

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for AUGUST 3, 2005 PLANNING COMMISSION MEETING

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.

PROJECT #: Annexation #05004, Change of Zone #05022 and Preliminary Plat #05003-Highland View.

PROPOSAL: To annex approximately 154.77 acres, change the zoning from AG-Agricultural to R-3-Residential and preliminary plat 566 residential lots.

LOCATION: West of N.W. 12th St. between Hwy. 34 (Purple Heart Highway) and W. Alvo Rd.

WAIVER REQUEST:

1. Allow sanitary sewer to run opposite street grade for Banff St., Dubois St. and N.W. 18th St.
2. Allow sanitary sewer to be constructed at a depth greater than 18' for Dubois St.
3. Block length

LAND AREA: 154.77 acres, more or less

CONCLUSION: The proposed development, with conditions, is in conformance with the Comprehensive Plan, Zoning ordinance and Subdivision ordinance. The development is located in Tier 1, Priority A and has utilities located nearby. This development will add 566 residential lots, over 8 phases, to the City. Improvements will need to be made to W. Alvo Rd. and NW 12th St. before more than 115 lots are platted

RECOMMENDATION:

Annexation	Approval subject to annexation agreement approval
Change of Zone	Approval
Preliminary Plat	Conditional Approval
<u>Waivers:</u>	
1. Allow sanitary sewer to run opposite street grade for Banff St., Dubois St. and N.W. 18 th St.	Approval
2. Allow sanitary sewer to be constructed at a depth greater than 18' for Dubois St.	Denial
3. Block length	Denial

Annexation #05004, Change of Zone #05022 and Preliminary Plat #05003-Highland View.

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 36 I.T., 37 I.T. and 38 I.T., located in the NE 1/4 of Section 33, Township 11 North, Range 6 East, Lancaster County, Nebraska

EXISTING ZONING: AG-Agricultural

EXISTING LAND USE: Single family residential and agriculture

SURROUNDING LAND USE AND ZONING:

North:	AG-Agricultural	Undeveloped
South:	I-2-Industrial	Kawasaki Motors
East:	AG-Agricultural	Undeveloped
West:	AG-Agricultural	Undeveloped

COMPREHENSIVE PLAN SPECIFICATIONS:

Lincoln's future urban growth should generally occur in multiple directions around the existing city. Lincoln will continue to have managed and contiguous growth. (F-17)

Natural and environmentally sensitive areas should be preserved within neighborhoods. (F-17)

The Land Use Plan identifies this area as urban residential in the 2025 Comprehensive Plan. (F-23)

Priority A of Tier 1:

Areas designated for near term development are 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 development may already be in place. This area includes some land already annexed, but is still undeveloped and without significant infrastructure. Areas with this designation are the next priority for infrastructure programming. Some infrastructure improvements may be done in the near term while others, such as road improvements that are generally more costly, may take longer to complete.(F-29)

The proposed development is located in Tier One Priority A. (F-31)

Guiding Principles for New Neighborhoods include:(F-67)

1. encourage a mix of housing types, single-family, townhomes, apartments, elderly housing all within one area;
2. Similar housing types face each other: single family faces single family, change to different use at rear of lot
3. Parks and open space within walking distance of all residences;
- 4 Pedestrian orientation; shorter block lengths, sidewalks on both sides of all roads

Annexation #05004, Change of Zone #05022 and Preliminary Plat #05003-Highland View.

The extension of water and sanitary sewer services shall be predicated upon annexation of the area by the City. City annexation shall occur before any property is provided with water, sanitary sewer or other potential City services. (F-154)

Annexation generally implies the opportunity to access all City services. Voluntary annexation agreements may limit or otherwise outline the phasing, timing or installation of utility services (e.g., water, sanitary sewer), and may include specific or general plans for the private financing of improvements to the infrastructure supporting or contributing to the land uses in the annexed area.(F-154-155)

HISTORY:

March 7, 2005	Preliminary Plat submitted:
July 7, 2005	Revised plans submitted showing a larger area than in the original site plan
June 25, 2001	Annexation #00007, to annex Kawasaki Motors, was approved by City Council.

UTILITIES: There is existing sanitary sewer on N.W. 27th St. The sanitary sewer will need to be extended from N.W. 27th St. to this development.

There is an existing 16" main at N.W. 12th St. and Alvo Rd.

TRAFFIC ANALYSIS: Alvo Rd. and N.W. 12th St. are classified as minor arterial. W. Alvo Rd. is a county gravel rural section road. N.W. 12th St. has not been constructed south of Alvo Rd. The 2025 Comprehensive Plan, under proposed projects, identifies N.W. 12th St. as 4 lanes plus turn lanes from Highlands Blvd. to Alvo Rd. and Alvo Rd. as 2 lanes plus turn lanes from N.W. 27th St. to N.W. 12th St. These projects are not listed in the City's 2005-2011 Capital Improvement Program.

PUBLIC SERVICE:

This area is within the Raymond rural fire district. The nearest elementary school is Fredstrom located at N.W. 10th St. and W. Harvest Dr. There is a proposed elementary school within the Fallbrook development, located east of this development.

ENVIRONMENTAL CONCERNS: There are existing wetlands in the southwest portion of this development.

Annexation #05004, Change of Zone #05022 and Preliminary Plat #05003-Highland View.

ANALYSIS:

1. This is a request to annex 154.77 acres, change the zoning from AG-Agricultural to R-3-Residential and preliminary plat 566 residential lots.
2. The proposed development is outside the city limits, but is within the future service limits and is shown as urban residential in the 2025 Comprehensive Plan.
3. This subdivision lies within Airport Environs Noise District and is within the inner and outer approach zone. This subdivision is between the 60 DNL and 65 DNL, which is acceptable for residential development. An Avigation and Noise Easement is required prior to approval of a final plat.
4. This area is designated as Tier I, Priority A in the 2025 Comprehensive Plan. The Comprehensive Plan identifies Priority A of Tier I as areas designated 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 development may already be in place.
5. The proposed residential development is compatible with adjacent land use and is in conformance with the 2025 Comprehensive Plan. There is a residential development to the east (Fallbrook) and industrial south of Purple Heart Highway (Kawasaki).
6. This development will require sanitary sewer to be extended along Purple Heart Highway from NW 27th St. to this development. There is an existing water main at the intersection of W. Alvo Rd. and SW 12th St.
7. Public Works & Utilities Department does not object to the waiver to allow sanitary sewer to run opposite street grades, but does object to the waiver for sanitary sewer depth because they believe street grades can be adjusted to minimize the depth.
8. The applicant is requesting a waiver to block length due to the grade of the property. This waiver is not acceptable to the Planning Department or the Public Works and Utilities Department. The July 20th report from Public Works and Utilities states that a street connection can be constructed that meets design standards to lessen the block lengths in blocks 11 and 13.
9. The applicant's letter identifies that pedestrian easements have been provided in Blocks 11,13 & 18 to meet block length requirements. Pedestrian easements are

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required when a block is in excess of 1,000 feet. However, block 11 & 13 exceed the maximum block length. The subdivision ordinance (26.23.130) states that block lengths shall not exceed 1,320' between cross-streets.

