

MINUTES
PUBLIC HEARING FOR THE LINCOLN-LANCASTER COUNTY
COMPREHENSIVE PLAN 2025
THURSDAY, JULY 10, 2003
COUNTY BOARD/CITY COUNCIL CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
5:30 P.M.

Present: Jon Camp, City Council; Jonathan Cook, City Council; Glenn Friendt, City Council; Bernie Heier, County Commissioner; Larry Hudkins, County Commissioner; Annette McRoy, City Council; Patte Newman, City Council; Deb Schorr, County Commissioner; Ray Stevens, County Commissioner; Ken Svoboda, City Council; Bob Workman, County Commissioner, Bruce Medcalf, County Clerk; Joan Ross, City Clerk; Marvin Krout, Planning Director; Kent Morgan, Assistant Director of Planning Department; Stephen Henrichsen, Special Projects Manager in the Planning Department; and Mike DeKalb, Planner.

Absent: Terry Werner, City Council

The joint meeting of the Lancaster County Board and the Lincoln City Council was convened at 5:30 p.m.

I. CITY COUNCIL CHAIR CALLS CITY OF LINCOLN CITY COUNCIL TO ORDER:

Jonathan Cook, past City Council Chair, made introductions and called the City Council to order.

II. COUNTY BOARD CHAIR CALLS LANCASTER COUNTY BOARD TO ORDER:

Bernie Heiser, Chair of the County Board, made introductions and called the County Board to order.

III. NOMINATION AND ELECTION OF JOINT PUBLIC HEARING CHAIR:

MOTION: McRoy moved and Stevens seconded to nominate and elect Ken Svoboda as Chair of the joint public hearing. Camp, Cook, Friendt, Heier, Hudkins, McRoy, Newman, Schorr, Stevens, Svoboda, Workman voted aye. Motion carried.

Svoboda explained that purpose of the hearing was to take testimony of the proposed Comprehensive Plan and briefly discussed protocol for the hearing.

Svoboda also explained that the hearing will close today and each board will take action on these amendments separately at their regularly scheduled meetings next week.

IV. PUBLIC TESTIMONY

COMP. PLAN AMENDMENT 03001 - APPLICATION OF PUBLIC WORKS & UTILITIES DEPARTMENT, THE PARKS & RECREATION DEPARTMENT, AND THE PEDESTRIAN-BICYCLE ADVISORY COMMITTEE TO UPDATE THE BICYCLE AND TRAILS ELEMENT ON THE 2025 LINCOLN/LANCASTER COUNTY COMPREHENSIVE PLAN.

Mike Brienzo, Public Works Dept., came forward to explain the trail system to the joint board members to extend the trail system and promote safety. The Public Works Dept. along with the Parks Dept. worked with the Pedestrian Bicycle Committee over the past year to review the Pedestrian Bicycle Plan to update the system to reflect an interconnected or a single system that would represent an on-street bike route plus a pedestrian bicycle trail system, which would be separate from the street system into an interconnecting system, as well as look at look at the grade separations that were proposed in the plan. The result is the map before you that we are recommending inclusion in the Comprehensive Plan, as well as an indication that grade separation crossings are to be considered at all trail arterial street intersections that do not coincide with arterial separated crossings. Councilman Friendt asked about the estimated costs for retrofitting an intersection, an underpass or grade separation. Mr. Brienzo indicated that would have to be reviewed on a case by case basis when a road is

