

City Council Introduction: **Monday**, November 4, 2002

City Council Public Hearing: **Monday**, November 18, 2002, at **1:30 p.m.**

Bill No. 02R-261

County Board Public Hearing: **Tuesday**, November 26, 2002, at **1:30 p.m.**

## **FACTSHEET**

**TITLE: COMPREHENSIVE PLAN AMENDMENT NO. 02001.B (Proposal B)**, requested by the Realty Trust Group, to amend the 2025 Lincoln-Lancaster County Comprehensive Plan to change the designation from Agriculture to Urban Residential and Commercial uses, on property generally located at the southeast corner of 84<sup>th</sup> and South Streets.

**STAFF RECOMMENDATION: Denial.**

**ASSOCIATED REQUESTS:** Comprehensive Plan Amendment No. 02001 (02R-258) and Comprehensive Plan Amendment No. 02001.A (02R-259).

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: 10/16/02  
Administrative Action: 10/16/02

**RECOMMENDATION: Denial** (9-0: Steward, Bills-Strand, Krieser, Larson, Carlson, Newman, Taylor, Duvall and Schwinn voting 'yes').

### **FINDINGS OF FACT:**

1. This Comprehensive Plan Amendment was heard before the Planning Commission at the same time as the E-3 Subarea amendment and Proposal A at 84<sup>th</sup> and Van Dorn Streets.
2. The staff recommendation to **deny** this amendment is based upon the "Status/Description" and "Comprehensive Plan Implications" as set forth in the staff report on p.2, concluding that this proposal for commercial/residential use in the near term is premature to development within this square mile. At this time, the applicant has not provided sufficient information to show that a portion of this site could be provided with sanitary sewer service per city standards.
3. The minutes of the Planning Commission are found on p.4-5.
4. The applicant's testimony is found on p.4.
5. The Planning Commission discussion with staff is found on p.4-5.
6. There was no testimony in opposition.
7. On October 16, 2002, the Planning Commission agreed with the staff recommendation and voted 9-0 to recommend **denial**. See Minutes, p.5.

**FACTSHEET PREPARED BY:** Jean L. Walker

**DATE:** October 29, 2002

**REVIEWED BY:** \_\_\_\_\_

**DATE:** October 29, 2002

**REFERENCE NUMBER:** FS\CC\2002\CPA.02001.B

## LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

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### Amendment #02001 - Proposal B Commercial at Southeast Corner of 84th & South Street

Applicant	Location	Proposal
Robert Weigel, Realty Trust Group	Southeast corner of 84 <sup>th</sup> Street and South Street	Designation of Urban Residential and Commercial uses
<p><b>Recommendation for Proposal B:</b> Denial Based on the information presented to date, this site can not be provided with sanitary sewer service and is inappropriate for commercial designation.</p>		

#### Status/Description

This item was initially proposed to the City Council and County Board in May 2002 as part of the review of the draft 2025 Comprehensive Plan. The Council and Board decided to send this item to the Planning Commission for consideration as part of the Comprehensive Plan Amendment #02001.

This area is in the Stevens Creek drainage basin and is Priority B of the Comprehensive Plan. The applicant has not provided a plan showing how this site could be provided with utility service or a specific amount of commercial land.

To the north, east and south is agricultural land. To the west are residential uses, City fire station and water reservoir. The northwest there are a few homes and a church. South Street has 66 foot right-of-way width, but is unopened and is unimproved.

#### Comprehensive Plan Implications

This property is inside the future service limit and designated as “Priority B” areas in the Plan (page F 31). Priority B areas currently lack infrastructure and are shown for development generally beyond the next 12 years. Development in the near term is not in keeping with Priority B areas.

This site is in the Stevens Creek drainage basin and can not be provided with sanitary sewer service per city standards.

The applicant discussed alternative uses for this site other than this commercial/residential proposal. At this time additional information about this site has not yet been submitted and reviewed.

The applicant has discussed a proposed commercial uses as part of a mixed use “life style” center. The Comprehensive Plan does encourage a mix of land uses and housing types. However, the designation of this property, or any other property in this portion of the Stevens Creek drainage basin is premature as it in Priority B. The process as designated in the Comprehensive Plan (page F 47 of the Plan) is for the location of neighborhood commercial centers

to be determined as development proceeds within an area. Development in the square mile from 84<sup>th</sup> to 98<sup>th</sup>, from A Street to Van Dorn (Priority B area) is potentially more than 12 years away.

Conclusion to Proposal B

This proposal for commercial/residential use in the near term is premature to development within this square mile. At this time the applicant has not provided any information to show that a portion of this site could be provided with sanitary sewer service per city standards and should be designated for near term development.