10. The applicant is requesting a temporary access to W. Alvo Rd. W. Alvo Rd. is a gravel county rural road. No connection should be made to W. Alvo Rd. until the road is constructed to the City of Lincoln design standards. The increased traffic would cause considerable dust and county roads are not designed for urban traffic. Currently, there are no plans to improve W. Alvo Rd. in the City's 2005-2011 Capital Improvement Program.
11. This tract of land is very isolated from a paved street system. The only access to the west is along W. Alvo Rd. to NW 27th St. to Purple Heart Highway. Both W. Alvo Rd. and NW 27th St. are gravel roads. There is no street system leading to the south or east. To access a system of paved roads a temporary access is proposed to Purple Heart Highway. Planning staff is recommending that the temporary access be right-in-right-out only. However, for safety reasons this temporary access is limited to 115 final platted lots. Before final platting more than 115 lots, there shall be two paved streets connecting this development to a system of continuous paved streets. These two paved streets could connect to the system of paved streets in Fallbrook and/or in combination of connecting to the paving in NW 27th St.
12. The applicant's letter states that lots will be allowed to be final platted along NW 12th St. without improving NW 12th St. The design of how NW 12th St. will cross Highway 34 is not known at this time. The draft annexation agreement requires the developer to improve NW 12th St. north of Missoula St. Thus, Planning would agree to allow lots along NW 12th St. south of Missoula St. to be final platted without improvements to NW 12th St. because that section maybe constructed as part of the NW 12th St. overpass.

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:

Annexation #05004, Change of Zone #05022 and Preliminary Plat #05003-Highland View.

- 1.1.1 Add utility easements as requested by the July 20, 2005 LES report
- 1.1.2 Add the following note to the General Notes: "The grant of an avigation and noise easement to the Lincoln Airport Authority is a condition of approval for this preliminary plat as all or part of the land is located within the Airport Environs Noise District and potentially subjects the land to aircraft noise levels which may affect users of the property and interfere with its use.
- 1.1.3 Add the following note to the General Notes; "No more than 115 lots shall be final platted until there are two permanent access paved roads from this development to a system of continuous paved streets and at such time the temporary access road to Purple Heart Highway shall be removed.
- 1.1.4 Add block length to the requested waivers on Sheet 1 if approved by City Council.
- 1.1.5 Show a street connecting from Avalance Rd. to Snowshoe Dr. in block 11, and from Silverado Dr. to Lander Dr. in Block 13 unless the City Council grants the waiver to block length.
- 1.1.6 Show Lot 5 I.T., the tract of land to the south, on the site plan and show access to the lot
- 1.1.7 Change the street name of Jasper Dr., McKinley Cir., Ranier St., and Alpine Dr. The new names must be approved by Emergency Communications 9-1-1 Center.
- 1.1.8 Remove the temporary access to W. Alvo Rd.
- 1.1.9 Show a full median on Highway 34 at the temporary access. Label the access as right-in-out only.
- 1.1.10 Label all streets with the prefix West or Northwest.
- 1.1.11 Delete Note 1 on Sheet 13 regarding the temporary access to W. Alvo Rd.
- 1.1.13 Show only one street taking access to W. Alvo Rd. east of Jasper Dr. at approximately the quarter mile point.

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1.1.14 Make corrections to the satisfaction of Public Works per Public Works and Utilities memo of July 20, 2005

1.1.15 Make corrections per Public Works Watershed Management memo of July 19, 2005.

1.1.16 Show the driveway for the house at 1486 W. Alvo Rd. Relocate NW 15th St. so it is west of the driveway.

1.1.17 Correct the name NW 19th St. on Sheet 7. There is no NW 19th St. on the site plan.

1.1.18 Amend the Phasing Plan if the temporary access to W. Alvo Rd. is not granted. Include Phase 2 with Phase 1 and end Phase 1 at Lots 13 & 14, Block 23.

1.1.19 Show Lot 5 I.T. on the site plan.

1.1.20 Show the street profile of Alpine Dr. and Vancouver St. 300' beyond the limits of the subdivision.

1.1.21 Show minimum opening elevation for lots abutting Outlot "A".

1.1.22 Revise Note 8 in Site Specific Notes to read, "Direct access to W. Alvo Rd. is relinquished except where shown." Delete the remainder of Note 8.

1.1.23 Show sanitary sewer depths to meet design standards and block lengths not in excess of 1,320' between cross-streets unless the subdivider's waiver request is approved by the City Council."

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

Annexation #05004, Change of Zone #05022 and Preliminary Plat #05003-Highland View.

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 the final plat.

to complete the installation of sidewalks along both sides of streets and along the south side of W. Alvo Rd. and the west side of NW 12th St. as shown on the final plat within four (4) years following the approval of the final plat.

to construct the sidewalk in the pedestrian way easements in Blocks 11, 13 & 18 at the same time as the abutting streets are paved and to agree that no building permit shall be issued for construction on Lots 7,8,28 & 29, Block 11; Lots 9,10,30 & 31, Block 13; and Lots 9,10,24 & 25, Block 18 until such time as the sidewalk in the pedestrian way easement is constructed.

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

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

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

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

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

to complete any other public or private improvement or facility required by Chapter 26.23 (Development Standards) of the Land Subdivision Ordinance in a timely manner which inadvertently may have been omitted from the above list of required improvements.

to complete the public and private improvements shown on the preliminary plat

to retain ownership of or the right of entry to the outlots in order to maintain the outlots and private improvements on a permanent and continuous basis and to maintain the plants in the medians and islands 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 private improvements have been satisfactorily installed and the documents creating the association have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

to perpetually maintain the sidewalks in the pedestrian way easements in Blocks 11, 13 and 18 at their own cost and expense.