being designed and the cost would be reduced greatly if it could be accommodated. He cited the most recent project at 84th Street with the pedestrian underpass that was proposed along Antelope Creek, and it tends to be several hundred thousand dollars, depending on being separate from the project or associated with the project. Commissioner Stevens asked if the trail would not go through if the grade separated crossing does not work. Mr. Brienzo replied that the intent is to find a way to make it work or reroute it to a key intersection where it could be accommodated with the traffic signal and that safety is the real issue. Councilman Friendt asked if there would be public review and comment on each project as it is brought forward and Mr. Brienzo indicated that would be the process. Councilman Friendt also stated he would like to see more data on the trail usage, for example, spending versus population. Mr. Brienzo replied that most of the use of the trails is within the city. It is the goal to eventually have a trail within a one mile radius of every residence. Councilman Friendt again asked how to compare the cost and maintenance to the usage. Mr. Brienzo indicated that this could be generated in an upcoming mobility study. Commissioner Heier asked if these locations included the County. Mr. Brienzo indicated that it did and to name a few such as the MoPac, the Jamaica, and The Homestead Trails. Councilman Camp asked if there are industry standards or standards from other cities to help us get a good level feel of what is out there in other communities. Commissioner Workman said he liked the proposed change in the Comp Plan. It does say consider the costs, but it is just a reminder to consider grade separation when new construction comes along. He commented that you couldn't put a dollar value on the trails for Lincoln per user. It is like having the ocean next to Los Angeles, not everyone uses it, but it is a very valuable asset. The trails are a wonderful asset for us. Commissioner Stevens indicated that the Great Plans Trails Network at least once a year does a survey count and it is broken down by type of locomotion, areas of use and numbers.

This matter was taken under advisement.

COMP. PLAN AMENDMENT 03002 - APPLICATION OF PUBLIC WORKS & UTILITIES TO AMEND THE 2025 LINCOLN/LANCASTER COUNTY COMPREHENSIVE PLAN TO ADOPT THE 2003 LINCOLN WATER SYSTEM FACILITIES MASTER PLAN.

Duncan Ross, Planning Dept. came forward to explain the Water System Master Plan and was available for questions. The Lincoln Water Systems Facilities Master Plan was coordinated very closely with the development of the Comprehensive Plan. Councilwoman Newman asked about having GIS data base to date of where the lines are being replaced. Will that be done in the future? Mr. Ross replied he would have to get an answer for her on that matter.

This matter was taken under advisement.

COMP. PLAN AMENDMENT 03003 - APPLICATION OF PUBLIC WORKS & UTILITIES TO AMEND THE 2025 LINCOLN/LANCASTER COUNTY COMPREHENSIVE PLAN TO ADOPT THE 2003 LINCOLN WASTEWATER FACILITIES PLAN.

Duncan Ross, Planning Dept. came forward and again affirmed this amendment to the board. It has the recommendations that allow the City to look at the infrastructure that is needed to serve the future service limit within the next 25 years.

This matter was taken under advisement.

COMP. PLAN AMENDMENT 03006 - APPLICATION OF PUBLIC WORKS & UTILITIES AND THE TECHNICAL COMMITTEE OF THE MPO, TO AMEND THE MOBILITY AND TRANSPORTATION SECTION OF THE 2025 LINCOLN/LANCASTER COUNTY COMPREHENSIVE PLAN TO UPDATE THE EXISTING AND FUTURE STREETS AND HIGHWAYS FUNCTIONAL CLASSIFICATION MAPS.

Mike Brienzo, Public Works Dept., came forward to discuss the proposed update to the existing and future functional classifications maps that are in the Transportation Section of the Comprehensive Plan. The intent is to coordinate with the Federal Highway functional classification system which is managed by the State Dept. of Roads. And we work with the county and city to incorporate their elements into it as well. Items being addressed are the functional classification of roadways within the urbanized areas as defined by the U.S. Census and adjusted according to our new land use plan have to be classified as urban arterials. We need to adjust the state highway classifications to match

the State Map and we want to coordinate our system with theirs and this adjustment was made on the map shown. There was also a recommendation that we had the future non-existing road, such as Antelope Valley and the beltway identified on the functional classification map so that federal funds could be allocated for those projects.

This matter was taken under advisement.

COMP. PLAN AMENDMENT 03010 - APPLICATION OF HAMPTON DEVELOPMENT SERVICES TO AMEND THE 2025 LINCOLN/LANCASTER COUNTY COMPREHENSIVE PLAN TO CHANGE FROM URBAN RESIDENTIAL TO COMMERCIAL AND TO MAKE MINOR MODIFICATIONS TO THE BOUNDARY BETWEEN COMMERCIAL AND URBAN RESIDENTIAL USES NORTH OF INTERSTATE 80 BETWEEN NORTH 14TH AND NORTH 27TH STREETS.

