

FACTSHEET

TITLE: COMPREHENSIVE PLAN AMENDMENT NO. 94-60, requested by the Director of Planning on behalf of the Public Works & Utilities Department and the Joint Antelope Valley Authority (JAVA), to amend the 1994 Lincoln-Lancaster County Comprehensive Plan, by amending the Future Land Use, Transportation, Stormwater, Community Facilities and other appropriate portions of the Plan to reflect the elements of the Antelope Valley Project.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: September 27, 2000
Administrative Action: October 4, 2000

RECOMMENDATION: Approval (8-0: Carlson, Hunter, Steward, Schwinn, Duvall, Taylor, Bayer and Newman voting 'yes'; Krieser absent).

STAFF RECOMMENDATION: Approval.

FINDINGS OF FACT:

1. The Planning staff recommendation of approval is based upon the "Analysis" as set forth on p.2-6, concluding that:
 - A. The Antelope Valley project has undergone four years of extensive public input and analysis to develop a preferred alternative consisting of community revitalization, stormwater and transportation elements. The Draft Environmental Impact Statement has received public comment. The public comments did not reveal an environmental impact that would change the recommended package.
 - B. The adopted goals of the Comprehensive Plan provide the foundation upon which the Plan itself was developed. The goals offer far-reaching guidance concerning the policies and objectives that the Plan's content and its implementation should reflect. Interpretation of the goals relative to a specific project should be undertaken within the broad context within which they were developed, as well as the nature of the project being examined.
 - C. On the whole, the proposed Antelope Valley Comprehensive Plan amendment, the process followed in its formulation, and the future activities it reflects are consistent with the spirit and intent of the adopted goals of the Comprehensive Plan. Care should be taken to respect the Plan's goals during the more detailed implementation activities. Future Antelope Valley-related actions and documents—such as potential revitalization plans, blight studies, redevelopment plans, change of zone requests, and capital improvement program entries—should recognize and grow from the goals of the Comprehensive Plan.
2. The minutes of the public hearing before the Planning Commission are found on p.8-32. The applicant's presentation is found on p.8-12, and the testimony in support is found on p.12-18. The testimony in opposition is found on p.18-24; the Planning Commission discussion with staff is found on p.24-29.
3. The specific proposed map and text amendments are set forth on p.33-47.
4. Exhibits A through J submitted at the public hearing before the Planning Commission and referenced in the minutes are found on p.49-102.
5. The public hearing was closed on September 27, 2000, and the Planning Commission took action at their regular meeting on October 4, 2000. The Planning Commission voted 8-0 to recommend approval (See Minutes, p.30-32).

FACTSHEET PREPARED BY: Jean L. Walker

DATE: October 16, 2000

REVIEWED BY: _____

DATE: October 16, 2000

REFERENCE NUMBER: FS\CC\FSCPA9460

3. The roadway concepts that were analyzed included one-way pairs and two-way corridors.
4. The stormwater concepts that were analyzed included a closed conduit, detention facilities, an open channel, or a combination of techniques.
5. The concepts were combined into four “packages” of alternatives in 1997. Those packages were analyzed by the study team and the Antelope Valley Advisory Committee.
6. A preferred alternative of community revitalization, storm water and transportation components, often referred to as the “Draft Single Package” was brought forth by the Antelope Valley Advisory Committee for public discussion and comment.
7. In December 1997, a Super Commons meeting of the Lincoln City Council, the Lancaster County Commission, the Lincoln-Lancaster County Planning Commission, and representatives from the University of Nebraska-Lincoln and the Lower Platte South NRD recommended that the study move into the next phase and that the Comprehensive Plan be amended to reflect the preferred alternative.
8. The Planning Commission recommended approval of the Comprehensive Plan amendment to show the preferred alternative for further study in March, 1998.
9. Several issues were raised at the Planning Commission and City Council hearings. Those issues included whether the roadway should be a single, two-way alignment or one-way pairs; whether the road and water way should be routed between the Beadle Center and Malone Center; whether several intersections should remain open; the design of the N. 33rd Street and Cornhusker Highway area; and whether the water way should be an open channel or a closed conduit.
10. The City Council recommended approval of the Comprehensive Plan amendment in May of 1998, but asked the Antelope Valley Study Team to provide additional study of five aspects of the Draft Single Package:
 - A. Single two-way north/south road corridor or one-way pairs.
 - B. East-west downtown grid network (“N”, “P” and “Q” Streets.)
 - C. Open waterway or limited closed conduit.
 - D. North 33rd and Cornhusker Highway area.
 - E. Road and water conveyance between the Beadle Center and Trago Park.
11. The study team, the advisory committee, and several sub-committees studied the five issue areas through the summer of 1998.
12. The Advisory Committee reached **consensus** on the five issue areas in August, 1998. The consensus was:
 - A. A single two-way north/south road corridor

- B. To leave the intersections of “N”, “P”, “Q” and the new road open, initially
 - C. An open, landscaped, park-like channel with recreational amenities
 - D. To create a railroad underpass at N. 33rd Street, and leave the intersection of N. 33rd Street and Cornhusker Highway open. The railroad grade crossing at N. 35th and Adams would be closed.
 - E. The road and water conveyance would follow the proposed route between the Beadle Center and Trago Park. However, the study team would continue to work with the neighborhood residents and other interested citizens on design details, housing issues and relocation/acquisition issues.
13. The Super Commons unanimously accepted the consensus summary in August, 1998 and requested that a Comprehensive Plan Amendment be forwarded to amend the preferred package to reflect the items of consensus.
 14. The Planning Commission approved the Comprehensive Plan Amendment to amend the preferred alternative to reflect the consensus items in October, 1998. The City Council unanimously approved the Comprehensive Plan Amendment in November, 1998.
 15. The Study Team was given direction to prepare a *Draft Environmental Impact Statement and Section 4(f) Statement*, along with an *Assessment of Effect to NRHP and NRHP-Eligible Sites and Properties in the Antelope Valley Study Area*.
 16. The U.S. Army Corps of Engineers prepared an *Antelope Creek Draft Feasibility Study and Draft Environmental Assessment* for review in coordination with the Antelope Valley reports.
 17. The above three reports were made available for public comment from July 1, 2000 through August 15, 2000. The public comment period was extended to August 29, 2000 at the request of interested parties.
 18. A public hearing to receive testimony on the environmental documents was held on August 1 and 2, 2000.
 19. The Study Team has reviewed the testimony and has concluded that the testimony did not reveal an environmental impact of a nature to change the recommended community revitalization, transportation or stormwater components of the project.

SPECIFIC REQUEST

20. The Joint Antelope Valley Authority, a partnership of the City of Lincoln, the Lower Platte South NRD, and the University of Nebraska-Lincoln, requests that the Comprehensive Plan be amended to show the community revitalization, stormwater and transportation components to allow movement from a study to implementation of a project.

Chapter III: Future Needs and Land Use Plan

21. The proposal is to amend the Future Land Use Plan to show the area of the proposed open channel/ park and the proposed Northeast Park as “Parks and Open Space.” The proposed open waterway would be developed in a park setting, with park land expanded around it. The designation of “Parks and Open Space” better describes all of the land uses anticipated for the area than would a designation of “Wetland and Waterbodies”. The specific storm water and flood control strategies are described in a different section.
22. The proposal would also add the attached text to the “Urban Residential” and “Commercial” sections of Chapter III to describe strategies for redevelopment and reinvestment in the area impacted by the Antelope Valley project.
23. The Urban Development Department is preparing a Community Revitalization Plan that will provide a general overview of the strategies that have been developed by the Antelope Valley Advisory Committee, the neighborhood residents and staff. The Community Revitalization Plan will also include an implementation plan for the strategies.
24. After approval of the Comprehensive Plan Amendment, the Urban Development Department will prepare a blight study of the impacted area. If the area is found to be blighted and substandard, a Redevelopment Plan that details specific actions for specific projects will be developed.

Chapter IV: Transportation

25. The proposed amendment would change the Functional Classification maps, Figures 27 and 28, to add the new north/south and east/west roadways as principal arterial; add the Adams/Huntington Street connections as minor arterial; show the connection between 17th/Y and Holdrege Streets as a minor arterial; change 16th and 17th Streets between Q and Y Streets from minor arterial to urban collectors; and change N. 14th Street between the Burlington Northern Rail Road and Military Road from a minor arterial to a local street.
26. The proposed amendment would add the proposed north/south and east/west roadway to Figure 31 as a 4 lane roadway with 6 lane elevated intersections.
27. Text is proposed to be added to Section C, specific to the Antelope Valley roadway. It should be noted that the roadway was modeled as a 4 lane roadway in the update of the Long Range Transportation Plan. The proposal calls for the construction of 4 lanes of the roadway initially, but for the acquisition of enough right-of-way to accommodate a 6 lane roadway in the future. This would allow an extra wide, landscaped median to be constructed so that future widening can occur inward, with limited disruption to abutting properties. The need for all 6 lanes to be constructed initially will be reviewed during the final design process and the update of the Comprehensive Plan.

