

**LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT**

**P.A.S.#:** Prairie Creek Estates Community Unit Plan  
Co Special Permit #199, Preliminary Plat 03001

**Date:** March 5, 2003

**SCHEDULED PLANNING COMMISSION MEETING:**

**DATE:** March 19, 2003

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

**PROPOSAL:** A Community Unit Plan and Preliminary Plat to create 9 lots.

**WAIVER REQUEST:** Waivers of subdivision requirements of street trees, street lighting, landscape screens, sidewalks, cul-de-sac length and block length. Zoning adjustments to lot frontage and lot access to a street.

**LAND AREA:** 150.46 acres, more or less.

**CONCLUSION:** This plat and the listed waivers generally conform with the Comprehensive Plan and adopted Regulations.

<b><u>RECOMMENDATION:</u></b>	County Special Permit #199 Conditional Approval Preliminary Plat # 03001 Conditional Approval
<b><u>WAIVER REQUESTS</u></b>	
- block length along the north, south, east and west	Approval
- sidewalk	Approval
- landscape screens	Approval
- street lights	Approval
- street trees	Approval
- cul de sac length	Approval
- lot frontage	Approval
- frontage and access to a street	Approval

**GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** A portion of Lot 2 I. T. located in the SW 1/4 of Section 34, T10N, R8E of the 6th P.M., Lancaster County, Nebraska; metes and bounds description attached.

**LOCATION:** S.148<sup>th</sup> Street and Van Dorn Street

**APPLICANT:** Nebraska Prairie L. L. C.  
P.O. Box 336  
Bennet, NE 68317  
(402) 770-7707

**OWNER:** Mark E. Shiers and Karri L. Shiers,  
husband and wife, as joint tenants  
7331 S. 29<sup>th</sup> Street  
Lincoln, NE 68516  
(402) 420-7331

Nebraska Prairie L. L. C.  
A Nebraska Limited Liability Company  
P.O. Box 336  
Bennet, NE 68317  
(402) 770-7707

**CONTACT:** Brian D. Carstens and Associates  
601 Old Cheney Road, Suite C  
Lincoln, NE 68512  
(402) 434-2424

**EXISTING ZONING:** AG Agricultural.

**EXISTING LAND USE:** Agriculture.

**SURROUNDING LAND USE AND ZONING:**

North: Agriculture, scattered acreages, zoned AG  
South: Agriculture and a native prairie, zoned AG  
East: Agriculture and acreages, zoned AG  
West Agriculture and two dwellings, zoned AG

**ASSOCIATED APPLICATIONS:** County Special Permit # 199 and Preliminary Plat #03001 are related.

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

**COMPREHENSIVE PLAN SPECIFICATIONS:** The 2025 Plan shows this as Agriculture. This is outside the Lincoln Growth Tiers.

Currently, acreage development has occurred under two development scenarios: AG - Agricultural District (minimum of 20 acres per lot area) and AGR - Agricultural Residential District (minimum of 3 acres per lot area) 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)

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)

Provide more bonuses and a lower threshold size (not below nominal 40 acres) for the proven technique of “cluster” development using the Community Unit Plan. This technique has been successful in providing flexibility while preserving both farmland and environmental resources at the same time. (F71)

**UTILITIES:** There is no public sewer available. Individual waste disposal is proposed. This is in the Lancaster County Rural Water District #1 and Rural Water is proposed.

**TOPOGRAPHY:** This is generally rolling land, draining to the southwest.

**TRAFFIC ANALYSIS:** 148<sup>th</sup> is a paved County road. Van Dorn Street is gravel county road. Van Dorn is not shown for future improvement.

**PUBLIC SERVICE:** This is in the Eagle Rural Fire District, Waverly School District # 145 and Norris Public Power District.

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

**ENVIRONMENTAL CONCERNS:** There are no identified Historic resources, However, the historic Levitt house has been moved from the Veterans Hospital site at 70<sup>th</sup> and “O” Street to the farmstead site on this parcel. There are conditions and agreements with the State Historical Society in regard to the building. The soil rating is 6.0 on a scale of 1-10 where 1-4 is prime soil. This is not prime soil. There are drainage ways through the site from northeast to southwest and an NRD dam under construction in the northeast. There is FEMA floodplain shown. The drainage ways through the sited are wooded. There are fresh water wetlands on this site.

**AESTHETIC CONSIDERATIONS:** n/a

**ALTERNATIVE USES:** Continued farming or up to 7 dwellings on 20 acre parcels (8 with the farmstead).

**ANALYSIS:**

1. This request is for a Special Permit for a Community Unit Plan and a Preliminary Plat for 9 acreage residential lots. A gravel private street is proposed and a common private drive for two lots. A 20 % dwelling unit bonus is requested for preservation of farm land.
2. The acreage lots are proposed to wrap around the lake and generally stay out of the wooded area and tillable area. The distance away from the historic house also helps preserve the character of the setting of that resource.
3. Public water and individual sewage disposal are proposed. The lots are large enough for lagoons if percolation will not support a septic system. The Rural Water District indicates adequate capability (see attached memo from the Water District Engineer dated January 9, 2003).
4. This request is in general conformance with the Comprehensive Plan.
5. The applicant is requesting waivers to street lighting, street trees, landscape screens, and sidewalks. These waivers are consistent with the agricultural nature of the subdivision and the provisions of the County regulations. The area is not to be annexed by the city at this time. The existing farm land, dam and proposed acreages provide storm water detention equivalent to the Lincoln standards.
6. The applicant is requesting a waiver of the block length along the north, south, east and west of the plat. The applicant is requesting waivers to cul-de-sac length in excess of 1,000. The waivers are reasonable considering the nature and use of the land for farming, existing dam, wooded area and topography, however, the extension of S. 154<sup>th</sup> Court to the east is highly desirable for additional development to the east, near the lake. Waiver to frontage on a street is requested to allow Lots 7 and 8 to be created in the northeast corner of the parcel and use a common drive around the dam and lake. The applicant is requesting an adjustment of lot frontage for lots 6,7,8 and 9. Given the unique lay of this land, trees and lake, the historic house and within the flexibility provided by the Community Unit Plan, these adjustments appear appropriate.
7. The density calculations for the project are as follows;

