

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for July 20, 2005 PLANNING COMMISSION MEETING

P.A.S.:

Co Change of Zone #05048, Co. Special Permit #05033, Conestoga Heights Preliminary Plat #05012

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 Change of Zone from AG to AGR, a preliminary plat for 15 acreage residential units and a special permit for dwellings within 1320' of a public lake.

LOCATION:

Northeast of SW 98th & W. Pioneers Blvd

WAIVER REQUESTS:

1. Ornamental street lighting
2. Sidewalks
3. Street trees
4. Landscape screens
5. Lot depth/width ratio
6. Stormwater detention

LAND AREA: 62.16 acres, more or less.

CONCLUSION:

The requested change of zone is in conformance with the Lincoln/Lancaster County Comprehensive Plan and should be approved. Waivers requested are typical of a rural subdivision and are provided for in the code. No bonus is being requested.

RECOMMENDATION:

Co. Change of Zone #05048 to AGR	Approval
Co. Special Permit #05033	Conditional Approval
Preliminary Plat # 05012	Conditional Approval
Waivers	
1. Ornamental lighting	Approval
2. Sidewalks	Approval
3. Street trees	Approval
4. Landscape screens	Approval
5. Lot depth to width ratio	Approval

6. Stormwater detention

Approval

GENERAL INFORMATION

LEGAL DESCRIPTION: Lot 3 IT and the NE 1/4 of the SW 1/4, in the SW 1/4 of Section 3, T9N, R5E of the 6th P.M., Lancaster County, Nebraska. Further described in attached legal.

EXISTING ZONING: AG Agriculture

EXISTING LAND USE: Farm land/pasture

SURROUNDING LAND USE AND ZONING: AG zoned to the north, east, south and west. Agricultural to the north and west. Acreage subdivisions to the east and Conestoga State Lake to the south.

HISTORY This property was changed from AA Rural and Public Use to AG Agriculture with the adoption of the 1979 Zoning Update.

COMPREHENSIVE PLAN SPECIFICATIONS: The 2025 Comprehensive Plan shows this area as Residential, Low Density. This is outside Lincoln's growth Tiers and one mile outside the Denton one mile ETJ. In relation to acreages, the Comprehensive Plan states:

Currently, acreage development has occurred under two development scenarios: AG - Agricultural District (minimum of 20 acres per lot) and AGR - Agricultural Residential District (minimum of 3 acres per lot) with the possibility in both AG and AGR zoning districts of clustering units together in order to preserve more open space and agricultural areas and/or receive additional density bonuses under a community unit development. The complex issue of acreage development and other public objectives requires a large array of land use strategies (pg F 70)

Acknowledge the "Right to Farm" and preserve areas for agricultural productions throughout the county by designating specific areas in advance for rural residential so as to limit areas of potential conflict between farms and acreages (pg F 70)

Specific areas will be designated so that approximately 6% of the total population in the County can be accommodated on acreages. Grouping acreages together in a specific area enables services to be provided more efficiently, such as reducing the amount of paved roads, fewer and shorter school bus routes and more cost effective rural water district service. Grouping also reduces the amount of potential conflict points between farm operations and acreages. (F70)

Retain the current overall density of 32 dwellings per square mile (20 acre) for all agriculturally zoned land. Provide for an ability to divide two 3 acre lots per "40" acre parcel with conditions and administrative review and right of appeal. This would allow more flexibility for parcel size while retaining the overall density and assist in retaining farmable units of land. (F 70)

In determining areas of higher density rural acreage (200 units or more per square mile), numerous factors will be reviewed, such as but not limited to water and rural water districts, soil conditions, roads, agricultural productivity, land parcelization, amount of existing acreages, and plans for urban or town development. Acreages should develop in areas that best reflect the carrying capacity of that area for acreages. A performance criteria should be developed to review requests for acreage zoning and to determine where these standards can best be met. (F 70)

Development of a performance standard “point system” will allow the location of higher density rural acreage development in either “AG” or “AGR” where the review criteria can be met. This allows equal treatment across the county, maximum freedom of determination of marketing and sale, while locating those developments only in those areas where sufficient “points” can be accumulated to justify the development at the requested location.” (F 71)

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.

Agricultural Stream Corridor: Land intended to remain in open space, predominately in agricultural use, but that may also include parks, recreation fields, or parking areas when near future commercial, industrial, or public uses. Such areas will be primarily privately owned, but may also include some public ownership or easements. These areas are mostly in the 100 year floodplain, outside of the existing Lincoln urban development. (F 22)

Riparian, Floodplains, and Stream Corridors – Streams and their adjoining corridors snake their way through much of Lancaster County. Throughout the region, surface water runoff flows into these stream corridors that typically consist of floodplains and riparian areas. These are instrumental in providing habitat and water infiltration benefits, along with serving as connectors to natural areas. (F55)

UTILITIES: This is not in a rural water district. Individual waste water treatment and well water is proposed. The groundwater report indicates adequate quantity and quality, though highly mineralized.

TOPOGRAPHY: Rolling, sloping to the south.

TRAFFIC ANALYSIS: This is served by West Pioneer Blvd, and S.W. 84th Street (State Spur 55-A). S.W. 84th Street is a paved road.. W. Pioneer Road is a paved county “recreation” road. S.W. 98th to the west is a gravel county road.

PUBLIC SERVICE: This is in the Southwest Rural Fire District and the Haines Branch School District 69. This served by the Lancaster County Sheriff’s Department.

REGIONAL ISSUES: Expansion of the acreage areas. Development around lakes.

ENVIRONMENTAL CONCERNS: The Historic and Ecological resources survey shows no resources on this site. West Van Dorn, about ½ mile north, was the general location of the 1862 Steam Wagon Road alignment. The soil rating on this land is 6.3 on a scale of 1

to 10 where 1 to 4 are prime soils. This is not prime ag land. Approximately 20 % of this site, along the southwestern corner, is in the 100 year flood plain. Two small native prairies are located about 1/4 mile east and northeast of this proposal.

AESTHETIC CONSIDERATIONS: na

ALTERNATIVE USES: All uses allowed in the AG district. Three 20+ acre lots.

ANALYSIS:

1. This request is for a Change of Zone to AGR, a Special Permit for dwellings within 1320' of a public lake and a Preliminary Plat for 15 acreage residential lots. Public, paved, internal streets are proposed.
2. Individual waste disposal and wells are proposed to serve the subdivision. The lots are large enough to provide for septic or lagoon systems. The water report indicates adequate water quality and quantity, though the water will be highly mineralized
3. This request is in conformance with the Comprehensive Plan. This area is shown as Residential, Low Density.
4. Nebraska Game and Parks is requesting the special permit protection of locating dwellings no closer then 600' to the property line of a public lake
5. The Health Department notes the waste water and water are adequately addressed.
6. Norris Public Power is requesting easements on all lots.
7. The County Engineer letter of June 22, 2005, notes several adjustments and corrections, including: revising the legal, showing floodplain elevations and culvert information.
8. This design reflects many of the normal adjustments to accomplish acreage subdivision.
9. Waivers are requested for street lights, sidewalks, street trees, and screening. These are typical waivers required, provided for and appropriate for agriculture/acreage clusters. Waiver of lot depth to width is appropriate due to the site layout.