28. "Table 10 Transportation Projects" is proposed to be updated to reflect the elements of the Antelope Valley project.
29. The text in Section "F. Railroads" is proposed to be amended to specify the reduction of the rail/vehicular/pedestrian conflicts at the elevated intersection, the underpass at N. 33rd Street, the N. 29th Street underpass, and the closure of the grade crossing at the 35th Street, Adams Street and Cornhusker Highway intersection.

Chapter V Public Utilities

30. The proposed amendment would add a strategy in the Stormwater Management and Flood Control section specific to the Antelope Valley flood control project.

Chapter VI Community Facilities

31. The proposed amendment would add text relating to the proposed Antelope Valley parks and trails, and community facilities.

Conclusion:

32. The Antelope Valley project has undergone four years of extensive public input and analysis to develop a preferred alternative consisting of community revitalization, stormwater and transportation elements. The Draft Environmental Impact Statement has received public comment. The public comments did not reveal an environmental impact that would change the recommended package.
33. The adopted goals of the Comprehensive Plan provide the foundation upon which the Plan itself was developed. The goals offer far-reaching guidance concerning the policies and objectives that the Plan's content and its implementation should reflect. Interpretation of the goals relative to a specific project should be undertaken within the broad context within which they were developed, as well as the nature of the project being examined.
34. On the whole, the proposed Antelope Valley Comprehensive Plan amendment, the process followed in its formulation, and the future activities it reflects are consistent with the spirit and intent of the adopted goals of the Comprehensive Plan. Care should be taken to respect the Plan's goals during the more detailed implementation activities. Future Antelope Valley-related actions and documents—such as potential revitalization plans, blight studies, redevelopment plans, change of zone requests, and capital improvement program entries—should recognize and grow from the goals of the Comprehensive Plan.

STAFF RECOMMENDATION:

Approval

Prepared by:

Jennifer L. Dam, AICP
Planner II

COMPREHENSIVE PLAN AMENDMENT NO. 94-60
TO AMEND THE 1994 LINCOLN-LANCASTER
COUNTY COMPREHENSIVE PLAN, BY AMENDING
THE FUTURE LAND USE, TRANSPORTATION, STORMWATER
AND OTHER APPROPRIATE SECTIONS TO
INCORPORATE THE ANTELOPE VALLEY PROJECT.

PUBLIC HEARING BEFORE THE PLANNING COMMISSION:

September 27, 2000

Members present: Hunter, Newman, Carlson, Bayer, Schwinn, Steward and Duvall; Krieser and Taylor absent.

Applicant's presentation

1. Jennifer Dam of Planning staff and **Roger Figard** of Public Works and Utilities presented the proposed Comprehensive Plan Amendment.

Dam submitted additional information for the record, including letters in support from Hampton Development Services (Exhibit "A") and R.C. Krueger Development (Exhibit "B"), and comments from the Malone Neighborhood and One Community Alliance (Exhibit "C").

2. Roger Figard of Public Works and Utilities began the presentation. He explained that Antelope Valley has a lot of history. The three P's (Partners, Parts and Process) are what have brought us here to be able to share a vision and project concept.

The "partners" include the Lower Platte South Natural Resources District, UNL, and City of Lincoln. The partnership from the city was very diverse—there was tremendous effort by five large departments supplemented by support from the Mayor's office.

Over time, the "parts" came out to be flood control and stormwater, community revitalization and transportation. These are the issues which have been focused upon for many years.

With regard to the "process", Figard commented that we have said that Antelope Valley was going to be different than some of the other activities we have done. We were going to work on a bottoms-up process and involve the community—a consensus process. The partnership pledged to bring back a package with some community support and consensus with a win-win-win concept.

How did we start? From the 1960's up to 1990, the three partners were faced with challenges, each in their own area, and each tried to solve those problems separately. Each partner really went its own direction and tried its own ideas, but were not successful. The City was dealing with stormwater issues that had a floodplain but no floodway; there were transportation issues of moving people around and going through the University campus; we also had a community that wanted to rebuild and revitalize. The NRD is responsible for flood control and protecting the environment. UNL was concerned about growth, floodplain issues and student safety dealing with transportation issues. In each case, for some reason we had a solution that was a major conflict for the other partner. So in early 1990, the partners got together and thought they might be successful if they tried it together. Figard credited Dick Erixson, former Director of

Public Works and Utilities, then Mayor Mike Johanns and UNL for getting the partnership together. The partnership set broad strategies, determining what issues were crucial for each partner.

Between December of 1994 and August of 1995, the partnership put together a study team that would look at all the issues – who lives in the area, who plays in the area, the issues and what we need to be successful. August, 1995, to the spring of 1996, was spent trying to decide what type of activity and process we would go through that perhaps would make this successful. They came up with a special process.

In June of 1996, another unique part of this process was putting together the Antelope Valley Advisory Committee. If this is going to be a bottom-up process, we need everyone together. The Advisory Committee included the professionals, city staff, the business people, residents in the area, resource agencies and management.

In September of 1996, the community identified the purposes and needs of the study. Over 100 alternatives were identified at the town hall meeting. From March, 1997, to July, 1997, the Advisory Committee narrowed those 100 alternatives into four packages of alternatives. From July, 1997, to November, 1997, the Advisory Committee worked to develop one alternative, the “Draft Single Package”, which was proposed for review in November, 1997. At that point, the Advisory Committee recommended the Comprehensive Plan be amended to show the Draft Single Package as a study. In December, 1997, the Super Commons unanimously voted to accept the Advisory Committee’s recommendation. In March, 1998, the Planning Commission approved a Comprehensive Plan Amendment that showed the preferred package for inclusion in the Comprehensive Plan for study and the draft EIS. In May, 1998, the City Council took two actions – they approved the Comprehensive Plan Amendment that included the Draft Single Package for review and the draft EIS; however, several concerns were raised, so the City Council requested review of five additional areas. Those areas included a single two-way road corridor, east/west Downtown intersection at P, Q and N; an open channel or limited closed conduit; what should happen at No. 33rd and Cornhusker, and the road and water conveyance between the Beadle Center and Trago Park.

In August, 1998, the Advisory Committee reached consensus and recommended a single two lane road corridor for purposes of development as well as transportation; recommended that the intersection at N, P, Q and the new roadway be open; recommended an open channel landscaped with additional park land; and the road and waterway would follow the proposed route between the Beadle Center and Trago Park. However, continuing efforts were made to work with the neighborhoods.

In August, 1998, the Super Commons accepted the consensus summary and requested that the Comprehensive Plan again be amended. In October, 1998, the Planning Commission voted to approve the items of consensus, and in November of 1998, the City Council also amended the plan to incorporate the five issue areas.

Between December, 1998, and June, 2000, the study team worked on the draft EIS. During the spring of 2000, the Joint Antelope Valley Authority (JAVA) was created, which is a further partnership between the City, UNL and NRD.

In July of 2000, the draft EIS was released for a 45-day public review period and published in the Federal Register. Two town hall meetings were held on August 1 and 2, 2000. Prior to the town hall meetings, four additional open houses were held the previous week.

In August, 2000, Public Works and Utilities, on behalf of JAVA, requested that a Comprehensive Plan Amendment be processed to incorporate the community revitalization, stormwater and flood control and transportation elements of the Antelope Valley project.

The proposed map amendments were then displayed. The Land Use Map will show the future expansion of Trago Park and the new northeast park as parks and opens space. The area of the channel will be shown as parks and open space instead of just a waterway. Figure 31, for the future road network, will be amended to show the route of the proposed roadway and would allow it to move from the study phase to project phase. The Functional Class Map will be amended to show proposed changes in street and roadway classifications. The new north/south and east/west roadway will be shown as a principal arterial; 14th Street between Military and Burlington Northern will be downgraded to local; 16th and 17th Streets north of Q will be changed to collectors instead of minor arterials; the new connections at Adams and Huntington will be shown as minor arterials. The Trails Map will be amended to show the trails proposed as part of the project. The proposed Regional Park Map will be changed to show the inclusion of Trago Park and the northeast community park.

Another important aspect of this proposed Comprehensive Plan Amendment is the text that is proposed to be added. Chapter 3 includes strategies for community revitalization. Chapter 4 is the description of the project and roadway; the stormwater management and flood control strategies are included and there are strategies for development of trails and parks associated with the project.