150.46 acres + 2.65 acres of ROW	=	153.02 acres
153.02 acres at 1 dwelling per 20 acres	=	7.651 dwellings
20% bonus requested X 1.20	=	9.18 dwellings permitted

Requested

9 units

8. There is one potential conflicting farm use noted on the field survey, a small farm cattle operation on the northeast corner of 148<sup>th</sup> and 'A' street, one half mile away. No other conflicting farm uses, such as feedlots, were noted in the immediate area.
9. The County Engineer's letter of February 12, 2003 notes the following;
  - 1). Dedication of 60' right-of-way along East Van Dorn.
  - 2) Dedication of 10' along South 148<sup>th</sup> Street.
  - 3) All streets and roads to be constructed and surfaced to Lancaster County standards.
  - 4) Access shall be relinquished along South 148<sup>th</sup> Street and Van Dorn Street except for South 154<sup>th</sup> Street Court and existing farm access to remain. Should an existing farm access be used for any other purpose, it shall be relinquished and removed. General Notes 12 and 13 need to be modified.
  - 5) The private roadway providing access to Lots 7 and 8 needs to be above the 100 year flood plain to ensure ingress/egress during flood conditions.
  - 6) General Note 14 refers to FEMA flood plain elevations that do not apply since the NRD pond is backing up to a higher elevation.
  - 7) General Note 11 should include an access easement over the private driveway.
  - 8) A culvert is needed under the private driveway at its intersection with the cul-de-sac of South 154<sup>th</sup> Court.
  - 9) The culvert at Station 4+ 20 on the private driveway is shown on the Grading Plan as 48". The culvert calculations show a 42" pipe. In addition, the runoff quantity appears low using the rational method.
  - 10) A typical grading cross-section should be shown for the private driveway.
10. The Health Department notes in their memo dated February 18, 2003;

A) The developer proposes the use of individual on-site wastewater treatment systems. These soils have severe limitations for standard soil absorption systems. Non-standard systems or lagoons may be necessary. Each of the lots meets the minimum requirement lot size of 3 acres or more. The actual build-able area on several of these lots is less than 50% of the lot size due to flood plain, easement, and right of way issues. Standard or Non-standard soil absorption systems cannot be located in a flood plain. In addition, a reserve area equal to the size of the original system is required. If standard or non-standard soil absorption systems are utilized, the LLCHD will require detailed site plans for each lot prior to issuing on-site wastewater treatment system permits. Meeting space and set-back requirements on these lots will be difficult. LLCHD will not issue on-site wastewater treatment system permits if adequate information is not available to demonstrate that the requirements of Chapter 4.10 Design Standards will be met. The use of lagoons may allow for flexibility in lot planning. Lagoons may be located in the flood plain provided the top of the dike is at least one foot above the flood plain. Elevation readings would be required for issuing wastewater permits if the lagoon is to be located in the flood plain. The bottom of a lagoon must be at least 2 feet above the highest seasonal groundwater level. The bottom of a soil absorption trench must be at least 4 feet above the highest seasonal groundwater level.

B) The water supply is proposed to be either Lancaster County Rural Water or individual wells. Based on LLCHD information the use of individual wells may present both water quantity and water quality issues.

C) Existing Farmstead: The developer notes they are in the process of splitting off a 6 acre parcel as soon as the house meets minimum housing and electrical codes. Based on LLCHD staff reports, the LLCHD will require the replacement of the existing treatment system. Adequate area exists on this parcel for the installation of a lagoon if standard or non-standard soil absorption systems are not feasible.

11. The Lower Platte South NRD notes in a memo dated February 14, 20003;

A) Flood pool elevation of the NRD flood control structure (Stevens Creek A9-6) is 278.50, and not 1268.0. The normal (lake) water level is 1268.0

B) We have no objection to relocating our 30' wide access easement to a different "acceptable" location.

C) No permanent structure are allowed in the NRD easement area.

D) Elevation of the lowest floor needs to be controlled, especially on those lots adjacent to the flood pool.

E) No filling is allowed in the NRD easement area ( including building the private drive, lagoons, wells, etc.

F) The private drive providing access to lots 7 and 8 will be flooded at times. The duration of flooding at that access could be several days, depending on the storm event and road elevation.

G) The proposed S. 154<sup>th</sup> Court road construction will need to be adequately stabilized for sediment and erosion control. The NRD can assist the design on proper ditch stabilization techniques.

12. The Norris Public Power notes there is no easement to access Lots 7 and 8.
13. Access to the east could be provided by extending S. 154<sup>th</sup> Court, this would provide for development for the adjacent property.
14. The “private drive” currently exists for access to the area containing Lots 7 and Lots 8.
15. The applicant is requesting a 20% bonus for farmland protection.
16. The “farm stead” must be split off by subdivision prior to final platting of this subdivision.
17. There must be adequate room provided to meet both the Health Department requirements and the LPSNRD easements provisions (i.e. a lagoon can not be in the easement).
18. The Building and Safety Department offers the following comments with respect to flood plain issues only.
  1. Need to show flood plain boundary on the site plan as it exists on the FEMA map, then clarify what data is being used for elevations.
  2. Individual waste water systems with drainage fields can not be located within the 100 year flood plain as well as any waste lagoons.
  3. Certification of lowest floor or opening elevation, to be above base flood elevation, must be submitted to this office prior to framing inspection approval.

