

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.#: View Point North Community Unit Plan
Co Special Permit #196, City Special Permit # 1976
Preliminary Plat 02014

Date: August 21, 2002

Note: This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for each individual application.

PROPOSAL: A Community Unit Plan to create 14 lots and 5 outlots.

WAIVER REQUEST: Waivers of subdivision requirements of street trees, street lighting, landscape screens, sidewalks, cul-de-sac length, storm water detention and block length.

LAND AREA: 257.1 acres, more or less.

CONCLUSION: This plat generally conforms with the Comprehensive Plan and adopted Regulations.

<u>RECOMMENDATION:</u>	County Special Permit #196 Conditional Approval City Special #1976 Conditional Approval Preliminary Plat # 02014 Conditional Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: A portion of Lot 33 I.T., all of Lots 5, 7, and 35, located in the Section 9, T11N, R7E, in the 6th P.M., Lancaster County, Nebraska, metes and bounds description attached.

LOCATION: N. 70th Street and Waverly Road.

APPLICANT: Lyle Loth E.S.P.
601 Old Cheney Road
Lincoln, NE 68512
(402) 421-2500

OWNER: Willard Giebenrath
12605 North 70th Street
Lincoln, NE 68517
(402) 466-6811

CONTACT: Lyle Loth E.S.P.
601 Old Cheney Road
Lincoln, NE 68512
(402) 421-2500

EXISTING ZONING: AG Agricultural in split Lancaster County and Lincoln Jurisdiction.

EXISTING LAND USE: Agriculture with one dwelling.

SURROUNDING LAND USE AND ZONING:

North: Agriculture, two dwellings, zoned AG
South: Agriculture and two dwellings, zoned AG
East: Agriculture and four dwellings, zoned AG
West Agriculture and one dwelling unit, zoned AG

ASSOCIATED APPLICATIONS: County Special Permit # 196, City Special Permit # 1976 and City-County Preliminary Plat #02014 are related.

HISTORY: Changed from AA Rural and Public Use to AG Agricultural in the 1979 zoning update.

COMPREHENSIVE PLAN SPECIFICATIONS: The 2025 Plan shows this as Agriculture. This is the Tier III urban growth area (beyond 50 years). This is in conformance with the Mayor's acreage development policy of June 11, 2002, "to allow three acre agriculture zoned "cluster" development to occur in Tier II and III areas where 80% or more of the land is set aside and no community systems are used."

UTILITIES: There is no public sewer or water available. Individual wells and waste disposal are proposed.

TOPOGRAPHY: This is the top of a hill on rolling land, draining to the northeast and southeast.

TRAFFIC ANALYSIS: Highway 77/ N 56th street, one half mile west, is a paved four lane highway. Waverly Road is a paved county road. Mill Road on the north is a county gravel road. N 70th street is a gravel county road north of Waverly Road and a paved county road south of Waverly Road.

PUBLIC SERVICE: This is in the Waverly and Raymond Rural Fire Districts, Waverly School District and Norris Public Power District.

REGIONAL ISSUES: Expansion of the acreage areas. Clustering to preserve farm land.

ENVIRONMENTAL CONCERNS: None known. The soil rating is 5.8 on a scale of 1-10 where 1-4 is prime soil. This is not prime soil. There are drainage ways through the site and a dam under construction. There is no FEMA floodplain shown. There is an existing LES power transmission line across the western portion of the parcel. A mid 1850's Mormon Trail generally followed N. 56th at this location. The Lincoln Landfill is one mile south. Sludge from the Theresa Street treatment plant is applied in this general area.

AESTHETIC CONSIDERATIONS: n/a

ALTERNATIVE USES: Continued farming or up to 12 dwellings on 20 acre parcels. 13 dwellings if a farmstead split-off is used.

ANALYSIS:

1. This request is for a Special Permit for a Community Unit Plan and a Preliminary Plat for 14 acreage residential lots and 5 outlots. A gravel or paved private street is proposed. No dwelling unit bonus is requested.
2. Individual water and sewage disposal are proposed. The lots are large enough for lagoons if percolation will not support a septic system.
3. This request is in general conformance with the Comprehensive Plan.
4. The applicant is requesting waivers to street lighting, street trees, landscape screens, and sidewalks. These waivers are consistent with the rural nature of the subdivision and the provisions of the County regulations. The area is not to be annexed by the city at this time. The existing farm land and proposed acreages provide storm water detention equivalent to the Lincoln standards.
5. The applicant is requesting a waiver of the block length along the north, south, east and west of the plat. The waivers are reasonable considering the nature and use of the land for farming, existing lake, acreages and topography. The land to the west and north is potentially developable in the future and is provided with access and a temporary turnaround. The Cul-de-sac length exceeds the 1,000 feet of the design standards, but is for a temporary turnaround for future extension, and is appropriate.

6. The density calculations (city) for the project are as follows;

257.1 acres X 0.055 dwelling per acre =	14.14 dwellings
no bonus requested =	14 dwellings permitted
Requested	14 units

7. There does not appear to be any conflicting farm uses, such as feedlots, in the immediate area.

8. The County Engineers letter of June 24, 2002 notes the following;

1) The typical section is incomplete. No detail on fill sections is shown. No slope for shoulder is shown.

2) General Note 1 refers to Lovegrove Lane which has been changed to Emmawalter Road. Existing asphalt drive on Outlot "E" should be removed to agree with access relinquishment described in General Note 1.

3) Temporary dead end requires a 22' Type III barricade.

4) The radius of the returns of Emmawalter Road at Waverly Road should be 50 feet.

5) The culvert at Sta. 15 + 30 shall be designed for a 25 year storm and shall be designed for the entire drainage area upstream from Emmawalter Road. The pond is not a "designed" dam and has no permanent protection to keep it in place.