This Comprehensive Plan Amendment allows the City Council to authorize annual funding for the project in the capital budget. It allows JAVA to complete the preparation period which includes public information and review, project design, ability to receive grants, gifts and appropriations, etc.

Once the Comprehensive Plan Amendment is amended, the next steps include Urban Development preparing the Community Revitalization plan, which will be a general plan that discusses the strategies that have been developed and their implementation. A blight study will also be prepared and if the area is found to be blighted, a development plan will be detailed.

JAVA completes the preparation phase, finishes the functional design for all of the phase 1 project and finalizes funding agreements. The City, NRD and UNL approve JAVA's implementation phase and then at that time move into acquisition of property, relocation of residences, businesses, etc. Construction activity could then begin.

3. Mayor Don Wesely expressed appreciation to Jennifer Dam and Roger Figard for their efforts in bringing this forward. This is a huge point in time in history in this city. This is the most ambitious Public Works project this community has seen--a community revitalization unlike any we've undertaken before. The three goals to be accomplished by this project are

flood prevention, improved traffic flow and community development of our city core. We are dealing with a severe floodplain in the core of the city. The traffic flow problem deals with traffic on campus and access to north central Lincoln. There is a need for community development in the core of the City. As long as floodplain is there it won't happen. When the city has made an investment in infrastructure, private investment has followed. This will require public and private investment. We know the city has a role to play; private investors will be there but we will partner together on this project. This process has included 500 public meetings. In the end, consensus and balance between competing needs has been accomplished. We have additional partners coming forward and we're excited about that. We need the private sector and the Chamber has endorsed this project. He knows private developers are interested. The public/private partnership has to emerge through this project. We also look forward to the state and federal government helping us with this project.

4. Christine Jackson, Vice-Chancellor for Business and Finance at UNL, appeared on behalf of Chancellor Perlman. The University wants to increase its research productivity; a strong research university attracts new industries and business, and with that comes economic expansion, population growth and increased tax base. This will free the southeast quadrant of city campus from the floodplain and will allow the University to support research initiatives in appropriate locations. When UNL revised its Campus Master Plan in 1998, the flood control and transportation proposals from this study were incorporated into the plan because of the positive impacts they would have on city campus, the surrounding neighborhoods and Downtown Lincoln. The green space, hiking and biking and recreational sites proposed will benefit those who learn and work on our campus and our adjacent neighbors. The location of the proposed north/south roadway and stream channel make sense. It locates flood control and traffic movement systems in a seam between campus and the Malone Neighborhood. It does not disrupt the neighborhood and consolidates the campus and its future growth within a perimeter road system. With the proposed roadways along the north and east edges of the campus, traffic that now cuts through on 14th, Vine, 16th and 17th will be diverted around the campus. The removal of this disruption from the campus core has been a goal of UNL since the 1960's and it will result in a safer environment for students, staff, faculty and visitors. The proposed east/west roadway will permit elimination of two railroad crossings on the north edge at 14th and 17th Street. These are frequently blocked and there are dangerous risks taken to avoid long delays. The University believes the Antelope Valley proposal is good for the city, the University and good for the State of Nebraska. The University urges support of this project.

5. Glenn Johnson, General Manager of the Lower Platte South Natural Resources District (NRD) appeared on behalf of the Board of Directors of the NRD. The Antelope Creek floodplain is a serious flooding threat to the entire community, made up the individual residents, homeowners, business owners and anyone who crosses the floodplain, the neighborhoods, including the University, a variety of state owned facilities and their operations. The Antelope Valley Study and process will result in a multi-faceted integrated plan, including a plan to address the flooding problems. We have this opportunity to make the study happen. At their Board meeting last month, the NRD adopted and updated their long range implementation plan, which would be a counterpart to the Comprehensive Plan, and included the Antelope Valley flood component in that plan for the district. An important next step is action to incorporate this study into the Lincoln-Lancaster County Comprehensive Plan. On behalf of the NRD, Johnson urged the Planning Commission's support and positive recommendation.

6. Rick Peo, City Law Department, advised the Commission that the Comprehensive Plan is a general guide and plan for the city. It is not a blueprint development picture. The action by the Planning Commission on this amendment does not include specific details of the future road network design, specific timing of the projects, or specific uses of specific property. The function of the Planning Commission is to make a recommendation on the specific amendments proposed to the Plan. The Planning Commission has the discretion to approve, approve with conditions, or to deny the proposed amendments. We are not here to talk specific dollars or how it is going to be designed. Those functions will occur at a later date through other public processes.

Proponents

1. Wilbur Dasenbrock testified in support. Some years ago, flooding in Salt Creek threatened the Devaney Center and they had to call in sand bag crews. He was called that evening to organize these operations over the rest of the University area that was threatened. There are many of those buildings in the floodplain that were purchased by UNL from private ownership that were threatened that evening, including some of the residence halls. They could not have protected the millions of dollars worth of lab and computer equipment located in the lower levels because of the possibility of flooding. Thank goodness it didn't happen that evening, but if this project is not approved, that flooding will happen and it will threaten many students living in those areas. There is little we can do to prepare for flooding of all of those buildings, not even to mention the private residences. This is very important.

Dasenbrock requested that close attention be paid in the design to the beauty of the project. He knows that landscaping, green space and park expansion is part of this project. We should do the best we can to make that a pleasing part of town and landscaping is a key. The beauty of the city is very important. He is a local escort for many international visitors and they are always pleased with the pleasant looking areas of the city. We need more of that, not less.

2. Susan Larson Rodenberg, testified in support. 10 years ago she was asked to join the Great Plains Trails Network (GPTN) and has been a board member. GPTN supports this project. Antelope Valley is vital to the future of Lincoln. It is being called the most ambitious Public Works and redevelopment plan ever to face our city. It is money well spent. It is an investment in the community, our citizens and our future, especially in terms of critical improvements to infrastructure, neighborhood revitalization and quality of life. It includes important recreational and transportation assets. The trail corridor will allow important access to Downtown, the University and other areas. The additional corridors will create a greater sense of community. It will be easier to walk or bicycle to school, shopping, parks or other neighborhoods. In 1996, Lincoln received the 6th place ranking for its trails network. We want Lincoln to grow as a pedestrian friendly community as well as one providing citizens with transportation options other than a single passenger motorized vehicle. She supports this project because Lincoln is her home; it's a great place to raise a family; she wants to keep it that way. This is the best decision for Lincoln's future.

3. Tim Tietje, appeared on behalf of the **Downtown Lincoln Association (DLA).** He is currently the chair of DLA and is on the Antelope Valley study committee which has been studying this issue for quite a few months. Tietje read the unanimous position adopted by the

DLA Board of Directors (Exhibit “D”). Since October, 1997, the DLA Board has been on record as unanimously endorsing the Antelope Valley Major Investment Study. In late 1997, the DLA board created a standing committee to monitor the process of the Antelope Valley Study and to assist the DLA board in providing input. DLA’s Antelope Valley Committee scrutinized, analyzed and debated the proposals from a perspective of their impact on downtown businesses and property owners. In late 1998, concerns of businesses and property owners east of 17th Street were first brought to DLA’s attention. Since these businesses lacked an organized structure to receive information or express concerns on the project, they were invited to send representatives to DLA’s committee. As the project moves into the final approval stage, it is important for DLA takes the following position:

1. DLA continues to maintain strong overall support for the Antelope Valley project, as well as for its three separate components of flood control, transportation improvements and community revitalization. All three components are essential if this project is to reach its full potential.
2. DLA continues to support alternative options for east/west access to and from downtown both during and after the construction period. DLA believes this access is essential for businesses in downtown and Haymarket as well a for those east of 17th Street. DLA appreciates the amendment to the Draft Single Package to reflect this access on both “P” and “N” Streets.
3. DLA urges the City and JAVA to adopt a parking policy that clearly states if City sponsored development in the Antelope Valley area results in removal of existing parking now supporting downtown properties and business, then new parking should be provided to replace what was lost and to meet new parking demands created through development.
4. DLA supports the concept of a single roadway at the 19th Street corridor versus the one-way pairs, with the understanding that the initial buildout will be a 4-lane roadway rather than 6-lane, and will include acquisition of a 150' right-of-way to allow for future expansion as well as extensive landscaping, grassy medians and green space in a “boulevard-type” setting.
5. DLA continues to have a strong sense of urgency in wishing to see the approval process completed and final decisions made. The years of uncertainty for the businesses and properties in the area have been difficult and have limited investment and improvements in the area. It is time to move forward and begin to implement the plan that has been so thoroughly prepared and reviewed.