CONDITIONS FOR SPECIAL PERMIT #199:

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 or design standards.)
  - 1.1 Make the corrections requested by the County Engineer in his letter of February 12, 2003.
  - 1.2 Make the revisions required by the LPSNRD in there letter of February 14, 2003.
  - 1.3 Show a street (private road) extension from S. 154<sup>th</sup> to the east property line.
  - 1.4 Revise the plat to show the pool and flood plain elevations.
  - 1.5 Indicate on the plat the minimum opening elevation for the building on each lot.
  - 1.6 Show and note the access to South 148<sup>th</sup> Street for Lot 9.
  - 1.7 Show the easements requested by Norris Public Power.
  - 1.8 Show the location and easement for the rural water to serve lots 7,8 and 9.
  - 1.9 Show the revisions requested by the Building and Safety Department memo dated March 5, 2003.
  - 1.10 Show revisions to reflect the waste disposal concerns raised in the Health Department letter dated February 18, 2003.
2. This approval permits 9 single family lots.

General:

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



- 3.2 The permittee is to submit six prints and a permanent reproducible final site plan as approved by the County Board.
- 3.3 The construction plans are to comply with the approved plans.
- 3.4 The final plat(s) is/are approved by the County Board.
- 3.5 The required easements as shown on the site plan are recorded with the Register of Deeds.
- 3.6. The County Board approves associated requests:
  - 3.6.1 Prairie Creek Estates Preliminary Plat #03001.
  - 3.6.2 A waiver to the sidewalk, street lights, landscape screen, and street tree requirements since the area is of larger lots, a rural/agriculture nature and the subdivision will not be annexed.
  - 3.6.3 A modification to the requirements of the land subdivision resolution to permit a block length in excess of 1320' along the north, south, east and west perimeter of this subdivision and to permit a cul-de-sac length in excess of 1,000 feet.
- 3.7 The County Engineer has approved:
  - 3.7.1 An agreement for street maintenance.

STANDARD CONDITIONS:

4. The following conditions are applicable to all requests:
  - 4.1 Before occupying this Community Unit Plan all development and construction is to comply with the approved plans.
  - 4.2 Before occupying this Community Unit Plan, City/County Health Department is to approve the water and waste water systems.
  - 4.3 All privately-owned improvements, including private roadways, 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 PRELIMINARY PLAT #03001:

Site Specific:

- 1. After the subdivider completes the following instructions and submits the documents and plans to the Planning Department office, the preliminary plat will be scheduled on the City Council/County Board agenda: (NOTE: These documents and plans are required by resolution or design standards.)
  - 1.1 Make the corrections requested by the County Engineer in his letter of February 12, 2003.
  - 1.2 Make the revisions required by the LPSNRD in there letter of February 14, 2003.
  - 1.3 Show a street (private roadway ) extension from S. 154<sup>th</sup> to the east property line.
  - 1.4 Revise the plat to show the pool and flood plain elevations.
  - 1.5 Indicate on the plat the minimum opening elevation for the building on each lot.
  - 1.6 Show and note the access to South 148<sup>th</sup> Street for Lot 9.
  - 1.7 Show the easements requested by Norris Public Power.
  - 1.8 Show the location and easement for the rural water to serve lots 7,8 and 9
  - 1.9 Show the revisions requested by the Building and Safety Department memo dated March 5, 2003.

1.10 Show revisions to reflect the waste disposal concerns raised in the Health Department letter dated February 18, 2003.

2. The County Board approves associated requests:

2.1 County Special Permit # 199 for the Community Unit Plan.

2.2 A waiver to sidewalk, street paving, street lights, landscape screen, and street tree requirements since the area is of larger lots, a rural nature and the subdivision will not be annexed.

2.3 A modification to the requirements of the land subdivision ordinance to permit a block length in excess of 1320' along the north, south, east and west perimeter of this subdivision and to permit a cul-de-sac in excess of 1,000 feet in length.

General:

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

3.1 Streets, water facilities, drainage facilities, temporary turnarounds and barricades, and street name signs have been completed.

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

3.2.1 To submit to the County Engineer an erosion control plan.

3.2.2 To protect the remaining trees on the site during construction and development.

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

3.2.4 To complete the private improvements shown on the preliminary plat.

3.2.5 To maintain the outlots and private improvements on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the document or documents creating said property owners association have been reviewed and approved by the County Attorney and filed of record with the Register of Deeds.

- 3.2.6 To relinquish the right of direct vehicular access to Van Dorn Street except for S. 154<sup>th</sup> Street and to 148<sup>th</sup> Street except for two farm access to Outlot C. and one residential access for lot 9.
- 3.2.7 To comply with the provisions of the Land Subdivision Resolution regarding land preparation.
- 3.2.8 To insure all building openings will be one foot above the 100 year flood elevation or spillway elevation, whichever is greater.

Prepared by:

Michael V. DeKalb AICP  
Planner



S. 148th St.

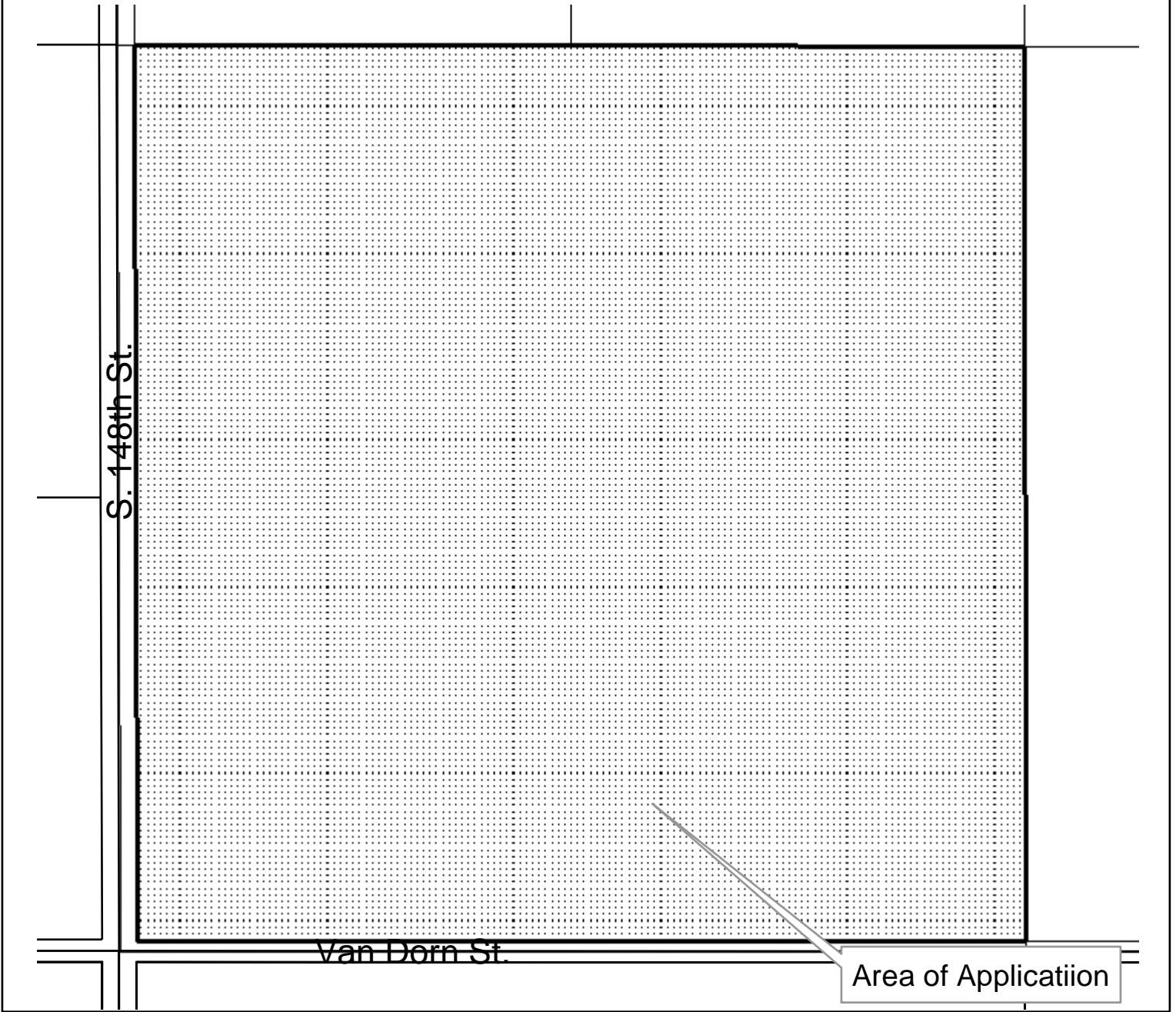
Van Dorn St.

Area of Application

**County Preliminary Plat #03001  
County Special Permit #199  
Prairie Creek Estates  
S. 148th & Van Dorn Sts.**



Lincoln City - Lancaster County Planning Dept.  
1999 aerial

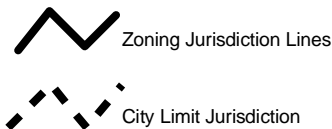
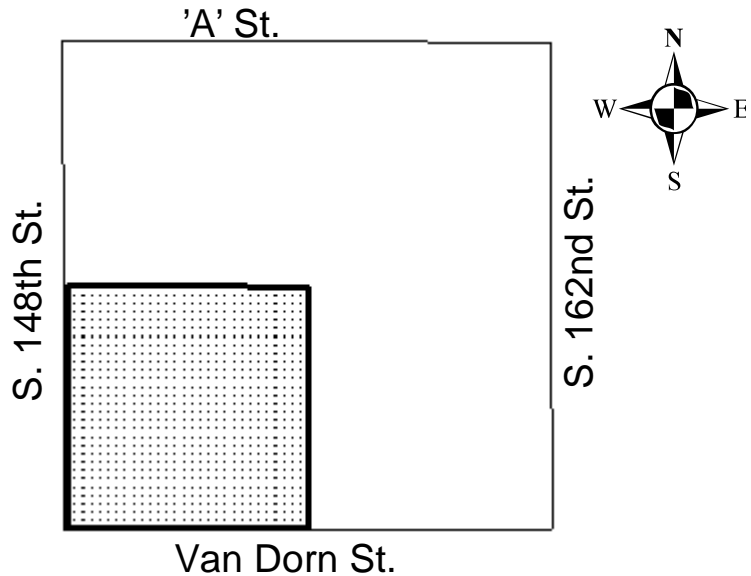


