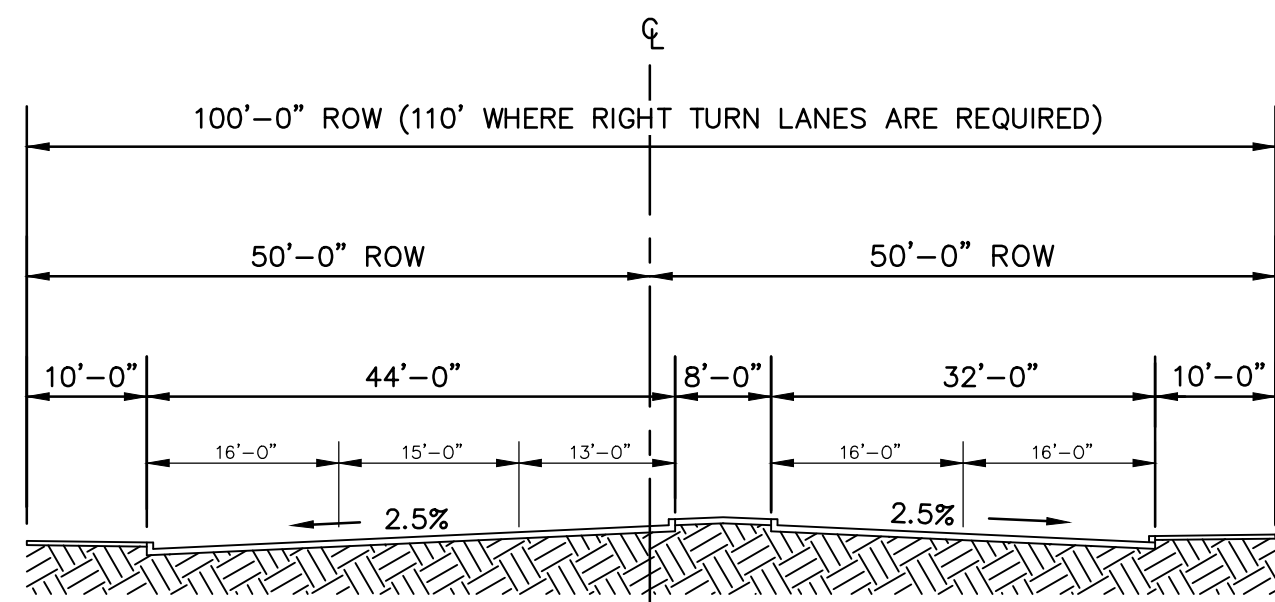
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USER: ebright

LEGEND

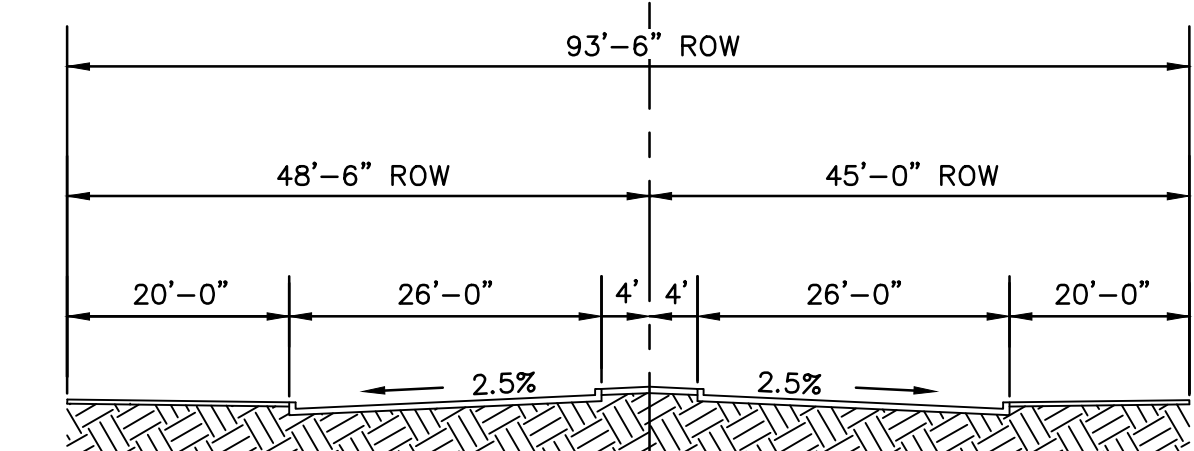
- BUILDABLE AREA OF EACH LOT
- RIGHT OF WAY TO BE DEDICATED
- EXISTING RIGHT OF WAY TO BE VACATED
- PROPOSED WATER MAIN
- PROPOSED SANITARY SEWER
- SANITARY SEWER MANHOLE
- FIRE HYDRANT
- WATER VALVE
- RIGHT OF WAY
- PROPERTY BOUNDARY
- BUILDING SETBACK
- UTILITY EASEMENT
- PAVEMENT CENTERLINE
- LIGHT POLE
- UTILITY POLE/OVERHEAD TRANSMISSION POLE
- GUY WIRE
- TREE
- TREE MASS



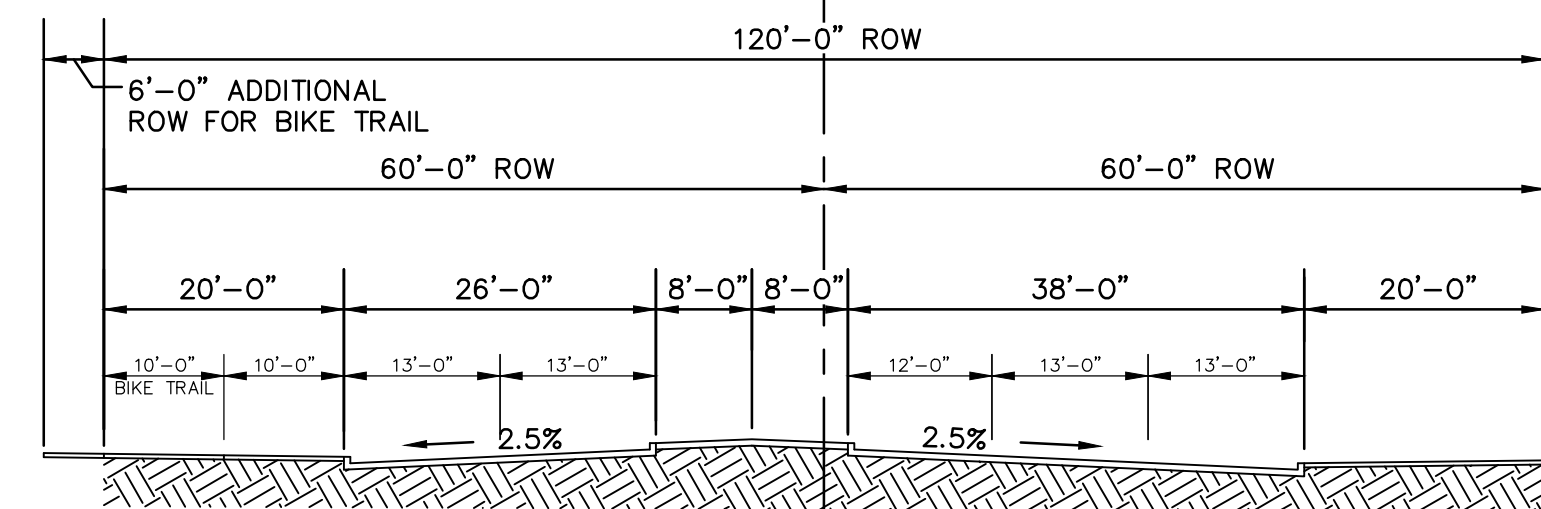
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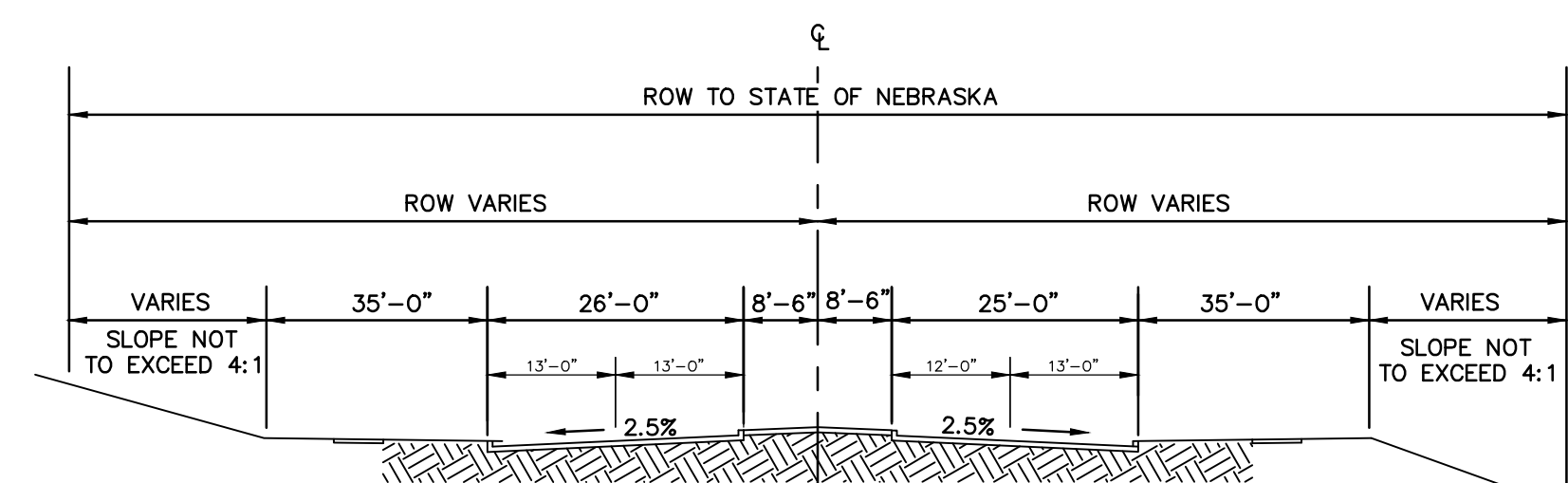
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R.O.W. SECTION
NOT TO SCALE



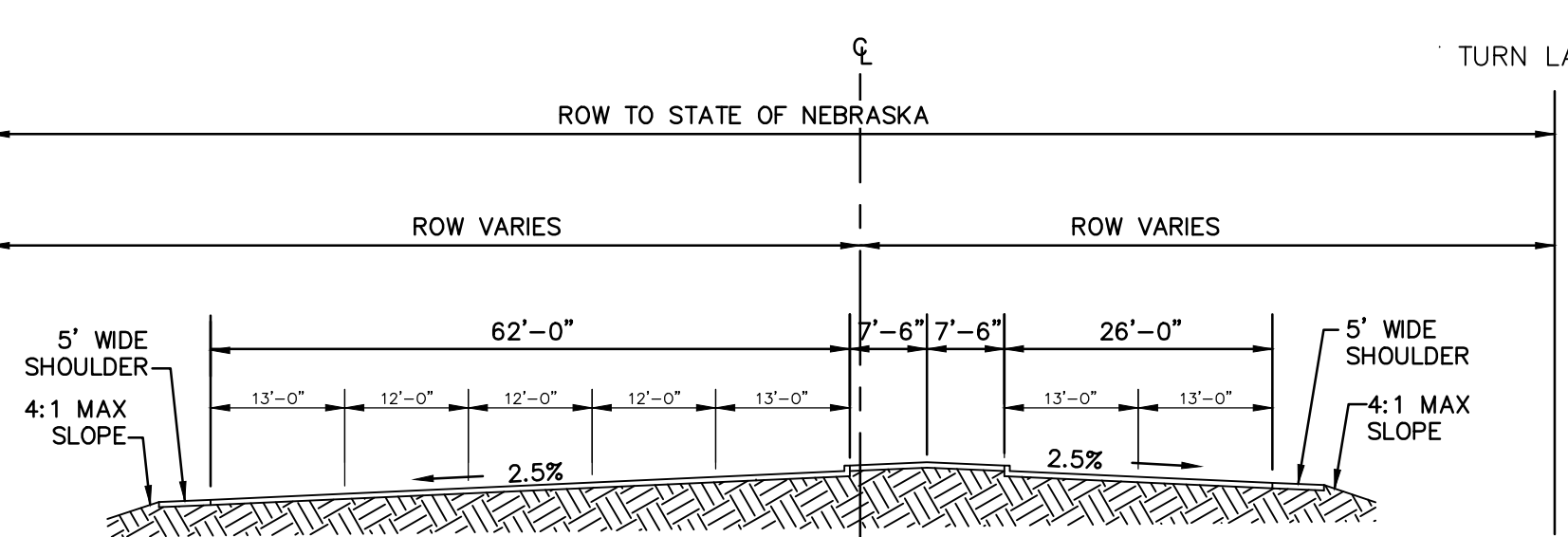
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R.O.W. SECTION
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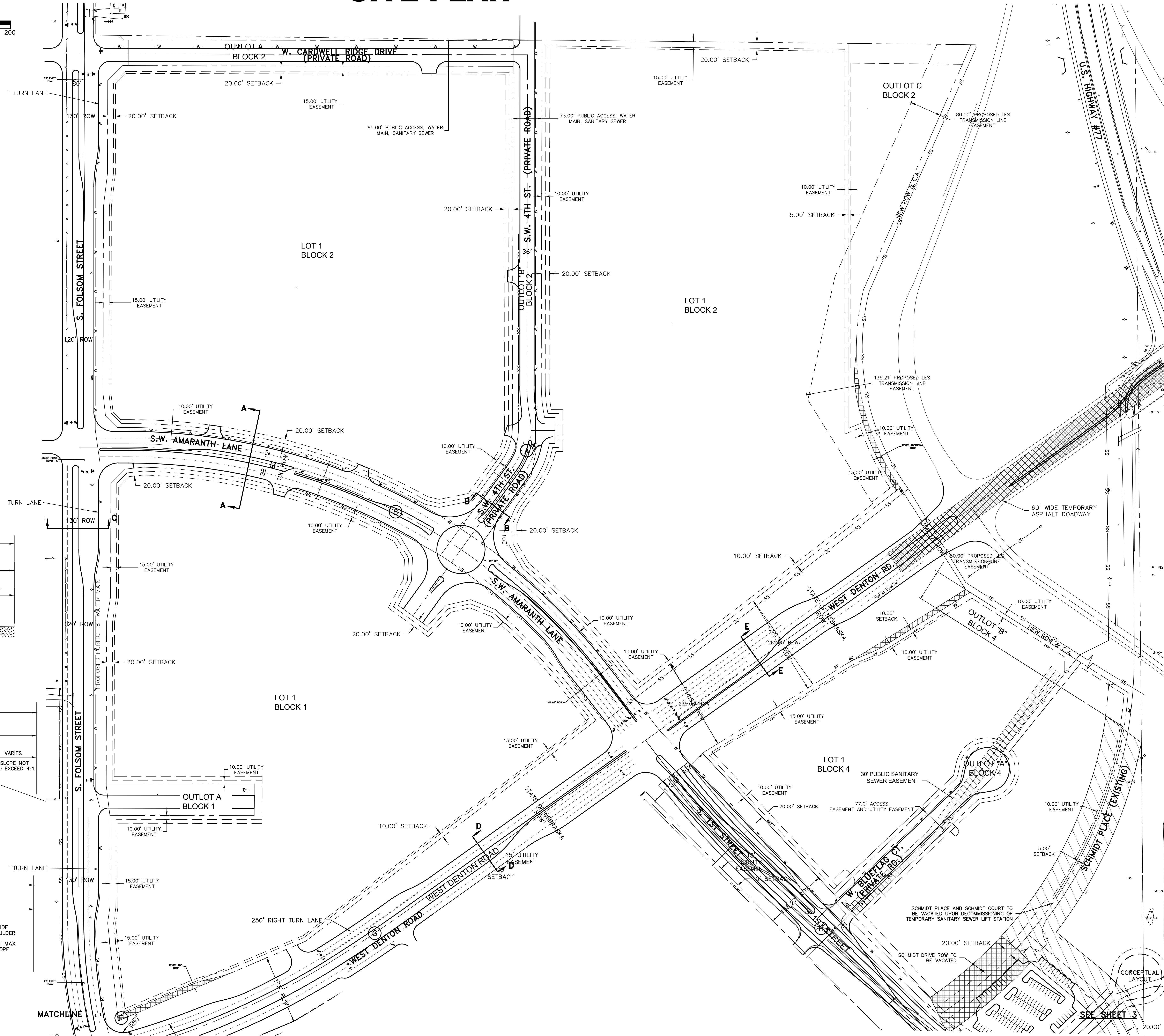
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R.O.W. SECTION
NOT TO SCALE