Prepared by

Duncan L. Ross, AICP  
Planning Department

# COMPREHENSIVE PLAN AMENDMENT NO. 02001

## PROPOSAL B - 84<sup>th</sup> & South Streets

### PUBLIC HEARING BEFORE PLANNING COMMISSION:

October 16, 2002

Members present: Steward, Bills-Strand, Krieser, Larson, Carlson, Newman, Taylor, Duvall and Schwinn.

Staff recommendation: Denial

Henrichsen also explained that after the Planning Commission hearing on the Comprehensive Plan in April, the two Proposals A and B were brought to the City Council and County Board. Those bodies requested that Proposals A and B be returned to the Planning Commission for consideration.

Proposal B: 84th & South Streets:

**1. Mike Marsh of Realty Trust Group** presented this request for commercial designation on approximately 20 acres. Dave Northey will be bringing forward a development proposal for a tennis park. Dave Northey will be the developer and owner.

**2. Dave Northey**, 2033 Manor Court, the owner and developer of the proposed tennis facility, testified in support. This is something he has been working on for over a year. He believes it will be very beneficial to the city. One of the issues is South Street which is not there right now, and he is working on that as being a possible access location. They are proposing a lagoon which is in the northeast part of the section. Another option is annexation which would allow the use of city water. This will be a world class tennis facility. It has not been seen in the Midwest. Northey has 25 years in the business. There will be 12 indoor courts and it will be a full scale facility as far as a health club scenario. There will also be outdoor courts. It will be one of the four junior world class training centers in the country. It would involve some small scale tournaments. From a revenue standpoint, it would be a great opportunity for Lincoln. This is a place where the University would like to train. With this facility, the juniors won't have to leave Lincoln to stay in the tennis sport.

There was no testimony in opposition.

Staff questions

Carlson referred to Proposal B at 84<sup>th</sup> and South Street and wondered whether a recreational facility could be done in the existing AG zoning. Henrichsen stated that it is not necessary to designate the property as commercial in order to apply for a special permit for a recreational facility.

Schwinn confirmed that at 84th and South Street, the developer could come forward with a proposal for a recreational facility in the AG zoning. Would the lagoon be acceptable? When would annexation occur? Henrichsen suggested that they can bring that proposal forward without a Comprehensive Plan Amendment.

Response by the Applicant

Hutchinson stated that he wants to be able to work with the city to do a final determination on the gravity flow because he has a feasibility letter.

Public hearing was closed.