9. The City Public Works letter of June 28, 2002 notes;

1. Show a roadway cross section that meets design standards.

2. Descriptions of the outlet and drainage culverts from the existing pond in Outlot "B" are illegible.

3. The use of the existing asphalt driveway in Outlot "E" as a secondary/emergency access is in conflict with item #1 in the General Notes.

4. The areas designated as Outlot "A" and Outlot "B" are not consistent between the Preliminary Plat site plan and the Grading and Drainage Plan.

5. Define the boundary and purpose of Outlot "D".
10. The Health Department notes that water is satisfactory and the lots are large enough for lagoons.
11. The applicant is not requesting a 20% bonus for farmland protection.
12. This application is in split jurisdiction and requires approval by both the City and County.

CONDITIONS FOR SPECIAL PERMIT #196:

Site Specific:

1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the County Board's agenda: (NOTE: These documents and plans are required by resolution/ordinance or design standards.)
 - 1.1 Make the corrections requested by the County Engineer in his letter of June 24, 2002.
 - 1) The typical section is incomplete. No detail on fill sections is shown. No slope for shoulder is shown.
 - 2) General Note 1 refers to Lovegrove Lane which has been changed to Emmawalter Road. Existing asphalt drive on Outlot "E" should be removed to agree with access relinquishment described in General Note 1.
 - 3) Temporary dead end requires a 22' Type III barricade.
 - 4) The radius of the returns of Emmawalter Road at Waverly Road should be 50 feet.
 - 5) The culvert at Sta. 15 + 30 shall be designed for a 25 year storm and shall be designed for the entire drainage area upstream from Emmawalter Road. The pond is not a "designed" dam and has no permanent protection to keep it in place.
 - 1.2 Make the corrections requested by the Public Works Department letter of June 28, 2002.

1. Show a roadway cross section that meets design standards.
 2. Descriptions of the outlet and drainage culverts from the existing pond in Outlot "B" are illegible.
 3. The use of the existing asphalt driveway in Outlot "E" as a secondary/emergency access is in conflict with item #1 in the General Notes.
 4. The areas designated as Outlot "A" and Outlot "B" are not consistent between the Preliminary Plat site plan and the Grading and Drainage Plan.
 5. Define the boundary and purpose of Outlot "D".
- 1.3 Revise note # 1 to reference Emmawalter Road, not Lovegrove Lane.
 - 1.4 Revise note # 1 to include Outlot "E" access.
 - 1.5 Note the purpose of Outlot "E" and "D".
 - 1.6 Show the easement for the power transmission line on the western portion of the property.
 - 1.7 Show the "sheet of" numbers on sheet 1.
 - 1.8 Label sheet one as the Site Plan.
 - 1.9 Correct "contoured row crop" on sheet 2 of 4.
 - 1.10 Add to note #12 that front yard setbacks apply to the south lot line of Lot 11 and the north lot line of Lot 12 for future street purposes.
2. This approval permits 14 single family lots.

General:

3. Before receiving building permits:
 - 3.1 The permittee is to submit a revised site plan and the plan is found to be acceptable.
 - 3.2 The permittee is to submit six prints and a permanent reproducible final site plan as approved by the County Board.

- 3.3 The construction plans are to comply with the approved plans.
- 3.4 The final plat(s) is/are approved by the County Board.
- 3.5 The required easements as shown on the site plan are recorded with the Register of Deeds.
- 3.6 The County Board/City Council approves associated requests:
 - 3.6.1 View Pointe North Preliminary Plat #02014.
 - 3.6.2 Special Permit # 1976
 - 3.6.3 A waiver to the sidewalk, street lights, landscape screen, and street tree requirements since the area is of larger lots, a rural nature and the subdivision will not be annexed.
 - 3.6.4 A modification to the requirements of the land subdivision ordinance\resolution to permit a block length in excess of 1320' along the north, south, east and west perimeter of this subdivision and a waiver of cul-de-sac length in excess of 1,000 feet.
- 3.7 The County Engineer has approved:
 - 3.7.1 An agreement for street maintenance.

STANDARD CONDITIONS:

- 4. The following conditions are applicable to all requests:
 - 4.1 Before occupying this Community Unit Plan all development and construction is to comply with the approved plans.
 - 4.2 Before occupying this Community Unit Plan, City/County Health Department is to approve the water and waste water systems.
 - 4.3 All privately-owned improvements, including street lighting, landscaping and recreational facilities, are to be permanently maintained by the owner or an appropriately established homeowners association approved by the County Attorney.

- 4.4 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
- 4.5 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 4.6 The County Clerk is to file a copy of the resolution approving the permit and the letter of acceptance with the Register of Deeds. The Permittee is to pay the recording fee.

CONDITIONS FOR SPECIAL PERMIT #1976:

Site Specific:

- 1. After the applicant completes the following instructions and submits the documents and plans to the Planning Department office and the plans are found to be acceptable, the application will be scheduled on the City Council agenda: (NOTE: These documents and plans are required by resolution/ordinance or design standards.)
 - 1.1 Make the corrections requested by the County Engineer in his letter of June 24, 2002.
 - 1) The typical section is incomplete. No detail on fill sections is shown. No slope for shoulder is shown.
 - 2) General Note 1 refers to Lovegrove Lane which has been changed to Emmawalter Road. Existing asphalt drive on Outlot "E" should be removed to agree with access relinquishment described in General Note 1.
 - 3) Temporary dead end requires a 22' Type III barricade.
 - 4) The radius of the returns of Emmawalter Road at Waverly Road should be 50 feet.
 - 5) The culvert at Sta. 15 + 30 shall be designed for a 25 year storm and shall be designed for the entire drainage area upstream from Emmawalter Road. The pond is not a "designed" dam and has no permanent protection to keep it in place.