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

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 submit to the lot buyers and home 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 to Highway 34, W. Alvo Rd., and NW 12th St. except where shown.

Annexation #05004, Change of Zone #05022 and Preliminary Plat #05003-Highland View.

to inform all prospective purchasers and users that the land is located within the Airport Environs Noise District, that the land is subject to an aviation and noise easement granted to Lincoln Airport Authority, and that the land is potentially subject to aircraft noise levels which may affect users of the property and interfere with its use.

to submit to all potential purchasers of lots a copy of the ground water report.

to pay all design, engineering, labor, material, inspection, and other improvement costs

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

Prepared by:

Tom Cajka
Planner

DATE: July 21, 2005

APPLICANT: Engineering Design Consultants
2200 Fletcher Ave. Suite 102
Lincoln, NE 68521
(402) 438-4014

OWNER: Prairie Homes
2045 S. Folsom
Lincoln, NE 68522
(402) 476-6599

CONTACT: same as applicant

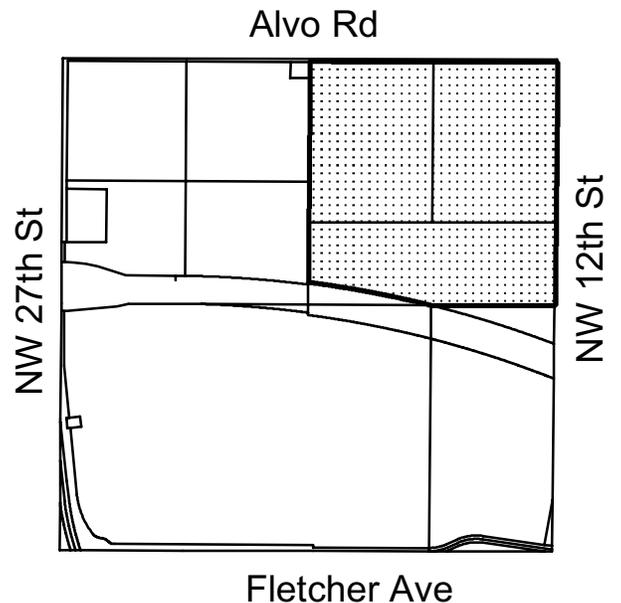
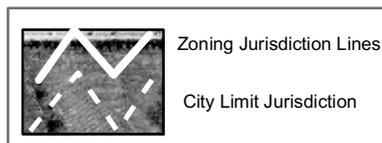


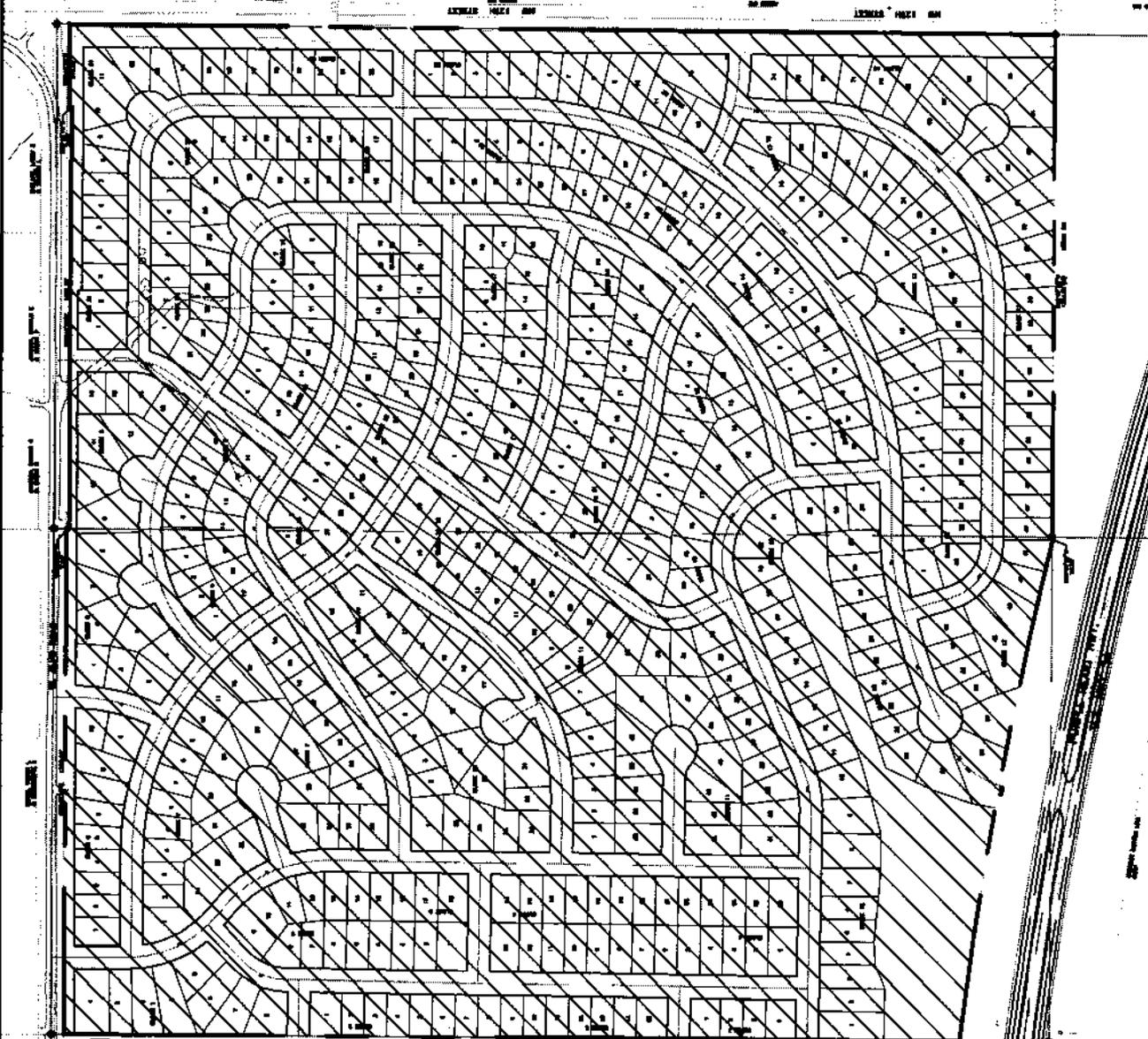
Preliminary Plat #05003
Change of Zone #05022
Annexation #05004
Highland View
NW 12th & Alvo Rd.