4. Ed Pickett, Executive Director of the Nebraska Alumni Association, a 126 year old independent, self-funding organization, testified in support. The Alumni Association works very hard and cooperatively with the University. There are a number of development projects the Alumni Association is considering. They will not utilize state or University funds. All development involves the Alumni Association’s ability to attract private capital and partnership. Their first project, the Champions Club, will be across from the west entrance to Memorial Stadium—an event center to augment the Wick Center. They also plan to develop a 27 hole

championship golf club and conference center north of town. They recently surveyed over 13,000 alumni who are 55 years of age or older to determine the feasibility of developing a comprehensive retirement community. The results have been positive and they plan to move to the second phase of this development. The reason for Pickett's testimony in support of this project is that the Alumni Association has entered into a letter of intent to build a significant project within the Antelope Valley project in the east Downtown area. The scope of this project is currently in excess of 25 million dollars and would be congruent with the mixed use goal. The issues that are important in this development will require assembling a large block of properties of approximately 20 acres. The Alumni Association is excited about the Antelope Valley creek channel to the east and two-way boulevard to the west. Once the Antelope Valley project is approved, it is conceivable that the Alumni's developers might be interested in other projects as well. Their partner will assist to make the economic aspects of the project robust and successful.

5. Ross Greathouse, resident of Lincoln on So. 39th Street, testified in support as a member of the Great Plains Trails Network. GPTN is a trails advocacy organization with approximately 800 members representing some 1800-2000 persons. This organization has raised over a million dollars for trails, and is currently raising money to make the MoPac connection to Downtown, which is part of the Antelope Valley Study. To date, the GPTN has raised \$130,000 for that project with much more to come. They eventually hope to raise some funds for the bridge which will span over 27th Street. The GPTN has pledged to help to develop and raise funds for trails in the community. The Board has given much time and effort in the last 10 years to doing that and will continue. Greathouse promised that the folks who are raising the money will continue to help with the financial aspects of this project. GPTN has found that the citizens want this and they will help build it. Antelope Valley has these great connections – it's the heart of the City. There is great flood potential here and this is a way to solve it, by putting the trails and roadways in those floodways.

6. Jim Cook, member of the Antelope Valley Advisory Committee, testified in support. The members of the Advisory Committee were asked to bring their specific issues to the table, but always remembering that they represent a larger community. Cook appealed to all those members that have not participated and have no emotional tie to this issue at all to come forward. He worked in the radial reuse area and watched a part of this city that he grew up in decline. He has lived in communities that declined from the inside out. When he came back in 1989, he was horrified to see that what he had experienced in other communities was happening here. When he had the opportunity to vision for this community, he took the opportunity and holds it as the most sacred duty a citizen has—to participate in the vision of this community. He believes the community will excel if we have a healthy center, and the Antelope Valley project represents that healthy center. Rationally, it is an easy choice. Financially and economically, it might be a difficult choice. This will bring us back together. It's a vision of how education can elevate our community. Cook suggested that perhaps the Commission needs to work from a rational viewpoint. He hopes that those who are at home can also reach some agreement from an emotional level that our city is worth saving.

7. Jean Chicoine, who served on the steering committee, testified in support. She is a resident of Woods Park and at that time was President of the Woods Park Neighborhood Association. They participated in the open houses and have supported the study. She is also

speaking on behalf of herself as a resident and homeowner. There are many benefits that the heart of Lincoln will enjoy with the implementation of this plan. This plan has the potential to recreate a sense of community that Downtown and the inner city once had. The coordinated planning of roadways and stormwater will create a more pedestrian friendly city and enhance the recreational opportunities in the area. However, the potential to enhance the quality of life and the physical and psychological character of the inner city is by far the greatest benefit. All of the neighborhoods have worked together to improve housing in the inner city. If this plan is approved, this project will give fresh impetus to that effort and help us restore the inner city of Lincoln. Last May, she visited friends in California, who had a daughter moving to Lincoln to attend UNL. She had been in Lincoln when she was a child and remembered the most beautiful street canopied with trees--she remembered Lincoln because of the environmental landmark. What will a young child's memory of Lincoln be if he or she remembers the inner city as it is today? Or what will a young child's memory be if we successfully carry out the vision of the AV Study?

8. Mark Hunzeker testified on behalf of the **Nebraska State Board of Agriculture**, the State Fair Board. Hunzeker served on the Advisory Committee in this capacity and, prior to the Antelope Valley study, the Fair Board was aware of the problems that were described. They have been working with the NRD for a long time with respect to channel and drainage issues. They have also worked with UNL related to growth issues. The Fair Board is aware of the transportation problems and the Theresa Street plant. The Fair Board was aware of most of the problems that were being addressed by the study when the study began. Overall, the State Fair Board believes the consensus formed around the plan is very well conceived and thoughtfully considered. While the State Fair Board ends up giving up some land for new road right-of-way, they believe the benefits to State Fair Park and to the community in terms of flood control and transportation improvements more than outweigh any of the negative factors. Hunzeker urged support of the plan.

9. Tim Francis testified in support. He lives in a neighborhood adjacent to the project and owns property in the proposed redevelopment area. This has been the most inclusive planning process one can imagine. Because of that, he is amazed at the level of consensus from the diverse constituency. With the business community and neighborhoods supporting the project, it is an indication of the appropriateness of the plan and the integrity of the process.

10. Bruce Bohrer appeared on behalf of the **Lincoln Chamber of Commerce** in support. The Chamber has had several briefings from the partners. He complimented the process. The Chamber's concerns focused on how it impacted other issues such as the Beltway and fiscal concerns. The huge scope and magnitude of the project is at times overwhelming, but in the end, after going through the cost-benefit analysis, the Chamber determined that the benefits outweigh the cost. On September 14, 2000, the Chamber Board passed a resolution of support of the project which recognizes the beneficial impacts of the roadway, flood control and community revitalization. It is good for the long term vitality of this city and the Chamber urges support.

11. Delores Lintel, Clinton Neighborhood, testified in support. She was actively involved as a member of the Advisory Committee for the entire four year process. She became involved in the Antelope Valley Study because she saw the need for the transportation, stormwater and community revitalization issues to be addressed. She was impressed with the defined process of citizen involvement and consensus building. Anyone who was interested could come to the meetings and be involved. The representation on the Advisory Committee was a genuine cross-section of the community. She talked about the process and protocol of the advisory committee. All of the issues were handled thoroughly. A community consensus has been reached. Please respect our democratic process that has achieved it. (Written comments attached as Exhibit "E")

12. Jan Gauger testified in support. Four and a half years ago she received a phone call to serve as tri-chair for an extensive study. She lost count of the number of meetings about two years ago. Gauger observed that of all of the studies and advisory committees she has served on, she has never been involved in a process quite like this one where engineers, neighborhoods, business owners, and citizen advocates argued on the same level playing ground. The consensus process really did work. It took a long time, but it has been a wonderful ride and she believes that the result was worth all the time spent.

13. Tom Taylor, Board member of **GPTN**, employee at UNL and a resident in the Near South area, testified in support. In this day and age of road rage and increasing fuel costs, the incorporation of a trail along with the floodplain project will better reduce traffic problems, pollution, and fuel consumption by providing alternative transportation. He is an avid biker. A corridor to the Downtown community would be an asset. The trail will reduce stress and reduce health problems by increasing the number of people that exercise, which will provide a healthier community for Lincoln.

14. Cheryl Snyder, testified on behalf of the business community at 33rd & Cornhusker in support. The 33rd & Cornhusker business community was provided an opportunity to give input to the study team and were provided a cordial audience to address concerns. This project provides much needed flood control, traffic improvements, economic opportunity and community enhancements.

15. Ken Winston, testified in support on behalf of Near South Neighborhood Association. There are a number of concerns that their neighborhood has, but overall they decided to pass a motion in support. We look at this as being an opportunity to improve the community as a whole. The Near South Neighborhood has a boundary with Antelope Valley and the Near South Neighborhood supports the neighborhood and community revitalization and continuity of the projects. One thing that would happen would be to tie together things that previously had not fit together. Winston requested that the language of the text should list those areas impacted by the Antelope Valley project. Near South is an area impacted and would request that the Antelope Valley project be continued further south. The area right around Lincoln High needs attention. It would be considered a blighted area and it could be part of the revitalization strategy to redevelop some of that area. In addition, Capitol Parkway is part of this plan. Winston suggested that the improvements to Capitol Parkway continue until it reaches Normal Blvd. at 27th and Capitol Parkway. Near South noted that the waterway plan goes a certain way and then stops. Near South would like to see it go further and continue it to the Children's

Zoo. In the overall view of the community, Near South suggested that when development takes place, there need to be design standards so that the things that cause blight like at Lincoln High will not cause blight in other areas of the community.