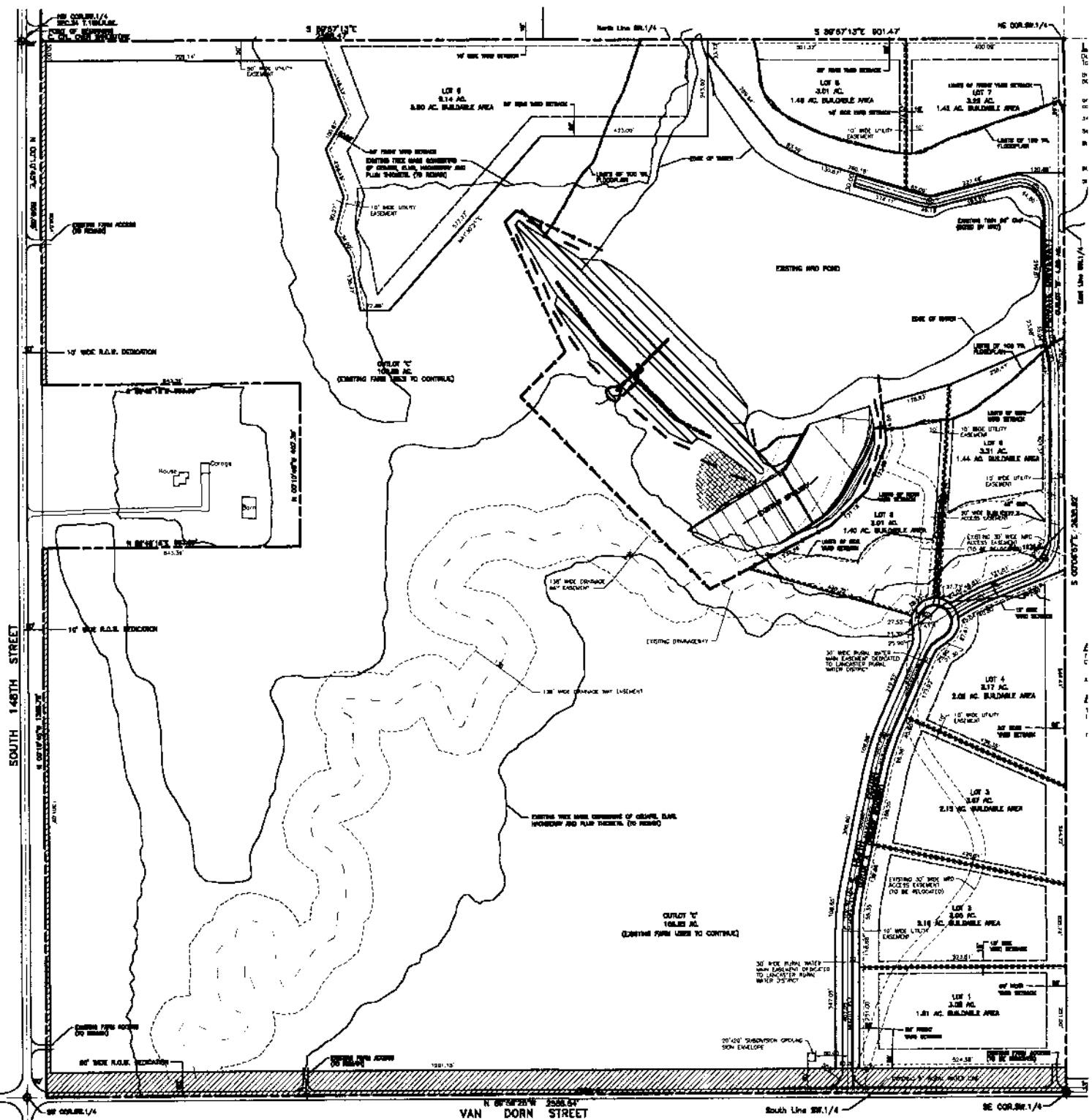
**County Preliminary Plat #03001**  
**County Special Permit #199**  
**Prairie Creek Estates**  
**S. 148th & Van Dorn Sts.**

**Zoning:**

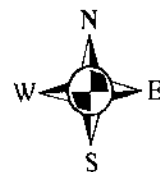
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned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