- 10 The flood plain area is about 20% of the parcel and needs to show elevations.
- 11. As requested by the County Board, no scoring is provided on this application.
- 12. The existing AG zoning would allow three dwellings. The density calculations for the project with the change of zone are as follows;

$$62.16 \text{ acres} / 3 \text{ acres} = 20.72 \text{ dwellings}$$

Permitted with the change to AGR 20 dwellings

Requested 15 units on 15 lots

- 13. Several revisions and notes need to be made to reflect the Special Permit language. The special permit provisions for dwellings within 1320' of a public lake are as follows;

13.012 Special Permit. Special permitted use: Dwellings within 1,320 feet of the property line of a publicly owned lake property of 30 acres or more may be allowed in the AGR district under the following conditions:

- a) The County Board may amend the conditions of the special permit upon a showing that exceptional and unusual circumstances exist in connection with the specific parcel of land.
- b) All dwellings, occupied buildings and live stock feed lots shall be located a minimum of 600 feet (200 yards) from the property line of the public lake property to protect from noise and gunfire. Adjustment for other factors such as roads, lot size, abutting uses and private agreements should be considered in applying this.
- c) Sewer systems shall be designed so no effluent will reach the lake.
- d) Well information shall be provided that shows there is adequate quantity and quality of water on the site and the development will not adversely affect adjacent property wells.
- e) Unless already in permanent vegetation, a buffer of native grasses and forbs shall be planted within 200' abutting the public property line. Overall use of native plants and "xeroscaping" is encouraged.
- f) Any disturbance of surface soils shall use the "Best Management Practices" to prevent any sediment from moving off site, in accordance with a sediment plan shall be approved by the Lower Platte South based on the Sediment and Erosion Manual.
- g) Exterior lighting shall meet the Lincoln Design Standards for Outdoor Recreational Lighting sections on illumination levels beyond the property line (I.B) and Glare control (III) shielded to prevent trespass of light off the property.
- h) Vehicular access points shall be designed so as not to conflict with other entrances and to recognize the additional traffic as well as the character of that traffic on the road. Access to paved roads is required if possible.
- i) The boundary between the private and public ownership shall be posted as "private property". The signs shall be at least eleven by fourteen inches and shall be spaced no more than 1,320 feet apart and at all property corners and field entrances.

j) The public agencies of the adjacent lake property shall have the opportunity to review the special permit application as well as the Nebraska Game and Parks Commission, Natural Resources District, Corps. of Engineers and Department of Environmental Quality.

k) All chimneys shall be equipped with spark arresters.

l) No antenna or any other structure over 35' in height shall be permitted unless approved by this permit.

m) The applicant shall acknowledge and advise future purchasers of, the full utilization of all legal uses and activities that would normally occur on the public lake property abutting the application. Protective covenants shall be filed on the property containing this information.

n) Density/number of dwelling units permitted in the parcel (a range is suggested of no less than 5 nor more than 10 acres per dwelling unit).

o) The developer shall enter into a written agreement with the county on the conditions of the special permit. (Resolution No. 5428, January 22, 1997)

19. Some acreage review issues can be addressed in this report:

a) Water/rural water,

The ground water report indicate adequate quantity and quality water.
This is not in a rural water district.

b) Road access and paving,

There is pavement via West Pioneers Blvd and SW 84th Street.

c) Soil rating,

The soil is not prime ag land of the county.

d) Development of the area/land parcelization,

The land to the east is substantially split into smaller acreage parcels.
The area to the south, west and north are still in larger parcels with Conestoga Lake to the south.

e) Existing acreages,

There is acreage development in this immediate area to the east.

f) Conflicting farm uses,

There are no farm feeding operation or other conflicting farm uses noted.

g) Environmental issues,

There is some flood plain on this site. There is a state lake to the south.

h) Impact on other governmental entities,

This will increase demand for service on the Sheriff, Rural Fire, School and others and increased traffic on rural roads. The level of impact is not known.

- i) Plans of other towns,
NA

CONDITIONS FOR Co SPECIAL PERMIT #05033:

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 22, 2005.
 - 1.2 Note that the provisions of the special permit for dwellings withing 1320' of a state lake apply and list the key provisions, including; all chimneys shall have spark arresters, no occupied buildings or livestock feeding shall be with 600' of the park boundary, a 200' vegetive buffer to the Park shall be shown and maintained, all exterior lighting shall meet standards for Glare control and the maximum structure height shall not exceed 35'.
 - 1.3 Revise the 600' setback from the lake to reflect the property line of the State Lake.
 - 1.4 Revise Note 8 to reference Norris Public Power.
 - 1.5 Revise Note 11 to replace "relinquish to "request"
 - 1.6 Note the total number of acres in the application.
 - 1.7 Show the Block numbers.
 - 1.9 Show the easements requested by Norris Public Power.
 - 1.10 Remove the title block for the City Clerk and County Clerk.

- 1.11 Show the flood plain elevation and minimum building floor elevations for lots 1,2,5 and 6 where flood plain is shown.
 - 1.12 Show the trees to be preserved or removed.
 - 1.13 Revise the name of the subdivision to avoid conflicts with other subdivisions.
 - 1.14 Show the minimum opening elevation for each dwelling on lots 1,2,5, and 6 where flood plain is shown.
2. This approval permits 15 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 County Board approves associated requests:
 - 3.5.1 Conestoga Heights Preliminary Plat #05012.
Co CZ # 05048
 - 3.5.2 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.
 - 3.5.3 A modification to the requirements of the land subdivision resolution to permit a lot depth to width ratio to exceed 3 to 1.
 - 3.6 The County Engineer has approved:
 - 3.6.1 An agreement for street maintenance.

STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:
 - 4.1 Before occupying this special permit for dwellings all development and construction is to comply with the approved plans.
 - 4.2 Before occupying dwellings in this special permit, 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 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 Co. PRELIMINARY PLAT #05012:

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 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 22, 2005.
 - 1.2 Note that the provisions of the special permit for dwellings withing 1320' of a state lake apply and list the key provisions, including; all chimneys shall have spark arresters, no occupied buildings or livestock feeding shall be with 600' of the park boundary, a 200' vegetive buffer to the Park shall be shown and

maintained, all exterior lighting shall meet standards for Glare control and the maximum structure height shall not exceed 35'.