- 1.2 Make the corrections requested by the Public Works Department letter of June 28, 2002.
 1. Show a roadway cross section that meets design standards.
 2. Descriptions of the outlet and drainage culverts from the existing pond in Outlot "B" are illegible.
 3. The use of the existing asphalt driveway in Outlot "E" as a secondary/emergency access is in conflict with item #1 in the General Notes.
 4. The areas designated as Outlot "A" and Outlot "B" are not consistent between the Preliminary Plat site plan and the Grading and Drainage Plan.
 5. Define the boundary and purpose of Outlot "D".
- 1.3 Revise note # 1 to reference Emmawalter Road, not Lovegrove Lane.
- 1.4 Revise note # 1 to include Outlot "E" access.
- 1.5 Note the purpose of Outlot "E" and "D".
- 1.6 Show the easement for the power transmission line on the western portion of the property.
- 1.7 Show the "sheet of" numbers on sheet 1.
- 1.8 Label sheet one as the Site Plan.
- 1.9 Correct "contoured row crop" on sheet 2 of 4.
- 1.10 Add to note #12 that front yard setbacks apply to the south lot line of Lot 11 and the north lot line of Lot 12 for future street purposes.
2. This approval permits 14 single family lots.

General:

3. Before receiving building permits:
 - 3.1 The permittee is to submit a revised site plan and the plan is found to be acceptable.

- 3.2 The permittee is to submit six prints and a permanent reproducible final site plan as approved by the City Council.
- 3.3 The construction plans are to comply with the approved plans.
- 3.4 The final plat(s) is/are approved by the City/ County Board.
- 3.5 The required easements as shown on the site plan are recorded with the Register of Deeds.
- 3.6. The City Council/County Board approves associated requests:
 - 3.6.1 View Pointe North Preliminary Plat #02014.
 - 3.6.2 County Special Permit # 196
 - 3.6.3 A waiver to the sidewalk, street lights, landscape screen, and street tree requirements since the area is of larger lots, a rural nature and the subdivision will not be annexed.
 - 3.6.4 A modification to the requirements of the land subdivision ordinance\resolution to permit a block length in excess of 1320' along the north, south, east and west perimeter of this subdivision and a waiver of cul-de-sac length in excess of 1,000 feet.
- 3.7 The County Engineer has approved:
 - 3.7.1 An agreement for street maintenance.

STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:
 - 4.1 Before occupying this Community Unit Plan all development and construction is to comply with the approved plans.
 - 4.2 Before occupying this Community Unit Plan, City/County Health Department is to approve the water and waste water systems.
 - 4.3 All privately-owned improvements are to be permanently maintained by the owner or an appropriately established homeowners association approved by the City Attorney.

- 4.4 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
- 4.5 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
- 4.6 The City Clerk/County Clerk is to file a copy of the resolution approving the permit and the letter of acceptance with the Register of Deeds. The Permittee is to pay the recording fee.

CONDITIONS FOR PRELIMINARY PLAT #02014:

Site Specific:

- 1. After the subdivider completes the following instructions and submits the documents and plans to the Planning Department office, the preliminary plat will be scheduled on the City Council/County Board agenda: (NOTE: These documents and plans are required by ordinance or design standards.)
 - 1.1 Make the corrections requested by the County Engineer in his letter of June 24, 2002.
 - 1) The typical section is incomplete. No detail on fill sections is shown. No slope for shoulder is shown.
 - 2) General Note 1 refers to Lovegrove Lane which has been changed to Emmawalter Road. Existing asphalt drive on Outlot "E" should be removed to agree with access relinquishment described in General Note 1.
 - 3) Temporary dead end requires a 22' Type III barricade.
 - 4) The radius of the returns of Emmawalter Road at Waverly Road should be 50 feet.
 - 5) The culvert at Sta. 15 + 30 shall be designed for a 25 year storm and shall be designed for the entire drainage area upstream from Emmawalter Road. The pond is not a "designed" dam and has no permanent protection to keep it in place.
 - 1.2 Make the corrections requested by the Public Works Department letter of June 28, 2002.

1. Show a roadway cross section that meets design standards.
 2. Descriptions of the outlet and drainage culverts from the existing pond in Outlot "B" are illegible.
 3. The use of the existing asphalt driveway in Outlot "E" as a secondary/emergency access is in conflict with item #1 in the General Notes.
 4. The areas designated as Outlot "A" and Outlot "B" are not consistent between the Preliminary Plat site plan and the Grading and Drainage Plan.
 5. Define the boundary and purpose of Outlot "D".
- 1.3 Revise note # 1 to reference Emmawalter Road, not Lovegrove Lane.
 - 1.4 Revise note # 1 to include Outlot "E" access.
 - 1.5 Note the purpose of Outlot "E" and "D".
 - 1.6 Show the easement for the power transmission line on the western portion of the property.
 - 1.7 Show the "sheet of" numbers on sheet 1.
 - 1.8 Label sheet one as the Site Plan.
 - 1.9 Correct "contoured row crop" on sheet 2 of 4.
 - 1.10 Add to note #12 that front yard setbacks apply to the south lot line of Lot 11 and the north lot line of Lot 12 for future street purposes.
2. The County Board/City Council approves associated requests:
 - 2.1 County Special Permit # 196 and City Special Permit # 1976 for the Community Unit Plan.
 - 2.2 A waiver to the storm water detention, sidewalk, street paving, street lights, landscape screen, and street tree requirements since the area is of larger lots, a rural nature and the subdivision will not be annexed.
 - 2.3 A modification to the requirements of the land subdivision ordinance to permit a block length in excess of 1320' along the north, south, east and west perimeter of this subdivision and waiver of cul-de-sac length.