One Square Mile  
 Sec. 34 T10N R8E

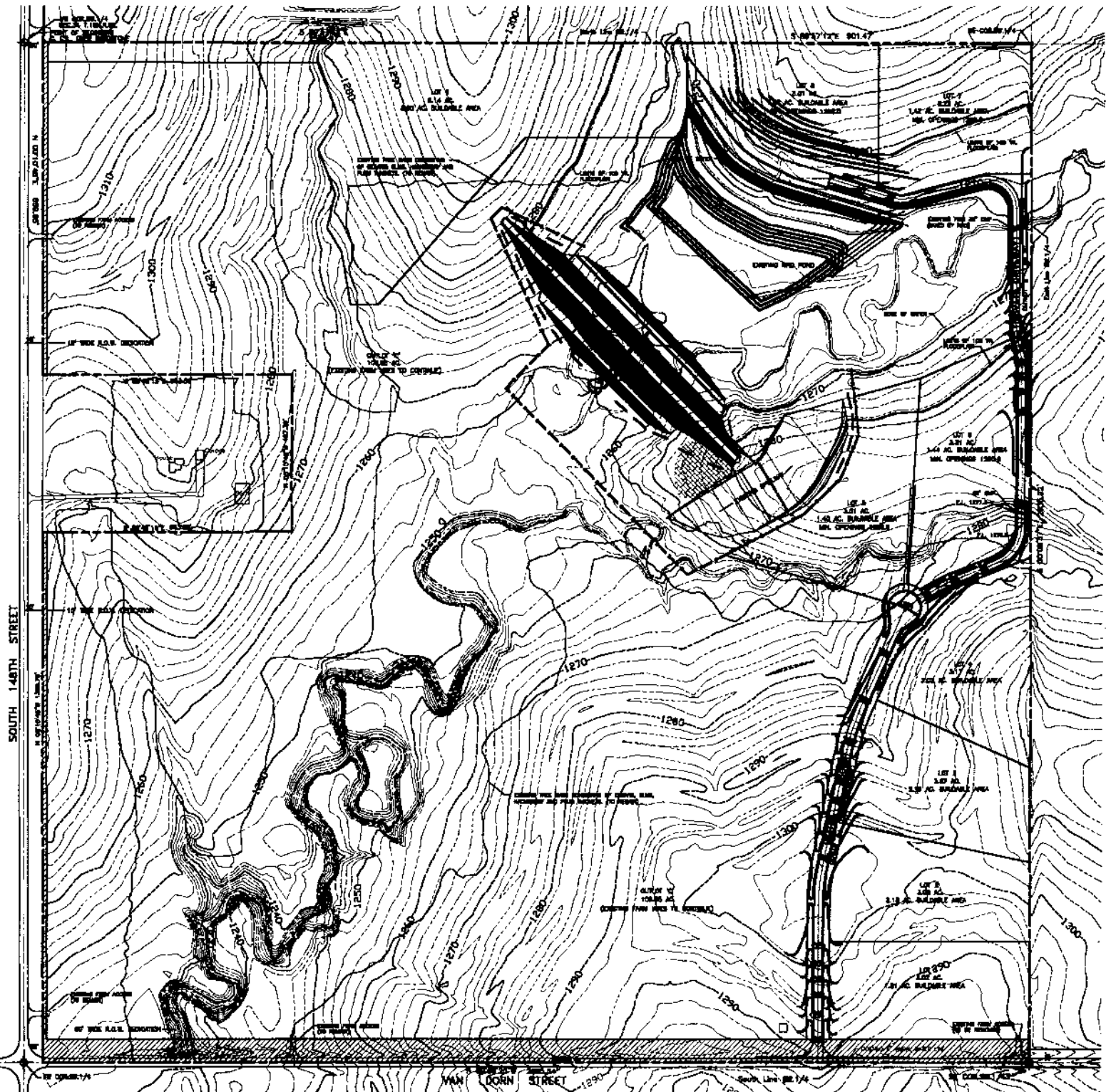




**County Preliminary Plat #03001**  
**County Special Permit #199**  
**Prairie Creek Estates**  
**S. 148th & Van Dorn Sts.**



N. 148th Street  
 Plan #03001  
 Prairie Creek Estates

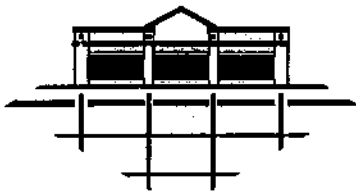


**County Preliminary Plat #03001**  
**County Special Permit #199**  
**Prairie Creek Estates**  
**S. 148th & Van Dorn Sts.**



148th Street  
 Van Dorn Street  
 Prairie Creek Estates  
 S. 148th & Van Dorn Sts.





**BRIAN D. CARSTENS AND ASSOCIATES**  
**LAND USE PLANNING RESIDENTIAL & COMMERCIAL DESIGN**  
601 Old Cheney Road, Suite C Lincoln, NE 68512 Phone: 402.434.2424

February 6, 2003

Mr. Marvin Krout  
Director of Planning  
City of Lincoln/ Lancaster County  
555 South 10th Street  
Lincoln, NE 68508

RE: PRAIRIE CREEK ESTATES - COUNTY PRELIMINARY PLAT &  
COUNTY SPECIAL PERMIT/ C.U.P.- SOUTH 148TH AND VAN DORN STREETS

Dear Marvin,

On behalf of the owners, we submit the following County Preliminary Plat and County Special Permit for an 'AG- C.U.P.' on approximately 156 acres on the Northeast corner of South 148th and Van Dorn Streets. This site is currently a farm/ agricultural uses with a NRD dam site being currently constructed in the Northeast corner of the property.

This C.U.P. will contain 9 single family acreage lots, ranging in size from 3.02 acres to 9.14 acres. Each lot will be served with Lancaster County Rural Water. Each lot will contain it's own septic system. A private roadway and private driveway will serve 8 of the lots. Lot 9 will take direct access from South 148th Street.

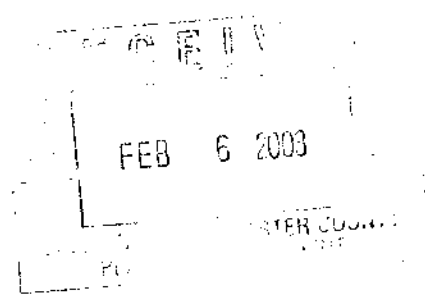
Currently, South 148th Street is a paved county section road. Van Dorn Street is graveled at this time.

We are requesting the 20% density bonus as we are preserving the existing tree masses (except at driveway crossings) and continuing the farm uses on the outlot.

Please note that we are removing approximately 6 acres from the limits of the preliminary plat and C.U.P. in the area of the existing farmstead. We are in the process of splitting that parcel off, as soon as the existing house meets minimum housing and electrical codes. This site is the location of the recently relocated Levitt house previously located at 70th and 'O' Streets. Once this house is improved, the existing farmhouse will be moved off site, and the remodeled Levitt house will be occupied.

We are requesting the typical waivers to the Lancaster County Subdivision Regulations for sidewalks, street trees, street lighting and landscape screening, as each lot is larger than one acre and this project is not being annexed into the City of Lincoln at this time or in the near future.

We are requesting a waiver of block length on all 4 sides of the subdivision. We are also requesting a waiver to the maximum length of a culdesac length as shown. These waivers are somewhat typical with the 'AG- C.U.P.'s'.



Page 2

We are also requesting a waiver to the minimum lot frontage for lots 6, 7, 8 and 9. This waiver is permitted under a C.U.P. to allow for creative design and unusual circumstances. This waiver will allow for two unique lots on the south side of the NRD lake. Lot 9 is shown as a 'pan handle' lot, with just a 50 wide area for the driveway to South 148th Street.

We are requesting a waiver of the requirement that all lots front upon and take access to a public street or private roadway. Lots 7 and 8 will front upon and take access to a private driveway (Outlot B). These lots are located on the north side of the NRD lake. These lots will be extremely desirable due to the seclusion and proximity to the lake. The creation of a private roadway in this location will destroy more trees and would be difficult to construct.

We are excited about this project and look forward to working with your staff as this project moves along in the review process.

Please feel free to contact me if you have any further questions.

Sincerely,



Brian D. Carstens

cc: Bruce Stahr- Nebraska Prairie, L.L.C.  
Mark and Karri Shiers

ENCLOSURES: 24 copies of Sheet 1 of 3  
6 copies of Sheets 2 and 3 of 3  
Application for a County Preliminary Plat  
Application for a County Special Permit (C.U.P.)  
Application fee of \$760.00  
Certificate of Ownership  
3 copies of the preliminary soils analysis  
Letter from Lancaster County Rural Water District #1

# REQUESTED WAIVERS

February 6, 2003

1. Sidewalks
2. Street trees
3. Street lighting
4. Landscape screening
5. Block length on all 4 sides of the subdivision.
6. Maximum length of a cul-de-sac length as shown.
7. Lot frontage for lots 6, 7, 8 and 9.
8. Lots fronting upon and take access to a public street or private roadway (Lots 7 and 8).