- 1.3 Revise the 600' setback from the lake to reflect the property line of the State Lake.
 - 1.4 Revise Note 8 to reference Norris Public Power.
 - 1.5 Revise Note 11 to replace “relinquish to “request”
 - 1.6 Note the total number of acres in the application.
 - 1.7 Show the Block numbers.
 - 1.9 Show the easements requested by Norris Public Power.
 - 1.10 Remove the title block for the City Clerk and County Clerk.
 - 1.11 Show the flood plain elevation and minimum building floor elevations floor elevations for lots 1,2,5 and 6 where flood plain is shown.
 - 1.12 Show the trees to be preserved or removed.
 - 1.13 Revise the name of the subdivision to avoid conflicts with other subdivisions.
 - 1.14 Show the minimum opening elevation for each dwelling for lots 1,2,5 and 6 where flood plain is shown.
2. The County Board and City approves associated requests:
- 2.1 Co Change of Zone #05048
County Special Permit # 05033 for the dwelling next to a recreation area.
 - 2.2 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.
 - 2.3 A modification to the requirements of the land subdivision ordinance to permit a lot depth to width ratio to exceed 3 to 1..

General:

3. Final Plats will be scheduled on the Planning Commission agenda after:

- 3.1 Streets, drainage facilities, temporary turnarounds and barricades, and street name signs have been bonded or 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 and water report.
 - 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 Attorney and filed of record with the Register of Deeds.
 - 3.2.6 To relinquish the right of direct vehicular access to W. Pioneer Blvd except for SW 91st Street.
 - 3.2.7 To comply with the provisions of the Land Subdivision Resolution regarding land preparation.

Prepared by:

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Planner

July 06, 2005

APPLICANT: Lyle Loth, E-S-P
601 Old Cheney Rd., Suite A
Lincoln, NE 68532
(402) 421 - 2500

OWNER: Paul Green
6705 W. Van Dorn Street
Lincoln, NE 68532
(402) 438 - 2377

CONTACT: Lyle Loth, E-S-P
(402) 421 - 2500



Area of Application

SW 98TH ST

AG

W PIONEERS BLVD

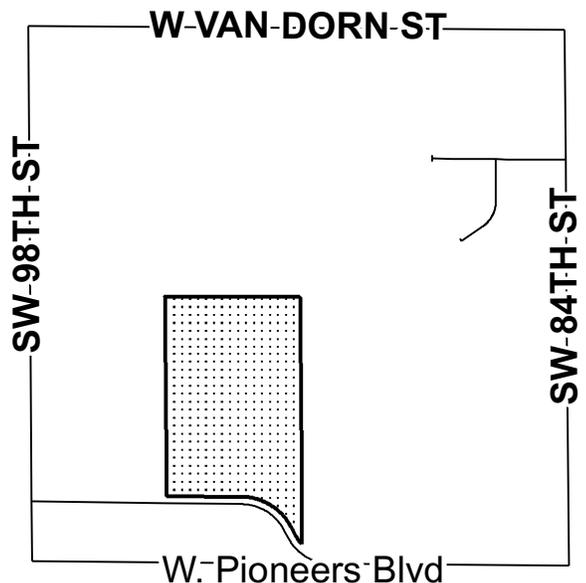
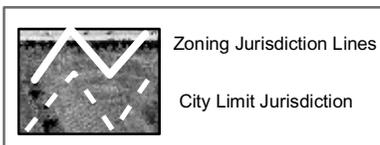
County Preliminary Plat #05012
County Special Permit #05033
Change of Zone #05048
Conestoga Heights
SW 84th & Pioneers Blvd

2002 aerial

Zoning:

One Square Mile
 Sec. 3 T9N R5E

- 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



ON OLD
PLAT
THAT IS
RECORDED
IN
BOOK

CONESTOGA
HEIGHTS
PRELIMINARY
PLAT

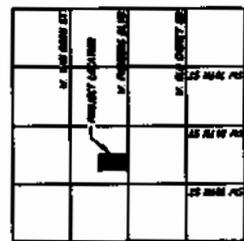
SITE
PLAN



Scale: 1" = 100'