Opposition

1. Donald Jensen, 4800 A Street, testified at this time in support “in general” (written comments attached as Exhibit “F”). The project has merit in its concern for stormwater control, community revitalization and transportation improvement. But in the attempt to address all these concerns simultaneously some issues have been given priority at the expense of others, one being the potential impact of a single 6-lane road versus a one-way pair from “K” to “Q” Street. This is an issue that is very limited. It involves only seven blocks of downtown Lincoln. With the commercial development of the area next to the new waterway, Lincoln’s downtown will extend from the Haymarket (8th Street) to the new waterway (21st Street), and access on the east-west streets will be as essential as the north-south connection. The traffic movement in both directions must be facilitated in order to make the best use of this revitalization opportunity. Anyone familiar with traffic planning is likely to agree that a one-way pair of three lanes each way will move traffic more efficiently than a large 6-lane, two-way roadway. This is why we have “K” and “L”, 16th and 17th, 9th and 10th, etc., and this is why we are planning to change to a one-way pair at 56th & Cotner as they cross “O” Street. One-way pairs are a tried and true solution that has worked for 30 years in Downtown Lincoln.

Jensen agreed that there have been many meetings, but the bulk of those meetings have been informational rather than critical discussion. The scale of the new intersection for 19th and O has not been well represented by the schematic drawings, being shown smaller than it is likely to occur. Jensen shared a comparison of street widths showing 17th Street at “O” Street; 9th at P Street; Cornhusker Hwy at 27th Street; and the proposed road at Antelope Valley 19th and “O” Streets (Exhibit “G”). We are talking about a potentially huge intersection. It will involve one right turn lane, two straight on lanes, two left turn lanes, a median and two lanes for traffic in the opposite direction. One-way pairs have three or four lanes.

Jensen urged that five different areas should be considered when comparing a one-way pair with a six-lane roadway, i.e. land use, environmental impact, safety, expense and traffic movement. The environmental impact is virtually absent with the one-way pair because the current 19th and 20th Streets would be used. Safety is a major difference. It is easy to cross a 40' one-way road. It is difficult to cross a 120' road. Children and seniors would require delayed signal timing. The fact remains that for vehicular traffic most automobile accidents occur at complex intersections, not at places where one-way pairs cross. In terms of expense, the use of the existing streets for one-way pairs would reduce the expense. There is a huge difference in traffic flow with the absence of conflict between left turning traffic and straight through traffic. It is possible to give sequential timing on one-way pairs.

Jensen proposed an amendment to this Comprehensive Plan Amendment (Exhibit “H”) such that one-way pairs will remain an option in the Antelope Valley plan, with a decision to be made following detailed analysis of specific options by knowledgeable persons. Anyone who thinks that the current plan of a large intersection at 19th and “O” Streets should go to 27th and Cornhusker or 70th and “O” and watch the traffic, both vehicular and pedestrian, smell the

exhaust, and then ask why anyone in their right mind would want to put an even bigger intersection in the middle of our downtown.

2. Lynn Darling testified in opposition. “No, not everybody was brought together by this project.” She is a fifth generation citizen of Lincoln; however, her experience has not been the same as those before her. Rather than congenial, open and cooperative, this has been a process of rebuke and put down, even snobbery. When something sounds too good to be true, it usually is. All the testimony in support displays that. If Lincoln had had an environmentally, ecologically knowledgeable engineer they could have studied the so-called flood danger from the headwaters to Salt Creek and all its tributaries; they could have studied the capacity of Holmes Lake after a rain and developed several optional designs. There is not one single thing that has anything to do with the environment or to improve the environment itself in this entire process. It looks like a lot of cement. She is troubled most by the audacity of the city officials to say that we have a serious flood problem in Antelope Creek, yet continually allow building to occur in the floodplain all the way through Lincoln. That is the ultimate of hypocrisy. It is totally unconscionable behavior. This was all put together behind closed doors before the majority of the city knew anything about it. The first time the majority heard about it was in September at Lincoln High and nothing has changed. It is a myth to say that the broader tax base will pay the bills. That is false. Darling suggested putting a moratorium on development until the total plan can be in place.

Darling questions why there was no optional design since the meeting of September, 1997. What is the plan for maintenance? What will be the tax increases in the next 20 years? What does the price tag cover? It sounds extremely broad. Why no transit system in this area? We need a transit system. If this goes through, then our process of developing a transit system will be put on the sideline. What’s the hurry about FEMA? They have programs coming to control the flood problems. What’s the hurry? We are saddling the generations to come with terrible debt and continuing expense. The taxes keep rising. Will we put a terrible burden on our citizens? Can the Planning Commission be proud of that burden?

3. Ken Bordeaux resides in the area at 2030 Q Street. He stated that he is really taking a neutral position. 2030 “Q” Street is a sacred site used as a base for concerns all over the world. One of their primary concerns is the environment and the ecosystem in this country. He is hopeful that this spiritual site will be allowed to remain. You cannot rebuild a site like this. It has been there for centuries.

When asked whether this concern has been brought to the Study Team’s attention, Bordeaux stated that he has talked to the consultants from Milwaukee, Lynn Johnson and Kent Seacrest. He does not want to advertise the location, but wanted to be on record.

4. Barbara Morley testified that no one here is opposed to a community revitalization or transportation or flood control. It’s a question of how. She requested that the Commission take the draft EIS, the environmental assessment from the Corps and all the associated documents and actually read them. She believes you will discover that you don’t know where community revitalization went. Community revitalization is couched in terms of mitigation in these documents. The Commission needs to read these documents. She does not believe the EIS is very well written.

With regard to the Corps of Engineers' environmental assessment, Morley suggested that it is significant that many years ago the NRD did a study of flood control in Antelope Creek and decided it was not worth the cost. The Malone Neighborhood has asked for certain things: a city-wide floodplain plan; the waterway as an underground conduit next to the old one; follow federal law in laying out relocation plans for homeowners and businesses. The literature stated that some people will have to sacrifice. That is not our law and not moral. The general law is that everyone should bear the burden for a public project and people in that area should not be burdened to any greater extent. In the environmental assessment they estimate that only \$300,000 will be spent to relocate houses and businesses, with a figure of zero for mitigation even though in the EIS there is much greater than a million just for land acquisition for mitigation. Morley would like to have it acknowledged that there are going to be parking and traffic problems because of this plan; that the transportation plan will hinder pedestrian and bicycle traffic to downtown and UNL campus; and that several historical properties are being taken including four for community revitalization. She would like to see disclosure of the benefits of those who have been involved in this project. When talking about what our children will remember about Lincoln, it's who you are and where you live because if you stand in the middle of Trago Park, which is so peaceful and family oriented, and then say to yourself it's going to have a 6-lane highway and a ditch, that's what people will remember.

5. Harlan Layton, 740 Skyway Road, is not opposed, but he believes there should be two-way pairs from "R" to "K" instead of one wide street down 19th.

6. Danny Walker, 427 E Street, does not agree with the position of the City Attorney in regard to the Planning Commission not giving consideration to the monetary amounts involved. If that were the case, it should have been disclosed in the public notice. In regard to the threat of flooding Bob Devaney Center, the individual should have also pointed out that the Devaney Center should not have been built in the floodplain in the first place. Why didn't they mention that the Beadle Center was inappropriately constructed? Walker suggested that Salt Creek has more effect on the entire City than Antelope Creek. Antelope Creek flooding does not have one thing to do with him; however, he is opposed. The initial plans stated detention and/or retention. All of a sudden this disappeared. We're timing mother nature. The major benefits of this plan will go to UNL and the DLA. Walker quoted from the September 27, 2000, newspaper where it was reported that Perlman (UNL) thinks Antelope Valley may be essential and critical to the economic development of the community. Walker contends that this is a misleading statement. With or without that development, the city is doing very well. If not, he does not know why all the money is being dumped into the 27th Street corridor. There is no substance to that statement at all. If the City was so concerned about the Antelope Creek floodplain, why did they start building homes in the floodplain beginning in 1994? In 1990, through eminent domain, the city acquired areas in which new homes were built, displacing a large number of families. If the Mayor of Kansas City is going to address the citizens of Lincoln on Channel 5, he should also disclose the loss of lives and property damage that occurred after improvements were made on Rush Creek.

Walker requested that the Commission please give this issue careful consideration. He suggested that the Commission needs to look very carefully at both the positive and negative aspects of the project before voting. He believes it is an invasion by UNL. He does not see where UNL has done any good to that part of the neighborhood. The project was biased from

the word “go”. That’s why he got out after one year. By the time he got in on one of the initial steps, everything was cut and dried. His neighborhood was not involved in the process. (Written comments attached as Exhibit “I”).