2002 aerial

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

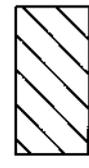
One Square Mile
 Sec. 33 T11N R6E





NO SCALE

LEGEND



AG TO R-3



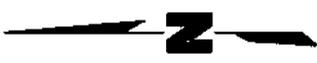
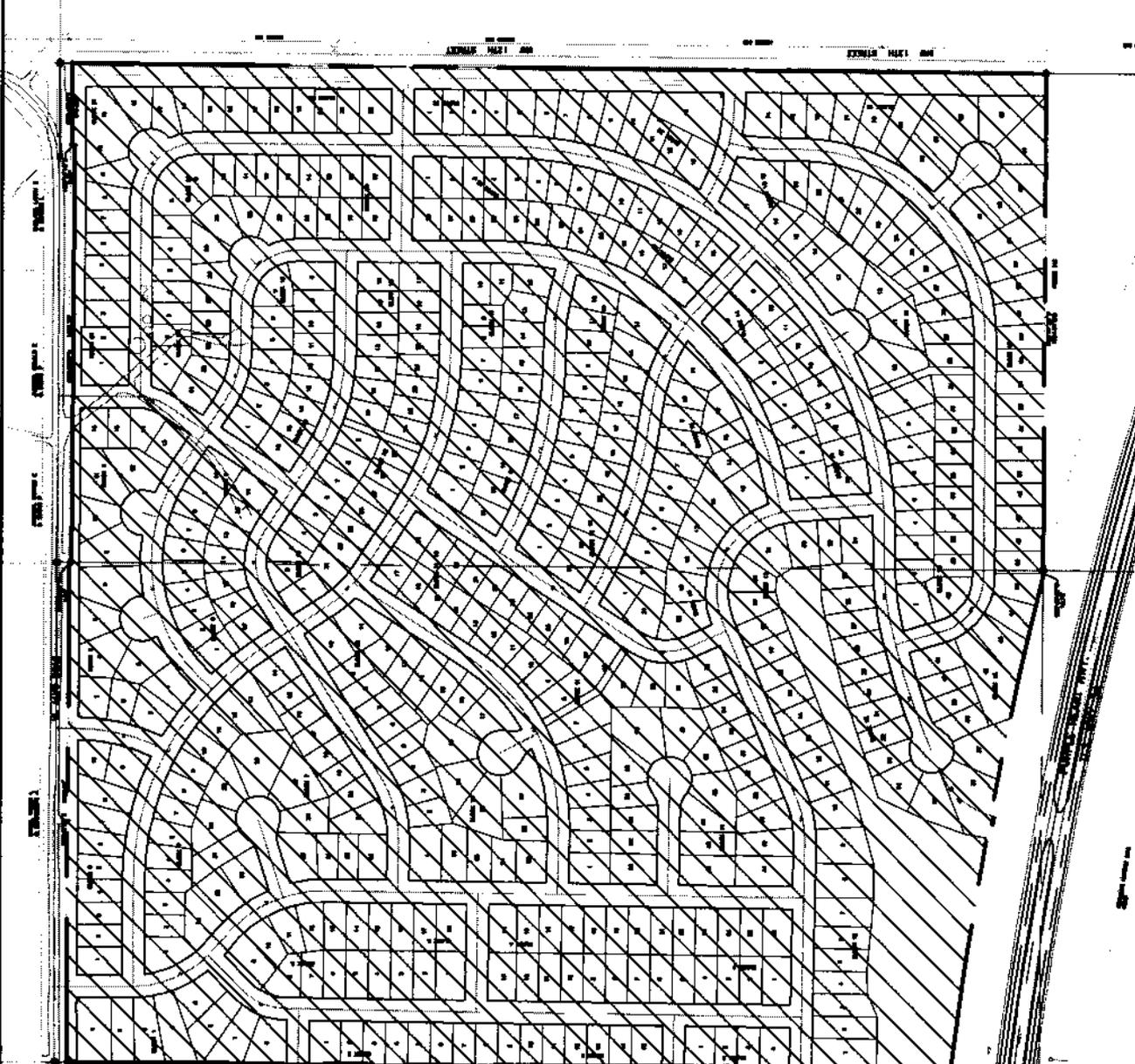
**HIGHLAND VIEW
CHANGE OF ZONE EXHIBIT
LINCOLN, NEBRASKA**

Drawn By: LKR
Dwg.: change zone.dwg
Date: 06/23/2005
Job#: 03-101-25

LOTS 36, 37 & 38 LOCATED IN THE NORTHEAST QUARTER OF SECTION 33,
TOWNSHIP 11 NORTH, RANGE 6 EAST OF THE 6TH P.M., LANCASTER COUNTY,
NEBRASKA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE EAST QUARTER CORNER OF SAID SECTION 33; THENCE ON
THE SOUTH LINE OF THE NORTHEAST QUARTER OF SAID SECTION 33,
N89°47'33"W, 1,324.31 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY LINE OF
U.S. HIGHWAY 34; THENCE ON SAID NORTH RIGHT-OF-WAY LINE FOR THE NEXT
2 COURSES, N89°46'48"W, 12.70 FEET; THENCE WESTERLY ON A 11,634.16 FOOT
RADIUS CURVE TO THE LEFT, AN ARC LENGTH OF 1,333.32 FEET (LONG CHORD
BEARS N79°24'42"W, 1,332.59 FEET) TO THE WEST LINE OF THE NORTHEAST
QUARTER OF SAID SECTION 33; THENCE ON SAID WEST LINE, N00°27'18"E,
2,370.36 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF WEST ALVO ROAD;
THENCE ON SAID SOUTH RIGHT-OF-WAY LINE FOR THE NEXT 5 COURSES,
S89°49'35"E, 1,327.09 FEET; THENCE S00°30'41"W, 7.00 FEET; THENCE S89°49'50"E,
1,107.76 FEET; THENCE N00°10'10"E, 7.00 FEET; THENCE S89°49'50"E, 219.59 FEET TO
THE EAST LINE OF SAID SECTION 33; THENCE ON SAID EAST LINE, S00°34'37"W,
2,612.18 FEET TO THE POINT OF BEGINNING, CONTAINING 6,741,843.84 SQUARE
FEET (154.77 ACRES) MORE OR LESS.

