

# LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

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## FEBRUARY 14, 2007 PLANNING COMMISSION MEETING

**PROJECT #:** Waterford Estates 1<sup>st</sup> Addition Preliminary Plat #07001

**PROPOSAL:** Preliminary Plat

**LOCATION:** Generally located at N. 98<sup>th</sup> Street and O Street

**WAIVER REQUESTS:**

To allow the transfer of sewerage from one drainage basin to another by a lift station.

To allow lot lines that are not perpendicular to the R.O.W.

To allow sanitary sewer mains to flow opposite of street grades.

To allow block length to exceed 1,320 feet.

To allow impacts to the minimum flood corridor.

**LAND AREA:** 120.36 acres

**CONCLUSION:** With conditions, the preliminary plat generally conforms to the land subdivision ordinance. The waiver to allow the transfer of sewerage from one basin to another as per the annexation agreement is approved administratively by the Planning Director. The waiver would allow the development to be serviced by a lift station until the Stevens Creek trunk sewer reaches the area.

The waiver to allow lot lines that are not perpendicular to the right of way is recommended for approval to allow a more efficient lot layout.

The waiver to allow the sanitary sewer to flow opposite of street grades is supported by Public Works and Utilities and is approved administratively by the Planning Director. The waiver is allowed due to the lake and channels.

The waiver to allow impacts to the minimum flood corridor is justified in order to build the dam and lake.

The waiver to exceed the maximum block length is not necessary for Block 1 because of the future man-made lake and dam. The waiver to

block length for Blocks 2 and 3 is not justified and is recommended for denial. There are no natural or man made barriers to prohibit the provision of the required minimum block length. The applicant has shown a long (approximately 274'), angled, 10' pedestrian easement on the site plan in the middle of Block 3. Presumably, this pedestrian easement would extend east to future development, which would also need to request a block length waiver in the future. This type of mitigation for long blocks has proven unsatisfactory to land owners and unattractive to pedestrians and these easements are eventually vacated.

<b>RECOMMENDATION:</b>	Conditional Approval
Waiver to allow lot lines that are not perpendicular to the R.O.W.:	Approval
Waiver to allow impacts to the minimum flood corridor:	Approval
Waiver to exceed the maximum block length for Blocks 2 and 3:	Denial

**GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** See attached.

**EXISTING ZONING:** AG and B-2

**EXISTING LAND USE:** Agriculture, Undeveloped

**SURROUNDING LAND USE AND ZONING:**

North:	Agriculture, undeveloped	R-3
South:	Agriculture, acreage residential, undeveloped	AG and B-2
East:	Agriculture, undeveloped	AG
West:	Agriculture, undeveloped	AG, B-2 and R-3

**ASSOCIATED APPLICATIONS:**

- Change of Zone #07002
- Annexation #07001
- Special Permit (Community Unit Plan) #07001

**COMPREHENSIVE PLAN SPECIFICATIONS:**

Encourage different housing types and choices, including affordable housing, throughout each neighborhood for an increasingly diverse population. (10)

Many activities of daily living should occur within walking distance. Neighborhoods should include homes, stores, workplaces, schools and places to recreate. Interconnected networks of streets, trails and sidewalks should be designed to encourage walking and bicycling, reduce the number and length of automobile trips, conserve energy and for the convenience of the residents. (10-11)

The land use plan identifies this area as Urban Residential, Commercial, Green Space, Lakes & Streams, and Environmental Resources. (19)

Urban Residential: Multi-family and single family residential uses in areas with varying densities ranging from more than fifteen dwelling units per acre to less than one dwelling per acre. (16)

Commercial: Areas of retail, office and service uses. Commercial uses may vary widely in their intensity of use and impact, varying from low intensity offices, to warehouses, to more intensive uses such as gas stations, restaurants, grocery stores or automobile repair. Each area designated as commercial in the land use plan may not be appropriate for every commercial zoning district. The appropriateness of a commercial district for a particular piece of property will depend on a review of all the elements of the Comprehensive Plan. (16)

Green Space: Areas predominately used for active recreational uses, such as parks, golf courses, soccer or ball fields, and trails. Green space areas may be either public or privately owned. While some isolated environmentally sensitive features may be within these areas, they are predominately for active recreation, with some passive recreation uses also possible. (16)

Lakes and Streams: This category includes the larger stream corridors, lakes, and ponds. (16)

Environmental Resources: Land and water masses which are of particular importance for maintenance and preservation, such as saline wetlands, native prairie, and some floodway and riparian corridors. Such areas may be either publicly or privately owned.

Urban Growth Tiers - This site is in Tier 1, Priority Area A of the City's Future Service Limit. (21)

**HISTORY:**

June 19, 2006: Waterford Estates conditional annexation and zoning agreement signed by Mayor's Office.

April 17, 2006: Annexation #04003 and Change of Zone #04019 was approved by City Council.

March 16, 2005: Waterford Estates Preliminary Plat #04011 was approved by Planning Commission.

**UTILITIES:**

A high pressure underground natural gas pipeline is located along the southern edge of this development. Water and sanitary sewer will be public. A 12" water main and a 30" trunk sewer are proposed for Boathouse Road to connect the proposed development to utilities planned in N. 98<sup>th</sup> Street.

Sewerage for this development will have to be temporarily transferred from one basin to another.

**TRAFFIC ANALYSIS:** The 2030 Comprehensive Plan shows O Street as a principal arterial and N. 98<sup>th</sup> Street as a minor arterial. The impact of future residential and commercial development north of O Street between N. 84<sup>th</sup> and N. 104<sup>th</sup> is unknown at this time. The street patterns and traffic characteristics may change based on access points that are allowed by the Nebraska Department of Roads onto O Street/Highway 34.

**PUBLIC SERVICE:** The nearest City fire station is located at 2201 S. 84<sup>th</sup> Street. There is a rural fire station near the intersection of N. 84<sup>th</sup> Street and Holdrege Street.