SECTION D-D W. DENTON RD.
R.O.W. SECTION
NOT TO SCALE



SECTION E-E W. DENTON RD.
R.O.W. SECTION
NOT TO SCALE



REVISIONS			SHEET	
REV	NO.	DESCRIPTION	2 OF 20	
1	02/27/2021	PUD AMENDMENT FOR CASINO USE		

SITE PLAN
(NORTH OF W. DENTON RD.)

SOUTHWEST VILLAGE
AMENDMENT TO P.U.D.

drawn by: GHB

checked by: ESB

approved by: ESB

QA/QC by: ESB

project no.: 021-00589

drawing no.: 01/20/2021

LINCOLN, NE

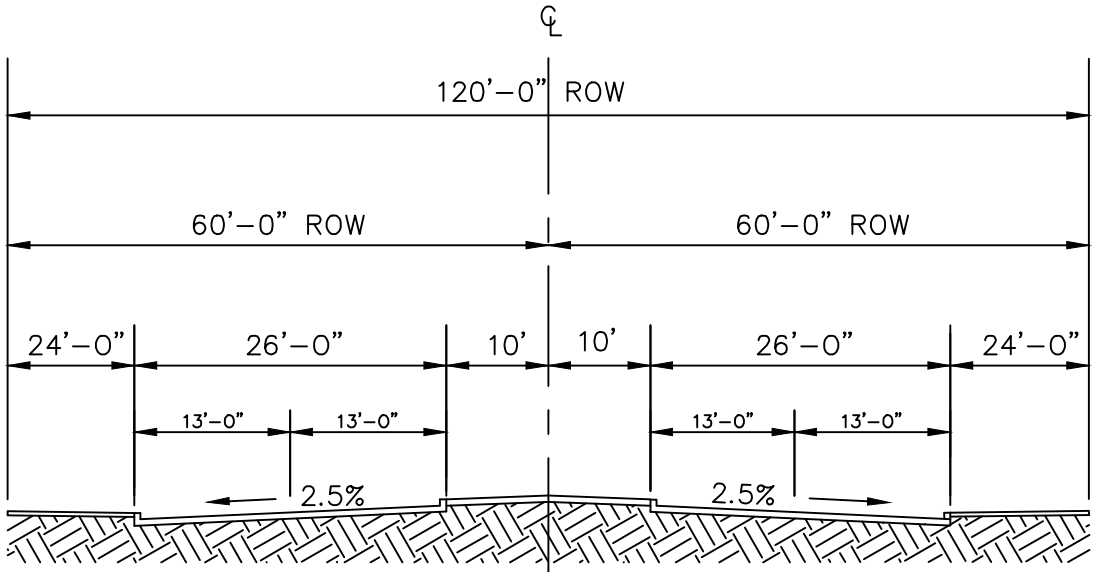
2021

SOUTHWEST VILLAGE

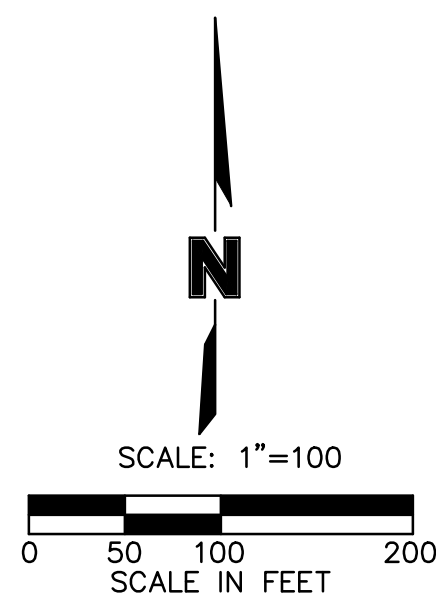
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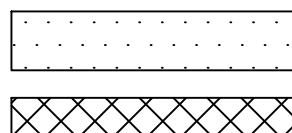
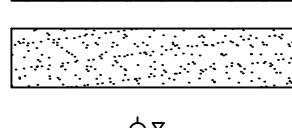
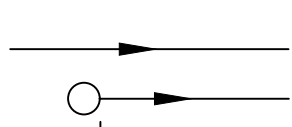
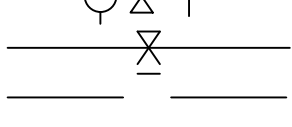
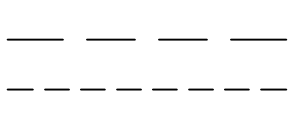
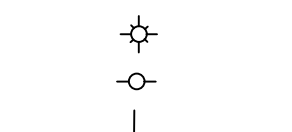
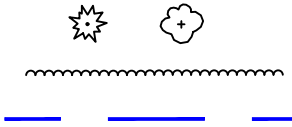




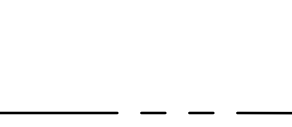






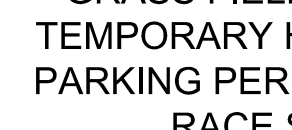

SITE PLAN

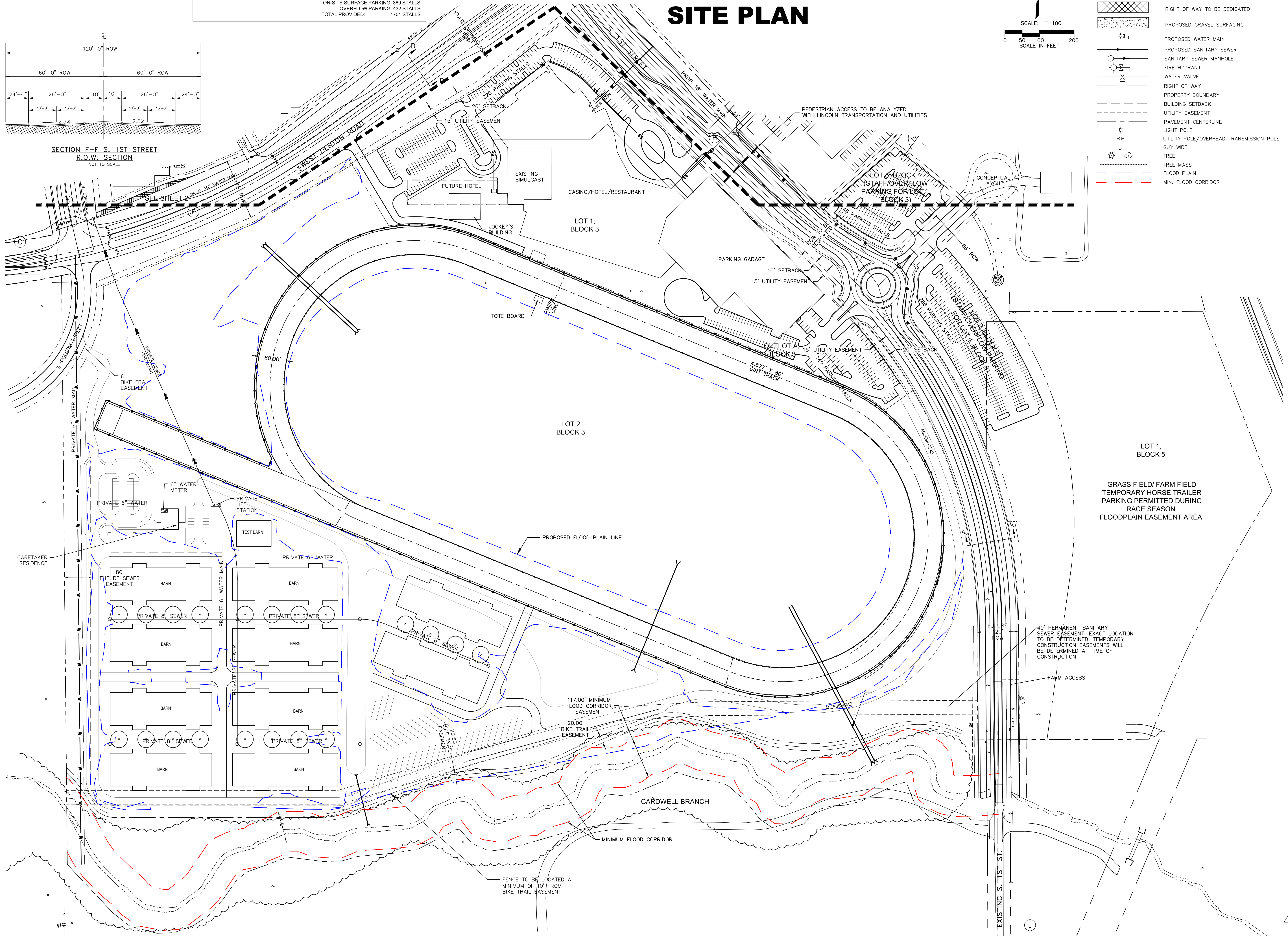
AG AREA PARKING TABLE		
CASINO RESORT:	1210 GAMING POSITIONS @ 1 STALL/POSITION	TOTAL REQUIRED: 1210 STALLS
PROPOSED PARKING:		GARAGE: 900 STALLS ON-SITE SURFACE PARKING: 369 STALLS OVERFLOW PARKING: 432 STALLS <u>TOTAL PROVIDED:</u> 1701 STALLS



SECTION F-F S. 1ST STREET
R.O.W. SECTION



	BUILDABLE AREA OF EACH LOT
	EXISTING RIGHT OF WAY TO BE VACATED
	RIGHT OF WAY TO BE DEDICATED
	PROPOSED GRAVEL SURFACING
	PROPOSED WATER MAIN
	PROPOSED SANITARY SEWER
	SANITARY SEWER MANHOLE
	FIRE HYDRANT
	WATER VALVE
	RIGHT OF WAY
	PROPERTY BOUNDARY
	BUILDING SETBACK
	UTILITY EASEMENT
	PAVEMENT CENTERLINE
	LIGHT POLE
	UTILITY POLE/OVERHEAD TRANSMISSION POLE
	CUY WIRE
	TREE
	TREE MASS
	FLOOD PLAIN
	MIN. FLOOD CORRIDOR



olsson

P.O. Box 84608
Lincoln, NE 68508

REVISIONS

SITE PLAN
(NORTH OF W. DENTON RD.)