 HIGHLAND VIEW PRELIMINARY PLAT
CHANGE OF ZONE EXHIBIT FROM AG TO R-3
LEGAL DESCRIPTION
LINCOLN, NE
SHEET 2 OF 2



NO SCALE

LEGEND



ANNEXATION AREA



**HIGHLAND VIEW
ANNEXATION EXHIBIT
LINCOLN, NEBRASKA**

Drawn By: LKR
Dwg.: ANNEX.dwg
Date: 06/23/2005
Job#: 03-101-25

SHEET
1 OF 2

LOTS 36, 37 & 38 LOCATED IN THE NORTHEAST QUARTER OF SECTION 33,
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HIGHLAND VIEW PRELIMINARY PLAT
ANNEXATION EXHIBIT
LEGAL DESCRIPTION
LINCOLN, NE
SHEET 2 OF 2

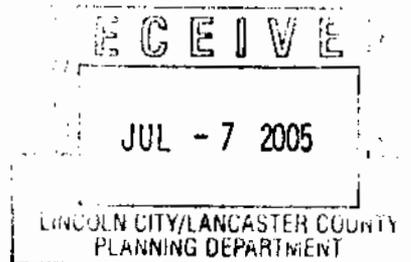


Engineering Design Consultants

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Ph 402-438-4014
Fx 402-438-4026

July 7, 2005

Thomas Cajka
Planning Department
City-County Building
555 South 10th Street
Lincoln, NE 68508



RE: Highland View
Preliminary Plat Submittal
Change of Zone Request
Annexation Request
EDC Job #03-101

Dear Mr. Cajka,

On behalf of Engineering Design Consultant's client, Prairie Homes, the following applications are hereby submitted per the subdivision review process:

1. Application for a Preliminary Plat
2. Application for a Change of Zone from AG to R-3 (see attached exhibit).

Highland View is a 154 +/- acre residential development generally located on the southwest corner of West Alvo Road and NW 12th Street. There are 566 total single family lots ranging from 6,000 square feet to more than 10,000 square feet providing a steady supply of lots for North Lincoln. The Highland View Preliminary Plat includes the following:

1. The existing zone is AG and the proposed zone is R-3.
2. Right-of-way widths for all interior public streets shall be 60 feet and sidewalks shall be provided on both sides of the street.
3. Right-of-way width for Alvo Road shall be 120 feet, with an additional 10 feet of right-of-way for turn lanes off of Alvo Road into the Highland View subdivision. Sidewalks shall be provided on the south side of Alvo Road.
4. Direct vehicular access to Alvo Road is relinquished except where shown. The access shown at the intersection of Alvo Road and NW 12th Street is temporary as the current farmer would like to continue his cattle and farming operations for the next few years. The street connecting to the first access onto Alvo Road on the plat would be reached by a street that would require the removal of existing silo's on site. Therefore, to avoid the silo's, a temporary access to Alvo Road has been shown and will be relinquished once Phase 3 of the phasing plan is final platted. Lots 10 & 11, Block 21 shall be final platted as outlots until the temporary access to Alvo Road is relinquished.
5. Right-of-way widths for NW 12th Street shall be 120 feet with sidewalks being provided for on the west side of the street. NW 12th Street will not be improved until a final alignment for the street is reached and the City of Lincoln can confirm whether or not the street will connect across HWY 34 to the next subdivision. Lots will be allowed to be final platted along NW 12th Street without

improving NW 12th Street until the City of Lincoln has a final alignment and cross-section confirmed for NW 12th Street.

6. Direct vehicular access to NW 12th Street is relinquished except where shown.
7. Direct vehicular access to Highway 34 is relinquished except where shown. The access shown to Highway 34 is temporary and is requested to be a full movement access. The full movement temporary access is requested to allow residents of the development access to a full intersection to make left turning movements without having to drive 1 mile west to NW 27th Street to drive east on Highway 34. Lots 34 and 35, Block 9 will be final platted as an outlot until the access to Highway 34 is relinquished. The full movement temporary access to Highway 34 will be relinquished once a connection from Alvo Road to Fall Brook Drive through the Fall Brook Development to the signaled intersection is made.
8. Total Usage Table
 - a. Single Family Lots 552
 - b. Single Family/Two Family Lots 14
 - c. Outlots 4
 - d. Total Blocks 23
 - e. Total Lots 570
 - f. Total Units 566
9. Lots backing onto Outlot A shall have minimum opening elevations of 1' above the 100 Year Flood Plain Elevation.
10. A blanket utility easement is granted over Outlots A, B, C, and D.
11. Pedestrian easements 20' in width have been provided on Block ~~8, 10,~~ ^{11, 13, 18} and ~~15~~ to meet block length requirements. Due to the grade of the property at these locations, a street connections cannot be made that meets the City of Lincoln Street Design Standards as the grade is too steep. The developer has provided a 20' wide pedestrian easement to create a landscaped amenity for the neighborhood and make lots adjacent to the pedestrian easements desirable instead of non-desirable by continuing the pedestrian easement trend of a 5' wide easement eyesore that homeowners don't want to live next to.
12. The Lancaster County Poor Farm Cemetery is located on the adjacent property towards the northwest corner of the development. Conversations with Rob Bozell of the State Historical Society-Archeological Division on August 25, 2004, stating that unmarked graves are treated the same under the law as marked graves. Mr. Bozell has advised to provide a buffer between the housing and the cemetery and avoid the area as much as possible. A 50' easement has been provided on the rear of the lots adjacent to the cemetery to provide a buffer between the actual residences and to help reduce the amount of grading around the cemetery to as little as possible.
13. There are wetlands located in the southwest corner of the development which will be preserved and enhanced to provide an amenity to the residents backing onto the outlot and to provide detention for the site.
14. There is an isolated pond located in the north part of the preliminary plat. Based on a letter received from the Department of the Army the Corps of Engineers has determined that there is no waters of the United States located at the project site and no Section 404 Permit of the Clean

Highland View
Preliminary Plat Submittal
Change of Zone Request
Annexation Request
EDC Job #03-101
July 1, 2005
Page 3

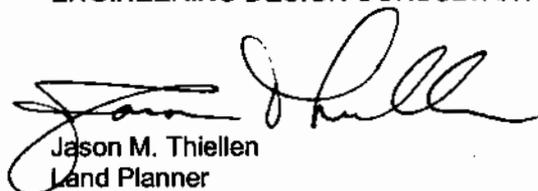
Water Act is required from the Corps of Engineers. Therefore, we have shown this pond to be filled on our grading and drainage plan (please see attached copy of letter from the Department of the Army).