Mark Hunzeker, Attorney, 1045 Lincoln Mall, Suite 200, representing Hampton Development Services on this Stonebridge Creek Development. This amendment will increase by 20 acres the commercial acreage that is within this subarea with little or no change in the commercial uses that are proposed. Councilwoman Newman asked the size of the area that was moved around to create a buffer to protect the environmentally sensitive areas. Mr. Hunzeker indicated that change was made in respect to comments by the Game and Parks Commission people. Commissioner Stevens asked if this had extended the parks and open space area and split the urban residential area into two sections, one of which will now be commercial. Mr. Hunzeker agreed that it had.

This matter was taken under advisement.

COMP. PLAN AMENDMENT 03011 - APPLICATION OF MEGINNIS FARM JOINT VENTURE, RIDGE DEVELOPMENT COMPANY, AND SOUTHVIEW INC. TO AMEND THE 2025 LINCOLN/LANCASTER COUNTY COMPREHENSIVE PLAN TO REVISE THE COMMUNITY CENTER COMMERCIAL DESIGNATION TO DESIGNATE SPECIFICALLY THE NORTHWEST AND NORTHEAST CORNERS OF 98TH AND O STREET AS A COMMUNITY CENTER; TO REVISE THE LIGHT INDUSTRIAL DESIGNATION FOR A FUTURE "EMPLOYMENT CENTER" TO SPECIFICALLY DESIGNATE AN AREA NORTHWEST OF 98TH AND O STREET AS INDUSTRIAL; AND TO SPECIFICALLY DESIGNATE COMMERCIAL AND INDUSTRIAL USES AT 98TH AND O STREETS.

DaNay Kalkowski, Attorney, Seacrest & Kalkowski, 1111 Lincoln Mall, Suite 350, representing Meginnis Farm Joint Venture and Ridge Development Co. and Southview Inc. who have been working closely in this area with Southeast Community College. This amendment request would more specifically locate the L-I designation and C designation to the area north of "O" Street, which would be located on the Meginnis property and the Finke property. There was an original request for a neighborhood center at the SW corner of 98th and Holdrege Street. After meeting with the neighbors and Planning Dept. and hearing their concerns about that location, that request was withdrawn at Planning Commission. Commissioner Heier asked about the maps in the printed books regarding 98th Street being extended across "O" Street, and it shows the designated lake where the NRD plans to put a dam. Ms. Kalkowski stated we have had discussions of where 98th should go around the lake or the direct right-of-way. This will ultimately be the connection between "O" Street and Holdrege Street.

Peter Katt, Attorney, 1045 Lincoln Mall, Suite 200, representing Home Builders Association of Lincoln. We are neutral as to the specifics of the proposal, but as to the Comprehensive Plan implications, we believe that there are at least two significant items: a) accelerated development in the Steven's Creek Watershed, and b) the wastewater treatment for this area. Councilwoman McRoy asked Mr. Katt what he proposed to do regarding the wastewater system. Mr. Katt responded that the City should invest in the adequate trunk line to fund this area. Ms. McRoy referred to the Steven's Creek Basin Review Study and Mr. Katt confirmed that it recommended the development of the west side of Steven's Creek Watershed and that it is a significant enough stream that there would be significant costs with crossing it with roads and continuing the development on the west bank. There are a sufficient number of acres on the west bank of Steven's Creek for development and that could be served with a line once we get through the big floodplain area at Highway 6 to the NE treatment plant area.