**COMPREHENSIVE PLAN AMENDMENT NO. 02001.B**  
**ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

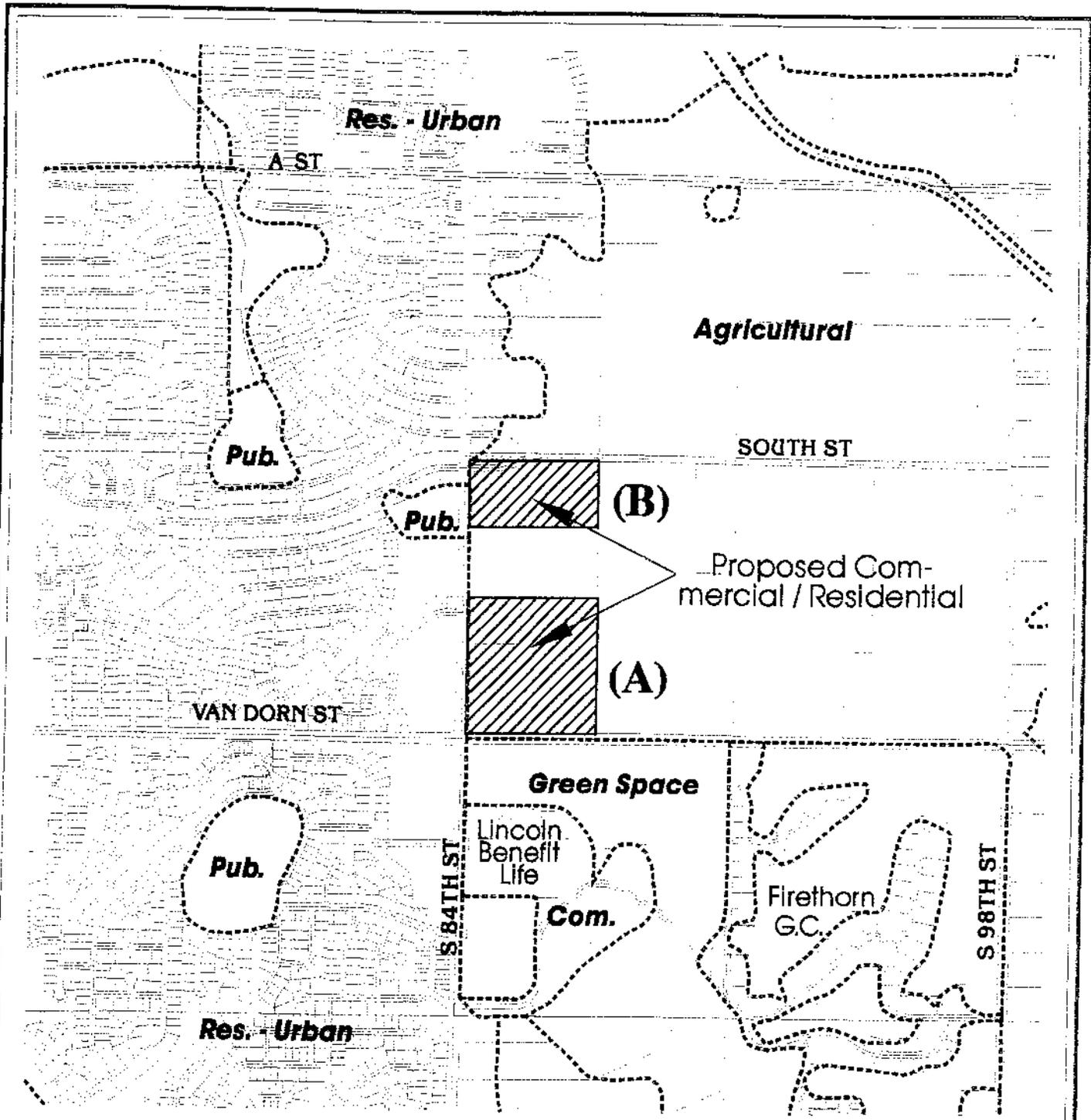
October 16, 2002

Carlson moved to deny, seconded by Steward.

Carlson believes the project proposed by the developer can be accommodated in the AG zoning. Schwinn agreed. We have had indication from staff that this project can move forward without changing the Comprehensive Plan.

Steward believes this would be a terrific project for the city to have as a recreational facility and he is hopeful that it can find its way through the process, but this is not the route.

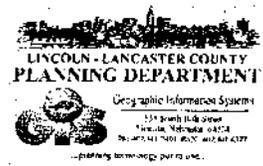
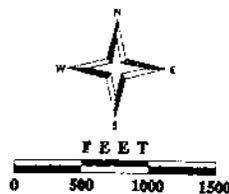
Motion to deny carried 9-0: Steward, Bills-Strand, Krieser, Larson, Carlson, Newman, Taylor, Duvall and Schwinn voting 'yes'.



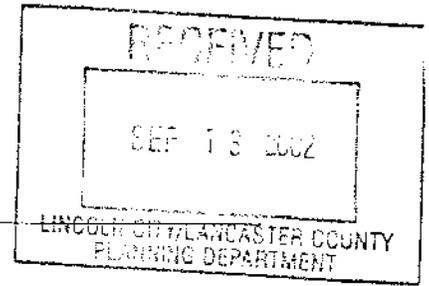
# 84th & Van Dorn (A); 84th & South (B)

## Comprehensive Plan Proposals A & B

- Land Use Boundary
- Res** Land Use Category
-  Proposed Commercial and Residential



# M e m o r a n d u m



**To:** Duncan Ross, Planning  
**From:**  Dennis Bartels, Public Works and Utilities  
**Subject:** Comprehensive Plan Amendments  
**Date:** September 12, 2002R  
**cc:** Randy Hoskins  
Nicole Fleck-Tooze

The Short Term Planning Section of Engineering Services has the following comments concerning the 2002 Comprehensive Plan Amendments:

1. Proposal #1 to extend water to 4100 Southwest 56th is recommended for denial because of the anticipated expense to extend water and provide adequate pressure to provide service to this limited area. The area also cannot be served with public sanitary sewer for an indeterminate amount of time.
2. The proposed commercial for 84th and Havelock in Proposal #9 is located at least partially in the flood plain. At least portions of this area were not anticipated to be served by the Regent Heights trunk sewer although as constructed, it appears at least portions of the area can be served by gravity sewer service subject to how the area is graded and filled.
-  3. The proposed commercial/residential proposals for east of 84th between South Street and Van Dorn Street are both located in Stevens Creek. The sewerability of these areas is questionable in regard to downstream capacity of existing sewers and the grading and fill that would be required to provide gravity sewer service. Any service to these areas would not meet design standards.