15. The development will be served by sanitary trunk sewer line being brought from NW 27th Street across the adjacent property to the southwest corner of the property. The development will be served by a water main in NW 12th Street from the intersection of Alvo Road and NW 12th south to HWY 34.
16. The following waiver are hereby requested to the City of Lincoln Design Standards:
 - a. A waiver is requested to Title 2, Section 3.6 to allow sanitary sewer to flow opposite street grade for sanitary sewer located in Dubois Street, NW 18th Street, and Banff Street.
 - b. A waiver is requested to Title 2, Section 3-6, to allow sanitary sewer to be constructed at a depth greater than 15 feet for Dubois Street. The waiver is requested so that an additional paralleling sewer line in Dubois Street will not have to be constructed to keep the sanitary sewer line out of the detention pond.

If you have any additional questions or concerns please contact me at 438-4014 or at jthiellen@edc-civil.com.

Sincerely,

ENGINEERING DESIGN CONSULTANTS, L.L.C.



Jason M. Thiellen
Land Planner

Enc: 6 Sets of Sheets 1 – 13
Change of Zone Exhibit
Annexation Exhibit
8 1/2 X 11 Site Plan
Letter from the Department of Army

c: Steve Champoux
Peter Katt



DEPARTMENT OF THE ARMY
CORPS OF ENGINEERS, OMAHA DISTRICT
NEBRASKA REGULATORY OFFICE - KEARNEY
1430 CENTRAL AVENUE, SUITE 4
KEARNEY, NEBRASKA 68847-6856

August 3, 2004

Mr. Shawn Ovenden
Engineering Design Consultants
2200 Fletcher Avenue, Suite 102
Lincoln, Nebraska 68521

Dear Mr. Ovenden:

We have reviewed the proposed project, Highlands Prairie development, as described in your letter dated June 21, 2004 to fill an isolated pond on an unnamed tributary of Oak Creek. The area of the pond is 0.19 acre. The site is located in the Northeast ¼ of Section 33, Township 11 North, Range 6 East, Lancaster County, Nebraska.

Based on the information provided, we have determined that there are no jurisdictional waters of the United States located at the project site. Therefore, the activity is not subject to Department of the Army (DA) regulatory authorities and no permit pursuant to Section 404 of the Clean Water Act is required from the Corps of Engineers. If you disagree with this jurisdictional determination, you have the right to appeal the decision. If you would like more information on the jurisdictional appeal process, contact this office.

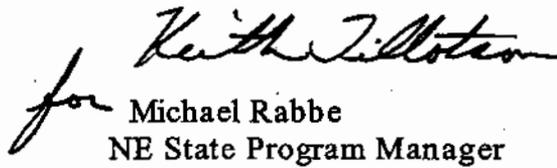
If, in the future, you plan to place fill material in any waters of the United States please provide this office with an application for review for possible permit requirements.

Although a DA permit is not required for this project, this does not eliminate the requirement that you obtain other applicable Federal, State, Tribal and/or Local permits as required. One such requirement is complying with Title 117 of Nebraska's Surface Water Quality Standards. The Nebraska Department of Environmental Quality (NDEQ) administers this regulation. These standards apply to all "Waters of the State", including isolated and adjacent wetlands, creeks, lakes, rivers, etc. To ensure compliance with NDEQ's standards contact:

Terry Hickman
Nebraska Department of Environmental Quality
Water Quality Division -- Planning Unit
PO Box 98922
Lincoln, NE 68509-8922

If you have any questions regarding this matter, please feel free to contact Mr. Keith Tillotson at the above address or call (308) 234-1403 and refer to file number NE 04-10832.

Sincerely,

 for Michael Rabbe
NE State Program Manager

Copy Furnished:

EPA (Ousley)
USFWS (Harms)
NDEQ (Hickman)
NGPC (Grell)
Steve Champoux

M e m o r a n d u m

To: Tom Cajka, Planning Department

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

Subject: Highland View Preliminary Plat #05003

Date: July 20, 2005

cc: Randy Hoskins

Engineering Services has reviewed the submitted plans for the Highland View Preliminary Plat, on the northwest corner of Northwest 12th Street and Highway 34, and has the following comments:

- 1 **Sanitary Sewer** - The following comments need to be addressed.
 - (1.1) There are sewer capacity issues at the Oak Creek siphon at West Mathis Street. A study is currently being conducted through the Wastewater Department to determine possible remedies for the problems. The sewer for this plat will outlet in this system. No final plats will be approved until these capacity issues are resolved.
 - (1.2) Public Works does not approve the requested waiver of design standards for sewer depth as shown. A waiver would be satisfactory provided that the street grades be revised to minimize the sewer depth. It appears that the street grades can be altered to minimize sewer depth while adhering to public street design standards. Also, Silverado drive needs to be included in the requested depth waiver.
 - (1.3) The requested waiver of design standards for construction of sewer opposite of the street grade is satisfactory to Public Works provided that the depth of the sewer is minimized as previously stated.
- 2 **Water Main** - The following comments need to be addressed.
 - (2.1) The proposed water main in Highway 34 under design referenced in the submittal letter will be part of the Belmont Pressure district. The area of this plat is planned to be served by the Northwest Pressure district from the existing 16" main at Northwest 12th and Alvo Road. This issue will have to be addressed with the phasing of this plat. The 6" connection at Northwest 12th and Alvo Road is not adequate.
 - (2.2) The plans need to be revised to show 12" water mains in Missoula Street from Northwest 12th to Silverado Drive, in Silverado Drive to Dubois Street, in Dubois Street to the west property line, in Jasper Drive to Northwest 19th, and in

Northwest 19th to Dubois Street. These oversized main locations will serve as approximately the half mile line 12" water main system as per design standards.