General:

3. Final Plats will be scheduled on the Planning Commission agenda after:
 - 3.1 Streets, water facilities, drainage facilities, temporary turnarounds and barricades, and street name signs have been completed.
 - 3.2 The subdivider has signed an agreement that binds the subdivider, its successors and assigns:
 - 3.2.1 To submit to the County Engineer an erosion control plan.
 - 3.2.2 To protect the remaining trees on the site during construction and development.
 - 3.2.3 To submit to lot buyers and home builders a copy of the soil analysis.
 - 3.2.4 To complete the private improvements shown on the preliminary plat.
 - 3.2.5 To maintain the outlots and private improvements on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the document or documents creating said property owners association have been reviewed and approved by the County/City Attorney and filed of record with the Register of Deeds.
 - 3.2.6 To relinquish the right of direct vehicular access to Waverly Road except for Emmawalter Road, to North 70th except for Lot 5 and O.L. "E" and to Mill Road.
 - 3.2.7 To comply with the provisions of the Land Subdivision Ordinance/Resolution regarding land preparation.

Prepared by:

Michael V. DeKalb AICP
Planner

VIEW POINTE NORTH

Part of section 9, T.11 N., R. 7 E. including all of Lots 5, 7, & 35, plus that portion of Lot 33 described as follows:

Beginning at the S.W. corner of said Lot 33, and extending thence N. 00° 00' 13" E. on the West line of Lot 33, 1266.85 feet to the N.W. corner of said Lot 33;

Thence S. 89° 14' 59" E. on the North line of said Lot 33, 950.82 feet;

Thence S. 00° 14' 45" E. on a line parallel with the East line of the S. ½ S.E. ¼ of said section 9, 1267.26 feet to a point on the South line of said Lot 33; and the north right-of-way of Waverly Road;

Thence S. 89° 40' 37" W. on said South line, 956.34 feet to the point of beginning.

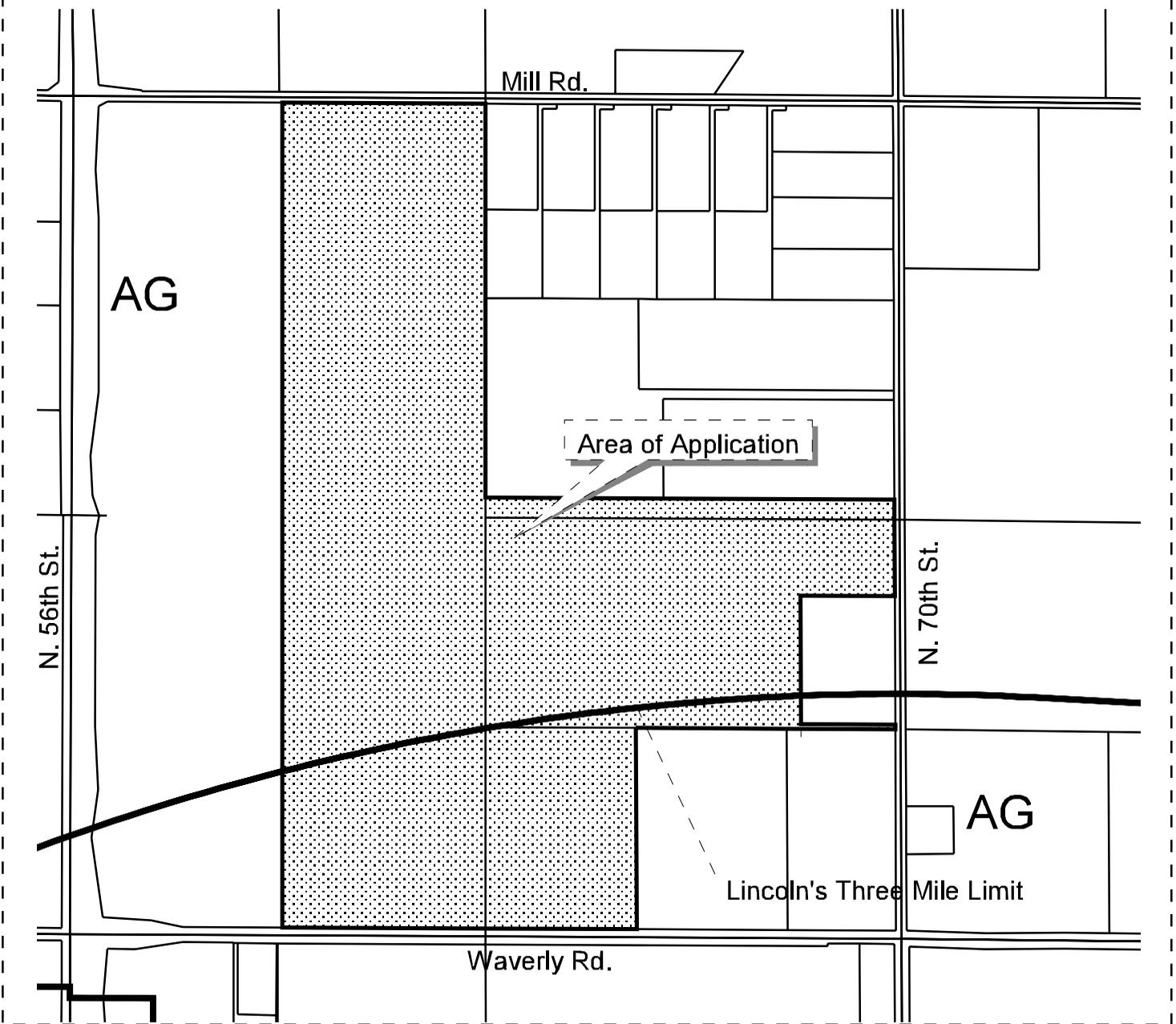


City/County Preliminary Plat #02014
County Special Permit #196
Special Permit #1976
View Pointe North
N. 70th & Waverly Rd.