FEB 6 2003

PLANNING DEPARTMENT

McIntyre Consulting  
4131 So. 38<sup>th</sup> Street  
Lincoln, NE 68506  
(402) 489-4994

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January 9, 2003

Mr. Ken Halverson, Manager  
Rural Water District No. 1  
P.O. Box 98  
Bennet, NE 68317

Reference: Potential New Water Users - 9 Units

Bruce Stahr            SW Quarter of 34-10-8  
(Replaces previous request of 10-24-01)

Dear Ken:

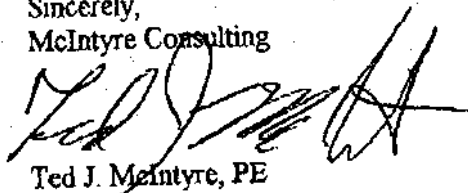
We have reviewed the proposed new users and it is our opinion that the addition of these nine services will not have a significant impact upon the existing level of service being provided the present customers.

In order to provide service at this location, we recommend a new 3" water main be constructed into the proposed subdivision from the existing 5" water main. The anticipated pressure range is:

<u>Customer</u>	<u>Line No.</u>	<u>U.S.G.S. Elev.</u>	<u>Anticipated Pressure Range</u>
Stahr	47 (New)	1310	82 - 70 psi

If you have any questions or comments, please call.

Sincerely,  
McIntyre Consulting



Ted J. McIntyre, PE

McIntyre Consulting  
4131 So. 38th Street  
Lincoln, NE 68506  
(402) 489-4994

Lancaster

DON R. THOMAS - COUNTY ENGINEER


County

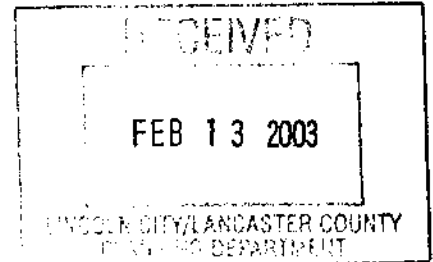
Engineering

Department

DEPUTY- LARRY V. WORRELL  
COUNTY SURVEYOR



**DATE:** February 12, 2003  
**TO:** Mike DeKalb  
Planning Department  
**FROM:** Larry V. Worrell   
County Surveyor  
**SUBJECT:** PRAIRIE CREEK ESTATES  
PRELIMINARY PLAT & C.U.P



Upon review, this office would have the following comments:

- 1) Dedication of 60' right-of way along East Van Dorn.
- 2) Dedication of 10' along South 148<sup>th</sup> Street.
- 3) All streets and roads to be constructed and surfaced to Lancaster County standards.
- 4) Access shall be relinquished along South 148<sup>th</sup> Street and Van Dorn Street except for South 154<sup>th</sup> Street Court and existing farm access to remain. Should an existing farm access be used for any other purpose, it shall be relinquished and removed. General Notes 12 and 13 need to be modified.
- 5) The private roadway providing access to Lots 7 & 8 needs to be above the 100 year flood plain to ensure ingress/egress during flood conditions.
- 6) General Note 14 refers to FEMA flood plain elevations that do not apply since the NRD pond is backing up water to a higher elevation.
- 7) General Note 11 should include an access easement over the private driveway.
- 8) A culvert is needed under the private driveway at its intersection with the cul-de-sac of South 154<sup>th</sup> Court.
- 9) The culvert at Station 4+20 on the private driveway is shown on the Grading Plan as 48". The culvert calculations show a 42" pipe. In addition, the runoff quantity appears low using the rational method.
- 10) A typical grading cross-section should be shown for the private driveway.

LWV/DP/bml

Subdiv.wk/Prairie Creek Estates

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

**TO:** Mike DeKalb

**DATE:** February 18, 2003

**DEPARTMENT:** Planning

**FROM:** Chris Schroeder  
Doug Smith, REHS

**ATTENTION:**

**DEPARTMENT:** Health

**CARBONS TO:** Bruce Dart, Director  
EH File  
EH Administration

**SUBJECT:** Prairie Creek Estates  
PP #03001 SP #199

The Lincoln-Lancaster County Health Department (LLCHD) has reviewed the application for preliminary plat and special permit and conducted an on-site inspection. The following items are noted:

- The developer proposes the use of individual on-site wastewater treatment systems. The soils maps indicate a majority of the soils in the plat to be Sharpsburg, Mayberry, Nodaway, and a small area of Pawnee. Each of these soils have severe limitations for standard soil absorption systems. Non-standard systems or lagoons may be necessary. Each of the lots meets the minimum requirement lot size of 3 acres or more. The actual build-able area on several of these lots is less than 50% of the lot size due to flood plain, easement, and right of way issues. Standard or Non-standard soil absorption systems cannot be located in a flood plain. In addition, a reserve area equal to the size of the original system is required. If standard or non-standard soil absorption systems are utilized, the LLCHD will require detailed site plans for each lot prior to issuing on-site wastewater treatment system permits. Meeting space and set-back requirements on these lots will be difficult. LLCHD will not issue on-site wastewater treatment system permits if adequate information is not available to demonstrate that the requirements of Chapter 4.10 Design Standards will be met. The use of lagoons may allow for flexibility in lot planning. Lagoons may be located in the flood plain provided the top of the dike is at least one foot above the flood plain. Elevation readings would be required for issuing wastewater permits if the lagoon is to be located in the flood plain. The bottom of a lagoon must be at least 2 feet above the highest seasonal groundwater level. The bottom of a soil absorption trench must be at least 4 feet above the highest seasonal groundwater level.
- The water supply is proposed to be either Lancaster County Rural Water or individual wells. Based on LLCHD information the use of individual wells may present both water quantity and water quality issues.