SOUTHWEST VILLAGE
AMENDMENT TO SUB

2021

drawn by: _____ DH
checked by: _____ ES
approved by: _____ ES
QA/QC by: _____ ES
project no.: 021-005
drawing no.: _____
date: 01/20/20

SHEET
OF 20

Southwest Village Planned Unit Development

DEVELOPMENT PLAN

Warlick Boulevard
& US Highway 77 Area

_____, 2021

Introduction

Southwest Village Planned Unit Development ("PUD") is located near U.S. Highway 77 and Warlick Boulevard. The PUD is intended to provide planned residential, office, retail, services, hotel and light industrial facilities as a mixed-use employment and commercial center in an attractive setting. The mixed use area would protect the 100 year flood prone areas and provide open space and other public amenities through the protection of a written conservation easement. The PUD is authorized and submitted as a planned unit development district pursuant to Chapter 27.60 of the Lincoln Municipal Code, as may be amended from time to time. The PUD includes three sub-areas:

- B-2 Area
- I-3 Area
- B-2 Casino Area

The attached Site Map shows the property subject to the PUD ("Property") and the three overlay sub-areas. Except as noted on the PUD, the buildings located within the Property are required to comply with the Architectural Design Standards that are attached hereto as Exhibit "A".

Development Plan

This Development Plan for the Southwest Village PUD ("Development Plan") describes the regulatory land use provisions. The Development Plan is comprised of two parts: PUD Regulations and PUD Permit.

Part 1. PUD Regulations: The PUD Regulations have the following four sections:

- 1a. **Property PUD:** Regulations applicable for the entire Property comprising the Southwest Village PUD;
- 1b. **B-2 Area:** Regulations applicable to those portions of the Property marked B-2 Area;
- 1c. **I-3 Area:** Regulations applicable to those portions of the Property marked I-3 Area; and
- 1d. **B-2 Casino Area:** Regulations applicable to those portions of the Property marked B-2 Casino Area.

The PUD Regulations contain various references to Lincoln Municipal Code ("L.M.C.") provisions and corresponding City of Lincoln Design Standards ("Design Standards").

Part 2. PUD Permit: Architectural and engineering site maps and illustrations of the uses of the Property, including corresponding notes, shall apply to the Property ("PUD Permit").

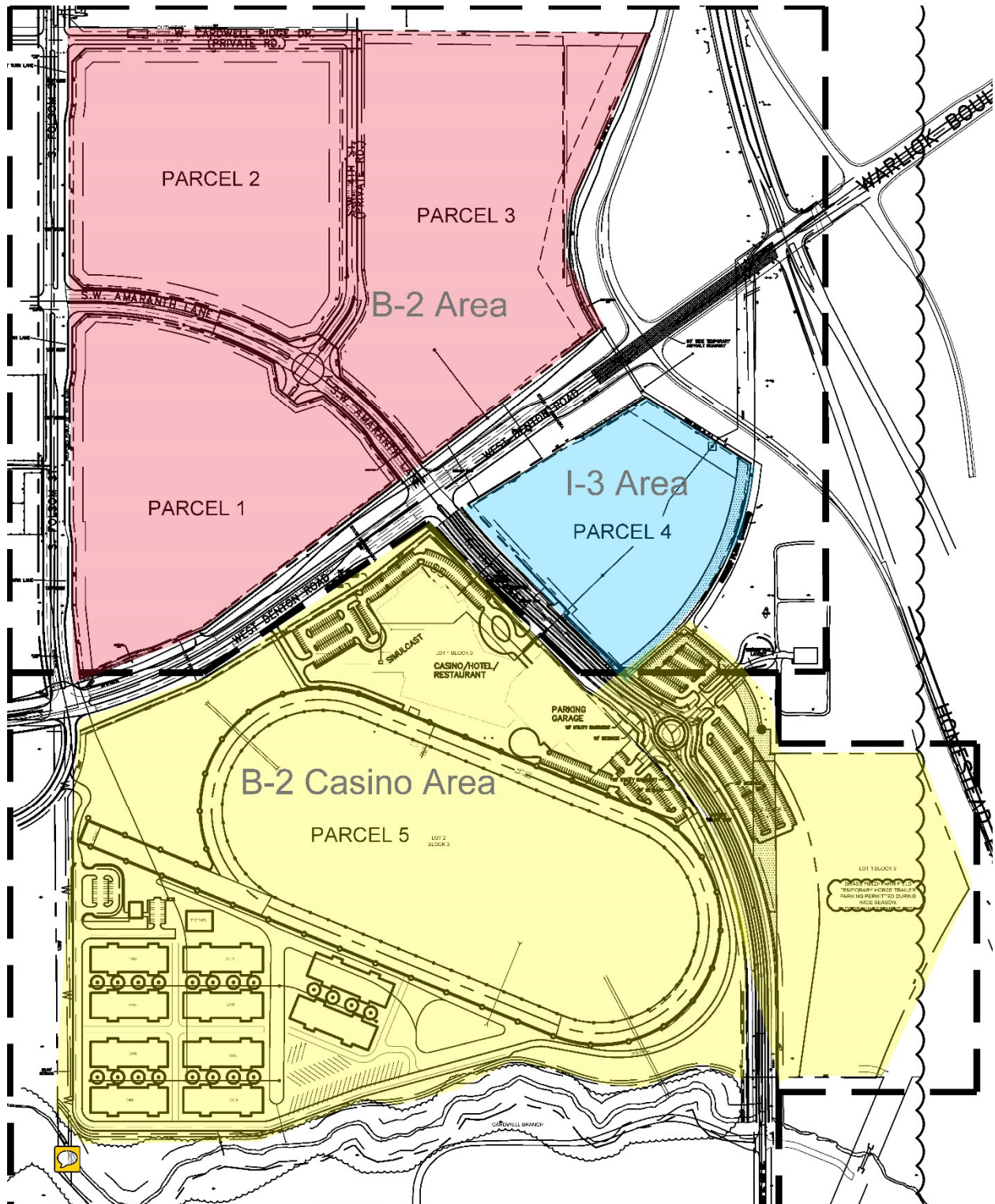
The Development Plan components modify the use limitations and regulations of the L.M.C. The Development Plan is designed to regulate buildings on private properties to shape the public realm and help create quality streets, plazas, open space and other public spaces.

Southwest Village PUD

The Southwest Village PUD is authorized and approved as a planned unit development district pursuant to Chapter 27.60 of the L.M.C., as may be amended from time to time. A separate use permit is not necessary or required to permit any use permit use. This Southwest Village PUD will replace any required use permit under the L.M.C. and any applicable ordinances, regulations, codes, and design standards. Unless otherwise stated herein, a separate special permit is not required for any permitted special use.

After approval of the Southwest Village PUD, building permits, certificates of occupancy and final plats of the property will be issued or approved upon general compliance with the Development Plan as approved, or as amended. In circumstances where there are minor variations from the Development Plan, the Planning Director or his/her designee, shall review the proposal and determine if the proposal is in general conformance with the spirit and intent of the approved PUD. After the City Council has approved the PUD, the Planning Director is authorized to approve amendments to the Development Plan pursuant to L.M.C. §27.60.060. In circumstances where there are conflicts between the PUD Regulations and the PUD Permit, the PUD Permit shall control.

Site Plan



Part 1:PUD Regulations

The PUD Regulations are comprised of four sections:

- 1a. **Property PUD:** Regulations applicable for the entire Property comprising the Southwest Village PUD;
- 1b. **B-2 Area:** Regulations applicable to those portions of the Property marked B-2 Area;
- 1c. **I-3 Area:** Regulations applicable to those portions of the Property marked I- 3 Area; and
- 1d. **B-2 Casino Area:** Regulations applicable to those portions of the Property marked B-2 Casino Area.

Part Ia: Property PUD - General Regulations

These General Regulations are applicable for the entire Property comprising the Southwest Village PUD. Should the terms of these General Regulations and the Area Regulations conflict, these General Regulations shall control.

- (a) **General Regulations.** Any development, including building and open land uses, except farming and the sale of farm products, shall be prohibited on the Property prior to the approval of a PUD Permit in conformance with the requirements of this Development Plan.
- (b) **Use Regulations.** Uses within each parcel of the PUD Areas shall be a mix of uses and shall be governed by the following land use charts:

(1) PUD Land Uses

Uses	Floor Area (Square Feet)
Commercial (including casino complex)	980,000 sf
Residential	700 Dwelling Units
Hotel	650 Rooms
Horse Racing Track, Grandstand, Horse Barns and Related Facilities	As shown on the site plan

- (2) Land Uses by Parcel. The overall approved land uses in the PUD have been designated and assigned to specific parcels in the PUD area as set forth on the following land use charts:

B-2 Area - Parcel 1	
Uses	Floor Area (Square Feet)
Residential	200 Dwelling Units
Commercial	150,000 sf

B-2 Area - Parcel 2	
Uses	Floor Area (Square Feet)
Commercial	225,000 sf

B-2 Area - Parcel 3*	
Uses	Floor Area (Square Feet)
Residential	250 Dwelling Units
Commercial	250,000 sf
- OR -	
Residential	500 Dwelling Units
Commercial	100,000 sf

* The total overall commercial and residential uses approved for the PUD include the maximum commercial area and residential units for Parcel 3, but the development of Parcel 3 will be some combination as set forth above.

I-3 Area – Parcel 4	
Uses	Floor Area (Square Feet)
Hotel	250 Rooms
Commercial/Industrial	130,000 sf

B-2 Casino Area – Parcel 5	
Uses	Floor Area (Square Feet)
Casino Complex includes: 1210 Gaming Positions, 200 Hotel Rooms, Restaurant, Retail, Event Center	225,000 SF Casino 200 Hotel Rooms
Future Hotel	200 rooms
Horse Racing Track, Grandstand, Horse Barns and Related Facilities	As shown on Site Plan

(i) For purposes of the specific regulations described in this section, hotels and motels, up to the maximum number of allowed rooms, shall not be counted towards the commercial numbers stated in paragraph (c) above.

(ii) For purposes of the specific regulations described in this section, dwellings located above the first story of a building shall not be counted as part of the approved number of dwelling units permitted in paragraph (c) above, if the first story of the building is used for a nondwelling use.

(c) Specific Regulations.

(1) The pedestrian system within the PUD will provide several entry points from the adjacent streets and adequate internal circulation for pedestrians and shall meet the City of Lincoln Pedestrian Design Standards.

(d) Subdivision.

(1) Southwest Village PUD Permit shall be deemed a preliminary plat.

(2) The PUD Permit shall meet the definition and usage of preliminary plat as that term is used in the L.M.C. The Development Plan includes the general form and contains the information typically required of a preliminary plat. The Planning Director may add or delete any informational requirements in order to determine potential impacts.

(3) Lot lines and lot numbers do not need to be submitted with the Southwest Village PUD. A total maximum number of dwelling units is stated on the Southwest Village PUD. Instead, lot lines and lot numbers will be submitted with the final plat(s) and no amendments to the PUD will be necessary. The Southwest Village PUD, in conjunction with the final plat(s), will conform to the requirements of Chapter 26.15.

(4) Section 26.11.030 (b), (c) and (d), Staff Review of Preliminary Plat, shall not apply. Instead, per the PUD Ordinance (27.60.040) upon filing of a development plan, together with all maps, data and information required, the application shall be reviewed and a staff report

shall be prepared for the Planning Commission.

(5) Section 26.11.110, Responsibilities for Improvements in Collector and Major Streets, is hereby modified so that the subdivider shall not have any responsibilities for Major Streets, except for the payment of Impact Fees or any alternative sums as provided in the Southwest Village Annexation Agreement.

(6) The property may be subdivided into lots of record, including horizontal air rights subdivision, provided the lots comply with the City Design Standards.

(e) Development Plan Standards.

(1) Pursuant to Section 26.23.125, Pedestrian Ways, block lengths may exceed 1000' in areas where the Southwest Village PUD is attempting to avoid crossing or connecting through the minimum flood corridor, conservation easement area, or Highway 77 as shown in the Southwest Village PUD and will not require a pedestrian way easement.

(2) Pursuant to Section 26.23.130, Block Sizes, block lengths may exceed 1320' in areas where the Southwest Village PUD is attempting to avoid crossing the minimum flood corridor, conservation easement area, or Highway 77 as shown in the Southwest Village PUD.

(3) Pursuant to Section 26.23.140, Lot, Southwest Village PUD's side lines of lots will be set to provide the best buildable area based on street patterns, conservation easement areas, Highway 77 and amenities on the site.

(f) Sewer Design Standards.

(1) Sanitary Design Sewer Design Standards, Section 2, Sanitary Sewer Policies Section shall be modified to allow a temporary force main and pump that is designed and operated pursuant to the City's temporary force main and pump policies.

(g) Parking.

(1) Parking within the PUD shall be regulated in conformance with Chapter 27.67.

(i) All parking within the B-2 Area shall be regulated in conformance with the B-2 Planned Neighborhood Business District.

(ii) All parking within the I-3 Area shall be regulated in conformance with the I-3 Employment Center District.

(iii) All parking within the B-2 Casino Area shall be regulated in conformance with the B-2 Planned Neighborhood Business District.

(2) Parking spaces are permitted in any required rear yard; provided that there shall be a six (6) feet minimum landscape buffer between the lot line and the parking spaces.

(3) Notwithstanding any contrary provision stated in the L.M.C., all required B-2 Area and I-3 Area parking spaces shall be provided either (i) on the same lot as the use for which they are required, (ii) off-premise in the cross-parking easement area or (iii) shared parking pursuant to Chapter 27.67.

(4) Required parking for a Casino Complex use shall be 1:1 per gaming station.

(h) Signage.

(1) Off-premise signs (billboards) are prohibited within all areas of the PUD, except that freestanding signs which serve to advertise conducted business within the PUD but are off the premise on which the freestanding sign is located are permitted within the

PUD. This provision does not allow any additional signs beyond the number allowed in the B-2, I-3 and B-2 Casino Areas.

(2) All wall signs shall be individual can letters. Color of letters is up to the Building Owner or Tenant.

