

RESOLUTION NO. A-_____

1 WHEREAS, Willard Giebenrath has submitted the preliminary plat of View
2 Pointe North for acceptance and approval; and

3 WHEREAS, the Lincoln City - Lancaster County Planning Commission
4 has reviewed said preliminary plat and made a recommendation of denial of this
5 preliminary plat.

6 NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
7 Lincoln, Nebraska:

8 That the preliminary plat of View Pointe North, generally located at North
9 70th Street and Waverly Road as submitted by Willard Giebenrath is hereby accepted
10 and approved, subject to the following terms and conditions:

11 Site Specific:

12 1. Willard Giebenrath shall complete the following instructions and submit the
13 documents and plans to the Planning Department office for review and approval:

14 1.1 Make the following corrections to the preliminary plat as requested by the
15 County Engineer in his letter of June 24, 2002.

16 1) The typical section is incomplete and needs to be corrected.
17 Specifically, no detail on fill sections is shown and no slope for shoulder is
18 shown.

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

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

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

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

5 1.2 Make the following corrections to the preliminary plat as requested by the
6 Public Works Department letter of June 28, 2002.

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

8 2) Descriptions of the outlet and drainage culverts from the existing pond
9 in Outlot “B” are illegible. Those descriptions need to be made legible.

10 3) The use of the existing asphalt driveway in Outlot “E” as a
11 secondary/emergency access should be removed as such use is in
12 conflict with item #1 in the General Notes.

13 4) The areas designated as Outlot “A” and Outlot “B” are not consistent
14 between the Preliminary Plat site plan and the Grading and Drainage
15 Plan. Those designations need to be made consistent.

16 5) Define the boundary and purpose of Outlot “D”.

17 1.3 Note the purpose of Outlot “E” and “D”.

18 1.4 Show the easement for the power transmission line on the western portion
19 of the property.

20 1.5 Show the “sheet of” numbers on sheet 1.

21 1.6 Label sheet one as the Site Plan.

22 1.7 Correct “contoured row crop” on sheet 2 of 4.

23 1.8 Add to note #12 that front yard setbacks apply to the south lot line of Lot
24 11 and the north lot line of Lot 12 for future street purposes.

25
26 **General:**

27 2. Final plats will be scheduled on the Planning Commission agenda after the
28 above site specific conditions are satisfied and:

29 2.1 Streets, water facilities, drainage facilities, temporary turnarounds and
30 barricades, and street name signs have been completed.

31 2.2 The subdivider has signed an agreement that binds the subdivider, its

1 successors and assigns:

- 2 1) To submit to the County Engineer an erosion control plan.
- 3 2) To protect the remaining trees on the site during construction and
4 development.
- 5 3) To submit to lot buyers and home builders a copy of the soil analysis.
- 6 4) To complete the private improvements shown on the preliminary plat.
- 7 5) To maintain the outlots and private improvements on a permanent and
8 continuous basis. However, the subdivider may be relieved and
9 discharged of this maintenance obligation upon creating in writing a
10 permanent and continuous association of property owners who would be
11 responsible for said permanent and continuous maintenance. The
12 subdivider shall not be relieved of such maintenance obligation until the
13 document or documents creating said property owners association have
14 been reviewed and approved by the City Attorney and filed of record with
15 the Register of Deeds.
- 16 6) To relinquish the right of direct vehicular access to Waverly Road
17 except for Emmawalter Road, to North 70th except for Lot 5 and O.L. "E"
18 and to Mill Road.
- 19 7) To comply with the provisions of the Land Subdivision Ordinance
20 regarding land preparation.

21 BE IT FURTHER RESOLVED that the City Council finds that the tract to be
22 subdivided is surrounded by such development or unusual conditions that strict
23 application of the subdivision requirements would result in actual difficulties or
24 substantial hardship and the following modifications to the subdivision requirements are
25 therefore approved:

- 26 1. The requirements of §§ 26.23.105, 26.27.020, 26.27.010, 26.27.070, 26.27.080,
27 and 26.27.090 of the Lincoln Municipal Code that requires the installation of
28 storm water detention, sidewalks, street paving, street lights, landscape screen,
29 and street trees is hereby waived since the area is of larger lots, a rural nature
30 and the subdivision will not be annexed.

- 1 2. The requirement of Section 26.23.130 of the Lincoln Municipal Code that
2 requires that block lengths shall not exceed 1320 feet is hereby waived to permit
3 a block length in excess of 1320' along the north, south, east and west perimeter
4 of this subdivision.
- 5 3. The requirement of Section 26.23.080 that dead end streets shall not have a
6 length in excess of 1000 feet is hereby waived.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2002:

Mayor