7. Marcella Ganow testified in opposition, observing that there are many benefits to the study but there is not complete neighborhood consensus on the affected neighborhoods, nor is there complete consensus within the city. There will be a lot of opposition and more details coming forward. The project has gotten larger and larger and with that comes more money and more obligations. North 14th will be impacted and have problems. The area north of Cornhusker will be impacted with additional traffic. There are other neighborhoods that would have liked to have been involved. We can’t do it all. This project is very, very large. Personally, she would say no. She challenged the Commission to be prepared to back up their choices when it comes to the allocation of money, time and the city’s personnel resources to accomplish this project. “If you do it, I expect you to do it right.” Pay the homeowners fair market value; do the community revitalization portion; she expects that the pretty pictures become reality; she expects that a location for the homeowners who have their homes moved be found; those are promises that have been made; be prepared to keep your promises. Pay attention to the pretty pictures because that is part of the agreement being made. Please choose well and realize that your commitment and your choice does not end this evening. It ends when the building is done.

8. Ed Patterson, President of Malone Neighborhood Association, testified in opposition. He was so amused listening to the proponents. From the beginning, he knew that this was going to be a UNL land acquisition and control project. We heard tonight that UNL expansion will be a major portion of this project. What will be the loss to the tax base? The Malone Neighborhood will be sacrificed for this project as a land acquisition and control project for UNL. It is extremely inefficient to use roads and stormwater budgets to achieve those ends. Monopoly housing, food services and professional sports entertainment operation do not a first class university make. The central mission of the University of Nebraska continues to be ignored and the bottom line of delivering the product to the community, which is skilled people and interchange of research and training with businesses in the community, continues to be ignored, or at least continues not to be well served in pursuit of land expansion for things like housing monopolies and professional sports monopolies. These do not serve the basic mission of this campus.

The DLA refers to “east downtown” when they are talking about the west side of Malone Neighborhood. They say business and homeowners have no organization for representation. Patterson is the president of one of the two organizations and there is a business organization called the 19th Street Business Association.

As to the process, Patterson stated that the Malone Neighborhood Association was kept out and forcibly excluded for the first year of this process. He crashed the gate and he wasn’t invited and was basically kept out. After all the decisions were made, a year down the road, they realized that in on order to cross the t’s and dot the i’s, they were going to have to bring Malone in.

Patterson believes that the impact of the flood state of Salt Creek should also be considered in this project. This was not done and the water authority said the effect is none because that is beyond the scope of this study. Patterson strongly urged that the effect is not none and not beyond the scope of this study.

The “fatal flaws” of the proposal submitted by Patterson are set forth on attached Exhibit “J”. Patterson stated that the Malone Neighborhood endorses the Antelope Valley project adopted by the Malone Neighborhood Association in September of 1997. It gets more done for less, and explicitly involves local area home and business owners and residents in the final outcome. It does not confiscate the equity of their properties for use by bureaucrats without budgets. There should be no use of police power of the state to take property from one private individual and give it to another. Property owners selling their land for this assembly, by the Constitution, should not be pressured into bearing a disproportionate share of the burden of this project among taxpayers in Lincoln.

9. Mike Morosin, past president of Malone Neighborhood Association, testified during this time. He is a resident in the neighborhood and a small business owner. The big question he has asked from the very beginning is what houses will be relocated. We were given promises that the property would be identified. It still has not been identified. This is a fatal flaw in the process. Has any one of the partners ever come to his house? No. Many other people in the neighborhood have never had that knock on the door to tell them their house is directly in the path of the water. There are business owners that have never had that knock on the door. The proponents have not finished their homework assignment. They should finish that fatal flaw and come to the people and identify the land in Malone. He intends to stay there. He bought his house. He is disabled and he does not plan to take out another 20 year mortgage. He needs to be made whole. He does not mind selling his house, but he wants it moved. The three partners need to address the issues of those that want to be relocated. There are about 10 houses in the Malone Neighborhood that will be relocated. Until these issues are addressed, this plan should not go forward.

10. Richard Halverson, 6311 Inverness Road, testified in opposition. He has concern about the 19th Street roadway. The only people that will benefit will be UNL. The general citizenry will not benefit from having those six lanes.

11. Laurie Yoakum, 1827 So. 12th, testified in opposition. Antelope Valley has been going on for a very long time. They have talked about thousands of people that they have had community input from. She went to a Friday night and Saturday meeting at Lincoln High where they saw what the plan was going to be. The main thing brought up was community revitalization as the highest priority. After that meeting she was never invited back to another one. If you don't agree with everything that was being said, you were not invited to come back. The only way she knew about some meetings is because she knew other people that were going. They have not been up-front. It looks very, very crooked. We need to be looking at the water in the whole city and how it is going to impact the entire city, not just in the UNL area.

12. Rick Lespreance, a business owner at 1926 Q Street, testified at this time with concerns about his property being acquired. He intended to develop his business into retirement for his future. The business has been good with gradual growth. He has attended the many meetings

and his views have been considered. However, to his surprise, his property showed up for acquisition in the newspaper. He attended the town hall meetings at Lincoln High and was assured that the acquisition did not include his building and it was a mistake. He wants to be on record that he has taken Rick Herrick at his word and he is progressing forward with his development. He hopes the Commission will look at each individual business and see where these acquisitions take place, how much is being acquired and if they really do affect the building itself for acquisition. He thinks this will be a great project. He is looking forward to it. He has been involved since the beginning. He just hopes that it doesn't push him out of something that is a lifelong goal.

13. Phil Yoakum, 4504 St. Paul, past president of University Place Community

Organization, is opposed to this project. It will kill children in his neighborhood when Adams Street is closed at 38th. 16,000 cars go down Adams a day. Those cars go to Cornhusker Highway and then 33rd. How else will they get there but cut through the side streets and unmarked intersections that currently border UPCO Park at 40th & Adams? Ninety+ percent of those kids live east of that park and they are going to cross 40th Street. In April, Coleen Seng said that the reason for closing Adams Street at 38th is because she knew somebody that died at that intersection. And Seacrest has gone on record saying that is the most dangerous railroad crossing in Nebraska. That's a lie. We can't close every intersection where someone dies. It will hurt his neighborhood to close that intersection. Yoakum believes the community should have the opportunity to vote on this plan. Our Mayor says not to worry, it's not our money. Who's money is it? This project will be 400 million dollars. That will be the largest project taken on in any city in Nebraska without a vote of the people. The people need to have a bigger say.

Staff Questions

Schwinn asked the staff to discuss some of the timing issues. Some of the opposition talks about the timing of the EIS, when the properties will be identified, etc. Jennifer Dam of Planning staff stated that the whole process started in the early 1990's--identifying the partnership, study team, advisory committee and process. Through all the meetings a variety of alternatives were identified and brought forward in many community meetings. A single alternative was brought forward in many public meetings, before this body twice and in front of the City Council twice. The EIS was prepared and released this summer for public comment and review. The EIS Identified the potential environmental impacts; public testimony was taken on that study this summer and the study team's initial response was that no environment impacts had been identified through the public testimony process that were of a nature to alter the recommendation. Once the Comprehensive Plan Amendment is approved, the EIS study has the opportunity to become the final EIS. The federal process for the EIS and the community process to determine the amendment to the Comprehensive Plan are intertwined. Schwinn clarified that the votes made by this body and the City Council had to be done to trigger going forward with the EIS. Dam agreed that to be true for the process used in Lincoln. From here, once the Comprehensive Plan is amended, the JAVA group is allowed to proceed with preliminary design and continue with public input. The City Council will need to vote in the

future as to the next phase, as well as the NRD and UNL. Once approved, then we can proceed to the implementation phase, which will allow final design, identification of properties, property acquisition, etc. Specific details will be determined after the Comprehensive Plan is amended.

Hunter noted the issue of the one-way pairs versus 6-lane and wondered if that is something that could be amended later. Dam clarified that the staff recommendation is showing a single two-way roadway. If the Comprehensive Plan is approved, Figure 31 would be amended to show a single two-way roadway and not a one-way pair. Figard explained that the intention is that all questions would be answered to the satisfaction of the Federal Highway Administration (FHA) before the City Council would vote on the Comprehensive Plan Amendment. We need to be assured that every social, economic and environmental question has been resolved to the satisfaction of the FHA and it is intended that that will be done before the Planning Commission recommendation goes before the City Council. With affirmation of the elected body, then that document is the final record. To this point, we have not received anything that we believe is not able to be answered or dealt with to the satisfaction of the FHA.

Carlson wondered whether it is the study team that interprets what is significant and what is not. The study team has made the determination to proceed with Comprehensive Plan Amendment but they are not the final arbiter of the EIS. Figard responded, stating that the indication from the FHA is that they have not seen anything that would be considered a fatal flaw. Those questions and responses will be available prior to Council taking a vote.