**ANALYSIS:**

1. This is a proposal for 103 single family lots, 51 townhomes (in the Community Unit Plan, Special Permit #07001), a clubhouse, and 8 outlots. This property is currently zoned B-2 and AG. Change of Zone #07002 proposes that the B-2 portion be changed to B-1 for the clubhouse and the remainder of the property is AG and is proposed to be changed to R-3 and R-4.
2. The proposed development is outside of the city limits, but is proposed to be annexed (Annexation #07001) and is entirely within the future service limit. This area is covered by an annexation agreement.
3. This area is designated as Tier I, Priority A in the 2030 Comprehensive Plan. The Tier 1, Priority A designates areas for near term development generally contiguous to existing development and should be provided with basic infrastructure within 12 years of the adoption of the Plan. Some of the infrastructure required for the development may already be in place.
4. The proposed development is in conformance with the Comprehensive Plan and is compatible with future land uses for the area.
5. City Staff finds that the two waivers of wastewater design standards are justified and acceptable. The Planning Commission has the authority to grant the three requested waivers to the Subdivision Ordinance, and staff recommends two of

those requests be approved: lot lines not perpendicular to the ROW and impacts to the minimum flood corridor.

6. Waiver to block length is not justified and is recommended for denial. The waiver must be decided by the City Council, following a recommendation by the Planning Commission.
7. The Land Subdivision Ordinance states the word "South" should be used to name north/south streets south of O Street east of 1<sup>st</sup> Street.
8. Comment from other departments are listed below:
  - 8.1 Engineering Services has several comments to be addressed- (see attached comments). One of these comments deals with the fact that a traffic study submitted to the Nebraska Department of Roads shows future traffic volumes from the commercial development would call for triple left turn lanes at 95<sup>th</sup>, 98<sup>th</sup>, and 84<sup>th</sup> Streets. The rights of way for these streets may need to be adjusted accordingly. These issues must be resolved before a final plat for this portion of the development can be approved.
  - 8.2 The Police Department has expressed concern over block lengths exceeding 1,320 feet - (see attached comments).
  - 8.3 The Nebraska Department of Roads has expressed concern over noise from O Street impacting development - (see attached comments).
  - 8.4 The Lincoln Lancaster County Health Department has several concerns including the existence of a high pressure natural gas line - (see attached comments).
  - 8.5 911 recommends changing the name of South Shore Drive and South Shore Bay - (see attached comments).
  - 8.6 Lincoln Electric System has requested additional easements be shown on plans.

**CONDITIONS OF APPROVAL:**

Site Specific:

1. After the subdivider completes the following instructions and submits the documents and plans and 6 copies to the Planning Department office, the preliminary plat will

be signed by the Chair of the Planning Commission certifying approval: (NOTE: These documents and plans are required by ordinance or design standards.)

- 1.1 Revise the preliminary plat to show:
  - 1.1.1 Include the layout for the Community Unit Plan area in Outlot A.
  - 1.1.2 Show a north/south street or private roadway from South Shore Drive (new name) to Boathouse Road through either Outlot A (C.U.P.) or Outlot B. If the road is in Outlot B, the road must be at least 90' east of Outlot A to provide an area for a row of lots west of the road. This will satisfy the block length requirement.
  - 1.1.3 Reduce the block length of Block 3 by providing an additional east-west street connection to the property to the east. This will satisfy the block length requirement and will provide better connectivity between neighborhoods.
  - 1.1.4 Lots 54-61, Block 1 and Lots 93-98, Block 5 cannot be final platted until a full right of way is dedicated and provisions for improvements met for Watersedge Drive.
  - 1.1.5 Re-number lots for each block beginning with "1" as per section 26.15.015(f).
  - 1.1.6 Add the preliminary plat boundary to the site plan sheets 2 and 3.
  - 1.1.7 Label the blank area north of Lots 103 and 104, Block 6 as "Outlot F" and label its purpose.
  - 1.1.8 Change Lot 61, Block 1 to "Outlot H" and label as "FUTURE DEVELOPMENT". Adjust SITE SPECIFIC NOTES #11 accordingly.
  - 1.1.9 On the Site Plan Cover Sheet, label the two site plan sheets as "... OF 8" instead of "XX".
  - 1.1.10 Add corrected legal description to the Cover Sheet.

- 1.1.11 Add Outlots F, G, and H and their uses to GENERAL SITE NOTES #11.
  - 1.1.12 Change "10<sup>TH</sup>" to "104<sup>TH</sup>" in GENERAL SITE NOTES #16.
  - 1.1.13 Renumber the "REQUESTED WAIVERS" to read 1-5.
  - 1.1.14 Revise the "VICINITY MAP" to include only the boundary of the preliminary plat for the "PROJECT LOCATION".
  - 1.1.15 Satisfy Engineering Services comments outlined in their January 30, 2007 memo.
  - 1.1.16 Rename South Shore Drive and South Shore Bay. Other street names shown in the surrounding areas on the cover sheet may also change in conjunction with City comments for Waterford Estates Preliminary Plat #04011.
  - 1.1.17 Add easements per Lincoln Electric System comments dated January 26, 2007.
  - 1.1.18 Along O Street show the high pressure natural gas pipeline.
  - 1.1.19 Label dimensions for Lots 69-71, Block 3.
2. The City Council approves associated requests:
- 2.1 Change of Zone #07002
  - 2.2 Annexation #07001
  - 2.3 Special Permit #07001
- General:
3. Final Plats will be approved by the Planning Director after:
- 3.1 The required improvements are completed or a surety is posted to guarantee the completion of the public streets, private roadway improvements, sidewalks, sanitary sewer system, water system, drainage facilities, land preparation and grading, sediment and erosions control measures, storm water detention/retention facilities, drainageway

improvements, street lights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs.

3.2 The subdivider has signed an agreement that binds the subdivider, its successors and assigns:

to complete the street paving of public streets, and temporary turnarounds and barricades located at the temporary dead-end of the streets shown on the final plat within two (2) years following the approval of this final plat.

to complete the paving of private roadway, and temporary turnarounds and barricades located at the temporary dead-end of the private roadway shown on the final plat within two (2) years following the approval of this final plat.

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

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

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

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

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

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

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

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

to complete the planting of the street trees along all streets and private roadways within this plat within four (4) years following the approval of this final plat.

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

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

to complete the installation of the permanent markers prior to construction on or conveyance of any lot in the plat.

to timely complete any other public or private improvement or facility required by Chapter 26.23 (Development Standards) of the Land Subdivision Ordinance which have not been waived but which inadvertently may have been omitted from the above list of required improvements.