1. Range, elevation, will be provided by individual lot owners. The plat will be provided by individual lot owners. The plat will be provided by individual lot owners.
2. Maps will be provided by individual lot owners on each lot.
3. The drainage system is shown with the drainage boundaries of the lots. The drainage system is shown with the drainage boundaries of the lots.
4. Contours are shown on each lot and will have a right-of-way width of 10 feet.
5. Contour intervals shall be constant with 5' of contour to 10' of elevation. Contour intervals shall be constant with 5' of contour to 10' of elevation.
6. All contour elevations shall be based on the datum of 1985. All contour elevations shall be based on the datum of 1985.
7. Utility systems will be provided as required by Lincoln Electric System, either, from Pioneer Electric, and other utilities. Utility systems will be provided as required by Lincoln Electric System, either, from Pioneer Electric, and other utilities.
8. The following notes to the land subdivision plat are hereby incorporated into this plat:
 - a. Section 1
 - b. Section 2
 - c. Section 3
 - d. Section 4
 - e. Section 5
 - f. Section 6
 - g. Section 7
 - h. Section 8
 - i. Section 9
 - j. Section 10
 - k. Section 11
 - l. Section 12
 - m. Section 13
 - n. Section 14
 - o. Section 15
 - p. Section 16
 - q. Section 17
 - r. Section 18
 - s. Section 19
 - t. Section 20
 - u. Section 21
 - v. Section 22
 - w. Section 23
 - x. Section 24
 - y. Section 25
 - z. Section 26
 - aa. Section 27
 - ab. Section 28
 - ac. Section 29
 - ad. Section 30
 - ae. Section 31
 - af. Section 32
 - ag. Section 33
 - ah. Section 34
 - ai. Section 35
 - aj. Section 36
 - ak. Section 37
 - al. Section 38
 - am. Section 39
 - an. Section 40
 - ao. Section 41
 - ap. Section 42
 - aq. Section 43
 - ar. Section 44
 - as. Section 45
 - at. Section 46
 - au. Section 47
 - av. Section 48
 - aw. Section 49
 - ax. Section 50
 - ay. Section 51
 - az. Section 52
 - ba. Section 53
 - bb. Section 54
 - bc. Section 55
 - bd. Section 56
 - be. Section 57
 - bf. Section 58
 - bg. Section 59
 - bh. Section 60
 - bi. Section 61
 - bj. Section 62
 - bk. Section 63
 - bl. Section 64
 - bm. Section 65
 - bn. Section 66
 - bo. Section 67
 - bp. Section 68
 - bq. Section 69
 - br. Section 70
 - bs. Section 71
 - bt. Section 72
 - bu. Section 73
 - bv. Section 74
 - bw. Section 75
 - bx. Section 76
 - by. Section 77
 - bz. Section 78
 - ca. Section 79
 - cb. Section 80
 - cc. Section 81
 - cd. Section 82
 - ce. Section 83
 - cf. Section 84
 - cg. Section 85
 - ch. Section 86
 - ci. Section 87
 - cj. Section 88
 - ck. Section 89
 - cl. Section 90
 - cm. Section 91
 - cn. Section 92
 - co. Section 93
 - cp. Section 94
 - cq. Section 95
 - cr. Section 96
 - cs. Section 97
 - ct. Section 98
 - cu. Section 99
 - cv. Section 100
 - cw. Section 101
 - cx. Section 102
 - cy. Section 103
 - cz. Section 104
 - da. Section 105
 - db. Section 106
 - dc. Section 107
 - dd. Section 108
 - de. Section 109
 - df. Section 110
 - dg. Section 111
 - dh. Section 112
 - di. Section 113
 - dj. Section 114
 - dk. Section 115
 - dl. Section 116
 - dm. Section 117
 - dn. Section 118
 - do. Section 119
 - dp. Section 120
 - dq. Section 121
 - dr. Section 122
 - ds. Section 123
 - dt. Section 124
 - du. Section 125
 - dv. Section 126
 - dw. Section 127
 - dx. Section 128
 - dy. Section 129
 - dz. Section 130
 - ea. Section 131
 - eb. Section 132
 - ec. Section 133
 - ed. Section 134
 - ee. Section 135
 - ef. Section 136
 - eg. Section 137
 - eh. Section 138
 - ei. Section 139
 - ej. Section 140
 - ek. Section 141
 - el. Section 142
 - em. Section 143
 - en. Section 144
 - eo. Section 145
 - ep. Section 146
 - eq. Section 147
 - er. Section 148
 - es. Section 149
 - et. Section 150
 - eu. Section 151
 - ev. Section 152
 - ew. Section 153
 - ex. Section 154
 - ey. Section 155
 - ez. Section 156
 - fa. Section 157
 - fb. Section 158
 - fc. Section 159
 - fd. Section 160
 - fe. Section 161
 - ff. Section 162
 - fg. Section 163
 - fh. Section 164
 - fi. Section 165
 - fj. Section 166
 - fk. Section 167
 - fl. Section 168
 - fm. Section 169
 - fn. Section 170
 - fo. Section 171
 - fp. Section 172
 - fq. Section 173
 - fr. Section 174
 - fs. Section 175
 - ft. Section 176
 - fu. Section 177
 - fv. Section 178
 - fw. Section 179
 - fx. Section 180
 - fy. Section 181
 - fz. Section 182
 - ga. Section 183
 - gb. Section 184
 - gc. Section 185
 - gd. Section 186
 - ge. Section 187
 - gf. Section 188
 - gg. Section 189
 - gh. Section 190
 - gi. Section 191
 - gj. Section 192
 - gk. Section 193
 - gl. Section 194
 - gm. Section 195
 - gn. Section 196
 - go. Section 197
 - gp. Section 198
 - gq. Section 199
 - gr. Section 200
 - gs. Section 201
 - gt. Section 202
 - gu. Section 203
 - gv. Section 204
 - gw. Section 205
 - gx. Section 206
 - gy. Section 207
 - gz. Section 208
 - ha. Section 209
 - hb. Section 210
 - hc. Section 211
 - hd. Section 212
 - he. Section 213
 - hf. Section 214
 - hg. Section 215
 - hh. Section 216
 - hi. Section 217
 - hj. Section 218
 - hk. Section 219
 - hl. Section 220
 - hm. Section 221
 - hn. Section 222
 - ho. Section 223
 - hp. Section 224
 - hq. Section 225
 - hr. Section 226
 - hs. Section 227
 - ht. Section 228
 - hu. Section 229
 - hv. Section 230
 - hw. Section 231
 - hx. Section 232
 - hy. Section 233
 - hz. Section 234
 - ia. Section 235
 - ib. Section 236
 - ic. Section 237
 - id. Section 238
 - ie. Section 239
 - if. Section 240
 - ig. Section 241
 - ih. Section 242
 - ii. Section 243
 - ij. Section 244
 - ik. Section 245
 - il. Section 246
 - im. Section 247
 - in. Section 248
 - io. Section 249
 - ip. Section 250
 - iq. Section 251
 - ir. Section 252
 - is. Section 253
 - it. Section 254
 - iu. Section 255
 - iv. Section 256
 - iw. Section 257
 - ix. Section 258
 - iy. Section 259
 - iz. Section 260
 - ja. Section 261
 - jb. Section 262
 - jc. Section 263
 - jd. Section 264
 - je. Section 265
 - jf. Section 266
 - kg. Section 267
 - kh. Section 268
 - ki. Section 269
 - kl. Section 270
 - km. Section 271
 - kn. Section 272
 - ko. Section 273
 - kp. Section 274
 - kq. Section 275
 - kr. Section 276
 - ks. Section 277
 - kt. Section 278
 - ku. Section 279
 - kv. Section 280
 - kw. Section 281
 - kx. Section 282
 - ky. Section 283
 - kz. Section 284
 - la. Section 285
 - lb. Section 286
 - lc. Section 287
 - ld. Section 288
 - le. Section 289
 - lf. Section 290
 - lg. Section 291
 - lh. Section 292
 - li. Section 293
 - lj. Section 294
 - lk. Section 295
 - ll. Section 296
 - lm. Section 297
 - ln. Section 298
 - lo. Section 299
 - lp. Section 300
 - lq. Section 301
 - lr. Section 302
 - ls. Section 303
 - lt. Section 304
 - lu. Section 305
 - lv. Section 306
 - lw. Section 307
 - lx. Section 308
 - ly. Section 309
 - lz. Section 310
 - ma. Section 311
 - mb. Section 312
 - mc. Section 313
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 - zs. Section 639
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EC EIVE
County Preliminary Plat #05012
County Special Permit #05033
Change of Zone #05048
Conestoga Heights
SW 84th & Pioneers Blvd