Response by the Applicant

Kent Seacrest, member of the study team, engaged by the three partners, introduced the study team, including City staff, the partners, Rick Herrick has lead the transportation component; Bob Wolf has been the lead stormwater team member; Seacrest has headed up the community revitalization and tried to be sure we had an open and fair process; Scott Sullivan has been brought on to weave the aesthetics of the stormwater, transportation and community revitalization issues to be sure they are truly positive for the community.

Hunter noted the concern by several people relative to the flooding of Salt Creek and why that was not addressed at the same time. Seacrest indicated that this issue was addressed. Glenn Johnson of the NRD addressed the coincident timing issue. The impact and relationship between Antelope Creek and Salt Creek was addressed and will be addressed in more detail in the final design phase. That is one of the questions the Corps has to respond to fully in the EIS and in the environmental assessment. While it is shown to have no negative impact upstream, more detailed study will be done in on the final design.

Schwinn referred to the 1993 storm event where we had a tremendous amount of rain. He was interested in what kind of event that was considered to be. Johnson stated that it depends on where you were and the size of the watershed. If you were above Holmes Lake you were in a very significant event; if you were located below Holmes lake it was much less. Bob Wolf

explained that the Corps did a special study of that particular rainfall event and he does not believe they hung a specific frequency on it because the rainfall varied so much. However, they did do a detailed study and it is available. It was not a 50 or 100 year event based upon the amount of runoff that resulted from the rainfall.

Steward inquired about the right-of-way width of the proposed two-way thoroughfare, noting that the Commission is also being briefed simultaneously on future roadway planning for perimeter thoroughfares of 140' maximum right-of-way. Steward has raised the question of possibilities to accommodate the volume of traffic and reduce that right-of-way purchase. He wondered whether it would be conceivable that in the final design detail, this roadway planning will be coordinated with that future thoroughfare policy. And is it possible that we /could do with less right-of-way in this corridor than 150'? Seacrest believes that such coordination will occur. The Public Way Corridor study is for new areas that have not even opened up yet so that is a clean slate effect versus the 19th Street corridor full of homes and businesses. There is some commonality to roads in general. The 150' right-of-way was chosen because we have heard through other projects in this community when we talk about widening inner city streets, why don't we do it right instead of doing just the minimum? The neighborhoods want us to do it right and not create a blighting factor. We want to acquire enough right-of-way to buffer ourselves. By doing that we create an image street and attract a few businesses.

Carlson sought further information on the coincidental flow--the incidence in which the outflow from Antelope Creek and Salt Creek become maximum at the same time. If this occurs, there is potential for backing up. Johnson concurred. The preliminary study indicated that the work being done as part of the Antelope Creek flood control would actually reduce the timing for that water to reach Salt Creek--it reaches it somewhat before and peaks and reaches Salt Creek quicker. When they run the Salt Creek model and the Antelope Creek model, it says that Antelope Creek evacuates and the peak is dropping when Salt Creek reaches its peak. Wolf added that there is about 12.5 square miles in Antelope Creek as opposed to 400 square miles in all of the Salt Creek basin, so the peak from the storm in Antelope Creek is up and back down before you get the peak storm occurring from the 400 square miles coming down Salt Creek. The Corps has gone through a detailed probability analysis on how those peaks occur. Because of the questions that have arisen they will go back and look at it in greater detail, but they are confident that it will not become worse but will make it better. Carlson pointed out, however, that even though the probability may be low, the study team did not analyze the full impact. Mr. Patterson suggested that no one studied the impact of Salt Creek being at capacity and Antelope Creek trying to flow into it. Wolf suggested that when that first question was asked and answer given, it was out of context because that was an earlier phase of the study and we were working from the initial analysis the Corps had done. We are not redoing the work that was in their scope. As far as whether the project has been designed for the peak flow in Salt Creek and Antelope Creek arriving at the same time, the answer is no, because the analyses have shown that that has very little, if any, possibility of occurring and that will be reverified for a third time by the Corps soon. How the hydrographs will time is being analyzed in more detail. If it shows the peaking is different than has been assumed, that will affect the design. The plan at this time is not to design the project for an unlikely event because the analyses show that chance of occurring is very minute. Thus it has not been designed for the peak of Antelope Creek to arrive at the same time as Salt Creek. The Corps determines what level of design should be undertaken.

Figard clarified that every decision we make has to be based on a certain premise of philosophy or values we have in the community. When we design the storm sewer system we make decisions to design for 5-year, 10-year, 100-year, based on probabilities of things happening and the cost. We have to come to some decision as to the level of risk we are going to take. We don't design a stormwater system to handle any and every possible event. The potential of the probability of those occurrences happening at the same time would suggest this community couldn't and shouldn't afford that kind of design.

Hunter asked staff to address the comment about the lack of designating relocation sites. Seacrest stated that they started that process over a year ago. A subcommittee was created and they invited the neighborhoods who had expressed interest to participate. We had staff available to look at the city relocation policies. These are federal regulations. The state has mimicked the federal framework and the city follows the state framework. The plan incorporates a specific strategy that a feasibility analysis will be done on any home that will be in the pathway of a road or creek or revitalization. The feasibility analysis will determine whether the home can be moved. We have some empty lots in the inner city. If a house can be picked up and moved, it will be. We have made the commitment to do that analysis, but it is going to have to be based on economics. If the project gets approval, we then go into that type of planning phase. We have already identified the empty lots. But we felt it was too premature to be talking to property owners when it is still a study. If the study turns into a project, those people will be contacted and, if interested and feasible, their home will be relocated. Newman wondered whether this also includes businesses. Seacrest confirmed that the business of the gentlemen who testified in opposition was mistakenly shown to be removed.

Dam referred to strategy found on page 10 of the Comprehensive Plan Amendment, "...provide for a smooth transition between commercial and residential land uses that include design standards to provide architectural styles that are compatible with the surrounding neighborhood, that address streetscape, landscape and amenities and that relocate structures acquired, to the extent possible, within the same neighborhood."

Carlson understands the timing of the acquisition and relocation, but he gets the sense from the opponents that they want to bring it up now to make sure they are protected because there is an element of public participation. Will there be yet another round? Seacrest confirmed that there would be further opportunity. The FHA has purposely and legally discouraged us from talking about this type of acquisition because we are not yet a project and it is against the law to talk about property acquisition at this juncture. Seacrest is confident that JAVA and the partners have made this commitment to continue to do due process.

Steward inquired whether the Native American property at 2030 Q Street is in the pathway. Seacrest stated that it is not in the pathway of the creek or the roadway.

Carlson asked Seacrest to address the Advisory Committee selection process and notification of their meetings. Seacrest responded, stating that they spent eight months designing the scope of the Advisory Committee. The first committee launched was about 20 people to decide fair rules and process. After they created the process, an Advisory Committee was created, which ended up being 60-70 people. If you came to the meeting, you were on the Advisory Committee and you were put on the mailing list. They had 53 meetings. We did

indicate that people that came late had to be respectful to the people that had been there since day one. There were some fair play rules adopted. There were town hall meetings and hearings like this for those that felt left out. We tried to have a roster and if you put your name on that roster, you were on the mailing list for the newsletters and key information. There was an initial roster of 500 names. The roster today contains about 3,500 names. If someone did not get a notice, it wasn't because we didn't like what they said--it's because we made an error in getting their name on the list. The intent was to notify everyone.

Bayer noted that one of the discussion points was that the project was "cut and dried". At what point in this process could the plan be changed if a new idea was raised. Seacrest indicated that the opportunity is still there. Bayer clarified that even between the Planning Commission decision and the City Council, there is an opportunity to make change. Seacrest stated that it is legally possible even after the City Council approval. It gets more difficult at this stage, but it's never too late. We call it the fatal flaw. If we really made a strategic error, obviously we want it corrected.

Carlson inquired how the alternate traffic motion west on Adams to Cornhusker will be accomplished. Seacrest advised that if traffic westbound on Adams today wants to continue westbound on Cornhusker Highway, they will have to stay on the Adams Street connector and access the new roadway by coming under the railroad and back to the new north/south road, or they can take a shortcut down Monroe Street and access 33rd. Traffic studies have shown that the primary movement is accessing Cornhusker Highway but it is downtown bound. Most of that traffic does not continue west on Cornhusker Highway so the majority of the traffic now accessing Cornhusker Highway from Adams will stay on the Adams connector and come Downtown on the new north/south roadway.

Bayer noted the comment by the opposition that "pictures are reality". What would happen to cause them not to develop? Seacrest believes that the community has made it clear that they want us to do it right. The whole theory of Antelope Valley was to not solve one problem and create three. We had eight purposes and goals and we've tried to knock down all eight. We are just confident that the partners have heard this community. They would not be willing to show imaging and not follow through. We have budgeted to do the aesthetics the way they are shown. In fact, we have a 20% contingency in the budget. We have had two design charrettes and have been sensitive to the aesthetics. We are ready to go into the more detailed design and JAVA will be involved.