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

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

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

to maintain the outlots and private improvements on a permanent and continuous basis.

to keep taxes and special assessments on the outlots from becoming delinquent.

to maintain the plants in the medians and islands on a permanent and continuous basis.

to maintain and supervise the private facilities which have common use or benefit on a permanent and continuous basis, and to recognize that there may be additional maintenance issues or costs associated with providing for

the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development.

to retain ownership of and the right of entry to the outlots in order to perform the above-described maintenance of the outlots and private improvements on a permanent and continuous basis. However, Owner(s) may be relieved and discharged of such maintenance obligations upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance subject to the following conditions:

- (1) Owner shall not be relieved of Owner's maintenance obligation for each specific private improvement until a register professional engineer or nurseryman who supervised the installation of said private improvement has certified to the City that the improvement has been installed in accordance with approved plans.
- (2) The maintenance agreements are incorporated into covenants and restrictions in deeds to the subdivided property and the documents creating the association and the restrictive covenants have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

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

to protect the trees that are indicated to remain during construction and development.

to relinquish the right of direct vehicular access from Outlot C, Block 4 to O Street.

4. The waiver to the design standards to permit the sanitary sewer to flow opposite the street grades is hereby approved.

5. The waiver to allow the transfer of sewerage from one basin to another is hereby approved.

Prepared by:

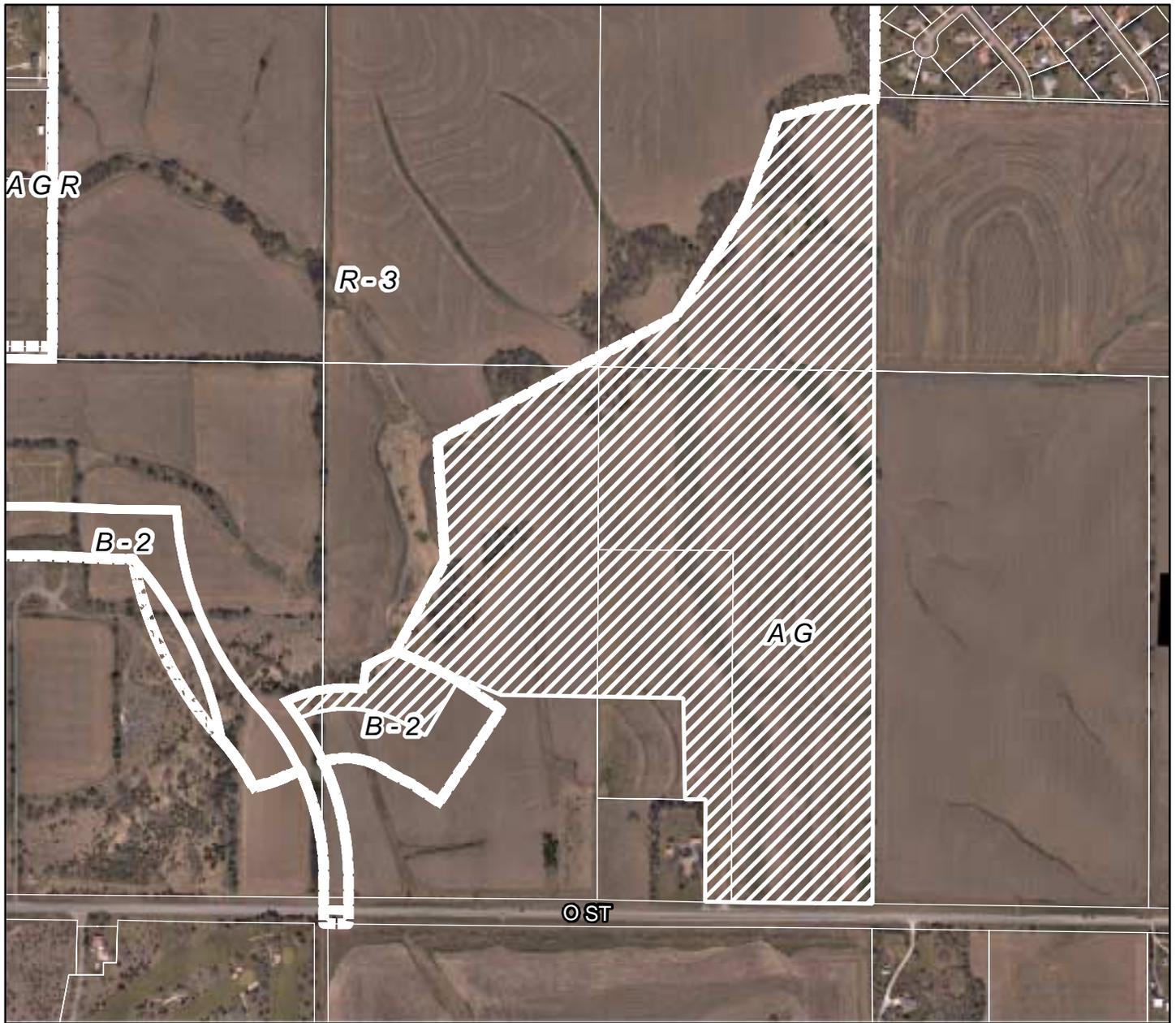
Brandon M. Garrett, AICP  
[bgarrett@lincoln.ne.gov](mailto:bgarrett@lincoln.ne.gov), 441-6373  
Planner

**DATE:** February 5, 2007

**CONTACT/APPLICANT:** Mark Palmer  
Olsson Associates  
1111 Lincoln Mall  
Lincoln, NE 68508

**OWNERS:** Waterford Estates LLC  
8644 Executive Woods Drive  
Lincoln, NE 68512

Seostris Temple Holding Company  
1717 Yolande St.  
Lincoln, NE 68521



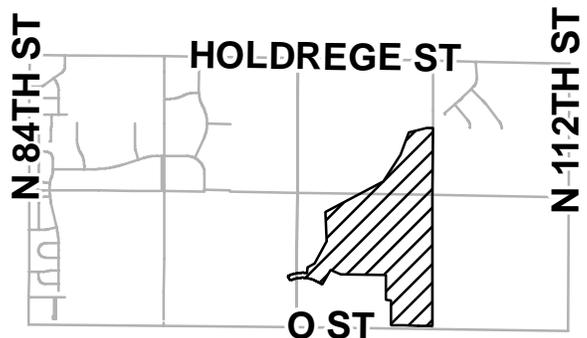
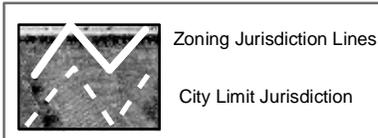
**Preliminary Plat #07001**  
**Waterford Estates 1st Addition**  
**98th & O St**