JUN
 LINCOLN CITY
 PLANNING

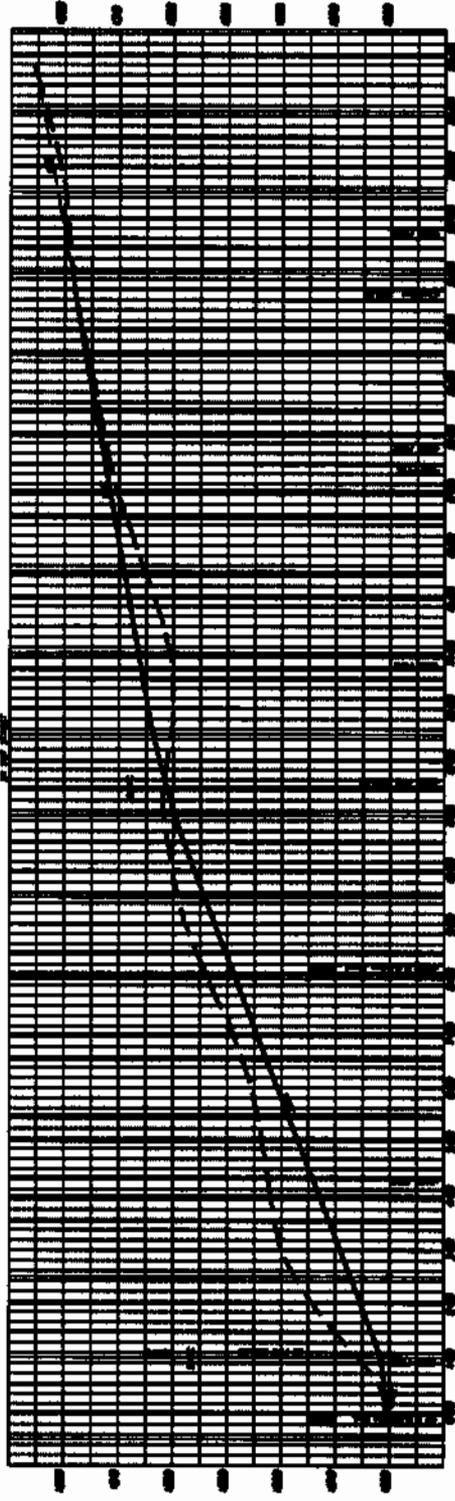
E.S.P.
ENGINEERING

FOR OLD
PLATS
FOR
REVISIONS
ONLY

CONESTOGA
HEIGHTS
PRELIMINARY
PLAT
STREET &
DISTANCE
PARALLELS

Scale:
1" = 100'

3 of 3



County Preliminary Plat #05012
County Special Permit #05033
Change of Zone #05048
Conestoga Heights
SW 84th & Pioneers Blvd
Conestoga Mill

1. Sewage treatment will be provided by individual lot owners. Lagoons may be allowed and will not be prohibited by covenant. Due to soil types and slopes, lagoons or engineered waste treatment systems may be required.
2. Water will be provided by individual wells on each lot
3. The developer agrees to comply with the Design Standards of the Lancaster County for erosion and sedimentation control during and after land preparation.
4. Contours are Mean Sea Level (NAVD 88 Datum).
5. Interior streets are public and will have a right-of-way width of 60 feet.
6. Interior streets shall be surfaced with 6" of asphalt in accordance with Lancaster County Standards
7. All interior intersection radii shall be 30 feet. 22' Type III barricades shall be installed at temporary dead ends along with 60' temporary turnarounds. Grading shall extend around the temporary turnaround.
8. Utility easements will be provided as required by Lincoln Electric System, Alltel, Time Warner Entertainment, and Aquila
9. Direct vehicular access to W. Pioneers Blvd. is hereby relinquished, except at the location of SW 91st Street.
10. Setbacks shall be as follows:
 - A. Front Yard 50 feet
 - B. Side Yard 15 feet
 - C. Rear Yard Lesser of 50' or 20% Depth
11. The following waivers to the Land Subdivision Ordinance are hereby relinquished:
 - A. Ornamental Lighting
 - B. Sidewalks
 - C. Street Trees
 - D. Landscape Screens
 - E. Storm Water Detention
12. The developer shall install street identification signs, 1 STOP sign and 1 NO OUTLET sign.
13. Each lot shall have only one residential access.
14. This acreage development (i) is not entitled to extra buffering protection greater than the acreage property lines from existing agricultural practices and from future urbanization and (ii) waives any future right to protest the creation of lawful centralized sanitary sewer, water and paving special assessment districts or other lawful financing methods at a later date when urbanization is appropriate.
15. Future Lot Owners: Please be advised that this subdivision is in a rural area surrounded by farming activities. Normal and customary farming operations and other permitted uses shall not constitute a nuisance.
16. 'Junk cars' shall be prohibited in this development as noted in the protective covenants.

County Preliminary Plat #05012
County Special Permit #05033
Change of Zone #05048
Conestoga Heights
SW 84th & Pioneers Blvd

**LEGAL DESCRIPTION
CONESTOGA HEIGHTS PRELIMINARY PLAT**

Lot 3 & all of the NE ¼ of the SW ¼, located in Section 3, Township 9 North, Range 5 East, 6th P.M., Lancaster County, NE

**LIST OF REQUESTED WAIVERS
CONESTOGA HEIGHTS PRELIMINARY PLAT**

The following waivers to the Land Subdivision Ordinance are hereby requested for the above preliminary plat:

- Ornamental Lighting
- Sidewalks
- Street Trees
- Landscape Screens
- Storm Water Detention
- Lot Depth to Width Ratio

**County Preliminary Plat #05012
County Special Permit #05033
Change of Zone #05048
Conestoga Heights
SW 84th & Pioneers Blvd**

One Square Mile



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

File No. 05-0013
June 9, 2005
Mike Dekalb
Planning Department
555 South 10th St.
Lincoln, NE 68508

Suite A - 601 Old Cheney Road
Lincoln, NE 68512

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

Email: lyle@espeng.com

Re: CONESTOGA HEIGHTS PRELIMINARY PLAT

Dear Mr. Dekalb,

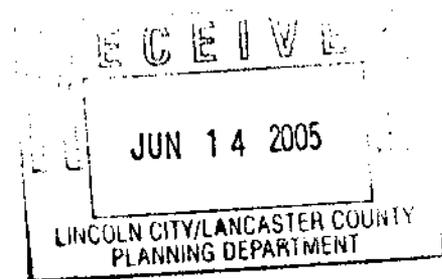
This purpose statement is in reference to the above preliminary plat. The owner of the property, Paul Green, intends to develop the property into 15 single-family lots. He currently has no interest in any of the land surrounding the property. In addition to the preliminary plat application, we are also requesting a change of zone from AG to AGR and a Special Permit for dwellings within 1320 feet of a publicly owned lake as per zoning regulations.

Accompanying this purpose statement is an attached legal description of the property, copies of the site plan and street profiles for your review, change of zone application, special permit application and the soils study of the property. I have also included the culvert calculations and water study information.

If you have any questions or concerns, please feel free to contact me at any time.

Sincerely,

Lyle L. Loth
President
Engineering-Surveying-Planning, Inc.



GROUNDWATER REPORT
CONESTOGA HEIGHTS

E ½ SW ¼ Section 3, T. 9 N. – R 5 E.