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

- (3.1) The storm water detention calculations assume a discharge point for basin 'A' outside of the boundary of this plat. This does not meet design standard requirements. Although calculations showing the down stream affects of the development are required by the Drainage Criteria Manual, each discharge point along the boundary of this plat needs to be analyzed separately for detention requirements in accordance with design standards.
- (3.2) There appears to be errors in the storm water detention calculations. The time of concentration (TOC) calculations for the proposed conditions do not take into account the flow through the pipe system. This artificially inflates the TOC and thus produces a lower flow value than what will actually be observed. Revised calculations need to be provided to the satisfaction of Public Works. These corrections will most likely result in required detention in the northwest corner of the plat and expanded detention in the southwest corner of the plat. These changes may cause a significant change in the street and lot configuration and a revised site plan and grading and drainage plan will need to be provided.
- (3.3) The grading and drainage plan shows existing wetlands to be removed in the north central and southwest parts of the plat. A 404 Permit will need to be applied for and approved by the ACOE before the wetlands can be disturbed.
- (3.4) The grading plan does not match the detention cell outlet structure detail. The top of berm elevation of 1238 shown in the detail is not reflected in the proposed grading contours. The proposed grades and/or the outlet structure detail need to be revised accordingly.

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

- (4.1) The temporary access to Highway 34 will not be a full access intersection. The connection will be a right-in right-out only intersection. The plans need to be revised accordingly. Also, this access will need an approved permit from the Nebraska Department of Roads.
- (4.2) The street system does not meet design standards for intersection spacing along Alvo Road. Alvo is a mile line road and intersections should be shown at the quarter and half mile points. The plans need to be revised to show a single street connection to Alvo Road at the quarter mile point instead of the two intersections currently shown at Northwest 15th and Northwest 17th Street. Jasper Street will serve as the half mile intersection.
- (4.3) Street access needs to be provided for Lot 5 IT from this plat in accordance with the subdivision ordinance and design standards.
- (4.4) The typical section for Alvo and Northwest 12th is not correct. The median

width needs to be revised to show 28' back to back. The plans also need to be revised accordingly. Before the annexation of this plat is approved, this plat will need provisions for a paved access to City streets along Alvo Road and Northwest 12th Street.

- (4.5) The street grade for the temporary connection to Highway 34 needs to be shown to the satisfaction of Public Works.
- (4.6) The temporary access shown in the northeast corner of the plat near the intersection of Northwest 12th Street and Alvo Road is not approved by Public Works and will not count as a second access to the subdivision for the purpose of increasing the number of lots that are allowed to be final platted. Two permanent paved street connects to the public street system will be required prior the final platting of additional lots.
- (4.7) There does not appear to be any justification for block length waivers in Blocks 11 and 13. It appears that a street connection can be constructed to design standards between Silverado Drive and Lander Drive and between Snow Shoe Drive and Avalanche Road.

General - 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.



**PUBLIC WORKS AND
UTILITIES DEPARTMENT**

MEMORANDUM

Date: 7/19/2005
To: Tom Cajka, Planning Department
From: John Callen, Watershed Management
Subject: Highland View Review Comments, PP05003
cc: Chad Blahak, Dennis Bartels, Ben Higgins

Tom,

Below are Watershed Management's comments regarding the Highland View preliminary plat submittal, PP05003:

1. A drainage report with detention calculations was submitted on 3/7/05. With the 7/7/05 submittal, additional area was added to the preliminary plat request. However, an updated drainage report was not submitted. An updated drainage report must be submitted that reflects the updated preliminary plat request and proposed land use to the satisfaction of Watershed Management.

2. This site is in the New Growth Area. Acknowledge minimum flood corridor standards and other applicable standards referenced in DCM Chapter 10 and identify areas where minimum flood corridor applies. Show minimum flood corridor(s) on plans and provide summary of sequencing procedure followed per criteria in section 10.3.2 of the DCM, to explain any proposed impacts to minimum flood corridor(s).
(Ref. DCM Chapter 10)

The following additional comments 3.-7. are based on the previously submitted drainage report, and are for reference only. Watershed Management reserves the right to update these comments if warranted by the updated drainage report.

3. It appears that the time of concentration is higher for proposed conditions compared to existing conditions for subbasin A2.

4. Per section 6.4.2 of the Drainage Criteria Manual (DCM), post development peak discharges for the 2-, 10-, and 100-year storms may not exceed pre-development peak discharges at the project property line. This is not demonstrated for the northwest corner of the site. (Ref. DCM section 6.4.2)

5. Discuss impact of drainage leaving site at northwest corner on downstream adjacent properties. (Ref. DCM section 6.4.6)

6. Provide further details regarding water surface elevation calculations for detention cell flood pool and channel leading to the cell. Also, provide water surface elevation calculations for overland flow paths between lots 7-8, lots 21-22, and lots 34-35, Block 9. Document more clearly how these calculations relate to proposed minimum opening elevations for lots in Block 9 ***(Note that lots in Block 9 of the previous submittal are now in Block 12. The tables on sheet 4 of 13 should be updated accordingly, and this comment now applies to referenced lots in Block 12).***

(Ref. Lincoln Municipal Code (LMC) 26.15.020 (b) 6,7, and 8)

7. Flow arrows shown along lot lines on plans appear to be placed sparsely and do not fully describe flow conditions. For example, an arrow is placed between lots 15 and 16, Block 11 that stops at a rear lot line. Provide additional flow arrows along lot lines to show more clearly intended lot drainage flow paths.

(Ref. LMC 26.15.020 (b) 3)

Lancaster

DON R. THOMAS - COUNTY ENGINEER

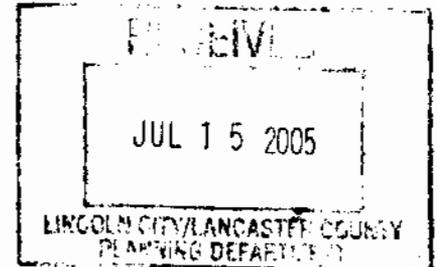
County

Engineering

Department

DEPUTY - LARRY V. WORRELL
COUNTY SURVEYOR

DATE: July 14, 2005
TO: Tom Cajka
Planning Department
FROM: Larry V. Worrell 
County Surveyor
SUBJECT: HIGHLAND VIEW PRELIMINARY PLAT
AND CHANGE OF ZONE NO. 0502



Upon review, this office would have the following comments:

- 1) As part of the condition of approval, developer agrees to the reconstruction of West Alvo Road from NW 12th Street to NW 27th Street and the paving of NW 27th Street to Highway 34.
- 2) No connection to West Alvo Road, either temporary or permanent, should be allowed until road improvements described above are complete.

cc: Dennis Bartels - Public Works

LWV/DP/bml
Connie/Subdiv.wk/Highland View PP Mem.