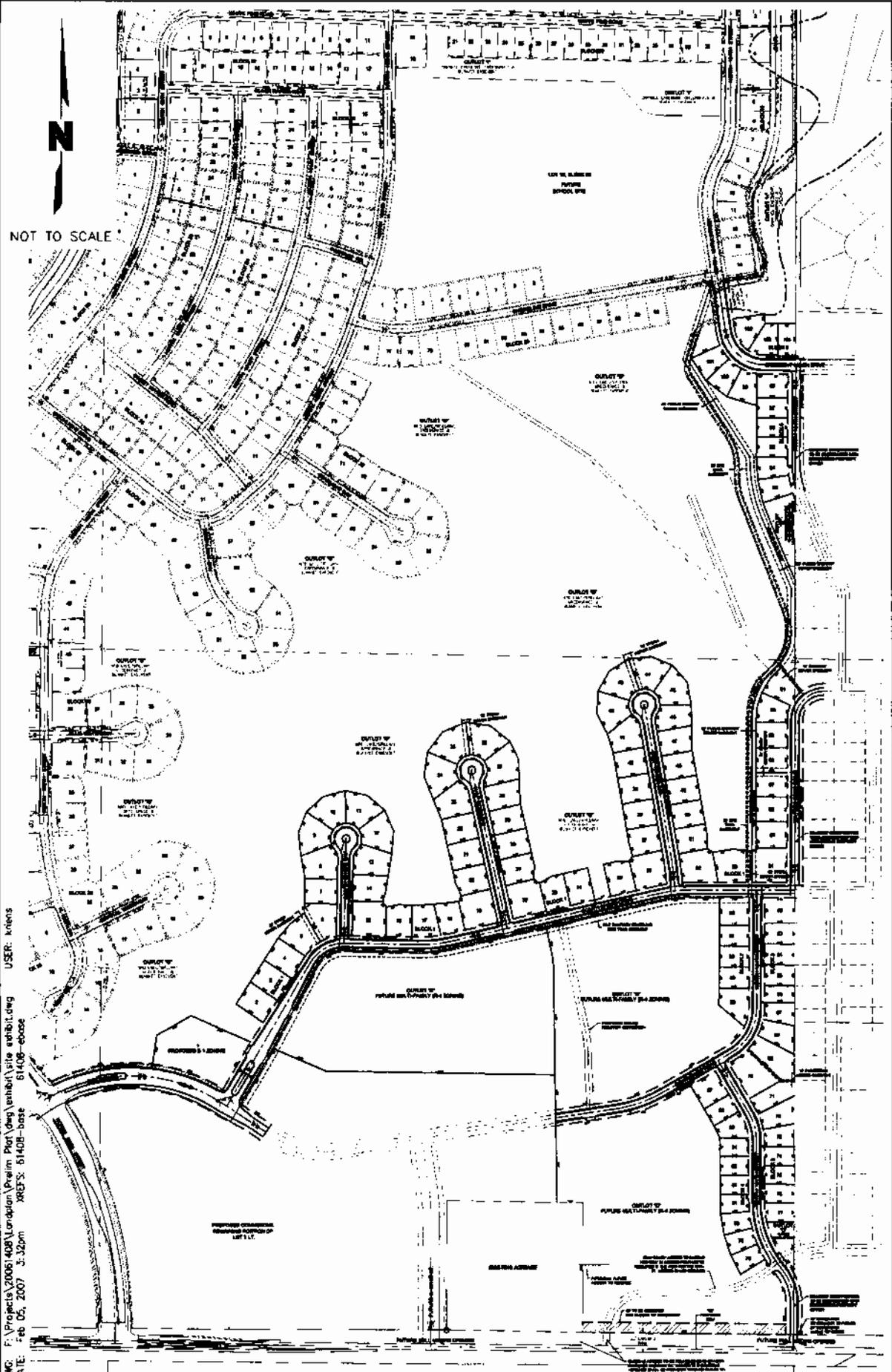
2005 aerial

Two Square Miles  
 Sec. 23 T10N R7E  
 Sec. 24 T10N R7E

**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





NOT TO SCALE

DWG: F:\Projects\2006\1408\Location\Preim Plat.dwg  
 DATE: Feb 05, 2007 3:32pm  
 USER: knrens  
 XREFS: 51405-base  
 51406-ebase