Mark Hunzeker, 1045 Lincoln Mall, Suite 200, representing Sunrise

Estates Community Association. The acceleration of this particular parcel by use of a lift station, pumping sewage to the Regent Heights Sewer line has implications that will effect this homeowner's association in that the only area that the property controlled by the developer comes close to city limits is in the area of SE Community College and they are of course willing to be annexed. We were told it is a preference not to annex the land to the South because that is uphill from where the sewer lift station is going to be and to simply go east from 84th Street to annex this area, including the Sunrise Estates Home Owners Association in order to get to a point where you have contiguous city limits in order to go forward without annexing the entire property. This site has been developed in a way that will make it easier than most but there are a lot of issues that have to do with extensions of utilities, the standard of the roadways, street lighting, etc. that will have to be dealt with. We are pleased that the alignment of 98th street is not being approved by this action and also that the neighborhood shopping center has been withdrawn. I also represent Ray Atwood who is the owner of a piece of ground on the south side of "O" Street that is clearly going to be next in line on the sewer if this area is served. The policy needs to be changed on the size of lift stations to accommodate the entire sub-basin being served. Councilman Camp questioned if the developers could work with the Council to help this fit the Comprehensive Plan more effectively.

This matter was taken under advisement.

COMP. PLAN AMENDMENT 03012 - APPLICATION OF UNO PROPERTIES, INC. AND APPLE'S WAY LLC TO AMEND THE 2025 LINCOLN/LANCASTER COUNTY COMPREHENSIVE PLAN TO CHANGE APPROXIMATELY 60 ACRES FROM URBAN RESIDENTIAL TO COMMERCIAL AT SOUTH 66TH STREET AND HIGHWAY 2.

Tom Huston, Attorney, 233 S. 13th Street, Suite 1900, representing Apple's Way II & UNO Properties, and they are requesting a withdrawal of this item.

This matter was taken under advisement.

COMP. PLAN AMENDMENT 03013 - APPLICATION OF LIVINGSTON INVESTMENTS TO AMEND THE 2025 LINCOLN/LANCASTER COUNTY COMPREHENSIVE PLAN TO CHANGE FROM URBAN RESIDENTIAL TO COMMERCIAL ON APPROXIMATELY 7 ACRES ON THE NORTH SIDE OF HIGHWAY 2 BETWEEN PINE LAKE NEIGHBORHOOD AND BEREAN CHURCH; AND TO CHANGE THE USE OF COMMERCIAL PROPERTY ON THE SOUTH SIDE OF HIGHWAY 2 AT PINE LAKE ROAD CURRENTLY ZONED O-3 OFFICE DISTRICT, FROM OFFICE TO RETAIL IN THE APPROVED SOUTHEAST LINCOLN/HIGHWAY 2 SUBAREA PLAN. **(Request of Applicant to Withdraw)**

Peter Katt, Attorney, 1045 Lincoln Mall, Suite 200, representing Livingston Investments who are withdrawing their application.

This matter was taken under advisement.

COMP. PLAN AMENDMENT 03014 - APPLICATION OF RIDGE DEVELOPMENT COMPANY AND SOUTHVIEW, INC. TO AMEND THE 2025 LINCOLN/LANCASTER COUNTY COMPREHENSIVE PLAN TO MOVE THE COMMUNITY CENTER COMMERCIAL DESIGNATION FROM S. 40TH STREET AND YANKEE HILL ROAD TO S. 27TH STREET AND YANKEE HILL ROAD; TO MOVE THE NEIGHBORHOOD CENTER DESIGNATION FROM S. 27TH STREET AND YANKEE HILL ROAD TO S. 40TH STREET AND YANKEE HILL ROAD; AND TO CHANGE THE LAND USE PLAN TO DESIGNATE PROPERTY TO THE NORTHWEST OF S. 27TH STREET AND YANKEE HILL ROAD AS COMMERCIAL.

DaNay Kalkowski, Attorney, Seacrest & Kalkowski, 1111 Lincoln Mall, Suite 350, representing Ridge Development and Southview Inc., who are the owners of the property located basically between 27th and 40th Street located north of Yankee Hill Road. The Comp Plan now shows a site-specific neighborhood center on the northeast corner of 27th & Yankee Hill Road and a site-specific Community Center on the Northwest corner of 40th and Yankee Hill Road. The amendment request is to just flip those two designations.

This matter was taken under advisement.