(3) All freestanding and center identification signs will have the appearance of a solid base. The width of such base shall be at least one-third (1/3) of the maximum width of the sign. The base shall be of a non-porous material such as metal, brick or stone.

(4) Signage within the PUD shall be regulated in conformance with Chapter 27.69 relating to the B-2 Planned Neighborhood Business District, except that freestanding signs shall be governed by the following table:

AREA	SIGN TYPE	NUMBER OF PERMITTED SIGNS	INSIDE THE FRONT YARD	OUTSIDE THE FRONT YARD
B-2	FREESTANDING	1 per main building (The casino, casino parking structure, simulcast building, grandstand and stables may each be considered a main building for signage purposes.)*	50 sq. ft. 12 ft. tall	100 sq. ft. 18 ft. tall
I-3	FREESTANDING	1 per business per frontage	50 sq. ft. 12 ft. tall	100 sq. ft. 18 ft. tall
	AND			
AG	CENTER	1 along West Denton Road or Southwest 1st Street frontage	50 sq. ft. 12 ft. tall	150 sq. ft. 35 ft. tall
B-2	CENTER	1 along West Denton Road frontage, 1 along Folsom Street frontage north of Amaranth Lane, and 1 along Highway 77 frontage	50 sq. ft. 12 ft. tall	150 sq. ft. 35 ft. tall
I-3	CENTER	1 along West Denton Road or Southwest 1 st Street frontage	50 sq. ft. 12 ft. tall	150 sq. ft. 35 t. tall

(5) Notwithstanding anything to the contrary contained herein, the signage plan for the

Casino Complex attached hereto as Exhibit “B” shall be used for in questions of interpretation and intent of any sign provisions and waivers. The Planning Director may adjust the provisions of Chapter 27.69 to permit the signs as approved in the PUD.

- (6) Signs shall be permitted in the required front yard setback in the B-2 Casino Area, provided said signs must be outside of any sight triangles or shown not to obstruct views from motor vehicles.
- (i) Chapter 2.00 Sanitary Sewer Design Standards.
 - (1) Pursuant to Section 3, Design and Construction, no manholes shall exceed 15' deep and no sewer mains shall exceed 18' in depth, except for those sections of line extending under the U.S. Highway 77 and Warlick Boulevard interchange improvements.
- (j) Pursuant to Section 2, Policies, the distance between intersections of streets along the major streets will be a minimum of 1,000 feet and a maximum of a quarter mile, except for the section of major street between the Warlick Boulevard and South 1st Street intersection and the Cardwell Lane and South 1st Street intersection, which will be a minimum of 800 feet.
- (1) **Architectural Design Standards.**
The buildings located within the PUD shall comply with and be subject to the Architectural Design Standards that are attached hereto as Exhibit "A".
- (m) **Grading and Land Disturbance Regulations.**
Grading and land disturbance shall be regulated in conformance with the provisions of Chapter 27.81 of the L.M.C.

Part Ib: B-2 Area

Regulations applicable to those portions of the Property marked B-2 Area.

B-2 Area

This area is intended to provide a developing area for planned retail, service and office uses to serve neighborhoods. This area includes a PUD Permit to provide for the integration of the business area with adjacent residential areas and thus reduce the adverse impact on residential areas through enhanced design.

1. Scope of Regulations.

The regulations set forth in this chapter, or set forth elsewhere in this title when referred to in this chapter, are the regulations in the B-2 Area

2. General Purpose.

The regulations for the B-2 Area set forth in this chapter are established to permit the development of local retail shopping, services and office facilities and related activities which will provide for planned and controlled consumer services on a neighborhood level, promote healthful economic growth, create a desirable environment, best complement the general land use pattern of the community, and assist in implementing the established goals and policies of the community

3. Permitted Uses.

All permitted uses, permitted conditional uses and permitted special uses allowed within the B-2 Planned Neighborhood Business District, as it currently exists and as it may be amended from time to time, shall be permitted uses within the B-2 Area. A building or premises in the B-2 Area may be used for any permitted use.

4. Accessory Uses.

Accessory uses permitted in the B-2 Area are accessory buildings and uses customarily incident to the permitted uses.

5. Height and Area Regulations.

The maximum height and minimum lot requirements within the B-2 Area shall be per Chapter 27.72 Height and Lot Regulations relating to the B-2 Planned Neighborhood Business District, with the exception of: (1) the required front yard, which shall be as shown on the Southwest Village PUD Site Plan, and (2) multi-family structures on B-2 Area – Parcel 3, which may be up to 55' in height.

Part Ic: I-3 Area

Regulations applicable to those portions of the Property marked I-3 Area.

I-3 Area

1. Scope of Regulations.

The regulations set forth in this chapter, or set forth elsewhere in this title when referred to in this chapter, are the district regulations in the I-3 Area.

2. General Purpose.

The regulations for the I-3 Area set forth in this chapter are established to permit the development of attractive office and light industrial facilities as employment centers for location of plant facilities or headquarters of major employers. The I-3 Area is also intended to provide such employment centers with the surrounding support uses, including complementary office and retail use complementing the general land use pattern of the community and assisting the implementation of the adopted goals and policies of the community.

3. Use Regulations.

(a) A building or premises in the I-3 Area may be used for any permitted use allowed within the I-3 Employment Center District, as it currently exists and as it may be amended from time to time.

(b) A building or premises in the I-3 Area may be used for any permitted conditional use within the I-3 Employment Center District, as it currently exists and as it may be amended from time to time, that conforms with the conditions prescribed in the I-3 Employment Center District.

(c) A building or premises in the I-3 Area may be used for any permitted special use allowed within the I-3 Employment Center District, as it currently exists and as it may be amended from time to time, provided that a special permit for such use has been obtained in conformance with the requirements of the I-3 Employment Center District and L.M.C. Chapter 27.63, with the exception of the sale of alcoholic beverages for consumption on the premises and the sale of alcoholic beverages for consumption off the premises, which uses shall be permitted uses in the I-3 Area.

4. Accessory Uses.

Accessory uses permitted in the I-3 Area are accessory buildings and uses customarily incident to the permitted uses, except that early childhood care facilities and schools are not a permitted accessory use to a church in the I-3 Area. Accessory uses involving the open storage of materials or other articles shall only be allowed in areas enclosed or otherwise adequately screened from public view with an enclosure or screen at least six feet in height.

5. Height and Area Regulations.

The maximum height and minimum lot requirements within the I-3 Area shall be per Chapter 27.72 relating to the I-3 Employment Center District, with the exception of the required front yard, which shall be as shown on the Southwest Village PUD Site Plan.

Part Id: B-2 Casino Area

Regulations applicable to those portions of the Property marked B-2 Casino Area.

B-2 CASINO AREA

1. Scope of Regulations.

The regulations set forth in this chapter, or elsewhere in this title when referred to in this chapter, are the district regulations in the B-2 Casino Area except as otherwise noted in the PUD.

2. Permitted Uses.

A building or premises shall be permitted to be used for the following purposes in the B-2 Casino Area:

- (a) Agriculture, except confined feeding facilities for livestock or poultry;
- (b) Horse racing track, grandstand, and related facilities;
- (c) Breeding, raising, management, and sale of horses;
- (d) Stables and riding academies;
- (e) Public uses: including but not limited to public parks, playgrounds, golf courses, and recreational uses; fire stations; public elementary and high schools, or private schools having a curriculum equivalent to a public elementary or public high school; and public utilities and utility distribution systems;
- (f) Stores and shops for sale of goods and merchandise at retail;
- (g) Restaurants;
- (h) Broadcast towers;
- (i) Pet cemeteries;
- (j) Veterinary facilities;
- (k) Recreational facilities;
- (l) Clubs;
- (m) Sale of alcoholic beverages for consumption on and off the premises;
- (n) Caretaker residence to be used in connection with the horse racing track and related facilities.

3. Permitted Conditional Uses.

A building or premises may be used for the following purposes in the B-2 Casino Area in conformance with the conditions prescribed herein:

- (a) Tents and other temporary structures: Tents or other temporary structures shall be permitted for the temporary or seasonal sales of goods at retail under the following conditions:
 - (1) A tent or other temporary structure shall not reduce the amount of on-site parking to less than the minimum required;
 - (2) A tent or other temporary structure shall not remain on the premises for

more than 180 consecutive days;

(3) A tent or other temporary structure shall comply with all applicable building and life safety codes;

A tent or other temporary structure need not be shown on the approved use permit site plan.

(b) Excavation shall be permitted under the conditions set forth below. The use may include and permit stone milling to be conducted as an accessory use to the excavation operation. For purposes of this section, excavation shall mean the removal of clay, soil, limestone, sandstone, sand, or gravel from the earth on a project site in excess of one acre by excavating, stripping, leveling, or any other process together with all other types of mining and quarrying operations for material that is removed from the earth. Excavation shall not include grading of land in accordance with an approved preliminary plat, building permit, or normal farming practices. Stone milling shall mean the crushing, cutting, grinding, or otherwise processing of minerals associated with an excavation operation. Not all of the conditions will apply to pre-existing, long-term excavation sites.

a. An application for excavation use shall be accompanied by the following information:

1. A legal description of the proposed site;
2. A site plan drawn to scale that includes but is not limited to identifying proposed vehicle and equipment storage areas and entrance and exit locations to the operation;
3. A map showing the site location and the location of private access roads, existing or proposed, and public roads and highways adjacent to the site which will be affected by the operation;
4. A grading map showing existing contours, proposed excavation contours, proposed final grade contours, and excavation volumes;
5. A full and adequate description of all phases of the contemplated operation and the specific listing of the type of machinery and equipment which will be or might be used to carry on the operation;
6. A groundwater report from a groundwater hydrologist in cases where proposed operations are: (i) within 1,000 feet of any off-site private well, (ii) within 2,000 feet of a community well, or (iii) designed to result in an excavated area that does not drain to a lower area (i.e. a "hole"). The report should demonstrate that the operation and ultimate grading will not negatively impact nearby wells by draw-down or contamination, and/or that monitoring wells will be installed to provide early warning of any such impact; where a pond or lake is proposed, the groundwater report shall also demonstrate that adequate water will be supplied via runoff and/or wells to maintain it as a functioning and attractive year-round water feature.
7. Reclamation plans for returning the site to agricultural use approved by a local official of the Federal Department of Agriculture Natural Resources Conservation Service as meeting the standards of the "Farm Bill Compliance."

b. Erosion controls, including retention and sediment basins shall be provided during excavation in conformance with state and federal standards and City land erosion and sediment control regulations to prevent a change in the character of runoff onto adjacent

land.

c. No more than twenty (20) acres of the site shall be open for operations at any one time. The surface shall be maintained in such a manner that surface waters do not collect and pond, unless specifically approved by the City. Underground drainage may be supplied if it connects to an existing drainage facility and is satisfactory to the City.

d. Topsoil shall be collected and stored for redistribution on the site at the termination of the operation or termination of each phase.

e. Excavation shall be conducted in such a way as not to constitute a hazard to any persons, nor to the adjoining properties. Dust shall be controlled on-site to meet Lincoln-Lancaster County Air Pollution Control Program Regulations. In addition, the Health Department may require dust control on unpaved perimeter roads.

f. Safety screening may be required at the outer boundary of the site. Visual screening through setbacks, berming and other techniques may also be required where said boundary is adjacent to residential or park land, school property, or at major entryways/corridors into a city, town or village.

g. Operating hours shall be limited to daylight hours, Monday through Saturday.

h. A sign shall be posted and maintained at the entrance to the site. The sign shall be:

1. Clearly visible from the adjacent road;
2. At least 32 square feet in area;
3. Lettering shall be at least two inches in height, black on a white background;
4. The sign shall list:
 - i. The name, contact phone, and email address for the land owner;
 - ii. The name, contact phone, and email address for the operator/ contractor;
 - iii. The Building and Safety Department contact number.

i. The County or City Engineer may require installation of traffic signs to warn motorists of excavation operations and truck traffic.

j. The applicant will take appropriate measures, such as street sweeping or "rumble bars" as specified by the County or City Engineer to minimize mud or dirt tracking onto streets and roads on a continuing (daily) basis during operation.

k. Upon completion of all conditions, the Permittee shall request the Director of Building and Safety to issue a certificate of operation. Permittee shall not begin operations until it has received said certificate of operation. The certificate of operation shall not be issued by the Director of Building and Safety until the Director has inspected the premises, reviewed documentation and evidence of completion of the conditions which shall be provided by the applicant, and has found that all conditions, that were to be completed before beginning operations, have been complied with. Any amendment approved subsequent to the issuance of a certificate of operation shall require the issuance of a new certificate of operation which shall not be issued until the Director of Building and Safety has ascertained that any terms, conditions and requirements of the amendment have been complied with.

Table 27.07.080(a)							
	Lot Area	Avg. Lot Width	Frontage	Req'd Front Yard	Req'd Side Yard	Req'd Rear Yard	Height
All Permitted Uses	14 acres	550'	550'	*	50'	50'	40'***

*The required front yard setbacks are shown on the Southwest Village PUD Site Plan.
 **Except (i) as otherwise limited by the Architectural Design Standards, (ii) a grandstand associated with a horse racing track may be up to 70' in height, (iii) a hotel in a casino complex may be up to 100' in height, and (iv) a casino may be up to 50' in height.