PROJECT NO: 2006-1408  
 DRAWN BY: KAR  
 DATE: 02/05/07

**WATERFORD ESTATES 1ST ADDITION  
 PRELIMINARY PLAT SITE EXHIBIT**

**OLSSON ASSOCIATES**

1111 Lincoln Blvd, Suite 111  
 P.O. Box 9400  
 Lincoln, NE 68501-0001  
 TEL: 402-474-8911  
 FAX: 402-474-8983

EXHIBIT  
**1**



**LEGAL DESCRIPTION****PRELIMINARY PLAT**

A LEGAL DESCRIPTION FOR A TRACT OF LAND COMPOSED OF A PORTION OF LOT 8 I.T., A PORTION OF LOT 11 I.T., AND A PORTION OF THE NORTH HALF OF THE SOUTHWEST QUARTER, ALL LOCATED IN THE EAST HALF OF SECTION 24, TOWNSHIP 10 NORTH, RANGE 7 EAST OF THE 6TH P.M., AND A PORTION OF LOT 3 I.T., LOCATED IN THE SOUTHEAST QUARTER OF SECTION 23, TOWNSHIP 10 NORTH, RANGE 7 EAST, CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER OF SAID SECTION 24, THENCE NORTHERLY ALONG THE EAST LINE OF SAID SOUTHWEST QUARTER ON AN ASSUMED BEARING OF NORTH 00 DEGREES 10 MINUTES 10 SECONDS EAST, A DISTANCE OF 60.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 11 I.T., SAID POINT BEING THE TRUE POINT OF BEGINNING; THENCE NORTH 89 DEGREES 21 MINUTES 18 SECONDS WEST ALONG A SOUTH LINE OF SAID LOT 11 I.T., SAID LINE BEING A NORTH LINE OF "O" STREET RIGHT-OF-WAY, A DISTANCE OF 550.00 FEET TO A POINT, THENCE NORTH 88 DEGREES 57 MINUTES 48 SECONDS WEST ALONG A SOUTH LINE OF SAID LOT 11 I.T., SAID LINE BEING A NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 259.85 FEET TO A SOUTHWEST CORNER OF SAID LOT 11 I.T., THENCE NORTH 00 DEGREES 13 MINUTES 22 SECONDS EAST ALONG A WEST LINE OF SAID LOT 11 I.T., A DISTANCE OF 494.92 FEET TO A POINT, THENCE NORTH 88 DEGREES 57 MINUTES 49 SECONDS WEST ALONG A SOUTH LINE OF SAID LOT 11 I.T., A DISTANCE OF 100.29 FEET TO A POINT, THENCE NORTH 00 DEGREES 48 MINUTES 28 SECONDS WEST, A DISTANCE OF 488.48 FEET TO A POINT, THENCE NORTH 88 DEGREES 55 MINUTES 37 SECONDS WEST, A DISTANCE OF 882.89 FEET TO A POINT, THENCE NORTH 67 DEGREES 01 MINUTES 23 SECONDS WEST, A DISTANCE OF 217.87 FEET TO A POINT, THENCE SOUTH 28 DEGREES 11 MINUTES 44 SECONDS WEST, A DISTANCE OF 22.36 FEET TO A POINT, THENCE SOUTH 30 DEGREES 29 MINUTES 10 SECONDS WEST, A DISTANCE OF 303.76 FEET TO A POINT, THENCE NORTH 62 DEGREES 29 MINUTES 01 SECONDS WEST, A DISTANCE OF 67.52 FEET TO A POINT OF CURVATURE OF A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING DELTA ANGLE OF 57 DEGREES 58 MINUTES 46 SECONDS, A RADIUS OF 585.00 FEET, AN ARC LENGTH OF 591.98 FEET, A TANGENT LENGTH OF 324.13 FEET, A CHORD LENGTH OF 567.04 FEET, AND A CHORD BEARING OF NORTH 85 DEGREES 19 MINUTES 28 SECONDS WEST TO A POINT OF CURVATURE OF A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING DELTA ANGLE OF 03 DEGREES 42 MINUTES 02 SECONDS, A RADIUS OF 1,570.00 FEET, AN ARC LENGTH OF 101.40 FEET, A TANGENT LENGTH OF 50.72 FEET, A CHORD LENGTH OF 101.38 FEET, AND A CHORD BEARING OF NORTH 34 DEGREES 35 MINUTES 27 SECONDS WEST TO A POINT OF CURVATURE OF A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION, HAVING DELTA ANGLE OF 32 DEGREES 27 MINUTES 12 SECONDS, A RADIUS OF 691.50 FEET, AN ARC LENGTH OF 391.67 FEET, A TANGENT LENGTH OF 201.25 FEET, A CHORD LENGTH OF 386.46 FEET, AND A CHORD BEARING OF NORTH 80 DEGREES 32 MINUTES 05 SECONDS EAST TO A POINT, THENCE NORTH 06 DEGREES 57 MINUTES 46 SECONDS EAST, A DISTANCE OF 113.44 FEET TO A POINT, THENCE NORTH 63 DEGREES 27 MINUTES 30 SECONDS EAST, A DISTANCE OF 160.60 FEET TO A POINT, THENCE NORTH 28 DEGREES 14 MINUTES 31 SECONDS EAST, A DISTANCE OF 503.12 FEET TO A POINT, THENCE NORTH 03 DEGREES 19 MINUTES 34 SECONDS WEST, A DISTANCE OF 574.78 FEET TO A POINT, THENCE NORTH 62 DEGREES 22 MINUTES 00 SECONDS EAST, A DISTANCE OF 1,295.82 FEET TO A POINT, THENCE NORTH 32 DEGREES 55 MINUTES 55 SECONDS EAST, A DISTANCE OF 620.76 FEET TO A POINT, THENCE NORTH 20 DEGREES 06 MINUTES 43 SECONDS EAST, A DISTANCE OF 471.68 FEET TO A POINT, THENCE NORTH 76 DEGREES 00 MINUTES 17 SECONDS EAST, A DISTANCE OF 363.45 FEET TO A POINT, THENCE NORTH 89 DEGREES 11 MINUTES 23 SECONDS EAST, A DISTANCE OF 113.22 FEET TO A POINT OF INTERSECTION WITH THE EAST LINE OF LOT 8 I.T., THENCE SOUTH 00 DEGREES 09 MINUTES 34 SECONDS WEST ALONG A EAST LINE OF SAID LOT 8 I.T., SAID LINE BEING THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 24, A DISTANCE OF 1,321.02 FEET TO THE SOUTHEAST CORNER OF SAID LOT 8 I.T., SAID POINT BEING THE NORTHEAST CORNER OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF SAID SECTION 24, THENCE SOUTH 00 DEGREES 10 MINUTES 10 SECONDS WEST ALONG THE EAST LINE OF SAID NORTH HALF OF THE SOUTHWEST QUARTER, AND THE EAST LINE OF SAID LOT 11 I.T., A DISTANCE OF 2,575.43 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 5,243,081.47 SQUARE FEET OR 120.36 ACRES, MORE OR LESS.



January 17, 2007

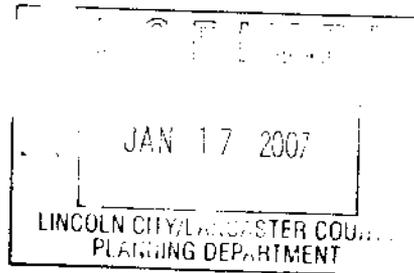
Mr. Marvin Krout  
Planning Department, City of Lincoln  
County-City Building  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508

Re: Waterford Estates 1<sup>st</sup> Addition Preliminary Plat  
OA Project No. 2006-1408

Dear Mr. Krout:

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

1. Preliminary Plat Application
2. Preliminary Plat Application Fee
3. Change of Zone Applications and Exhibits
4. Change of Zone Application Fee
5. Annexation Legal Description
6. Cover Sheet - 21 copies
7. Site Plans - 21 copies
8. Drainage and Grading Plans - 9 copies
9. Street Profile Plans - 5 copies
10. 8 ½ x 11 Copy of the Cover Sheet and Site Plans



This Preliminary Plat includes the residential property on the south side of the lake area that was previously included in the Waterford Estates annexation agreement (AX 04003). The required off-site improvements for roadways, sanitary sewer, and water mains were included in this annexation agreement.