COMP. PLAN AMENDMENT 03015 - APPLICATION OF LINCOLN FEDERAL SAVINGS BANK TO AMEND THE 2025 LINCOLN/LANCASTER COUNTY COMPREHENSIVE PLAN TO MOVE THE COMMUNITY CENTER COMMERCIAL DESIGNATION FROM ONE-HALF

MILE SOUTH OF S. 40TH STREET AND YANKEE HILL ROAD TO S. 27TH STREET AND YANKEE HILL ROAD; TO MOVE THE NEIGHBORHOOD CENTER DESIGNATION FROM S. 27TH STREET AND YANKEE HILL ROAD TO ONE-HALF MILE SOUTH OF YANKEE HILL ROAD AND WEST OF S. 40TH STREET; AND TO ADD INDUSTRIAL USE AT ONE-HALF MILE SOUTH OF YANKEE HILL ROAD ON THE WEST SIDE OF S. 40TH STREET FOR FUTURE "EMPLOYMENT CENTER."

Mike Rierden, Attorney, 645 "M" St., Suite 200, representing Lincoln Federal Savings Bank and Security Financial came forward to explain the present Comp Plan design for this area at Yankee Hill Road and Rokeby on the south, 40th Street on the east and 27th Street on the west. We have a Community Center on 40th between Yankee Hill and Rokeby and a Neighborhood Center in the corner of 27th and Yankee Hill Road. We are proposing to just flip those two designations. Additionally there is some proposed industrial zoning to go along with the neighborhood center. He presented the plan that Lincoln Federal and others have in mind for this area.

Councilman Friendt asked Mr. Henrichsen to explain the changes to the Comp Plan by this particular amendment. Mr. Henrichsen stated that the area designations for commercial and light industrial centers were shown with a not-site specific designation. The plan actually envisioned them being this way. We have looked at having a neighborhood center within each square mile and one large size community size center. From this standpoint we are simply switching those two sites and it generally is about the same in terms of traffic impact.

Commissioner Stevens asked about the designated area for the school and whether it was donated or if the school buys that land at the commercial rate. Mr. Rierden stated this will be a land swap.

Councilman Cook asked how much area was served by a community center in the Comp Plan and would it not be in the best interest to spread them further apart. Mr. Henrichsen stated that in general they would be two to three miles apart rather than one every square mile. Councilman Cook asked that if in this swapping, is this clustering of these larger centers of concern. Mr. Henrichsen replied we normally have greater spacing, however, The Center at 14th & Yankee Hill, the Southpointe Pavillions at 27th & Pine Lake Road, were both approved prior to the Comp Plan as well as the commercial zoning on the northeast corner of 27th & Yankee Hill and the commercial zoning on the northwest corner of 40th & Yankee Hill. Mr. Cook said if we approve moving these designations around partly on the basis of car dealerships saying there will be a new car dealership and possibly a second one, and that doesn't come to pass and in fact retail goes in there, we say we couldn't get a car dealership, should that kind of concern be weighing on our decision? Mr. Henrichsen stated that the Use Permit that will be coming forward to City Council, where you have more of those details, one of the reasons on the northeast corner, previously had a use permit approved with a certain amount of traffic generation and a certain amount of floor area. The applicant on the northeast corner and that is the previous amendment and that is #14 is already saying they are generally going to have the same amount of floor area and same amount of trip generation. So through your use permit that is one thing staff could address. If either of those projects as they come forward with more details are not living up to what had been discussed for those sites, particularly in terms of trying to have a more neighborhood oriented site like we see with this particular application, it would certainly be noted as not being in conformance. Mr. Rierden alluded to the site plans he handed out to you are really quite out of date. The updated site plans are shown on page 19 and 20 of your fact sheet particularly what is discussed on the 40th street side is really more of an employment center, light industrial designation and that is what is proposed in this comp plan amendment.

This matter was taken under advisement.

COMP. PLAN AMENDMENT 03016 - APPLICATION OF THE PLANNING DIRECTOR ON BEHALF OF DWAIN ROGGE TO AMEND THE 2025 LINCOLN/LANCASTER COUNTY COMPREHENSIVE PLAN TO CHANGE A PORTION OF PROPERTY DESIGNATED "ENVIRONMENTAL RESOURCES" TO "INDUSTRIAL" BETWEEN SALT CREEK AND ARBOR ROAD, WEST OF NORTH 70TH STREET.