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

TO: Becky Horner

DATE: March 14, 2005

DEPARTMENT: Planning

FROM: Chris Schroeder

ATTENTION:

DEPARTMENT: Health

CARBONS TO: EH File
EH Administration

SUBJECT: Highland View
CZ #05022
Annex #05004
PP #05003

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

- The LLCHD notes that Kawasaki Motors Manufacturing Corporation USA is located southwest of this proposed development. Kawasaki Motors Manufacturing Corporation USA emits volatile organic compounds and hazardous air pollutants each of which can be sources for odor complaints. According to the wind rose plot for Lincoln, NE, the wind is out of the southwest approximately 11 percent of the time, which is equivalent to approximately 960 hours per year or 40 days per year. In fact, the LLCHD opposed a 2004 Comprehensive Plan Amendment which proposed to change the land-use category to residential for the parcel of land located directly north from Kawasaki Motors Manufacturing Corporation USA. This proposed amendment was not approved.
- The LLCHD has concerns regarding the continuation of the existing farming operation to the north of this proposed development relative to exposure to hazardous chemicals and dust. The LLCHD also advises that farming operations are exempt from the Lincoln-Lancaster County Health Department's Air Pollution Control Program Regulations and Standards Article 2, Section 32 Dust-Duty to Prevent Escape Of.

- 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.



Terry A Katha/Notes
07/14/2005 12:49 PM

To **Thomas J Cajka/Notes@Notes**
cc
bcc
Subject **Highland View**

After reviewing the above mentioned project, this department has the following comments;

- 1) Ranier Street should be changed, Rainier has already been used.
- 2) By naming the north-south street, NW 15th Street, will result in requiring the existing house on the north side of West Alvo Road to change their existing address, which they had just changed a year and half ago.

TK



Dennis L Roth

03/14/2005 01:23 PM

To: Rebecca D Homer/Notes@Notes
cc:
Subject: re: Highland View

PROJ NAME: Highland View
PROJ NMBR: CZ05022, AN05004, PP05003
PROJ DATE: 03/07/2005
PLANNER: Becky Horner

Finding TWO similar/duplicate street names within our database, other than those which are obvious extensions of an existing street and TWO other potential problems.

PROPOSED

Alpine Dr
Jasper Dr
McKinley Cir

EXISTING

Apline Cir and Rd at approx SW 60 St and W Denton Rd
Jasper Ct at approx S 33 and Stephano Dr
McKinty Ln at approx S 34 St and Grainger Pkwy

Silverado Ct

appears at two separate locations on this plat.
NOTE: Bay is a City accepted street type for cul-de-sac and would eliminate a potential problem.

Big Sky Ct and Rd

Big Sky was approved for use in the Wilderness Ridge Add but the developer requested it be renamed Stone Creek. As a member, don't for see a problem BUT you might want to run this by the Street Committee, Chaired by Ray Hill.

Dennis "denny" Roth, ESD II/CAD Admin
Emergency Communications 9-1-1 Center

CROSS STs: NW 12, Purple Heart Hwy to W Alvo Rd

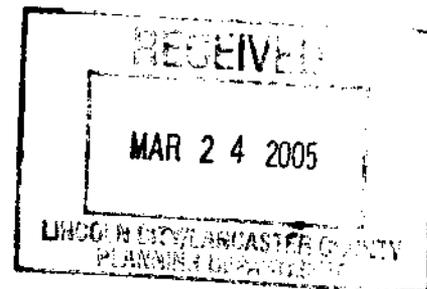
PUBLIC STs: Alpine Dr, Avalanche Rd, Banff St, Beartooth Dr, Big Sky Ct and Rd, Bitterroot Dr, Denali Ct, Cir and St, Dubois St, Grand Teton Ct, Homer St, Jasper Dr, Lander Ct and Dr, Mckinley Cir, Missoula St, Ranier St, Sawtooth Dr, Silverado Cir, Ct (2) and Dr, Snowshoe Ct and Dr, Vancouver Dr, Waterton Dr, NW 15 St, NW 18 St and NW 19 St

PVT STs: none

COMMENTS: City Ordinance requires street located north of O St and west of 1st to be prefixed by either West or Northwest which appears to have been overlooked by the developer.

RECOMMEND DENIAL AT THIS TIME.

message to Becky Horner



March 22, 2005

Ms. Becky Horner, Project Planner
City-County Planning
555 So. 10th
Lincoln, NE 68508

Subject: Highland View
Change of Zone #CZ05022
Annexation #AN05004
Preliminary Plat #PP05003

Ms. Horner:

We have reviewed the subject zone change/annexation/plat proposal and have a number of comments related to its impact on the Lincoln Airport.

This area is within the Airport Environs Noise District and subject to the provisions contained in Chapter 27.58 of the Lincoln Municipal Code. This will require an appropriate Avigation and Noise Easement and Covenant Agreement, covering the entire platted area and ultimately each developed parcel, if there is not already one for this property.

The southwestern portion of the development appears to be within an Inner Approach Zone and a Transition Zone, as defined in Chapter 27.59. Height permits shall be required for any structures in these areas.

The remainder of the development appears to be within an Outer Approach Zone and a Turning Zone, as also defined in Chapter 27.59. Since all of this area is also above 1,248' in elevation and so is in the "shaded" area indicated on the airport zoning map, any structures proposed over 75' in height will require a height permit review, per the requirements of the chapter.

Since so much of this development is within an approach area to the airport, we would suggest the developer show the boundaries of the inner and outer approach zones on his drawings and provide a proximity drawing showing the development in relation to the airport as part of his submittal.

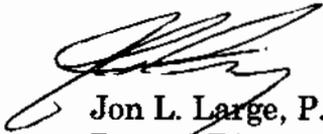
Ms. Becky Horner
March 22, 2005
Page 2

Finally, although not a noise or height issue, we need to make you aware that this area will be overflowed by aircraft on a regular basis. I have attached drawings from our Part 150 noise study showing aircraft flight tracks around the airport. You can see from the drawings that overflight of the area by arriving, departing and touch-and-go aircraft will be a regular occurrence and should be expected by residents of the area.

If you have any questions about any of the above, please feel free to give me a call.

Sincerely,

AIRPORT AUTHORITY



Jon L. Large, P.E.
Deputy Director of Engineering

JLL/lb

Attachments

cc: Mike Johnson, w/attachments