Photograph Date: 1999

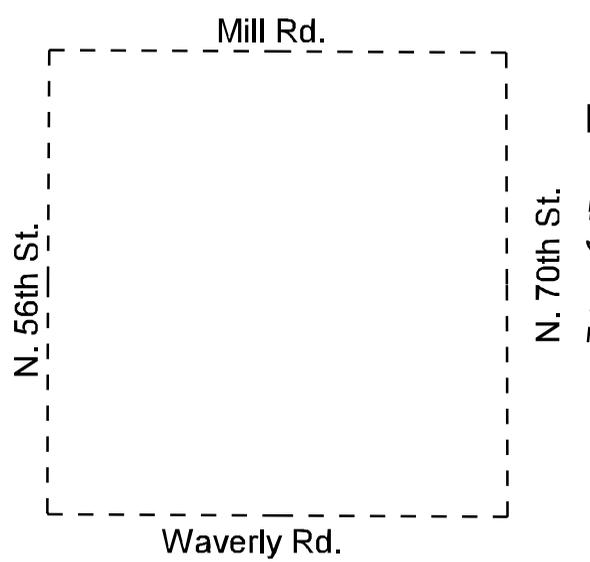
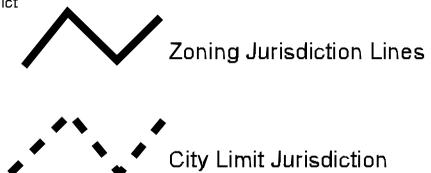
Lincoln City - Lancaster County Planning Dept.

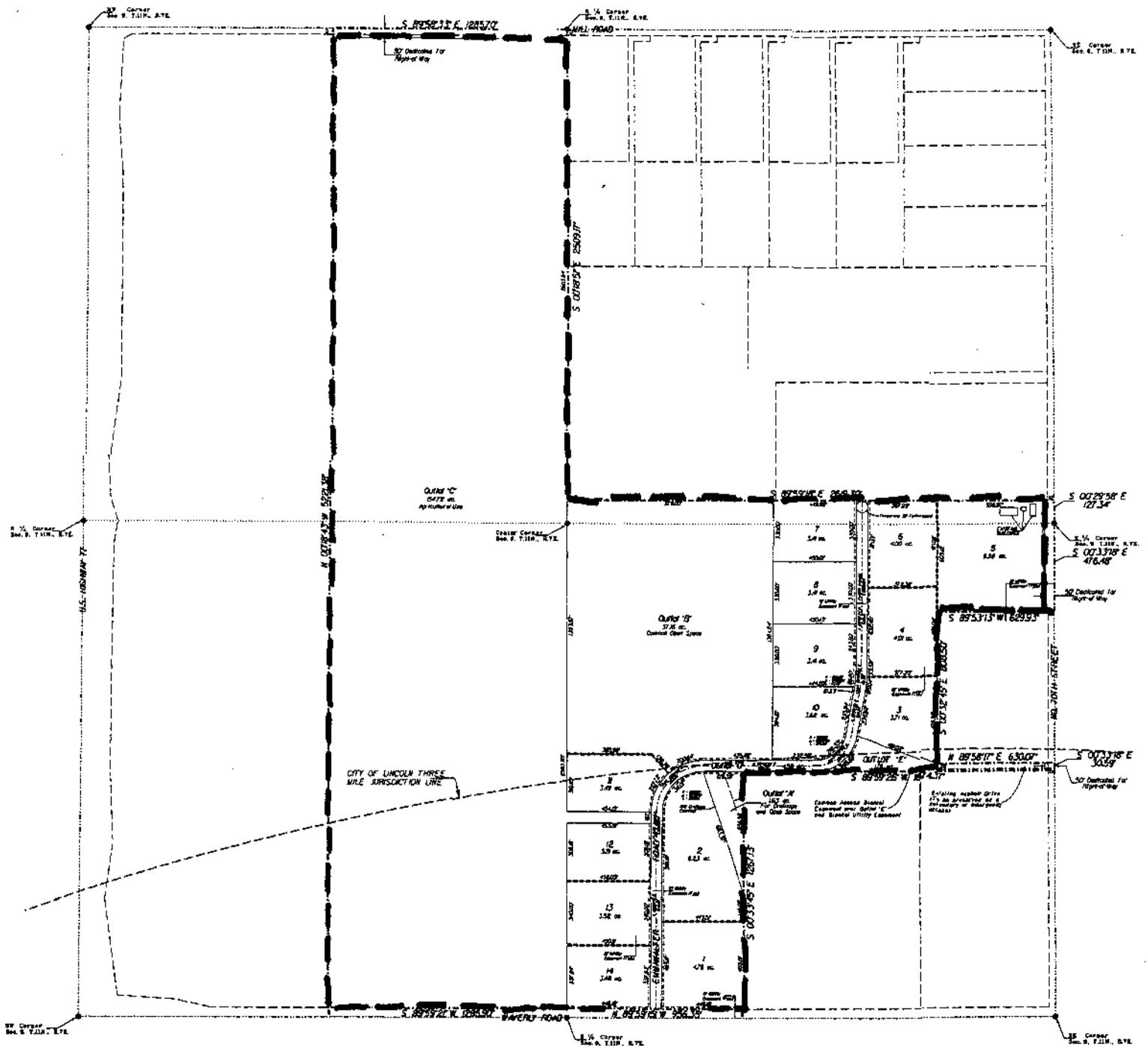


City/County Preliminary Plat #02014
County Special Permit #196
Special Permit #1976
View Pointe North
N. 70th & Waverly Rd.