Peter Katt, Attorney, 1045 Lincoln Mall, Suite 200, representing Dwaine Rogge, came forward to speak to the specifics of the environmental resource designation. There is a wetland determination and wetland mitigation plan that was approved by the U.S. Army Corps of Engineers.

There are no Category 1 or Category 2 saline wetlands on this property. The remaining issue in this amendment is if it is appropriate to impose a 500' environmental resource buffer on this property. Commissioner Stevens asked how much property Mr. Rogge owns. Mr. Katt explained that his property was from the section line east to 70th Street, including Arbor Road south to Salt Creek.

Tim Knott, representing the local Audubon Chapter, came forward regarding the protection of unique natural resources in Lancaster County. Commissioner Heier asked if the Tiger Beetle Study has been started. Mr. Knott did not have the details regarding this matter. Mike DeKalb, Planning Dept., came forward and stated there has been federal funding through Game and Parks Commission for the etymologists at the University to continue their work again this summer. Commissioner Heier stated that he was sure if the Tiger Beetle had been found in this area, we all would have been notified.

Ted LaGrange, Nebraska Game and Parks Commission, came forward regarding this issue and why certain buffers have been recommended. His agency continues to support the need for a 500' buffer around saline wetlands and other unique resource areas. Commissioner Workman asked if this 500' buffer applies to this particular property. What does this environmental buffer do to the property owner, does that allow him to sell it or what can he do? Mr. LaGrange stated this would have to be addressed by the City or the County. Commissioner Hudkins stated he believed there was conflicting testimony regarding 1994 aerial maps and then there was on-site verification. Mr. LaGrange affirmed that all of the wetlands that were categorized were visited. Mr. Hudkins also inquired about the Abbott Sports Complex and why it was not designated. Mr. LaGrange stated the soil types changed in that area. Commissioner Heier questioned why there was a 30' buffer recommended previously and now advocating a 500'. Mr. LaGrange stated the 30' recommendation came from his agency years ago and was tied to a permit action, and we needed a minimal buffer for mitigation. And now the Salt Creek Tiger Beetle endangerment preservation has come along and the Tiger Beetle Cabinet has come up with that 500' recommendation. Commissioner Stevens wanted to know if this area is all within the 500' buffer area of a saline wetland. Mr. LaGrange stated it was categorized that way in the 93/94 survey. Our agency is wanting to put together better guidelines on how to do a re-categorization or revisit a site. Commissioner Workman questioned if this was within the City limits. Mike DeKalb stated that the Mayor's letter addressed a 500' buffer of land outside the city limits and there is no buffer within the city limits.

Mr. Katt returned for rebuttal, stating his client is not opposed to the overall objectives of the Comprehensive Plan. The issue is regarding that there is not a wetland determination on his client's property. Furthermore we have no indication of when the studies will be completed. My client is agreeable to work with the 30' buffer that has been determined in the letter from Nebraska Game and Parks Commission. Commissioner Workman asked if there was any incentive for the property owner to the east to have his land designated as a saline wetland. Mr. Katt replied it would be quite detrimental to have that designated. However the property owner to the west had an environmental scientist look at the land to determine the type of wetland. Commissioner Stevens asked Mr. Katt what it would take to re-categorize this area. Mr. Katt stated that he didn't know the cost involved, unless the governmental agencies decided on their own to go out and re-evaluate.

This matter was taken under advisement.

7:25 P.M. BREAK

7:35 P.M. RECONVENE

COMP. PLAN AMENDMENT 03017 - APPLICATION OF JIM BURDEN TO AMEND THE 2025 LINCOLN/LANCASTER COUNTY COMPREHENSIVE PLAN TO INCLUDE A PRESENTATION OF A UNIVERSAL TRANSPORTATION SERVICE KNOWN AS PERSONAL RAPID TRANSIT OR PRT.

Jim Burden, 7000 NW 27th Street, came forward in support of the Personal Rapid Transit Plan. He gave a breakdown of expenditures for transportation. He would like to see the City of Lincoln consider this

plan within the Comp Plan. Commissioner Workman asked if there are any cities using this method. Mr. Burden indicated that there is not a system like this in place. Councilwoman Newman asked Mr. Burden if he was asking for the funding of this project and he indicated he was just asking for the terminology to be included in the Comprehensive Plan.