Exhibit "A"

ARCHITECTURAL DESIGN STANDARDS

**Southwest Village PUD
Warlick Boulevard & U.S. Highway 77
Lincoln, Nebraska**

1. DESIGN REVIEW PROCESS

All buildings within the Southwest Village PUD shall be subject to the Architectural Design Standards. Each building's elevation shall be first submitted to the Developer's Coordinating Architect for review and approval. Then a letter of approval from the Developer's Coordinating Architect (which shall describe how the elevations conform to the Architectural Design Standards) along with the building elevations shall be submitted to the Planning Director for review and approval, prior to issuance of a building permit. The Planning Director may waive any requirement described herein or approve building that may not meet the specific requirements of the Architectural Design Standards, but are consistent with sound community urban design elements.

2. DEFINITIONS

Appearance. The outward aspect visible to the public.

large rear door access and a retail appearance to the front.

Bufferyard. A landscaped area intended to separate and partially obstruct the view of two adjacent land uses or properties from one another. Various built landscape features maybe included within the bufferyard that may include pedestrian walkways, retaining walls signage or utilities.

Landscape. Plant materials, topography, and other natural physical elements combined in relation to one another and to man-made structures.

City. City of Lincoln

Mechanical equipment. Equipment, devices, and accessories, the use of which relates to water supply, drainage, heating, ventilating, air conditioning, and similar purposes.

Cohesiveness. Unity of composition between design elements of a building or a group of buildings and the landscape development.

Plant materials. Trees, shrubs, vines, ground covers, grass, perennials, annuals, and bulbs.

Flex Space I Industrial Building. A generic term for uses combining light manufacturing and warehousing with store front retailing. Usually having a

Screening. Structure of planting that conceals from view from public ways the area behind such structure or planting.

Shrub. A multi-stemmed woody plant other than a tree.

permanent or temporary location on or in the ground.

Structure. Anything constructed or erected, the use of which requires

3. GEOGRAPHIC AREA

Reserved for future use.

4. SOUTHWEST VILLAGE VISION

It is anticipated that the B-2 and I-3 Areas will be built out with the following project types:

- Retail, Office and Commercial Buildings*
- Flex Space Buildings and Light Industrial Buildings*
- Residential Buildings*

It is anticipated that the AG Area will be built out with the following project types:

- Casino Complex, including gaming, restaurant, hotel, and event center uses*
- *Horse Racing Track, Grandstand, Horse Barns and Related Facilities*

These building types and land uses are described in the PUD Development Plan.

As a gateway development to the City of Lincoln, it is important for Southwest Village covenants pull the diverse project types listed above together into a development that has a sense of place and visual continuity created by common:

- Style*
- Site Elements*
- Building Materials*
- Color Palettes*

Each of the unifying elements listed above are discussed in more detail within their respective sections of this document.

5. THE STYLE OF SOUTHWEST VILLAGE

I. BUILDING MASSING

A. Walls

1. All facades of each building must be designed to be architecturally interesting through the use of massing and horizontal plane changes to create shadows and depth. Building elements such as covered arcades, stepping the facade or recessed entries are suggested to create this building massing requirements. Building facades not visible from public right of ways may provide less interesting design.

B. Roofs

1. If any building incorporates a sloping roof or awning structure, the slope of that roof or awning shall be 6/12 to provide consistency through the project. Building roofs in the AG Area that are located more than 600 feet from public right-of-way may provide a lower slope design.
2. All buildings that have "flat" or low slope roofs shall be parapetted to hide the ballasting from public view.

II. BUILDING MATERIALS WITHIN THE B-2 AND I-3 AREAS

A. Retail, Commercial and Office Buildings over 100,000 S.F. Footprint.

1. Building facades visible from the public right of ways shall be composed of following percentages of building material cumulated over all visible facades.
 - A. 50% or more but not to exceed 80%, Clay Brick or "Quick Brick" or equal, in the earth tone color ranges and Glass with natural aluminum mullions. Glass may be tinted or reflective of a density to conceal interior furnishing in Office Buildings and Flex Space.
 - B. 50% or less but not less than 20% Synthetic Stucco (EFIS), Painted Rock faced Concrete Block, Precast Concrete, or fiber cement board siding in the earth tones.
 - C. 10% of the facade may be a coordinating color material that is not listed in the previous material list.

B. Retail, Commercial and Office Buildings under 100,000 S.F., but more than 25,000 S.F.

1. Building facades visible from the public right of ways shall be composed of the following percentages of building material cumulated over all visible facades.
 - A. 75% or more, but not to exceed 90%, Clay Brick or "Quick Brick" or equal, in the earth tone color ranges and Clear Glass with natural aluminum mullions.
 - B. 25% or less, but not less than 10% Synthetic Stucco (EFIS), Painted Rock faced Concrete Block, Precast Concrete, wood siding or fiber cement board siding in the earth tones.
 - C. 10% of the facade maybe a coordinating color or material that is not listed in the previous material list.

C. Retail, Commercial and Office Buildings under 25,000 S.F.

- A. 90% or more Clay Brick in earth tone color ranges and glass with natural aluminum mullions. Glass may be tinted or reflective of a density to conceal interior furnishing in Office Buildings and Flex Space.
- B. 10% of the facade may be a coordinating color material that is not Clay Brick and Glass. Glass may be tinted or reflective of a density to conceal

interior furnishing in Office Buildings and Flex Space.

D. Flex Space Buildings or Industrial Buildings

1. Flex Space Building facades visible from the public right of ways shall be composed of the following building material cumulated over all visible facades.
 - A. 80% Decorative Block, "Quick Brick" or equivalent, or Brick and clear or tinted glass. Glass may be tinted or reflective of a density to conceal interior furnishing in Office Buildings and Flex Space.
 - B. 10% synthetic Stucco (EIFS), painted rock faced concrete block or laminated panels in natural aluminum color.
 - C. 10% of the facade maybe a coordinating color or material that is not listed as an accent to the design.
2. Facades of Flex Space Buildings not visible from public right of ways may be painted rock faced CMU.

E. Roof Materials for all Buildings other than residential

1. Any awning or sloping roof shall be constructed of standing seam metal, natural or faux tile.

F. Residential Buildings

1. Residential Building shall be composed of
 - A. At least 20% Clay Brick
 - B. No more than 20% Rock face CMU paint
 - C. Remainder Glass and Fiber Cement Board Siding
2. Building massing will be as follows:
 - A. Three story maximum height (45 feet)
 - B. The garage entrance would be setback from the main face of the building at minimum of six feet.
 - C. The streets would be 22 feet wide and the face of the garage would be setback 28 feet from the back of the curb of the private drive.
3. Roofing material shall be asphalt shingles.

III. BUILDING MATERIALS WITHIN THE B-2 CASINO AREA.

A. Agricultural Facility buildings over 1,000 Square Feet:

1. Building facades visible from the public right-of-ways and within 600 feet of said public right-of-way shall be composed of the following percentages of building material cumulated over all visible facades:
 - a. 70-80% integrally colored rock faced or burnished block, Clay Brick or "Quick Brick" or equal, in the earth tone color ranges. Glass may be tinted or reflective of a density to conceal interior furnishings.

- b. 10-20% Synthetic Stucco (EIFS), Stucco, integrally colored rock faced or burnished block, Precast Concrete, Laminated Panels, Wood Siding or Fiber Cement Board Siding in the earth tones.
 - c. 10% of the facade may be a coordinating or accent color material that is not listed in the previous material list.
- 2. Facades of buildings located more than 600 feet from a public right-of-way may be prefabricated metal buildings.
 - 3. Building massing for any structure located more than 600 feet from public right-of-way shall be restricted in general height to 24 feet. Any cupolas, clerestories, or architectural accent elements may extend above the 24 feet within reason.
 - 4. Any awning or sloping roof on a building located within 600 feet of public-right-of-way shall be constructed of standing seam metal, natural or faux tile.

6. SITE ELEMENTS

I. SITE REQUIREMENTS

- A. Public Sidewalks.
 - 1. All public right of ways shall be provided with a concrete walk per City of Lincoln standards. All buildings within Southwest Village must have pedestrian walkways and public walks connected to the perimeter.
- B. Buffering, a required Bufferyard plan is required.
- C. Interior Green Space
 - 1. A five foot wide green space shall be provided along all interior lot lines unless lots are combined.
 - 2. Parking lots shall be planted per City of Lincoln requirements. A minimum of 6% of the total parking lot area shall be pervious and planted with trees, shrubs and perennials.
- D. Plant Materials
 - 1. Plant Materials shall meet City of Lincoln's size standards.
- E. Roof Top Mechanical Screens. All rooftop mechanical units shall be substantially screened from view from public right-of-ways through the use of permanent architectural screens that are integrated with the overall design of the building.
 - 1. The screen shall be constructed from the following:

- a. Building Materials listed for the building's project type.
 - b. Pitched roof elements comprised of standing seam metal roofing.
- F. Ground Level Mechanical Screens. All ground level mechanical units shall be screened from view from public right-of-ways through the use of architectural screens that are integrated with the overall design of the building.
 - 1. The screen shall be constructed from the following:
 - a. Building Materials listed for the building's project type.
- G. Refuse Screening. All trash or refuse receptacles shall be screened from view from public right-of-ways through the use of architectural screens that are integrated with the overall design of the building and located next to the building.
 - 1. The screen shall be constructed from the following:
 - a. Building Materials listed for the building's project type.
 - 2. If the refuse container is integrated with the dock area then the dock screening shall be sufficient.
- H. Dock Screening (No loading dock shall face a public R.O.W., without proper screening. All loading docks shall be screened from view from public right-of-ways through the use of one of the following:
 - 1. Architectural screens that are integrated with the overall design of the building.
 - a. The screen shall be constructed from the following:
 - Building Materials listed for the building's project.
 - 2. Landscape screen of a density to screen 80% of the dock area from view within 3 years of planting. View shall be 80% screened all 12 months of the year.

7. COLOR PALETTES

In order to encourage a proper balance of vitality and cohesiveness within the Southwest Village development, color ranges have been developed. The inspiration for these color ranges is native Nebraska landscape colors. Any material or paint must coordinate with these sample color ranges. Ten percent (10%) of any facade may have an accent color that is compatible with these color ranges.

8.SIGNAGE

All signage shall comply with the City of Lincoln Sign Regulations, as modified by the Development Plan.

Signage requirements specific to the Southwest Village Development are as follows:

1. All wall signs shall be individual can letters. Color of letters is up to the Building Owner or Tenant.
2. All freestanding and center identification signs will have the appearance of a solid base. The width of such base shall be at least one-third (1/3) of the maximum width of the sign. The base shall be of a non-porous material such as metal, brick or stone.

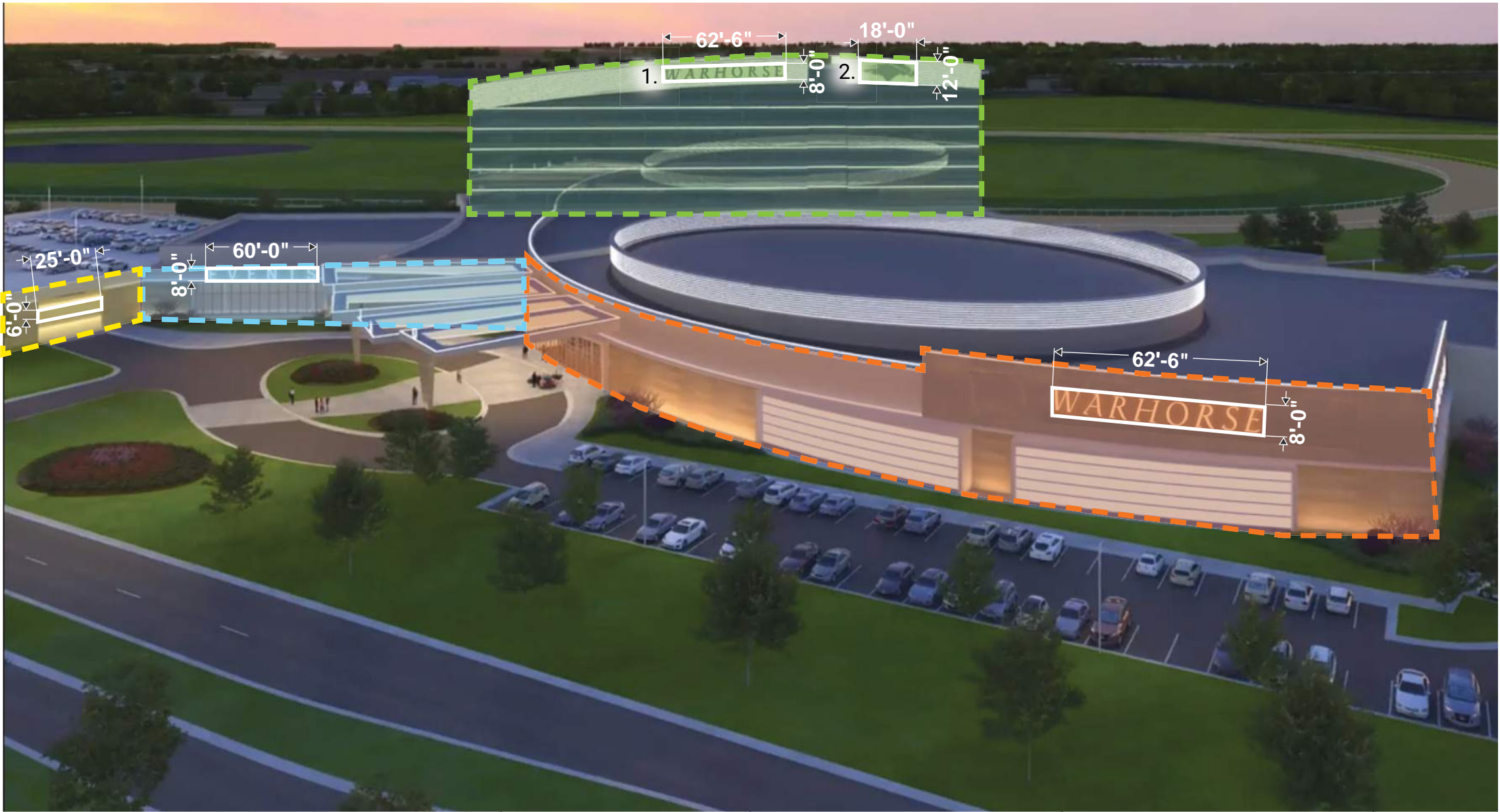
9. EXCEPTIONS

The following exceptions may be considered at the discretion of the City of Lincoln.