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

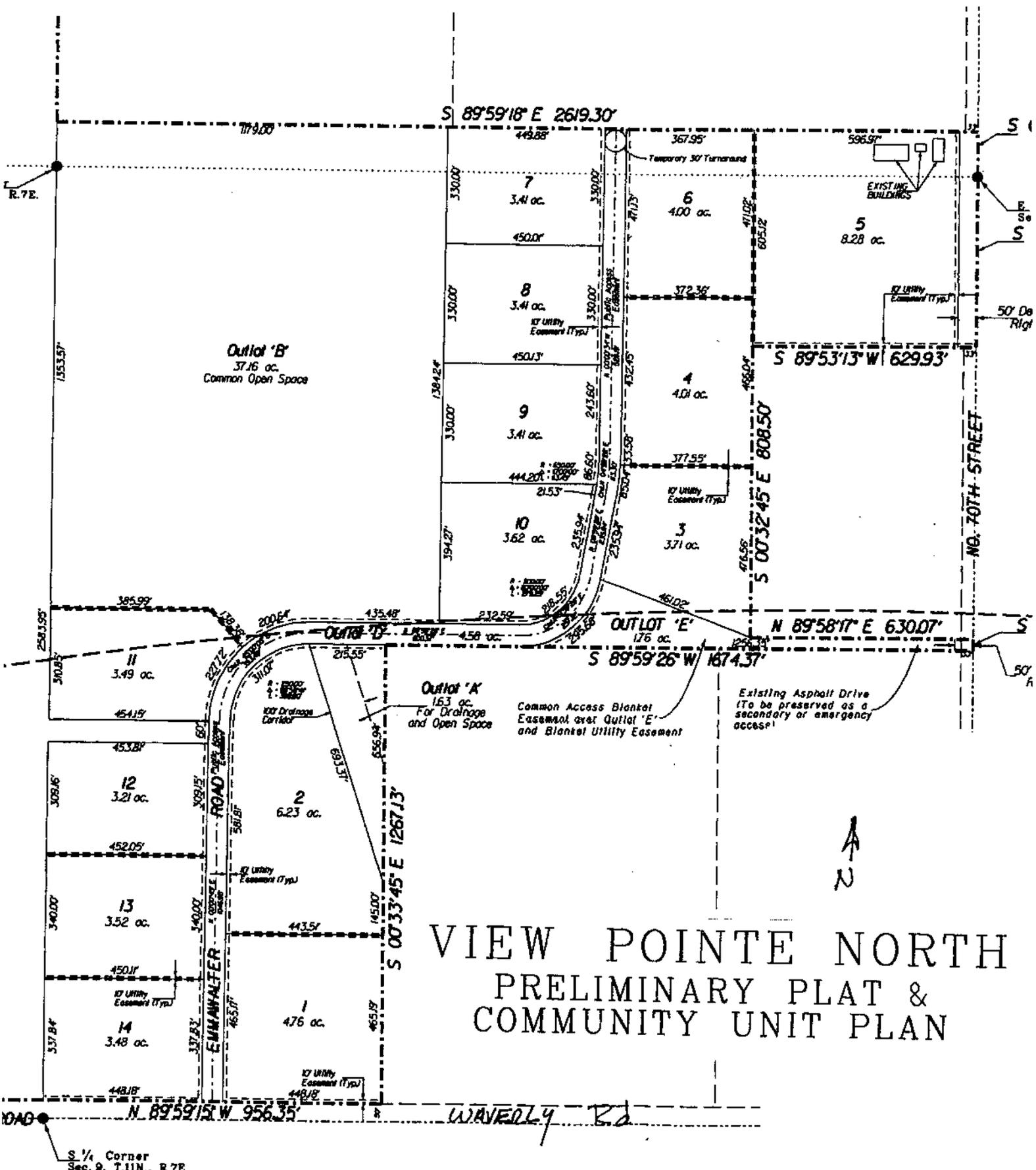
One Square Mile
 Sec. 9 T11N R7E





VIEW POINTE NORTH
 PRELIMINARY PLAT &
 COMMUNITY UNIT PLAN

A
 N.



VIEW POINTE NORTH PRELIMINARY PLAT & COMMUNITY UNIT PLAN

GENERAL NOTES

1. Direct vehicular access to WAVERLY ROAD is hereby relinquished except at Lovegrove Lane; to No. 70th Street except for Lot 5; and to Mill Road
2. All lots shall be served by private wells.
3. Sewage treatment shall be provided by individual lot owners. Lagoons may be allowed and will not be prohibited by covenants. Due to soil types and slopes, lagoons or professionally engineered waste disposal may be required.
4. Waivers are requested as follows:
 - a. Ornamental lighting.
 - b. Sidewalks.
 - c. Street Trees.
 - d. Landscape Screens.
 - e. Stormwater Detention.
5. The contours shown are survey verified NGVD 29 elevations. One-half foot must be added to reflect NAVD 88 elevations. The County Surveyor has determined that this meets the NAVD 88 requirements within the acceptable margin of error.
6. Grading shall extend around all temporary turnarounds and cul-de-sacs. All existing drives shall be removed.
7. All culverts shall have a flared end section or headwall on the inlet and outlet ends.
8. Permanent easements shall be dedicated for those culverts which extend beyond the right-of-way line.
9. Utility easements as required Norris Public Power will be provided.
10. All dimensions along curves shall be chord distances.
11. All interior intersection radii shall be 30 feet.
12. Setbacks shall conform to the following:

Front Yard	50'
Side Yard	15'
Rear Yard	50'

13. Future Lot Owners: Be advised that this subdivision is in a rural area surrounded by farm activities and that normal and customary farming operations are not a nuisance.

LEGAL DESCRIPTION: A portion of Lot 33, all of Lots 5, 7 & 35, located in Sec. 9, T.11N., R.7E., of the 6th P.M., Lancaster County Nebraska.