This matter was taken under advisement.

COMP. PLAN AMENDMENT 03018 - APPLICATION OF ANDERMATT, L.L.C. AND EIGER CORPORATION, TO AMEND THE 2025 LINCOLN/LANCASTER COUNTY COMPREHENSIVE PLAN TO CHANGE APPROXIMATELY 44 ACRES OF LAND FROM URBAN RESIDENTIAL TO COMMERCIAL, NORTH OF HIGHWAY 2 AND EAST OF S. 91ST STREET, IN THE LAND USE PLAN AND THE SOUTHEAST LINCOLN/HIGHWAY 2 SUBAREA PLAN; AND AMEND TEXT ACCORDINGLY.

DaNay Kalkowski, Attorney, Seacrest & Kalkowski, 1111 Lincoln Mall, Suite 350, representing Andermatt LLC and Eiger Corp. came forward to explain the history of the site. This amendment proposes an extension of commercial designation east of 91st Street, between Highway 2 and south of the lake. The green space along Hwy. 2 would be extended. This would add 40 acres to the regional center east of 91st Street, while maintaining a significant residential component along 98th Street. Andermatt and Eiger are agreeing to retain the P.M. trip cap that is set out in the annexation agreement. The Planning Dept. has recommended approval of this amendment. We have reached an agreement with the Heritage Lakes neighbors by addressing several of their concerns. We have agreed to place private covenants on the use of the property in the pink area to transitional uses. We are also placing a covenant that assures the urban residents will remain in residential uses. Councilman Camp asked if the commercial was put in along the Highway 2 corridor, is that going to be multi-family use area. Ms. Kalkowski confirmed it was.

Kent Morgan of the Planning Dept. came forward to clarify a question posed by Commissioner Stevens on whether or not the staff had recommended approval. Mr. Morgan indicated there had been a clerical error and staff had recommended approval. Commissioner Schorr requested more information about the P.M. commercial vehicle trips. She mentioned the 3 fatalities in the last six months, so with increased commercial and high density residential how are you going to guarantee that cap? Ms. Kalkowski responded that we are proposing to spread the same amount of commercial trips out over a larger area and the Planning Dept. makes sure you don't increase the number of trips, that when we come in for the use permit, on the commercial area, we are required to show the uses and we are required to provide the information that sets out what the traffic generated from those uses are. Wal-Mart has this, McDonald's has this, the industry studies are shown according to what is built. Councilman Friendt asked if the methodology gets you a mathematical model regarding traffic counts. Ms. Kalkowski commented the developer even contributed money to that traffic signal and we did a traffic study previous to the annexation of this area. Councilman Cook asked if the covenants that were agreed upon included tiering of the neighborhood. Commissioner Stevens asked if there was a traffic signal at 91st Street and if traffic could be rerouted to the 87th Street intersection. Ms. Kalkowski replied that there would be tiering and various uses of the commercial space accordingly. She stated that if the traffic counts that will be generated are significant enough, then there will be a signal placed at 91st Street.

Tim O'Neill, Attorney, 121 South 13th Street, representing Heritage Lakes Neighborhood, came forward and stated the compromise has come together and we have agreed, subject to the approval of this amendment.

Dr. Samuel E. Boon, 7410 S. 95th Ct., came forward in favor of the covenants that have come together on this date and is in favor of this amendment to the Comp. Plan.

Troy Shreve, Heritage Lake Area, came forward in favor of this amendment, due to the fact that the new covenants have been agreed upon.

Joel Greisen, came forward in favor of this amendment.

Richard Halvorsen, 6311 Inverness Rd., came forward in opposition due to the traffic situation.

Councilman Friendt asked Ms. Kalkowski since the agreement was reached just late this afternoon, when do you plan to execute it. Ms. Kalkowski stated it had been signed and Mr. O'Neill had a signed copy.