The lake is currently under construction with grading expected to be complete Spring 2007. This preliminary plat will complete the subdivision of the lake lots, as well as reserving parcels for future multi-family development. We have proposed to zone a strip of B-2 zoning south of Outlot 'A' to put future homeowners on notice that this property is planned for B-2 commercial development.

The Storm Water Detention and Flood Corridor requirements were master planned with the Waterford Estates Original Addition Preliminary Plat.

The following waivers were previously approved for the original Waterford Estates Preliminary Plat. We are requesting the same waivers for this addition.

1. A temporary waiver to Design Standards (section 2.2.1) to temporarily allow the transfer of sewerage from one drainage basin to another by a lift station.

*This property is within the Stevens Creek "E2" Sewer Basin. We are proposing to temporarily pump the sewerage to the Regent Heights Trunk Sewer.*

2. A waiver to the Lincoln Municipal Code (Section 26.23.140) to allow lot lines to not be perpendicular to right of way lines.

*There are some locations on the site plan where the lots are better configured when they are not perpendicular to the right of way line.*

3. A waiver to Design Standards (section 2.3.6) to allow sanitary sewer mains to flow opposite street grades.

*This waiver is required at various locations around the site. Due to the lake and various channels, there are sections of the sewer main that flow opposite street grades.*

4. A waiver to the Lincoln Municipal Code (Section 26.23.130) to allow block sizes in excess of 1,320 feet.

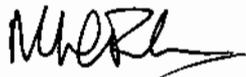
*The Lake and protection of minimum flood corridors require a waiver of the block length requirement.*

5. A waiver to the Lincoln Municipal Code (Section 27.53) to allow impacts to the minimum flood corridor as described above.

The proposed access points on Highway 34 ("O" Street) are being coordinated with the Nebraska Department of Roads. The State proposes a full median opening at 104<sup>th</sup> Street. This access is to serve the Waterford property and the neighboring 80 acre property to the east. We are negotiating with the NDOR to purchase access rights for the 101<sup>st</sup> Street access. The access location has been approved by the NDOR and the appraisal has recently been completed. At present there exists an access to the Sesostris Temple property that will be vacated when the State completes the Highway improvement project and constructs 104<sup>th</sup> Street. If the 104<sup>th</sup> Street access is not obtainable, we will plan to connect to either the 101<sup>st</sup> Street, or Sesostris access to provide a second vehicular access to the development.

Please contact us if you have any questions or require additional information.

Sincerely,



Mark C. Palmer, PE

Encls

cc: Tom White      John Brager      John Schleich  
Tom Schleich      Richard Meginnis      DaNay Kalkowski

# Memorandum

To: Brian Will, Planning Department

From: Chad Blahak, Public Works and Utilities  
Dennis Bartels Public Works and Utilities

Subject: Waterford Estates 1<sup>st</sup> Addition pp07001, sp07001, an07001, cz07002

Date: January 30, 2007

cc: Randy Hoskins

Engineering Services has reviewed the submitted plans for the Waterford Estates 1<sup>st</sup> Addition, located at 98th Street north of O Street and has the following comments:

**Sanitary Sewer** – The following comments need to be addressed.

(1.1) The 30" trunk sewer alignment north of south shore drive needs to be further coordinated with the Wastewater Department. It appears that the sewer is shown to be constructed in various fill slopes for the dam structure and lake edge.

**Water Main** – The water system is satisfactory.

**Grading/Drainage** - The following comments need to be addressed.

(3.1) Minimum openings need to be shown for Lots 99-101 Block 5 as the back onto the outlet channel for the NRD dam structure.

**Streets/Paving** - The following comments need to be addressed.

(4.1) Lots 93-98 in Block 5 should not be platted as buildable lots as they take access of partial ROW in 104<sup>th</sup> Street. Lot 98 may be able to take access off of Crescent Moon Drive.

(4.2) The proposed future road shown in to the east of the CUP does not appear to adequately address the intent of the block length requirement. The street location shown creates a narrow strip of land with questionable uses.

(4.3) North 104<sup>th</sup> Street is a half mile line road and is proposed to be a future full median break with a traffic signal when warranted at O Street. The site plan should be revised to show collector width paving and ROW for 104<sup>th</sup> Street from O Street to Boathouse Road.

(4.4) The left turn lane shown in Boathouse Road at the intersection with 98<sup>th</sup> Street does not appear to

match the required length shown in the traffic study provided to Public Works. The site plan needs to be revised to show the required storage length.

(4.5) Although the traffic study was not officially part of this submittal, it was provided to Public Works and reviewed in conjunction with the applicants application to NDOR for the break of access for various street connections to O Street. Most of the information provided in the study is not directly applicable to this preliminary plat and CUP. However, much of the results will have significant impact on any further development in the area, especially the commercial portions. For the 2030 full build out scenario, the study shows the need for triple eastbound left turn lanes in O Street at 95<sup>th</sup> and 98<sup>th</sup> Streets. The ROW shown in Waterford Estates Addition for 98<sup>th</sup> Street does not accommodate these lane requirements. The study also shows the need for triple left turn lanes in all directions for the intersection of 84<sup>th</sup> and O Street for the 2030 full build out. It is the recommendation of Public Works that the issues raised by this study and the fact that the NDOR Hwy 34 (O Street) project has been pushed back further need to be further analyzed and worked out prior to any further development in the Waterford Estates area. Also, if the any of the access points requested are not granted by NDOR, the street patterns and characteristics in this plat may need to be significantly revised.

**Annexation** – The following comments need to be addressed.

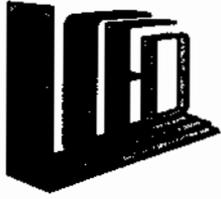
(5.1) Public Works recommends that the portion of the annexation boundary that is adjacent to the Hwy 34 ROW be revised to include the area of the future ROW only.

**General** – The conditional approval of this plat does not imply approval of any Design Standard waivers not specifically requested with this application. Any waiver of design standards not specifically addressed with this application will be subject to the review and approval of Public Works.