OWNER: Willard Glebenroth
12605 North 70th St.
Lincoln, NE 68517
(402) 466-6811

ENGINEER & SURVEYOR: ESP
601 Old Cheney Road, Suite 'A'
Lincoln, NE 68512
(402) 421-2500

ZONING: AG
14 Lots
257.1 Acres

Lancaster

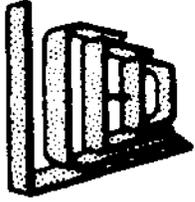
DON R. THOMAS - COUNTY ENGINEER

County

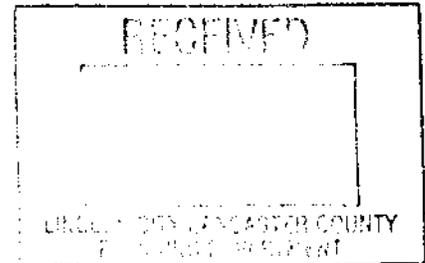
Engineering

Department

DEPUTY - LARRY V. WORRELL
COUNTY SURVEYOR



DATE: June 24, 2002
TO: Mike DeKalb
Planning Department
FROM: Larry V. Worrell 
County Surveyor
SUBJECT: View Pointe North
Preliminary Plat Review



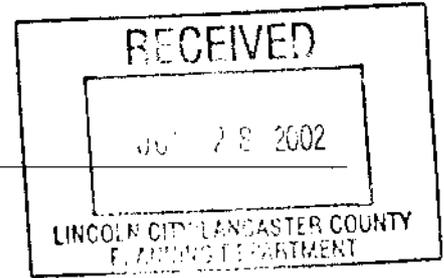
This office has reviewed subject Preliminary Plat and would offer the following comments.

- 1) The typical section is incomplete. No detail on fill sections is shown. No slope for shoulder is shown.
- 2) General Note 1 refers to Lovegrove Lane which has been changed to Emmawalter Road. Existing asphalt drive on Outlot "E" should be removed to agree with access relinquishment described in General Note 1.
- 3) Temporary dead end requires a 22' Type III barricade.
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cc: Dennis Bartels

LVW/DP/bml
View Pinte North PP2.MEM

M e m o r a n d u m



To: Mike DeKalb, Planning Department
From: BB
Bruce Briney, Public Works and Utilities
Subject: View Pointe North C.U.P.
Preliminary Plat #02014, Special Permit #1976, County 196
Date: June 28, 2002
cc: Roger Figard
Randy Hoskins
Nicole Fleck-Tooze

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the revisions to the application for Preliminary Plat #02014, Special Permit #1976 for View Pointe North C.U.P. and has the following comments:

1. Show a roadway cross section that meets design standards.
2. Descriptions of the outlet and drainage culverts from the existing pond in Outlot "B" are illegible.
3. The use of the existing asphalt driveway in Outlot 'E' as a secondary/emergency access is in conflict with item #1 in the General Comments.
4. The areas designated as Outlot 'A' and Outlot 'B' are not consistent between the Preliminary Plat site plan and the Grading and Drainage Plan.
5. Define the boundary and purpose of Outlot 'D'.

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION**

TO: Mike DeKalb

DATE: July 18, 2002

DEPARTMENT: Planning

FROM: Jerry Hood

ATTENTION:

DEPARTMENT: Health

CARBONS TO: Bruce Dart, Director
EH File
EH Administration

SUBJECT: View Pointe North

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the groundwater report from Scott Summerside of the Conservation and Survey Division of the University of Nebraska for View Pointe North. Indications are that there is an adequate amount of good quality water in this area for a subdivision.

This effectively removes any objection the LLCHD had for this proposed subdivision.

percolation rate, an alternative non-standard wastewater treatment system may be required. Steep slopes on these lots may present severe limitations for sewage lagoon construction.

In addition to Sharpsburg soil, Pawnee soil is present on Lots 4, 6, 7, 8 and 9. Pawnee soil will not yield a passing percolation rate for a standard septic system, has steep slopes limiting wastewater lagoon construction and may contain perched water tables 1 to 5 feet below the ground surface.

Outlot A has Sharpsburg and Nodaway silt loam soil. Nodaway soil is in low lying areas, is subject to flooding and should not have an onsite wastewater system constructed in this soil.

Lots 1, 2, 10 and Outlot A will need bore holes in the onsite construction area in addition to required percolation tests because the farm pond above these lots could influence groundwater levels.

All of the lots are more than three acres and appear to have adequate room for a dwelling, water well and onsite wastewater treatment system.

Storm Water Runoff

During construction, best management practices should be used to minimize stormwater runoff, especially soil erosion prevention methods. LLCHD recommends that the developer contact the Lower Platte South Natural Resources District for technical and potentially financial assistance to minimize stormwater pollution.

Air Pollution

During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.

Provisions should be made for retaining as much tree mass as possible. Alternately, the applicant will need to plan for disposal of tree waste by burying on site, grinding, offering for firewood or hauling to the landfill. Permits for open burning of tree waste within the city limits will not be approved and applications for burning within the 3-mile zone are unlikely to be approved.



University of
Nebraska
Lincoln

Institute of Agriculture and Natural Resources

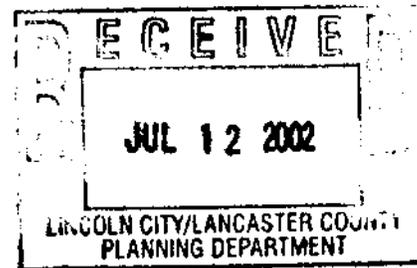
Conservation and Survey Division
113 Nebraska Hall
901 North 17th Street
Lincoln, NE 68588-0517
Telephone (402) 472-3471

Geological and Natural Resources Surveys

July 11, 2002



Mr Lyle Loth
E-S-P
601 Old Cheney Road Suite A
Lincoln, NE 68512



Dear Mr. Loth:

This fax is in response to your enquiry regarding ground water conditions in the vicinity of View Pointe North, a proposed acreage development located mainly in the SE 1/4 of section 9, Township 11N Range 7E, Lancaster County. I reviewed your fax of the water quality data from 3 domestic wells located on or near the property. Two of these wells are registered and have geologic logs available. I reviewed additional well logs and water quality data from our files for the area within about 1 mile of the property. This information indicates a good supply of relatively fresh ground water that is adequate for domestic uses. It is likely that similar conditions will be encountered if wells are constructed for domestic use on the proposed acreages.