Kent Morgan, Planning Dept., came forward with two minor corrections to the amendment that had been submitted. The corridor is actually 300' and 91st Street was given as 94th Street.

This matter was taken under advisement.

COMP. PLAN AMENDMENT 03019 - APPLICATION OF RIDGE DEVELOPMENT COMPANY AND SOUTHVIEW INC. TO AMEND THE 2025 LINCOLN/LANCASTER COUNTY COMPREHENSIVE PLAN TO REVISE THE COMMUNITY CENTER COMMERCIAL DESIGNATION TO DESIGNATE SPECIFICALLY THE NORTHWEST CORNERS OF HOMESTEAD EXPRESSWAY AND WEST DENTON ROAD AS A COMMUNITY CENTER; REVISE THE LIGHT INDUSTRIAL DESIGNATION FOR A FUTURE "EMPLOYMENT CENTER" TO SPECIFICALLY DESIGNATE AN AREA NORTHWEST OF HOMESTEAD EXPRESSWAY AND WEST DENTON ROAD AS INDUSTRIAL; AND SPECIFICALLY DESIGNATE COMMERCIAL AND INDUSTRIAL USES IN THE LAND USE PLAN AT HOMESTEAD EXPRESSWAY AND WEST DENTON ROAD.

DaNay Kalkowski, Attorney, Seacrest & Kalkowski, 1111 Lincoln Mall, Suite 350, representing Ridge Development and Southview, Inc. My clients are the owners of 144 acres that are located north and west of Warlick Blvd. and Highway US 77. The proposed amendment will make the designations of the L-I and the community center site specific and allow the clients to move forward with more specific development plans.

Peter Katt, Attorney, 1045 Lincoln Mall, Suite 200, representing Lincoln Homebuilders Association, came forward with a neutral position and supportive of the concept of this amendment.

Councilman Cook asked if the current Comp Plan showed the interchange of West Denton and Highway 77 there yet. Steve Henrichsen of the Planning Dept. explained that we are discussing exactly what kind of improvements we are expecting along Highway 77, while it may be assumed that West Denton Road will be relocated and end up on a straight alignment with Warlick, at this point it is not meant to be that precise.

This matter was taken under advisement.

COMP. PLAN AMENDMENT 03020 - APPLICATION OF JOHN SAMPSON AND DAVID MCEWEN TO AMEND THE 2025 LINCOLN/LANCASTER COUNTY COMPREHENSIVE PLAN TO DESIGNATE A "COMMUNITY" SIZED COMMERCIAL CENTER AT APPROXIMATELY SOUTH 40TH STREET BETWEEN ROKEBY ROAD AND YANKEE HILL ROAD.

Mark Hunzeker, Attorney, 1045 Lincoln Mall, Suite 200, representing John Sampson & David McEwen, the owners of property near the intersection of 40th & Rokeby Road. My clients are in concurrence with this amendment. Councilman Cook asked what corners of the intersection are your clients thinking about building on. Mr. Hunzeker stated it was a little too

soon to say site specific. The property owned by Mr. McEwen is a 40-acre parcel on the southwest corner of 40th & Rokeby Road, the balance of the property on the east side of 40th Street is controlled by Mr. Sampson.

Steve Henrichsen, Planning Dept. came forward to answer questions posed by Councilman Cook. Will there be a concern about the two lane facility on Rokeby being adequate given this addition? Mr. Henrichsen stated he felt most of the traffic would be on 40th Street rather than Rokeby Road, partly because Rokeby does not continue west to 27th Street.

This matter was taken under advisement.

ADJOURNMENT

8:40 P.M.

CAMP Moved to adjourn the Lincoln City Council/Lancaster County Board
of Commissioners meeting of July 10, 2003.

 Seconded by Newman & carried by the following vote: AYES: Camp,
Cook, Friendt, Heier, Hudkins, McRoy, Newman, Schorr, Stevens, Svoboda,
Workman; NAYS: None; ABSENT: Werner.

 So ordered.

Joan E. Ross, CMC, City Clerk

Glenna Graupmann, Senior Office Assistant

REGULAR MEETING
July 10, 2003
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