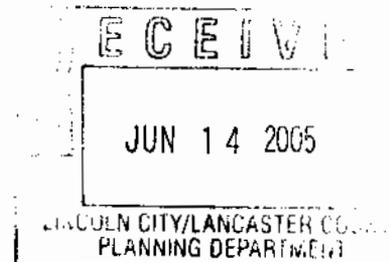
Lancaster County

Developer: Paul Green

Petitioner: ESP, Lyle Loth

Prepared by: Vincent H. Dreezen, Hydrogeologist

June 1, 2005



Report of Groundwater Investigation

Conestoga Heights

E ½ SW ¼ Sec. 3, T. 9 N., R. 5 E.

Lancaster County

Conestoga Heights is a proposed subdivision in the E ½ SW ¼ Section 3, T. 9 N., R. 5 E. in west central Lancaster County. It is located near the northeast corner of Conestoga Lake. It is about one-fourth mile southwest of the subdivision Conestoga Hills on the west side of SW 84th Street. Two other subdivisions east of SW 84th Street and south of West Van Dorn Street are Meadow View and Ridge Park. It is one-fourth mile east of a subdivision (Conestoga Hills) proposed in the late 1970s. Information contained in Groundwater Reports for each of these four subdivisions was used in the preparation of this report along with the log and water quality report of a recent test well completed near the center of this proposed subdivision, Lot 2.

Conestoga Heights is bounded on the south side by West Pioneers Boulevard; SW 84th Street is one-half mile east, SW 98th Street is one-fourth mile west, and West Van Dorn Street is one half mile north.

Fifteen lots ranging in size from 3 to more than 5 acres are proposed. The development of about 60 acres excludes that portion of the 80 acres south of West Pioneers Boulevard and about 10 acres of land in the 100 year flood plan in the southwest part of the subdivision (Preliminary Plat attached).

Conestoga Heights is located in the eroded glaciated uplands and side slope of Lancaster County. Thin loesses over lie glacial tills on the ridges (Sharpsburg) and Burchard, Pawnee or Steinauer soils are developed largely on reddish brown clays and sandy clays. Individual septic tanks are envisioned for homes. The suitability of soils for sanitary facilities, building sites and

water management and their physical and chemical properties are given in Tables 12-17 in the *Soil Survey of Lancaster County, Nebraska, May 1980, USDA and CSD, UNL.*

Private individual domestic wells are planned for each of the 15 lots. The Dakota sandstone of Cretaceous Age is the principal and probably the only aquifer in the area. Existing wells in the area are believed to have been developed in the Dakota. The Dakota sandstone is the uppermost bedrock in the area. No local wells have penetrated the full thickness of the Dakota into the underlying limestones and shales of Paleozoic Age. The log of the recently completed test well on Lot 2 in Conestoga Heights is attached and is believed to be representative of conditions that can be expected elsewhere in the subdivision. The top of the Dakota is an eroded surface so the depth of wells will vary somewhat but the main determining factor will be land surface elevations. The land surface elevation of the new well is 1290 feet above mean sea level (msl). The land surface slopes along a north to south trending ridge in the center of the subdivision from about 1320 in the north to about 1260 feet above msl in the south. The top of the sandstone in the new well is at 114 feet (1176 ft above msl) the static water level is 85 feet (1215 ft above msl) and the total depth, 204 feet (1096 ft above msl). The total saturated thickness is 119 feet. Other well depths can be expected to range from about 175 to 210 feet.

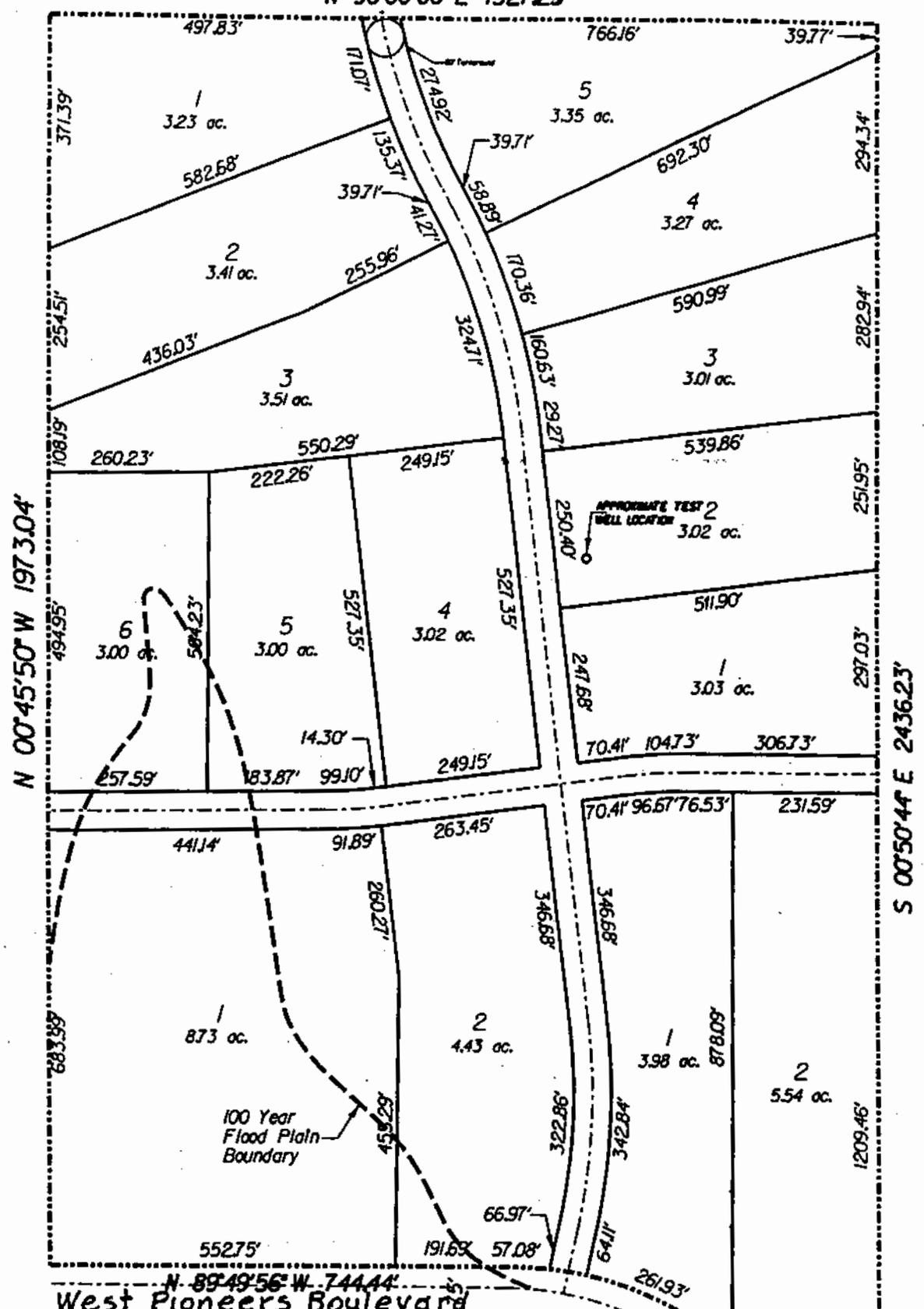
The depth to water will vary in other wells dependent mostly on land surface elevations. The slope of the water table is east-southeast toward Holmes Creek Branch of Salt Creek from about 1220 feet on the north side to about 1200 feet on the south side.