1. **BUILDING MATERIAL EXCEPTION FOR RETAIL AND FLEX SPACE OFFICE BUILDINGS** (not allowed for Office Buildings).
 - a. If the building is properly screened (landscape buffer, another building within a development, etc.) so that any given facade cannot be seen from a public right-of-way, then that specific facade may be constructed entirely of secondary Building materials as outlined for that specific building type.
2. **BUILDING MATERIAL EXCEPTION FOR ALL BUILDING TYPES**
 - a. If a particular building goes beyond the norm in complexity and detail of building forms and/or commonality of materials and colors, then the City may choose to relax the Building Material requirements (e.g. Let stucco or synthetic stucco (E.I.F.S.) become a primary building material).

Exhibit "B"
B-2 Casino Area Signage Plan

	FACE SF	30% FACE SF	PROPOSED SIGNAGE SF
	2,400 SF	720 SF	150 SF
	5,400 SF	1,620 SF	480 SF
	22,240 SF	6,672 SF	1. 500 SF 2. 216 SF 716 SF
	12,300 SF	3,690 SF	500 SF
	* NOT VISIBLE IN 3D VIEW		
	11,875	3,562 SF	0 SF



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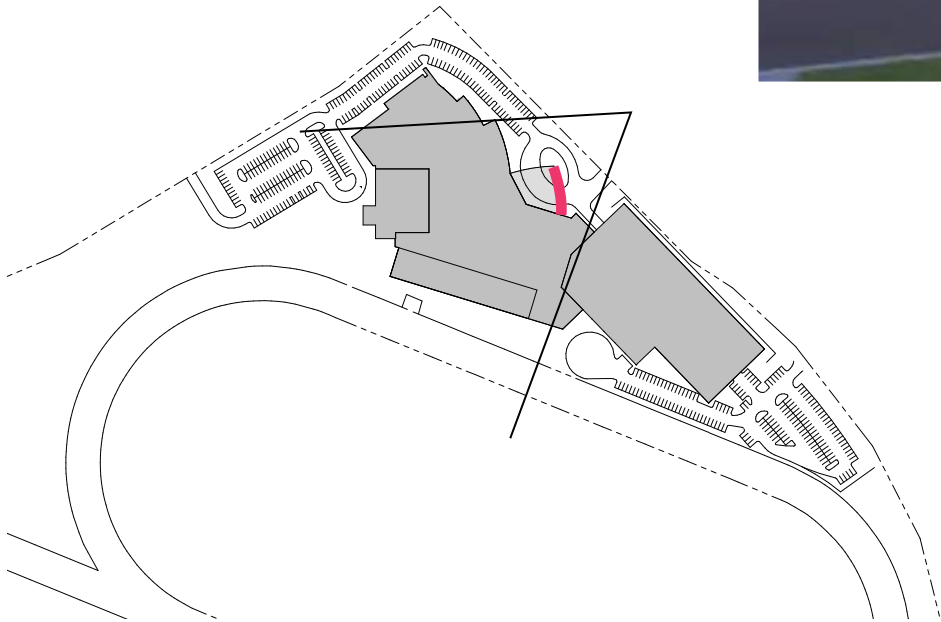
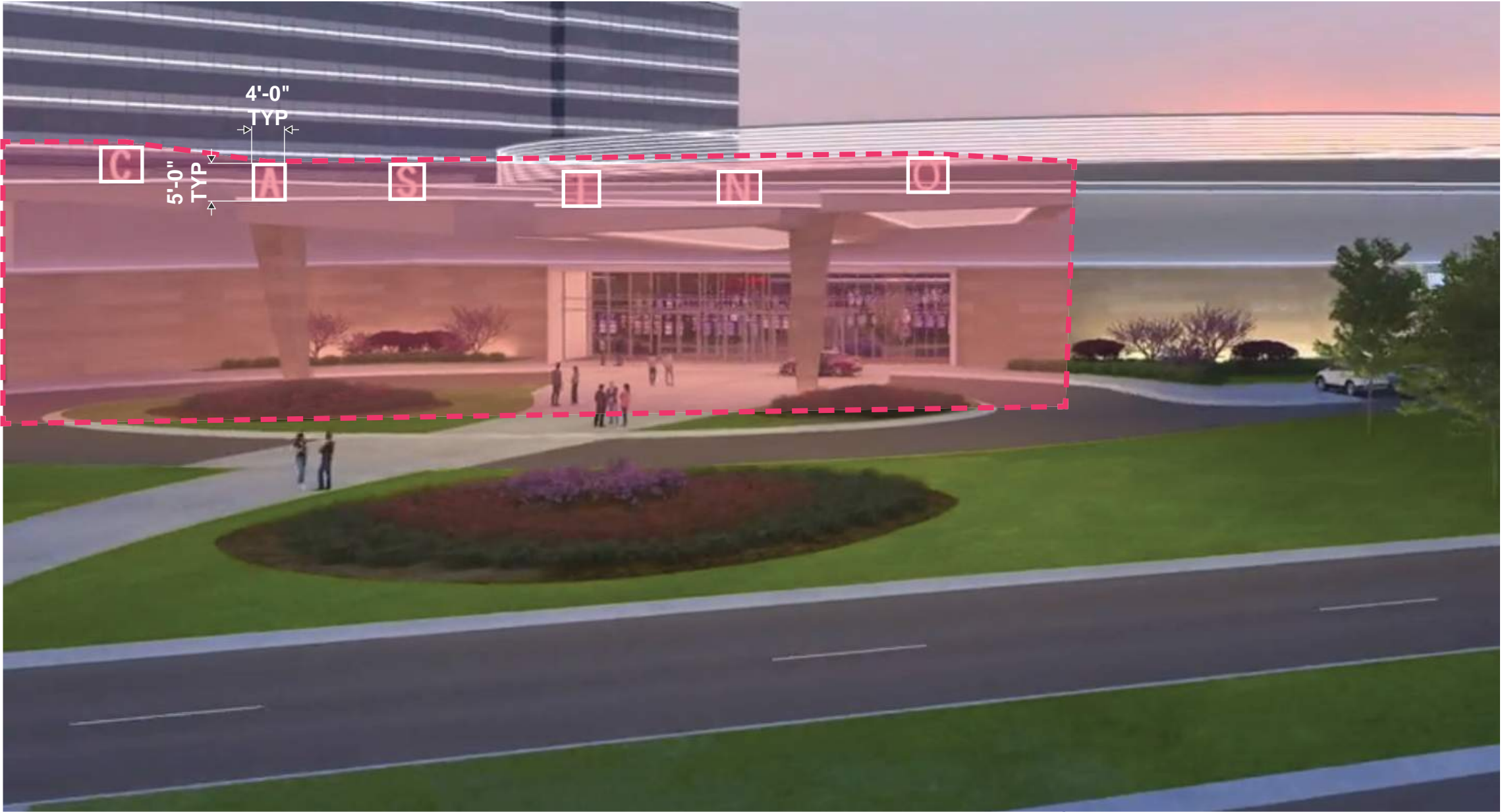
WARHORSE - LINCOLN



7055 s 1st St, Lincoln, NE 68512

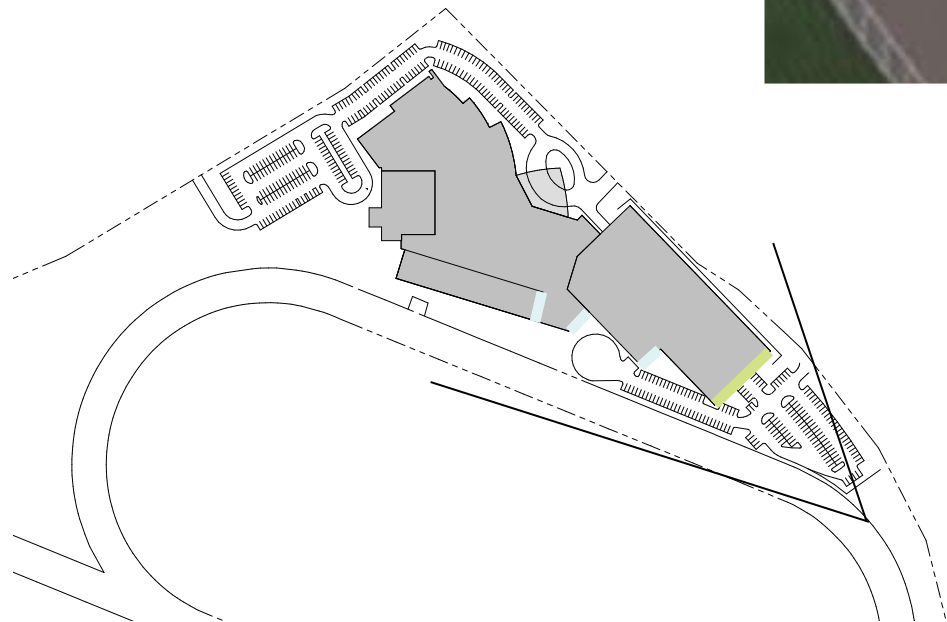
SIGNAGE - NORTHEAST





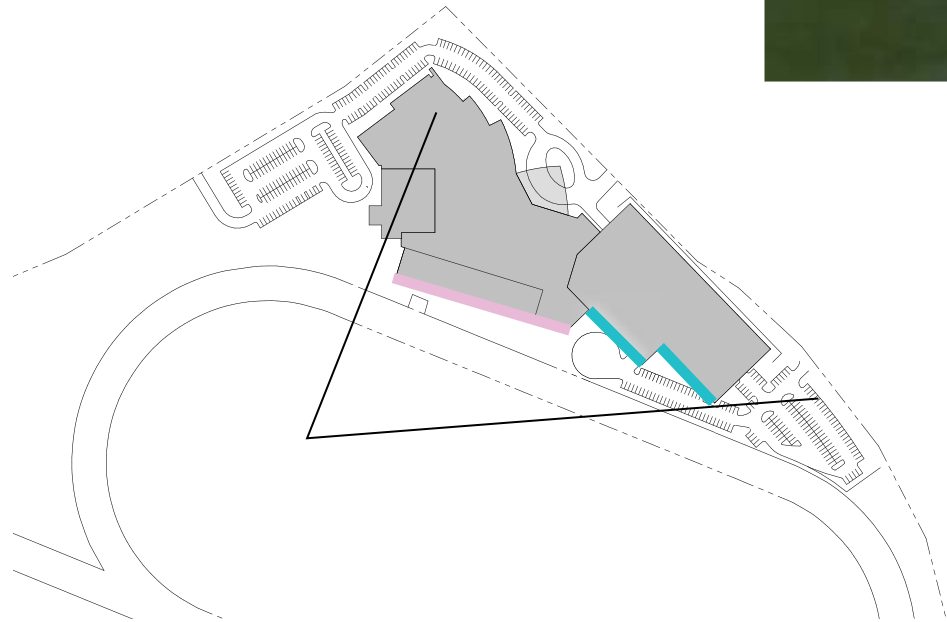
	FACE SF	30% FACE SF	PROPOSED SIGNAGE SF
	2,400 SF	720 SF	120 SF