Two of the three wells you sampled show very good water quality for this area. The data shows that the level of dissolved solids (salt) is relatively low in the ground water (with some detectable level of Nitrate-N) indicating that the immediate vicinity is a recharge area providing some fresh water to the aquifer from infiltrated precipitation and snowmelt. The third well sampled has a high level of manganese and moderate level of dissolved solids (salinity), which is about what I expected for this area, but is still adequate for household use. These wells show much better ground water quality (in terms of dissolved solids, chloride, sodium) for this development than for wells located to the west and to the south and southwest.

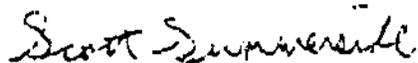
Most wells in the area obtain their water from sandstone of the Dakota Aquifer. It is an aquifer that supplies water to many wells in Lancaster County. Well logs on or near the property show sandstone thickness that varies from about 23 to 55 feet. Although no guarantee can be made for all acreage sites, sufficient quantity of water is likely to be available for individual domestic

wells of low capacity. Expected well depths on this property will be about 200 to 300 feet and depth to water in the wells will range from 75 to 175 feet depending on the position on the landscape. Conditions in this aquifer can change within short distances based on the amount of sandstone present in the formation. According to my professional opinion, it is likely that sufficient Dakota sandstone is present beneath the proposed acreages, but not a 100 percent certainty. Saline water may be present at greater depth. Saline water is known to be discharging to the land surface along the lowlands and saline wetlands along Little Salt and Salt Creeks to the south and west of your location. In order to avoid the saline water, wells should be screened in the first saturated sand or sandstone encountered during drilling that would produce an adequate supply. High capacity wells are not advised as they tend to cause an "upconing" of the denser saline water; however, this should not be a problem for the typical individual domestic well.

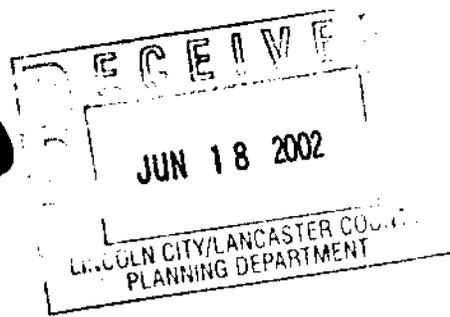
In summary, although there can be no guarantee that an adequate supply of ground water can be developed on all properties, it is likely that conditions are similar to the good water supply evident from the three acreage wells that you sampled. A solution to the small amount of uncertainty could involve the drilling of a testholes and/or test wells on the other properties prior to sale of land and beginning of home construction in order to provide some assurance of an adequate water supply.

Please let me know if I can be of any further assistance. If you have any questions or concerns, please call me at 472-7541.

Sincerely,



Scott Summerside, P.G.
Associate Geoscientist



LYLE L. LOTH, P.E./L.S.

File No. 01-0038
June 17, 2002

Suite A - 601 Old Cheney Road
Lincoln, NE 68512

Mike Dekalb
Planning Department
555 S. 10th Street
Lincoln, NE 68508

Phone (402) 421-2500
Fax (402) 421-7096

Email: lyle@espeng.com

Re: View Pointe North C.U.P., Preliminary Plat # 02014 and Special Permit #1976 and County #196

Dear Mr. Dekalb:

In response to your letter dated May 28, 2002, we have made the requested revisions and provided additional information with the following exceptions:

Item 2.12 As requested by Public Works, we have shown a continuous outlet pipe (30" CMP) that extends under the private road. The drainage between the dam and the road is picked up by a secondary culvert (24" CMP)

Item 2.15 The purpose of the access easement across Lot 3 is to take advantage of an existing asphalt lane. It is our intention that this lane would provide a secondary/emergency access. We have modified the Plat such that Outlot "E" is created with a "blanket" access easement over the entire Outlot. Maintenance of Outlots A, B, D, & E would be taken over by the Homeowner's Association.

Item 3.1 Predevelopment and post development Curve Numbers (CN's) have been calculated on the Grading and Drainage Plan, and indicate that the Post Development CN (7.15) is less than the predevelopment CN (75.5). This supports the conclusion that the post development flow rates will not exceed predevelopment flow rates.

Item 3.2 We have provided a 100' wide Flood Corridor on Outlot "A" downstream of the pond, and no part of the lots upstream of the pond are below the calculated 100-year water elevation (1260). Therefore, we do not consider it necessary to provide minimum opening elevations on any of the lots.

Item 14. As suggested by the Lancaster County Health Department, we have contacted Scott Summerside at the UNL Conservation and Survey Division. Mr. Summerside indicated that there should be adequate quantity of groundwater to serve the

project, but he did express some concern about the water quality. He recommended that we obtain 3 samples from existing wells in the area, and have them analyzed for "Domestic Suitability". We submitted these 3 samples to the Nebraska Health Laboratory on June 13th and are waiting for the results.

Mr. Giebenrath has also requested that, in honor of his parents, we change the name of the private street to be EMMAWALTER ROAD.

We are resubmitting 16 copies of the revised plans, one copy of the soils survey, and 3 copies of the Hydraulic calculations of the predevelopment and post development discharge rates as well as the 2-year, 10-year, 25-year, 50-year and 100-year release rates from the pond.

We trust that this submittal is adequate for your review and thank you for your patience.

E-S-P, Inc.
Engineering-Surveying-Planning

A handwritten signature in black ink, appearing to read "Lyle L. Loth". The signature is written in a cursive, flowing style.

Lyle L. Loth, P.E.