Figard stated that the express purpose of the advisory committee of JAVA is to see that the project is implemented as the community approved it.

Bayer wanted to know at what point in the process the boulevard will be constructed. Seacrest indicated that generally, construction will occur north to south in the development. We also think the community will see a cost/benefit study--the community benefit for getting over the railroad tracks is worth many, many, many millions of dollars. We think the big X bridge will be early along this pathway. Then most likely the road will be going on down to the south in the sequencing. Those decisions have not been made. We will be seeking large amounts of federal dollars for this project. In order to get that funding, we have to have the EIS. The EIS is on the two-way road network, so if we decided on a one-way pair we would need to

amend the EIS either now or later. Today we would be amending the draft and later we would be amending the approved EIS so that we can be eligible for federal funding.

Bayer confirmed then that it would be difficult to switch to one-way pairs. Seacrest agreed that it would be difficult but not impossible. Figard clarified that if the Comprehensive Plan Amendment is sent on as recommended, it will show the wide boulevard two-way roadway on 19th Street. If that were changed, we would have to go back through the process. Newman wanted to know if that decision could be left open so that they could go back to it. Seacrest cautioned again that a lot of this project is federally funded. About half of the creek is federally funded. We hoped to get local approval this year so that the Army Corps can sign off by the end of this year. If we do not get the Corps signing off by the end of this year, the experts tell us that we are going to wait two years. You can't build roads in floodplains with federal dollars. We remove the floodplain to build the road with federal dollars. The road and creek are intertwined and the Corps and feds have been coordinating with each other. If we don't get the Corps to sign off, the federal moneys are hard to secure; if we don't have a preferred local strategy for the road, we don't know what the feds would say. The hardest part of this process is looking property owners in the eye and telling them we haven't made up our mind yet. We definitely could study it more, but there are consequences and costs.

If the Commission would choose to amend to the one-way pairs, Figard believes the EIS would no longer be valid. We would not be allowed to move ahead with just part of the property because we would not have full disclosure of the new alignment.

Public hearing was closed.

Bayer scheduled administrative action as the first item of business at the next regular meeting on October 4, 2000. He requested that the Commissioners please be prepared to have an orderly discussion during the vote.

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

October 4, 2000

Members present: Carlson, Hunter, Steward, Schwinn, Duvall, Taylor, Bayer and Newman; Krieser absent.

Duvall moved approval, seconded by Hunter.

Duvall finds this far-reaching and taking Lincoln into the future. It is greatly ambitious. It brings together the state and city into new levels that we've never seen before. He is very excited about this project.

Schwinn commented that the Commission heard a tremendous amount of testimony about this project during the hearing and the process. There were some disgruntled people that felt they had not been involved in the process. However, he believes the citizens had the opportunity to become part of the process. He does not think any arms were twisted. He believes there was consensus. There were comments about it being a "UNL land grab". Schwinn suggested that UNL is the crown jewel of our state and, as the city chosen to have this university, we should help it as much as possible. The University was here a lot longer than any of us in this room

and we need to support it and allow it to create its own marked entity and having a main road traveling through like 16th and 17th do today is not good. For these reasons and for protection of the floodplain, Schwinn is very much in favor.

Steward commended the key planners and promoters for this project and the way it was handled. He agrees with Schwinn that if there was anyone in the city who now claims at this late date that they did not have opportunity to participate, they only have to look in the mirror and question themselves, not the project. More than any other project during his 30 years of residence, this was done with the intent of openness, transparency and public participation and sets a fine example for future projects. His preference would have been that our forefathers not locate on this watershed. This is why we have this problem. But they did. They didn't have as much information or technical expertise and perhaps as much vision as we try to glean from the planning process today.

Another compliment Steward had was that this project solves more than one problem with a solution. Things are so complex that anytime we try to solve single problems with single solutions, we're missing an opportunity. The perimeter circulation for UNL will bring better safety, and more efficiency to the University and the entire city. As to the neighborhood, if he were living in the adjacent neighborhood he would have been suspicious in the beginning, as many were, and acknowledged that he has been somewhat embarrassed by the UNL move to the east. But this project creates a hard edge, an edge that will serve both the campus and the neighborhood well. The Downtown is also a benefactor in that we will have the opportunity to assemble developable land into new project activities that will be extremely vital to the eastern quadrant of Downtown Lincoln with UNL on the north, state government on the south and the Haymarket on the west. This gives us opportunity for significant closure or definition to a new pedestrian oriented downtown. It provides the opportunity for more housing, and this is essential to the new image and vision of Lincoln's Downtown, but this does not, in his opinion, go far enough.

Steward also observed that this project calls for a new comprehensive look at the urban impacts in traffic and in watersheds. Some of the testimony brought out the fact that maybe the interconnection between this watershed and others in the community has not been carefully evaluated, but this project does not exacerbate that problem--it helps that problem. This project is good for the vitality of the future of Lincoln. Revitalization is something the project purports to accomplish but it can do more if we look at it in a more holistic way.

With regard to the two-way versus one-way pairs, Steward called attention to the history of K, L, P and Q Streets, and the history of blight in the center blocks along those streets. They have been difficult and unattractive from an economic standpoint, and have only begun to be redevelop because other economic forces have come into the City. He would not want to support another potential set of dead blocks between two major thoroughfares. One-way pairs are great for moving cars, but they are not great for a vital city. Steward wholeheartedly and eagerly supports this project.

Hunter stated that it is critically important that we realize what the basis of the project was; that is, for storm water and 100-year flood treatment of water so that we don't experience devastation of the city. The out-spreading of this project into revitalization and redevelopment

where the campus is concerned was all the outgrowth of the original problem—the water. Of critical importance is the health of our Downtown—when you lose a strong city core, you lose the city. Part of this redevelopment and revitalization is going to strengthen Downtown Lincoln. Hunter was concerned with the testimony that everything seems to be for UNL. Regardless of the fact that it may seem like this is predominantly a UNL development, if anyone chooses to ignore the importance of this university in the health of this city and the future growth, you've probably missed the boat in consideration. The Downtown has been flooded in the past, so there is no question as to whether this is a problem. Reinvestment in Downtown will not come without some sort of far-reaching program of revitalization. This is an effort to handle existing problems and look farther into the future than has been done in the past. She wholeheartedly supports this project.

Carlson agreed with the previous comments. The rationale for this project is clear and it is compelling. A neighborhood resident talked about wanting us to keep in mind that our vote is not the end of our participation in Antelope Valley. Her statement was that it represents the beginning of our commitment. If we let the core of the city deteriorate, we will have problems. This is the biggest investment in the Downtown corridor than we have ever had. It is important to follow through. Where we go from here is what is going to make the difference. We have maps, charts and pictures, but how that translates into reality is going to make all the difference in this project. We need to keep our shoulders behind this deal and make sure we encourage that vision and that it actually becomes a reality. We need to continue to encourage the boldness of that vision. We cannot cut corners. Carlson emphasized that we need to be strong in our thoughts about having bold development in this redevelopment area. Let's think clearly and broadly. Let's work hard to establish the best configuration of land uses and the associated transportation elements. Most importantly, let's make sure we have a commitment to the existing neighbors and businesses. That's what this is for. It needs to be paramount to address the needs of those who will lose their business and homes. Let's make sure our commitment stays strong to the people that are affected.

Newman was somewhat hesitant. She understands that no vote is not an available option because we need to do something. She sees it, however, as more of the same as far as transportation— a 6 lane roadway. She sees eleven wonderful goals in the Comprehensive Plan that talk about a multi-model system and alternative modes of transportation. If this is not the core that we can do that in--with the density, the entertainment center, the university--we're missing out if we don't plug a strong transit piece into this. The community has spoken. Those that testified in opposition were not opposed to the revitalization, it was the uncertainty with the details. She will vote in favor and will encourage those people who have given the time and energy to keep plugging away. She agrees that this is the beginning and we can make it something wonderful for the community, but we need to work out those details.

Bayer congratulated to the team. It's neat to be involved in a community that puts together players with different goals and objectives and come to something that is good for our community as a whole. He believes that they have successfully insured that all fatal flaws were eliminated in this plan. As Chair of the Commission, however, Bayer wanted to rebut to comments he has heard about the Commission's votes being preconceived, etc. In the 12 years he has served, that has never been the case. These are well thought-out comments and it is a disgrace to the community that people think the Commissioners have their decision made

before the hearing. He has never seen anyone come here with a preconceived thought or vote dictated by anyone else. Bayer supports the plan and congratulates the team.

Motion for approval carried 8-0: Carlson, Hunter, Steward, Schwinn, Duvall, Taylor, Bayer and Newman voting 'yes'; Krieser absent.