Water in the Dakota is considered to be confined and to represent a piezometric or pressure surface. The newly constructed well was test pumped at 100 gpm and was estimated to be capable of yielding 20 gpm with a 10 feet drawdown. It is expected that the new well represents average conditions that will be found elsewhere in the subdivision.

A copy of the inorganic quality water analysis from the new well is attached. The water is rather highly mineralized with total dissolved solids of 710 ppm; the water is quite hard, 379.8 ppm and sulfate is relatively high, 204 ppm. Sodium concentrations are relatively low, 85 ppm as is chloride, 59 ppm. As elsewhere in the Dakota, iron, 0.7 ppm and manganese, 0.20 ppm are relatively high. The water quality is similar to that in the analyses of 8 other wells in the area reviewed for this report. Total dissolved solids ranged from about 550 ppm to 836 ppm; hardness ranged from 332 ppm to 838 ppm; sulfates ranged from 100 ppm to one analysis with 355 ppm; iron ranged from 0.3 to 2.3 ppm, and manganese from 0.5 to 0.55 ppm. Sodium and chloride were also relatively low in the 8 wells. Fluoride was not reported in the new well but based on other wells in the area can be expected to average about 0.37 ppm. Nitrate-N levels were less than 0.05 ppm in the new well and this level is similar to levels reported in the other wells.

The information concerning water quality and quantity in the Conestoga Heights area is substantial and supports the conclusion that an adequate quantity of potable water can be developed in individual private domestic wells. Because hardness, sulfates, iron and manganese concentrations are relatively high, water conditioning for household use is recommended. Note: the Dakota sandstone is known to be brackish to highly saline in the lower portion of the aquifer. Wells drilled below the depths of 1040 to 1050 feet referred to mean sea level may contain objectionable concentrations of salt. The newly completed well at 204 ft (1076 ft above mean sea level) had relatively low concentrations of salt (NaCl).

N 90°00'00" E 1327.25'



**CONESTOGA HEIGHTS
PRELIMINARY PLAT**



Chd N 59°09'55" W
563.56'
Δ - 6°20'02"
R - 552.46'
L - 591.40'

N 28°29'55" W
100.40' (M)

Chd N 35°53'01" W
103.46' (M)

N 89°49'56" W 744.44'
West Pioneers Boulevard

S 00°50'44" E 2436.23'

Moser Well Drilling and Service Inc.

Marvin Moser
Hickman, NE

Allen Moser
Hickman, NE

Bill Moser
Roca, NE

Chris Thornton
Hickman, NE

Hickman, Nebraska 68372
Phone: (402)792-2515
Lincoln: 477-7291
Fax# 792-2922
www.moserwell.com



Pumps and Well Supplies - Trenching - Drilling

Date: 3/28/05 Well # 17-05 Driller: Bill NRD Lower Platte South

Owner/Builder: Paul Green, 6705 W. Van Dorn St. Lincoln, NE 68532 Phone # 438-2377

Location:

From S.W. 84th & W. Pioneers go a little over 1/2 mile west & then about 1818 feet north.

0- 15 Sandy red/brown clay
15- 20 Sandy brown clay
20- 35 Brown clay
35- 80 Blue clay
80- 90 Blue and black clay
90-114 Silty gray clay
114-160 Fine tan sandstone
160-165 Medium yellow sandstone
165-185 Fine tan sandstone
185-205 Medium fine tan sandstone

Conestoga Heights, Lot 2

Depth: 204' Elevation 1290

Casing Information

Type: pvc Thickness 200#
Length 184' Diameter: 4"
Bore Size 8.5" SWL: 85'
PWL: Est. 95' at 20 gpm
GPM: 100 w/air

Filler Pack: 25-175'

Grout: 6-25'

Screen

Length: 20' Diameter 4"
Type: pvc slotted
Slot: .025
Area of Screen: 184-204'
Pack: 175-205'
Type of Pack: "B"

Chemical Analysis

Total Chlorides 59 ppm
Sodium: 85 ppm
Hardness: 380 ppm
Nitrates: .04 ppm
Bacteria:
Iron: .7 ppm

Lat. Degrees 40 Minutes 46 Seconds 30.7

Long. Degrees 96 Minutes 50 Seconds 44.7

State sent 5/16/05

CTY/TN Lancaster/Denton

T.N. 9 R.E. 5 SECT. 3

Reg



624 Peach Street
Lincoln, NE 68502

Tel: 402-476-2811
www.ag.mdsharris.com

REPORT OF ANALYSIS

Sample Of Water

Submitted By
Moser Well Co
PO Box 308

Hickman, NE 68372

Submitted For
PAUL GREEN
Conestoga Heights
Lot # 2, E 1/2 SW 1/4 3-9N-5E

Date Received	Date Reported	Samples Will Be Stored Until	Laboratory No.
10-Apr-05	12-Apr-05		5701580

REPORT OF ANALYTICAL RESULTS

Client Sample Identification	Analysis	Result
1		
	Water pH	8.0
	Hardness	379.8 ppm
	Bicarbonate	334.0 ppm
	Carbonate	0 ppm
	Electrical Conductivity	1.11 mmhos/cm
	Total Dissolved Salts	710 ppm
	Sodium	85 ppm
	Calcium	102 ppm
	Magnesium	30 ppm
	Potassium	9 ppm
	Sulfate	204 ppm
	Nitrate-N	0.0419 ppm
	Chloride	59 ppm
	Boron	0.20 ppm
	Phosphate	0.01 ppm
	Manganese	0.20 ppm
	Iron	0.7 ppm

Lancaster

DON R. THOMAS - COUNTY ENGINEER

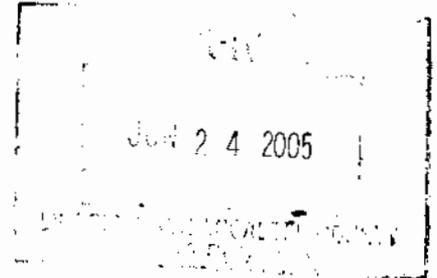
County

Engineering

Department

DEPUTY- LARRY V. WORRELL
COUNTY SURVEYOR

DATE: June 22, 2005
TO: Mike DeKalb
Planning Department
FROM: Larry V. Worrell
County Surveyor
SUBJECT: CONESTOGA HEIGHTS PRELIMINARY PLAT