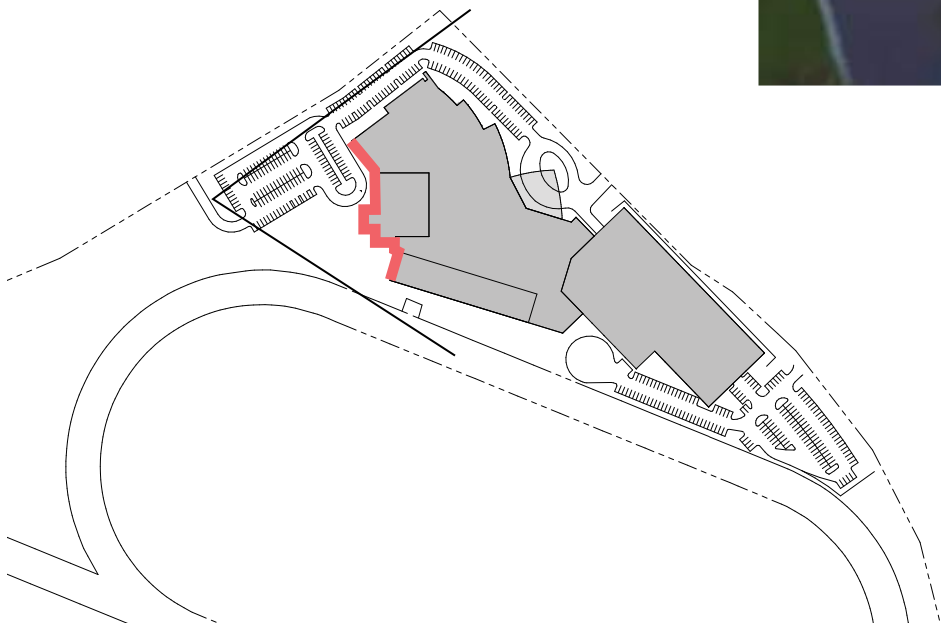
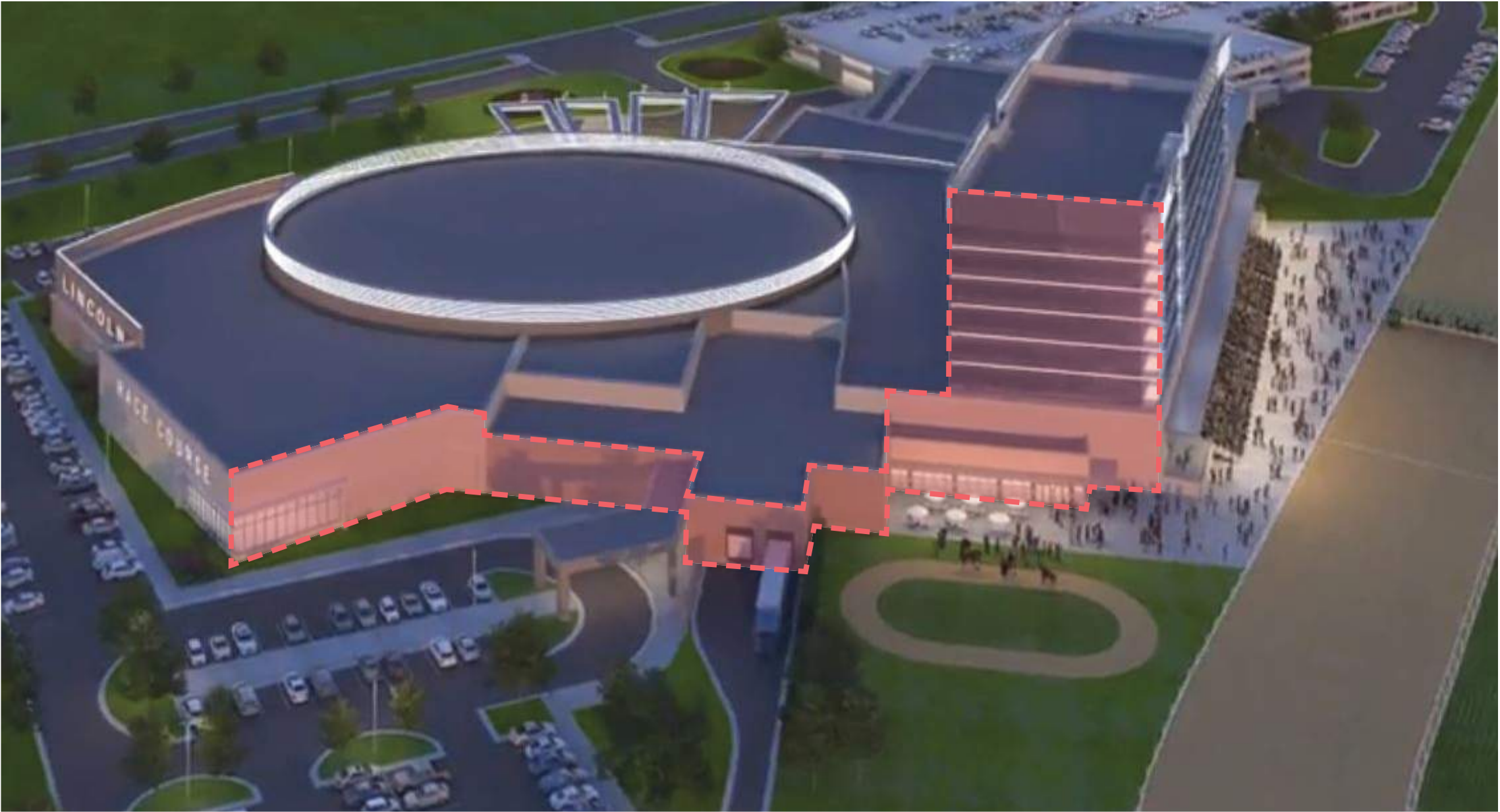
	FACE SF	30% FACE SF	PROPOSED SIGNAGE SF
	4,550 SF	1,365 SF	150 SF
	8,070 SF	2,421 SF	0 SF






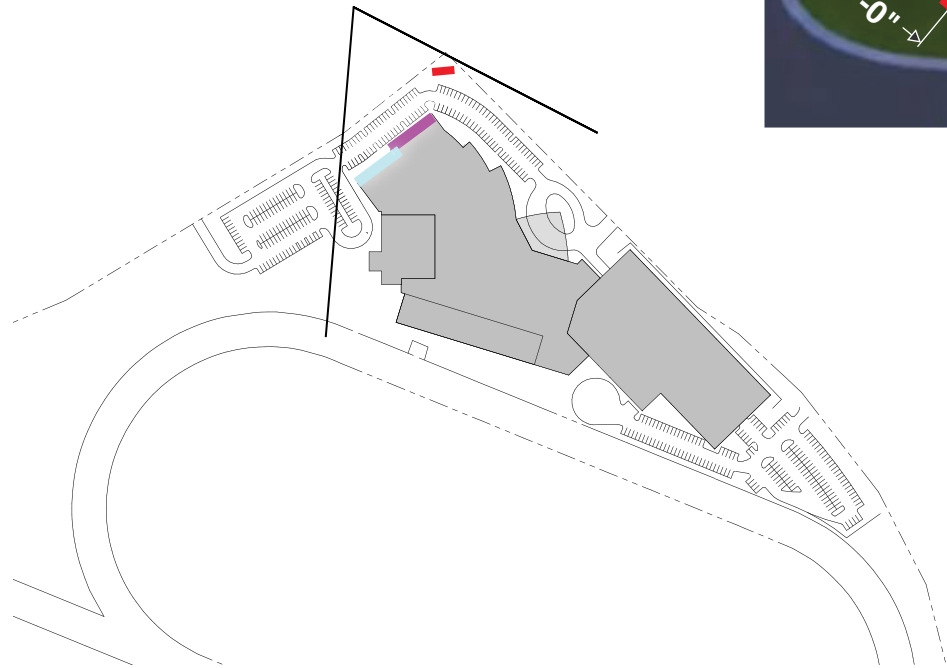
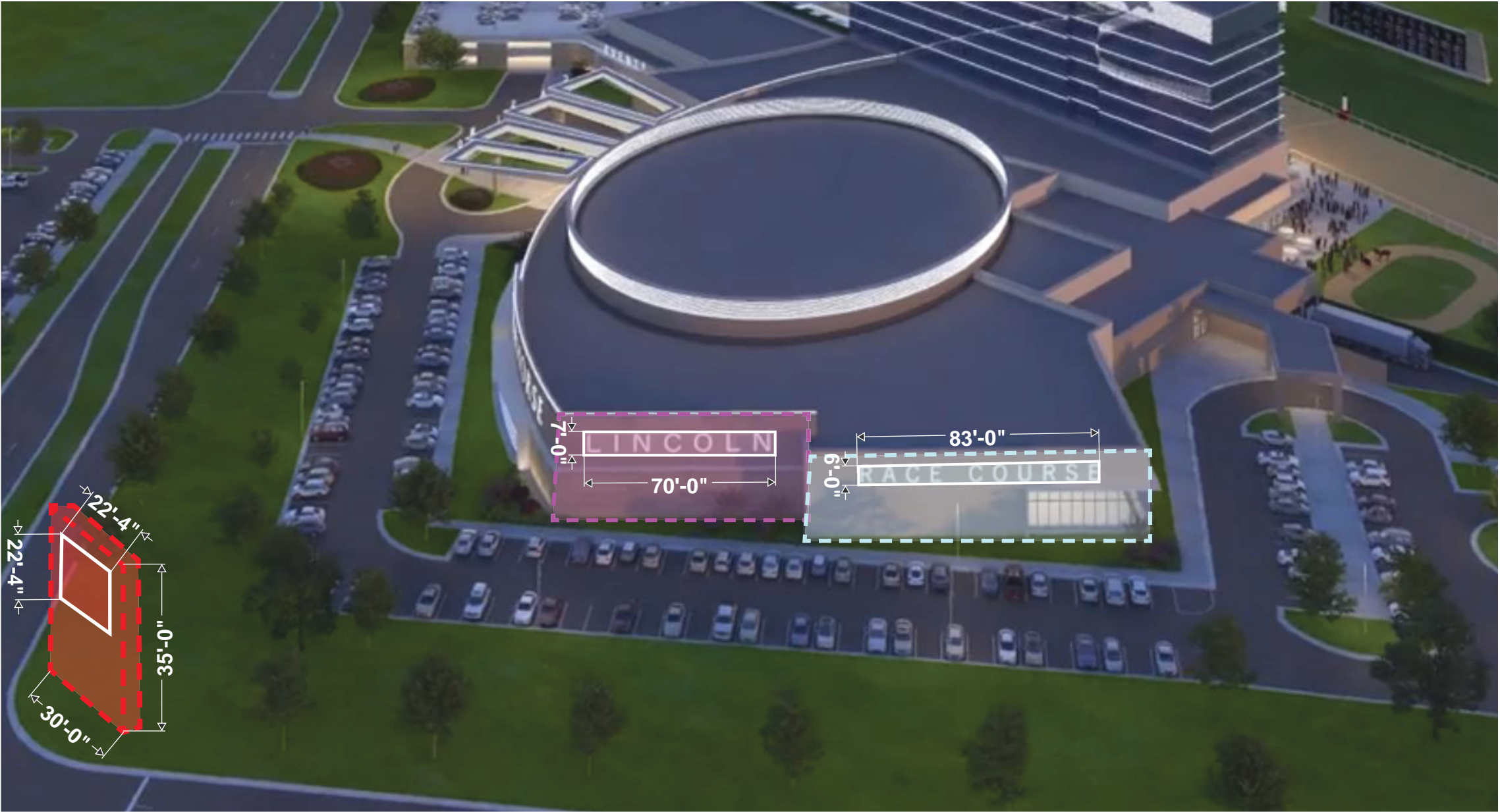
	FACE SF	30% FACE SF	PROPOSED SIGNAGE SF
			1. 500 SF 2. 216 SF 716 SF
	32,880 SF	9,864 SF	0 SF



	FACE SF	30% FACE SF	PROPOSED SIGNAGE SF
	16,945 SF	5,084 SF	0



	FACE SF	30% FACE SF	PROPOSED SIGNAGE SF
	3,750 SF	1,125 SF	490 SF
	3,333 SF	1,000 SF	498 SF
	1,050 SF	360 SF	500 SF *DIGITAL



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February 23, 2021

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David Cary
Director of Planning
Lincoln City/Lancaster County Planning Department
555 South 10th Street, Suite 213
Lincoln, NE 68508

Re: CZ05061D - Southwest Village Planned Unit Development – Amendment
to the PUD
Our File No.: 21609.004

Dear Mr. Cary:

The Nebraska Horseman's Benevolent & Protective Association ("HBPA") is amending application number CZ05061D for the proposed amendment to the Southwest Village Planned Unit Development ("PUD") that was filed on January 20, 2021. A submittal letter was delivered on January 20, 2021, and an updated submittal letter was delivered on February 3, 2021. Based on numerous productive discussions with City staff, the applicant desires to further amend and clarify the application and revise several aspects of the proposed development. The application form that was filed remains the same, but several of the supporting documents have been revised and the amended documents will be uploaded to ProjectDox. This updated submittal letter will explain the proposed amendments, updates, and revisions to the proposed project.

I. Proposed Development – Casino Complex

Pursuant to the Nebraska Racetrack Gaming Act, HBPA plans to develop casino complex on its property located at West Denton Road and South 1st Street in the Southwest Village Planned Unit Development. The building area for the proposed casino complex is approximately 225,000 square feet. This area includes the gaming area, restaurant, event center space, and existing simulcast building. Additionally, the casino complex will include approximately 200 hotel rooms that are not included in the square footage calculation, but are part of the proposed

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416 VALLEY VIEW DRIVE
SUITE 304
SCOTTSDALE, NE 69361
(308) 635-1020

215 MATHEWS STREET
SUITE 300
FORT COLLINS, CO 80524
(970) 221-2637

131 W. EMERSON STREET
HOLYOKE, CO 80734
(970) 854-2264

casino complex. Potential future expansion plans include the possibility of an additional 200 hotel rooms on the site. The proposed casino development is shown on the amended PUD site plan that will be submitted in connection with this letter.

II. Revised PUD Land Use Table

The proposed use will require revisions to the AG Area Land Use Table to allow for the casino use and the possible future hotel in addition to the horse racing track and related facilities. The alternative land use table for the AG Area currently permits 300,000 square feet of commercial uses and 160 dwelling units on this site. Because of the shift in use for this area and the focus on the casino complex, the area will be designated as the B-2 Casino Area instead of the AG Area.

Additionally, the Land Use Tables for the other areas of the PUD would benefit from updates and revisions as well. The B-2 Area now consists of three parcels owned by different owners. These owners have an agreement on how to split the approved uses between the parcels, but it would be beneficial to document these allocations in the PUD. Additionally, the anticipated use of the B-2 Area has changed over time. Initially, larger commercial and retail uses were anticipated in this area, but those uses have not materialized. Accordingly, the proposed land uses for the B-2 Area are being updated as part of this amendment to allow for more residential and less commercial development than originally anticipated.