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

Lancaster  
County

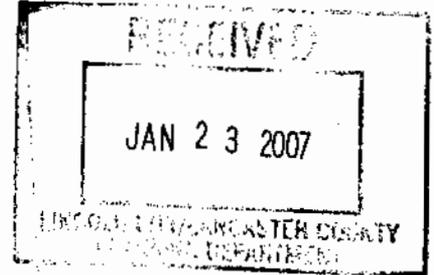
**DON R. THOMAS - COUNTY ENGINEER**



Engineering  
Department

DEPUTY- **LARRY V. WORRELL**  
COUNTY SURVEYOR

**DATE:** January 22, 2007  
**TO:** Brandon Garrett  
Planning Department  
**FROM:** Larry V. Worrell  
County Surveyor  
**SUBJECT:** WATERFORD ESTATES 1<sup>ST</sup> ADDITION  
SPECIAL PERMIT #07001 CUP CHANGE OF ZONE #07002



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Upon review, this office has no direct objection to this submittal.

LWV/DP/pb  
Barbi/SUBDIV.WK/Waterford Estates 1<sup>st</sup> Add.CUP



**"Sgt. Don Scheinost"**  
<lpd798@CJIS.CI.LINCOLN.  
NE.US>

01/19/2007 02:58 PM

To Brandon Garrett <BGarrett@ci.lincoln.ne.us>

cc

bcc

Subject Waterford Estates 1st Addition - Special Permit (CUP) #  
SP07001 - Change of Zone (PUD) # CZ07002, Annexation #  
AN07001 - Preliminary Plat # PP07001

Mr. Garrett,

The Lincoln Police Department does have an objection to one of the waivers requested in the Waterford Estates, 1st Addition. The request to waive the block lengths is an issue.

It has been the experience of the Lincoln Police Department that block lengths in excess of 1,320 feet can become a hazard not only during construction, but after the development is completed. Traffic accidents, medical emergencies, construction blockages and other situations can cause traffic problems and the extended block lengths add to the difficulties.

Additionally, in reviewing some of the street names selected in Waterford Estates, South Shore Drive is an issue for the Lincoln Police Department. Holmes Lake currently has a road that is called South Shore Road, and the creation of an additional South Shore Drive could cause confusion, especially when emergency personnel are responding. The Lincoln Police Department would ask that the developer reconsider the name of South Shore Drive. Other street names will also need to be reviewed. Street names such as Turtle Creek Road, which is just to the north and west of Waterford Estates, already exists along N.14th and Morton Road.

Sergeant Don Scheinost, #798  
Lincoln Police Department  
Management Services  
(402) 441-7215  
[lpd798@ciis.ci.lincoln.ne.us](mailto:lpd798@ciis.ci.lincoln.ne.us)

INTER-DEPARTMENT COMMUNICATION

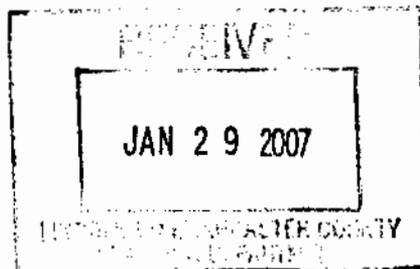


**DATE** January 26, 2007  
**TO:** Brandon Garrett, City Planning  
**FROM:** Sharon Theobald (Ext. 7640) *St*  
**SUBJECT:** DEDICATED EASEMENTS AN #07001, CZ #07002, PP #07001, SP #07001  
DN #5N-101E

Attached is the Preliminary Plat for Waterford Estates 1<sup>st</sup> Addition.

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

Windstream Nebraska, Inc., Time Warner Cable, and the Lincoln Electric System will require the additional easements marked in red on the map, along with blanket utility easements over all of the Outlots. Also please include "utility" in the pedestrian easement, as noted.



ST/nh  
Attachment  
c: Terry Wiebke  
Easement File



Dave Heineman  
Governor

# STATE OF NEBRASKA

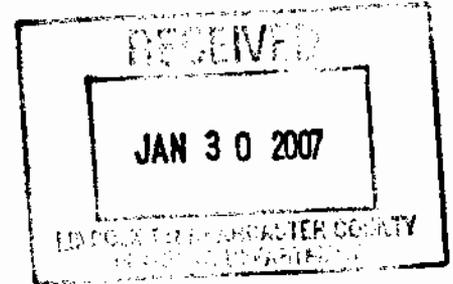
DEPARTMENT OF ROADS

John L. Craig, Director

1500 Highway 2 • PO Box 94759 • Lincoln NE 68509-4759  
Phone (402)471-4567 • FAX (402)479-4325 • www.dor.state.ne.us

January 26, 2007

Brandon Garrett  
Lincoln/Lancaster Planning Dept.  
555 S 10<sup>th</sup> Street, Rm 213  
Lincoln, NE 68508



Dear Mr. Garrett:

Nebraska Department of Roads (NDOR) has reviewed site plans for the Lancaster County Event Center, South Shore Townhomes and Waterford Estates 1<sup>st</sup> Addition. We have no comment on the Lancaster County Event Center zoning application.

A noise study was performed in 2005 for the proposed Lincoln East roadway project (Project No. STPD-34-7(113), Control No. 12139). A copy of the noise report is enclosed for your reference. According to our study, South Shore Townhomes would not be impacted by future year traffic (year 2029). The study shows that residential receptors within 180' of the project centerline (US-34) and commercial receptors within 65' of the project centerline would be noise impacted in the future build situation (year 2029). The proposed project centerline of US-34 at this location has shifted north from the existing location.

Our goal is to work with developers and county/city planners in order to avoid the need for noise abatement. We recommend that The Waterford Estates developer plan any residential developments no closer than 180' from the proposed project centerline (US-34) and commercial developments no closer than 65' from the project centerline. The developer should also be made aware that NDOR will not provide a noise wall in the future due to the fact that an environmental assessment has already been performed and approved by the Federal Highway Administration (FHWA). After the date of FHWA approval of the final environmental document, NDOR is no longer responsible for providing noise abatement for new development (any plats approved after FHWA approval) which occurs adjacent to the proposed highway project.

If you have any questions, please feel free to give me a call.