This office has reviewed subject development and would offer the following comments:

- 1) The name of the development shall be changed due to existing plats with very similar names.
- 2) The legal description is incorrect and shall be the NE 1/4, SW 1/4 and Lot 3 I.T. of Section 3-9-5.
- 3) The 100 year flood plain elevation is equal to the 100 year flood pool of Conestoga Lake. This elevation shall be determined and minimum opening elevations shown on affected lots.
- 4) The 48" culvert under West Burnham Street is undersized. The headwater is at the shoulder elevation. Also, the HY- 8 analysis shows zero tailwater which would not be correct.
- 5) The break in grade at Station 12 + 00 on West Burnham Street should be removed.
- 6) The typical cross-section should show the flat bottom ditch width to be 4 feet minimum and the ditch backslope to be 3:1.
- 7) General Note 12 shall include a 25 mph Speed Limit sign.
- 8) The intersection radii at SW 91st Street and West Pioneers Blvd. shall be 50 feet.
- 9) The profile for West Pioneer Blvd. is not correct. Verify sight distance on correct profile.
- 10) The asphalt thickness shall be seven (7) inches.
- 11) A culvert is needed under SW 91st Street for the road ditch of West Pioneers Blvd.

LWV/DP/pb
Connie/SUBDIV.WK/Conestoga Heights PP.mem.



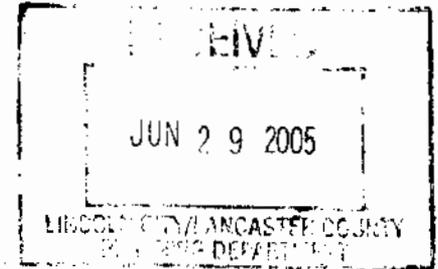
Nebraska Game and Parks Commission

2200 N. 33rd St. / P.O. Box 30370 / Lincoln, NE 68503-0370

Phone: 402-471-0641 / Fax: 402-471-5528 / www.outdoornebraska.org

June 24, 2005

Mike Dekalb
Lincoln/Lancaster County Planning
555 S. 10th Street #213
Lincoln, NE 68508



RE: Preliminary plat, change of zone #05048, AG to AGR, and special permit, north of W. Pioneers Boulevard between SW 84th and SW 98th Street (adjacent to Conestoga State Recreation Area)

Dear Mr. Dekalb:

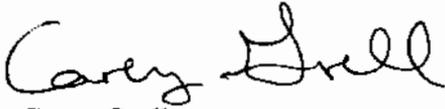
Nebraska Game and Parks Commission (NGPC) staff members have reviewed the information for the proposal identified above. The area requested for a preliminary plat, zoning change, and special permit is adjacent to Conestoga State Recreation Area (SRA). The proposed change from Agricultural to Agricultural Residential is for development of 15 single-family lots.

Conestoga SRA is a 486-acre public use area that is open to camping, fishing, and hunting. NGPC believes it is necessary to require new developments to remain at least 200 yards back from public property where hunting is allowed. Nebraska law states, "It is unlawful to hunt, take, or trap any wild mammal or wild bird within a two-hundred yard radius of an inhabited dwelling or livestock feedlot". The county zoning regulations for AGR zoning also state that a building or premises shall be permitted to be used for the purpose of single-family dwellings located more than 1,320 feet (1/4 mile) from the property line of a publicly owned lake property over 30 acres in size. An option is available, which is also being requested at this time, to obtain a special permit, which would allow dwellings within 1,320 feet of the property line of a publicly owned lake property. This special permit would still include the condition that all dwellings, occupied buildings and livestock feedlots, shall be located a minimum of 600 feet (200 yards) from the property line of a publicly owned lake to protect from noise and gunfire.

These public use areas with lakes have become very popular for nearby housing developments. If this zoning change and special permit are allowed, we recommend that the special permit conditions be followed, as written in the county zoning regulations for AGR zoning, which includes the condition requiring all dwellings, occupied buildings, and livestock feedlots be located a minimum of 600 feet (200 yards) from the property line of the public lake property.

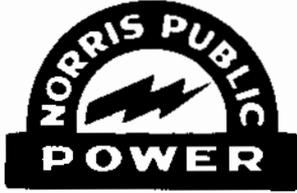
Thank you for the opportunity to review this proposal. If you have any questions, please contact me at (402) 471-5423.

Sincerely,

A handwritten signature in cursive script that reads "Carey Grell". The signature is written in black ink and is positioned above the printed name.

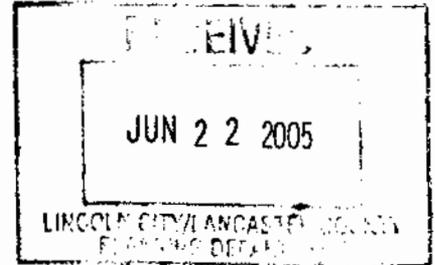
Carey Grell
Environmental Analyst
Realty and Environmental Services Division

cc: Pat Molini, NGPC (Wildlife)
Jim Carney, NGPC (Parks)



AREA 2
SERVICE CENTER

R.R. 1 BOX 56
ROCA, NEBRASKA 68430
402/423-3855
FAX 402/423-8090



June 21, 2005

Mike Dekalb, Project Planner
555 S. 10th St. #213
Lincoln, NE 68508

RE: Conestoga Heights

Dear Mike,

I have reviewed the subject plat and see no easements in place. I request our standard 10' along all front and rear lot lines, and 10' [5' each side] of adjacent lot lines.

Thanks for your cooperation.

Sincerely,

A handwritten signature in cursive script that reads "Rick Volmer".

Rick Volmer, Staking Engineer

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

TO: Mike DeKalb **DATE:** June 27, 2005

DEPARTMENT: Planning **FROM:** Chris Schroeder

ATTENTION: **DEPARTMENT:** Health

CARBONS TO: EH File **SUBJECT:** Conestoga Heights

EH Administration SP #05033 CZ #05048
PP #05012

The Lincoln-Lancaster County Health Department has reviewed the proposed development with the following noted:

- The developer has adequately addressed on-site wastewater treatment system issue in the general comments. On-site wastewater treatment may be provided by lagoons, standard septic systems or non-standard engineered systems based on percolation test results and other factors such as distance to seasonally high groundwater.
- The groundwater report indicates that an adequate quantity of potable water can be developed in individual private wells. Because hardness, sulfates, iron, and manganese concentrations are relatively high, water conditioning for household use is recommended.
- 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.