The overall effect of the revisions to the proposed land uses results in the following overall changes to the PUD Area:

- The total PUD Area (including the alternative uses for the AG Area) was previously approved for 1,300,000 square feet of commercial use (including commercial, office, industrial, and retail uses); 410 dwelling units, and 250 hotel rooms.
- The proposed revisions would approve the total PUD Area for: 980,000 square feet of commercial use, 700 dwelling units, and 650 hotel rooms.
- The permitted land uses would be allocated between the parcels as shown on the following tables:

B-2 Area - Parcel 1	
Uses	Floor Area (Square Feet)
Residential	200 Dwelling Units
Commercial	150,000 sf

B-2 Area - Parcel 2	
Uses	Floor Area (Square Feet)
Commercial	225,000 sf

B-2 Area - Parcel 3	
Uses	Floor Area (Square Feet)
Residential	250 Dwelling Units
Commercial	250,000 sf
- OR -	
Residential	500 Dwelling Units
Commercial	100,000 sf

I-3 Area – Parcel 4	
Uses	Floor Area (Square Feet)
Hotel	250 Rooms
Commercial/Industrial	130,000 sf

B-2 Casino Area – Parcel 5	
Uses	Floor Area (Square Feet)
Casino Complex includes: 1210 Gaming Positions, 200 Hotel Rooms, Restaurant, Retail, Event Center	225,000 SF Casino 200 Hotel Rooms
Future Hotel	200 rooms
Horse Racing Track, Grandstand, Horse Barns and Related Facilities	As shown on Site Plan

PUD LAND USE TOTALS (Parcels 1 - 5) ¹	
Uses	Floor Area (Square Feet)
Commercial	980,000 SF
Hotel	650 Rooms
Dwelling Units	700 Units

The parcels are designated on the revised PUD Site Plan. The overall change in proposed land uses results in a reduction of projected overall traffic in the PUD Area. The trip generation table from the 2021 traffic study shows a reduction of approximately 10% AM trips and 20% PM trips from the 2005 traffic study. The uses are compatible and fit into the overall plan for the development of the PUD, with the new casino use that was not previously allowed under state law.

III. Streets/Access

The proposed casino complex development and actual pattern of development in the PUD Area require some revisions to the originally planned street infrastructure requirements and priorities.

a. South First Street

South 1st Street south of West Denton Road was not previously contemplated as a priority street improvement. However, the substantial majority of traffic to and from the casino complex would utilize South 1st Street. The proposed street improvements for South 1st Street are shown on the amended PUD site plan that has been submitted with this application. Under the existing PUD, a $\frac{3}{4}$ access intersection has been approved at South 1st Street and Blueflag Court. This would serve as the main entrance to the casino parking area. Additionally, a roundabout would be constructed on South 1st Street at the intersection one quarter mile south of West Denton Road. This roundabout would benefit traffic flow and allow better pedestrian access to the casino employee/overflow parking across 1st Street.

b. West Denton Road

1. Revision to the scope of West Denton Road Improvements

¹ The Total Land Use Table for the PUD Area includes the maximum amount for each category of land use. However, as shown on the land use table for Parcel 3, Parcel 3 would be developed in some combination of commercial and residential that would not result in the maximum amount in both categories, so the actual total land use in the PUD will actually be below the total presented in this table.

The existing Highway 77 and Warlick Boulevard Conditional Annexation and Zoning Agreement for the PUD Area, as amended (the “Annexation Agreement”), contemplates the future expansion of West Denton Road to a four lane arterial, with this expansion commencing as soon as the City has collected \$1,500,000 in impact fees from the B-2 Area of the PUD. Based on the actual development of the area and the updated traffic study for the PUD Area,² the expansion of West Denton Road to four lanes is not warranted and unnecessary at this time. Accordingly, expansion of West Denton Road to four lanes should no longer be a City priority. Certain anticipated improvements to West Denton Road that were included in the Annexation Agreement, including a right turn lane from westbound West Denton Road onto Folsom Street and traffic signal improvements on the intersection of West Denton Road and 1st Street/Amaranth, have still been identified as potentially necessary and beneficial. Finally, the right turn lane from eastbound West Denton Road to South Folsom Street shall be constructed as part of the anticipated West Denton Road improvements in connection with the casino development. The Annexation Agreement will be amended to update the revised street improvement obligations.

The amendment to the Annexation Agreement shall remove the obligation to expand West Denton Road to four lanes and shall provide that the applicant/casino developer shall undertake the following construction through the City’s executive order process: (1) South 1st Street improvements, (2) the right turn lane from eastbound West Denton Road to South Folsom Street, and (3) the traffic signal improvements at the intersection of West Denton Road and 1st Street/Amaranth. The amendment to the Annexation Agreement shall further provide that construction of the right turn lane from westbound West Denton Road onto Folsom Street will commence when certain area to the north of West Denton Road is developed. The specific timing and responsible party for constructing the right turn lane from westbound West Denton Road onto Folsom Street will be addressed in the amendment to the Annexation Agreement.

2. Additional Casino Complex Access

The revised Site Plan also shows a right in/right out access to the casino development on West Denton Road. A deviation from the City of Lincoln’s Access

² The traffic study for this area was previously completed in 2005. Olsson has prepared an updated traffic analysis to show the anticipated difference in trip generation between the uses approved in the Development Alternative Plans of the PUD and the proposed revised land uses for the PUD. The trip generation analysis for the casino complex is based upon the data in the “Trip Generation Characteristics of Small to Medium Sized Casinos” study by HDR Engineering that analyzed the trip generation data for three casinos in Council Bluffs, Iowa. Due to the proximity of the study area and the similar size and scope of the proposed casino development, this study should provide the most accurate data for the traffic analysis

Management Policy has been approved to permit this access point. This access will serve two purposes—first, it will provide temporary access to the property during the construction of the South 1st Street improvements. Without this access point, there would be no access to the property during construction of the South 1st Street improvements. The applicant proposes that full access would be permitted temporarily during South 1st Street construction. Second, after the improvements to South 1st Street are completed, this will provide another point of access for emergency vehicles and an additional exit for larger events (this would not be a primary entrance or exit, as it is anticipated that nearly all guests will enter and exit via South 1st Street). After the South 1st Street improvements are completed, a median would be added to West Denton Road to restrict this access point to right in/right out access. This additional access point is crucial to the casino.

c. Impact Fee Reimbursement

The applicant will seek impact fee reimbursement for the improvements to South 1st Street, the West Denton Road traffic signal improvements, and the right turn lane from eastbound West Denton Road to South Folsom Street. The impact fee reimbursement priority for the PUD Area is currently designated as the four lane improvements to West Denton Road, but based on the proposed revisions to the Annexation Agreement discussed above, these improvements would no longer be required and directed impact fee reimbursement from the PUD Area for the South 1st Street improvements would be feasible. The intent will be to have the Annexation Agreement amended to provide that the impact fees from the PUD Area (except as described below) be directed for reimbursement of the South 1st Street, the West Denton Road traffic signal improvements, and the right turn lane from eastbound West Denton Road to South Folsom Street. If an owner in the PUD Area other than the applicant will be responsible for constructing the right turn lane from westbound West Denton Road onto Folsom Street, the impact fees from a designated portion of the PUD Area will be first directed for the reimbursement of the cost of constructing said right turn lane. This will be addressed in the amendment to the Annexation Agreement.

d. Additional Emergency Access

The applicant intends to update the Site Plan to show emergency access to all sides of the hotel. The applicant desires to work further with City staff to identify the best workable layout for ensuring sufficient emergency access, but does not anticipate any issues.

IV. Parking

The proposed casino would have approximately 1,210 gaming stations. Based on a parking requirement for a casino complex of 1:1 per gaming station, 1,210

parking stalls would be required for a casino complex with 1,210 gaming stations. The proposed plan would provide a minimum 1,210 parking stalls on the site. This includes a three story parking structure with approximately 300 parking stalls per level (900 stalls total), and the remainder or required parking to be provided as on-site surface parking stalls.

In addition to the on-site parking stalls, the proposed plans contemplate a minimum of 250 parking stalls located across South 1st Street. This additional parking lot would be used as employee parking and overflow parking. The additional parking stalls would be located across South 1st Street near the proposed roundabout. The roundabout will include pedestrian crossings on all legs of the roundabout to provide safe pedestrian travel across South 1st Street.

V. Signage

The applicant has submitted a proposed signage plan for the casino development. A revised signage plan is hereby submitted with this letter. The revised signage plan will be attached to the PUD Development Plan. The applicant has significantly reduced the initially indicated amount of signage to create a signage plan with signage that is customary for a casino of this size but also meets the signage requirements in the Lincoln Zoning Ordinance.

The signage plan for the Casino Complex should be used for in questions of interpretation and intent of any sign provisions and waivers. Wall signs will each be 500 square feet or less, and no more than 30% of each architectural elevation will be covered in signage. For clarification, the "C-A-S-I-N-O" letters shown on the signage plan will be attached to the face of the parapet for the Porte Cochere and the "Warhorse" sign will be attached to the parapet of the building.

The large sign shown on the corner of West Denton Road and South 1st Street shall be the sole free-standing/center sign for the casino complex. This sign will aggregate all of the permitted freestanding sign area for the casino complex and no other freestanding signs shall be erected for the casino complex. The sign shall not exceed 35 feet in height. There shall be approximately 500 square feet of signage, with up to 320 square feet of electronic changeable copy on the sign. Because of the large amount of right of way previously granted on this corner, this sign shall be permitted in the required front yard setback in the B-2 Casino Area, provided that the sign must be outside of any sight triangles and will be shown not to obstruct views from motor vehicles.

VI. Height Waivers

Applicant is requesting the following additional height waivers:

- The hotel in the B-2 Casino Area may be up to 100' in height

- The casino in the B-2 Casino Area may be up to 50' in height
- Multi-family structures on B-2 Area – Parcel 3 may be up to 55' in height

VII. Water Quality

The previous PUD plan indicated the interior of the track as a water quality area and applicant requests that no new water quality requirements to be imposed on the casino development. The applicant has completed significant improvements on the property and inside the race track to create flood storage and plantings. The anticipated developed area on this lot should not significantly change from the previously approved plan, so the applicant requests that no new water quality requirements be imposed on this development. The applicant intends to meet new water quality requirements for the overflow parking area. The proposed plans identify the water quality volume calculations for the overflow parking area.

VIII. LOMR-F/Building Permit

Note 18 on the PUD General Site Notes currently provides that “a Letter of Map Revision based on Fill (LOMR-F) will be completed after grading is completed and prior to receiving building permits in order to amend the FEMA flood plain maps to accurately reflect the grading as per Lincoln Municipal Code 26.25.020(e).” Applicant is requesting a revision to Note 18 to clarify the timing of the LOMR-F submittal with respect to the building permit for the proposed casino development to allow the following approach.

Applicant will submit the LOMR-F for the casino complex footprint and parking structure footprint as soon as the entire building footprint (casino/garage) is graded to a minimum of one foot above the base flood elevation. Applicant has received a Floodplain Development Permit for this proposed grading. Grading for these limits will begin as soon as possible. Following City of Lincoln review and approval of this LOMR-F application, a limited building permit for footings and foundations for casino and parking garage can be issued, subject to all standard building permit submittals and review. The full building permit for casino and parking garage will not be approved until after FEMA approval of the LOMR-F submittal. Subsequently, Applicant will submit a LOMR-F for the property outside the building footprint and not included in the first LOMR-F submittal.

IX. Final Plat

Applicant will file a final plat to ensure that the casino development is constructed on a single lot surrounding the building footprint, in accordance with the preliminary lot layout shown on the PUD site plans.

David Cary
February 23, 2021
Page 9

Please let me know if you have any questions. I look forward to continuing to work with the City on this proposed development.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Willis", written in a cursive style.

Andrew R. Willis
For the Firm

Watershed Management Comments on CZ05061D

1. Plan Sheets

- a. Revise Note 18 to state: "AN INITIAL LETTER OF MAP REVISION BASED ON FILL (LOMR-F) WILL BE SUBMITTED TO THE CITY OF LINCOLN FOR APPROVAL TO REMOVE THE CASINO AND PARKING GARAGE SITES FROM THE FLOODPLAIN. ONCE APPROVED BY THE CITY AND SUBMITTED TO FEMA, LIMITED BUILDING PERMITS FOR FOOTINGS AND FOUNDATIONS FOR THE CASINO AND PARKING GARAGE CAN BE APPROVED. FULL BUILDING PERMITS FOR THE CASINO AND PARKING GARAGE CANNOT BE APPROVED UNTIL THE INITIAL LOMR-F IS APPROVED BY FEMA. A SECOND LOMR-F WILL BE REQUIRED TO UPDATE THE FEMA FLOODPLAIN TO ACCURATELY REFLECT THE GRADING OF THE HORSE TRACK AND BARN AREA. BUILDING PERMITS FOR THE BARNs CANNOT BE APPROVED UNTIL THE SECOND LOMR-F IS APPROVED BY FEMA."
- b. Submit a proposed grading for the commercial lots and parking lots east of S 1st St (was shown on CZ05061A but removed on CZ05061C), and verify that the floodplain storage calculations account for this grading in the floodplain.
- c. Show the entire floodplain boundary for all areas in this PUD, including east of S 1st St.

2. Floodplain/Open Space

- a. In order to compensate for development of 35 acres of floodplain land intended to remain in open space (identified as Agricultural Stream Corridor prior to the original PUD), a conservation easement of 71 acres was required as a condition of the original PUD prior to final platting the area south of West Denton Road. In addition to floodplain conservation, the Southwest Village PUD included plans to add wetland plantings and enhance riparian habitat. While the proposed amendment does a good job at exceeding the requirements for maintaining the flood storage volume and shows areas preserved as open space, need to verify that the open space preserved is still at a ratio of 2:1 of preservation to loss to mitigate for the loss of floodplain area.

3. Water Quality

- a. Submit the water quality control form, showing the water quality control volume based on redevelopment and the increased impervious area from the previously approved PUD.
- b. Submit the request for alternative form, if applicable, along with all necessary details of the proposed measures.
- c. Any area designated to be used for water quality should be separate from the area required to be preserved as open space to meet the 2:1 preservation to loss ratio noted above in 2a. Or else justification needs to be provided otherwise.