Sincerely,

Mark Ottemann  
Noise, Air and Utilities Engineer  
Nebraska Department of Roads  
Phone: (402) 479-4684  
Fax: (402) 479-3629

cc: Ray Hill, Lincoln-Lancaster County Planning Department



Status of Review: Denied

01/29/2007 6:55:04 AM

Reviewed By 911

ANY

Comments: 1) South Shore already exists as Southshore in the Pine Lake Addition generally located at S 84th and Pine Lake Rd. 2) Turtle Creek already exists in the Pinecrest Addition, generally located at N 14th and I-80.

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Status of Review: Active

Reviewed By Alltel

ANY

Comments:

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Status of Review: Complete

Reviewed By Building & Safety

Terry Kathe

Comments:

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Status of Review: Approved

01/19/2007 9:40:10 AM

Reviewed By Building & Safety

BOB FIEDLER

Comments: approved

---

Status of Review: Active

Reviewed By County Engineer

JIM LANGTRY

Comments:

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Status of Review: Active

Reviewed By Fire Department

ANY

Comments:

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Reviewed By Health Department

ANY

Comments: LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT  
INTER-OFFICE COMMUNICATION

TO: Brandon Garrett DATE: January 26, 2007

DEPARTMENT: Planning FROM: Chris Schroeder  
ATTENTION: DEPARTMENT: Health

CARBONS TO: EH File SUBJECT: Waterford Estates 1st  
EH Administration Addition SP #07001  
AN #07001 CZ #07002  
PP #07001

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the proposed development the following noted:

According to the LLCHD's Geographic Information System (GIS) records, a twelve inch high pressure underground natural gas pipeline is located along the southern edge of this proposed development. The LLCHD calculated a hazard area of approximately 154 feet on each side for this pipeline using the hazard area equation from report entitled, "A Model for Sizing High Consequence Areas Associated with Natural Gas Pipelines" prepared by Mark J. Stephens from C-FER Technologies. A hazard area or high consequence area is defined as the area within which the extent of property damage and the chance of serious or fatal injury would be expected to be significant in the event of a worst case scenario rupture failure.

According to provided site plans, no residential lots are currently platted in the projected hazard area. However, Outlot C is shown as future multi-family (R-4 zoning) which could potentially locate residential lots within the projected hazard area.

The LLCHD advises that noise pollution can be an issue when locating commercial uses adjacent to residential zoning.

Lincoln Municipal Code (LMC) 8.24 Noise Control Ordinance does address noise pollution by regulating source sound levels based upon the receiving land-use category or zoning. However, the LLCHD does have case history involving residential uses and abutting commercial uses in which the commercial source does comply with LMC 8.24, but the residential receptors still perceive the noise pollution as a nuisance. The LLCHD strongly advises the applicant to become familiar with LMC 8.24. The LLCHD advises against locating loading docks, trash compactors, etc. adjacent to residential zoning. Therefore, creative site design should be utilized to locate potential sources of noise pollution as far as possible from residential zoning.

Developers are responsible for all mosquito control issues during the building process and all outlots, green-spaces, and/or natural corridors subsequently controlled by the homeowners association for that subdivision would be responsible for vectors of zoonotic disease in those areas.

Water wells existing when annexation occurs may continue to exist and be used for domestic (household) or non-domestic (irrigation) use if the use is consistent with the use prior to annexation. A biennial well permit is required for all wells within the city limits.

If the city sewer system is more than 300 feet away from the building or premise, the building or premise may maintain its current on-site wastewater system provided the system is not failing. When the city sewer is within 300 feet and available the

building or premise must connect to the city sewer. The existing system must then be properly abandoned.

All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.

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.

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Status of Review: Active

Reviewed By Lancaster County Sheriff Department ANY

Comments:

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Status of Review: Active

Reviewed By Law Department ANY

Comments:

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Status of Review: Active

Reviewed By Lincoln Electric System JIM HENNESSY

Comments:

---

Status of Review: Active

Reviewed By Lincoln Police Department DON SCHEINOST

Comments:

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Status of Review: Active

Reviewed By Natural Resources District Any

Comments:

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Status of Review: Active

Reviewed By Nebraska Department of Roads ANY

Comments:

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Status of Review: Denied

01/25/2007 1:09:23 PM

Reviewed By Parks & Recreation

ANY

Comments: 1. A trail easement lot 53, block 1 should be incorporated into block 6.  
2. Adequate right-of-way needs to be provided along the frontage of lot 92, Block 2, along Southshore Drive.

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Status of Review: Active

Reviewed By Planning Department

BRANDON GARRETT

Comments:

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Status of Review: Active

Reviewed By Planning Department

ANY

Comments:

---

Status of Review: Complete

Reviewed By Planning Department

RAY HILL

Comments:

---

Status of Review: Routed

Reviewed By Planning Department

COUNTER

Comments:

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Status of Review: Active

Reviewed By Public Utilities - Wastewater

ANY

Comments:

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Status of Review: Active

Reviewed By Public Works

ANY

Comments:

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Status of Review: Active

Reviewed By Public Works - Development Services

ANY

Comments:

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Status of Review: Active

Reviewed By Public Works - Long Range Planning

ANY

Comments:

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Status of Review: Active

Reviewed By Public Works - Watershed Management

ANY

Comments:

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Status of Review: Active

Reviewed By Rural Fire District

ANY

Comments:

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Status of Review: Active

Reviewed By Rural Water District

ANY

Comments:

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Status of Review: Active

Reviewed By School District

ANY

Comments:

---

Status of Review: Active

Reviewed By US Post Office

ANY

Comments:

---



**Devin L Biesecker/Notes**

01/31/2007 04:47 PM

To Brandon M Garrett/Notes@Notes

cc

bcc

Subject Re: Waterford Estates 1st Addition

Brandon,

I have no comments for Waterford Estates.

Devin Biesecker, P.E.  
Watershed Management  
City of Lincoln Public Works  
441-4955

Brandon M Garrett/Notes



**Brandon M Garrett/Notes**

01/31/2007 04:07 PM

To Devin L Biesecker/Notes@Notes

cc

Subject Waterford Estates 1st Addition

Devin,

Any comments from Watershed on Waterford Estates 1st Addition PP07001, CZ07002, AN07001, or SP07001?

Thanks,  
Brandon

Brandon M. Garrett, AICP  
Lincoln/Lancaster County Planning Department  
555 South 10th Street, Ste. 213  
Lincoln, NE 68508  
ph: (402)441-6373  
fax: (402)441-6377