- Existing Farmstead: The developer notes they are in the process of splitting off a 6 acre parcel as soon as the house meets minimum housing and electrical codes. Based on LLCHD staff reports, the LLCHD will require the replacement of the existing treatment system. Adequate area exists on this parcel for the installation of a lagoon if standard or non-standard soil absorption systems are not feasible.
- 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.
- Provisions should be made for retaining as much tree mass as possible. Alternately, the applicant will need to plan for disposal of tree waste by burying on site, grinding, offering for firewood or hauling to the landfill. Permits for open burning of tree waste within the city limits will not be approved and applications for burning within the 3-mile zone are unlikely to be approved.

LOWER PLATTE SOUTH  
NATURAL RESOURCES DISTRICT



3125 Portia St., Box 83581, Lincoln NE 68501-3581  
(402) 476-2729 • FAX (402) 476-6454  
www.lpsnrd.org

## Memorandum

**Date:** February 14, 2003  
**To:** Mike DeKalb, Planning Dept.  
**From:** *J.B.* J.B. Dixon, Stormwater Specialist, Lower Platte South Natural Resources District  
**Subject:** Prairie Creek Estates (Special Permit #199/Preliminary Plat #03001)

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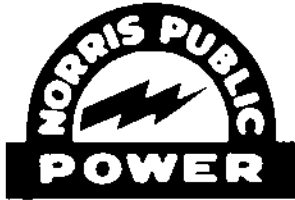
We have reviewed the Preliminary Plat of the project above.

- Flood pool elevation of the NRD flood control structure (Stevens Creek A9-6) is 1278.50, and not 1268.0. The normal (lake) water level elevation is 1268.0
- We have no objection to relocating our 30' wide access easement to a different "acceptable" location.
- No permanent structures are allowed in the NRD easement area.
- Elevation of the lowest floor needs to be controlled, especially on those lots adjacent to the flood pool
- \* No filling is allowed in the NRD easement area (including building the private drive, lagoons, wells, etc.)
- The private drive providing access to lots 7 & 8 will be flooded at times. The duration of flooding at that access could be several days, depending on the storm event and road elevation.
- The proposed S. 154<sup>th</sup> Court road construction will need to be adequately stabilized for sediment and erosion control. The NRD can assist the design engineer on proper ditch stabilization techniques.

If you have any questions, feel free to call.

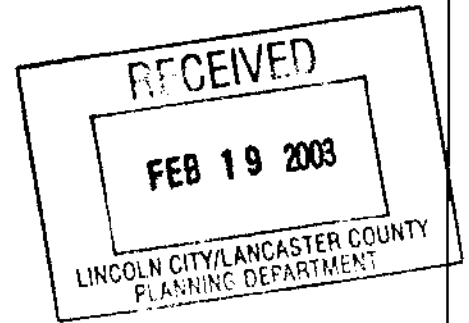
JBD/jbd





AREA 2  
SERVICE CENTER

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



February 17, 2003

Mike Dekalb, Project Planner  
555 S. 10<sup>th</sup> #213  
Lincoln, NE 68508

RE: Prairie Creek Estates, pp # 03001

Dear Mike

Mike, I have reviewed the subject plat and see easements in place as requested, with one concern. There is no easement shown along the " private driveway " which will make it difficult to access lots 7 and 8 in the N.E. corner. Will utilities be covered under note 11 in the "notes " section ? Please advise on how to address this problem, or feel free to call me at 423-3855.

As always, thanks for your cooperation.

Sincerely,

Rick Volmer, Construction Superintendent, Area 2

**Dale L Stertz**

03/05/03 04:00 PM

To: Michael V Dekalb/Notes@Notes

cc:

Subject: Prairie Creek Estates preliminary plat

This Department offers the following comments with respect to flood plain issues only.

1. Need to show flood plain boundary on the site plan as it exists on the FEMA map, then clarify what data is being used for elevations.
2. Individual waste water systems with drainage fields can not be located within the 100 year flood plain as well as any waste lagoons.
3. Certification of lowest floor or opening elevation, to be above base flood elevation, must be submitted to this office prior to framing inspection approval.
4. Submit this information for our re-review

C) No permanent structure are allowed in the NRD easement area.

D) Elevation of the lowest floor needs to be controlled, especially on those lots adjacent to the flood pool.

E) No filling is allowed in the NRD easement area ( including building the private drive, lagoons, wells, etc.

F) The private drive providing access to lots 7 and 8 will be flooded at times. The duration of flooding at that access could be several days, depending on the storm event and road elevation.

G) The proposed S. 154<sup>th</sup> Court road construction will need to be adequately stabilized for sediment and erosion control. The NRD can assist the design on proper ditch stabilization techniques.

12. The Norris Public Power notes there is no easement to access Lots 7 and 8.
13. Access to the east could be provided by extending S. 154<sup>th</sup> Court, this would provide for development for the adjacent property.
14. The "private drive" currently exists for access to the area containing Lots 7 and Lots 8.
15. The applicant is requesting a 20% bonus for farmland protection.
16. The "farm stead" must be split off by subdivision prior to final platting of this subdivision.
17. There must be adequate room provided to meet both the Health Department requirements and the LPSNRD easements provisions (i.e. a lagoon can not be in the easement).
18. The Building and Safety Department offers the following comments with respect to flood plain issues only.

1. Need to show flood plain boundary on the site plan as it exists on the FEMA map, then clarify what data is being used for elevations.

2. Individual waste water systems with drainage fields can not be located within the 100 year flood plain as well as any waste lagoons.

3. Certification of lowest floor or opening elevation, to be above base flood

(conflicts w/ Health)

S.A.  
following