

City Council Introduction: Monday, June 7, 2004  
**Joint Public Hearing of the Lincoln City Council  
and Lancaster County Board of Commissioners:**  
**Tuesday, June 15, 2004, 4:00 p.m.**

Bill No. 04R-133

## **FACTSHEET**

**TITLE:** COMPREHENSIVE PLAN AMENDMENT NO. 04009, by the Director of Planning, at the request of Peter Katt for Steve Champoux, to amend the 2025 Lincoln/Lancaster County Comprehensive Plan to change approximately 124 acres from Agriculture, Green Space and Environmental Resources to Low Density Residential, generally located south of Crooked Creek Golf Course, north of "A" Street, west of 134<sup>th</sup> Street and east of Stevens Creek.

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: 05/19/04  
Administrative Action: 05/19/04

**RECOMMENDATION:** Denial (6-0: Carlson Marvin, Taylor, Carroll, Krieser and Bills-Strand voting 'yes'; Larson, Sunderman and Pearson absent).

**STAFF RECOMMENDATION:** Approval.

### **FINDINGS OF FACT:**

1. The staff recommendation to **deny** this amendment is based upon the "Status/Description" and "Comprehensive Plan Implications" as set forth on p.2-4, concluding that this is an area of multiple issues including acreages, build-through, floodplain and green space, future open space and the East Beltway. The staff report on acreage development indicated that there is more than adequate opportunity to provide for acreage demand in the county. Rural services are not in place to handle substantial acreage development at this location. This may be an appropriate location for an AG Community Unit Plan but it is not consistent with the plan for a Low Density Residential designation.
2. Comments submitted by other departments and agencies are found on p.12-19.
3. The minutes of the Planning Commission hearing and action are found on p.5-7. Testimony on behalf of the applicant is found on p.5-6. The Commission discussion with staff is found on p.6.
4. There was no testimony in opposition.
5. On May 19, 2004, the Planning Commission agreed with the staff recommendation and voted 6-0 to recommend **denial**.

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

**DATE:** June 1, 2004

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

**DATE:** June 1, 2004

**REFERENCE NUMBER:** FS\CC\2004\CPA.04009

## 2004 COMPREHENSIVE PLAN ANNUAL REVIEW

Comprehensive Plan Amendment No. 04009

April 28, 2004

### 134<sup>th</sup> and A Street Low Density Residential

Applicant	Location	Proposal
Peter Katt for Steve Champoux	northwest of 134th and A street	Change the Land Use Map to show the area South of Crooked Creek golf course, north of A street and west of 134 <sup>th</sup> and east of Stevens Creek from Agriculture, Green Space and Environmental Resources to Residential, low Density.
<b>Recommendation:</b> Denial		

Status/Description

This amendment is a proposal to change a 124 acre area shown as Agricultural, Green Space and Environmental Resources to Low Density Residential. To the north the Mo-Pac trail separates this land from the Crooked Creek golf course and CUP. To the west is Stevens Creek, the Boy Scouts Complex and the East Beltway corridor.

During the 1998 Annual Review of the Comprehensive Plan a duplicate amendment had been requested. That was put on deferral and later withdrawn in 2002, after the 2025 Comprehensive Plan had been adopted and the Stevens Creek Basin Planning Initiative had been completed. Nether supported acreage development at this location.

The acreage studies called for in the Plan have been completed to the draft stage. The “Build Through” would apply to any acreage development at this location. The Performance Based Standards and Overall Acreage Development Strategy prepared by the Planning Department suggest a score of 300 or more for consideration of AGR zoning were designation does not already exist. The score for this parcel is + 72.

- ! Watershed Management notes the western portion of this site is in floodplain and floodway and should remain in the Green Space and Environmental Resources designation. The Stevens Creek Watershed master plan is currently underway and additional information will be available next year.
- ! The County Engineer notes that both “A” Street and 134<sup>th</sup> at this location are unprepared to accommodate a low density residential development . This is in Tier III and the only road proposed for improvement is “A” Street.
- ! Public Works notes this is beyond the 25 year service limit but that Sanitary sewer corridors would need to be reserved.
- ! The Lower Platte South NRD notes this abuts the MoPac East Trail and any planned crossings or connections wold require permits from the District.

## Comprehensive Plan Implications

The Comprehensive Plan currently shows this as Agriculture and Green Space / Environmental Resources. This is shown in the Tier III growth tiers. In regard to acreage development the Plan states that no new acreage development should be provided until a performance standard is developed. It also states that environmental resources should be preserved and protected. Pertinent language of the Plan follows;

*“Specific areas will be designated so that approximately 6% of the total population in the County can be accommodated on acreages. Grouping acreages together in a specific area enables services to be provided more efficiently, such as reducing the amount of paved roads, fewer and shorter school bus routes and more cost effective rural water district service. Grouping also reduces the amount of potential conflict points between farm operations and acreages. Page F 70*

*In determining areas of higher density rural acreage (200 units or more per square mile), numerous factors will be reviewed, such as but not limited to water and rural water districts, soil conditions, roads, agricultural productivity, land parcelization, amount of existing acreages, and plans for urban or town development. Acreages should develop in areas that best reflect the carrying capacity of that area for acreages. A performance criteria should be developed to review requests for acreage zoning and to determine where these standards can best be met. New urban acreage development is not encouraged in the Plan Vision Tier I areas for Lincoln, except for areas already zoned, previously designated for acreages or under development, in order to provide areas for future urban growth and to minimize the impact on new acreage development. This will reduce the number of acreage homeowners who would be impacted by annexation in the future. Even though acreages can be designed with infrastructure to city standards, there is still an impact on acreage owners and their families during annexation in terms of changes in school district, the character of the surrounding area and financial implications. Impacts to the acreage homeowners and to the City of Lincoln can be avoided by locating acreages in areas outside of the Tier I areas.*

*Development of a performance standard “point system” will allow the location of higher density rural acreage development in either “AG” or “AGR” where the review criteria can be met. This allows equal treatment across the county, maximum freedom of determination of marketing and sale, while locating those developments only in those areas where sufficient “points” can be accumulated to justify the development at the requested location. New ‘urban acreage’ development should only be permitted in Tier II and Tier III areas of Lincoln and near towns under higher design standards based upon a “build-through” model and without use of sanitary improvement districts.*

*The “build-through” design standards should address, along with other items deemed necessary by the study;*

- a preliminary plan lot layout that accommodates first phase low density acreages with rural water and sewer systems. The preliminary plat would also show future lot splits as a second phase to permit the urban infrastructure to be built through and urbanization to occur if and when annexed by a city or town is deemed appropriate. The future lot splits will increase density in an urban form and provide income to property owners to defray the increases in city taxes, services and infrastructure costs;*
- a lot layout that meets the various elements of the Comprehensive Plan; and*
- a development agreement that runs with the land and acknowledges that the acreage development (I) is not entitled to extra buffering protection greater than the acreage property lines from existing agricultural practices and from future urbanization and (ii) waives any future right to protest the creation of lawful centralized sanitary sewer, water and paving special assessment districts or other lawful financing methods at a later date when urbanization is appropriate.” F 71*

This area also is shown as Green Space and Environmental Resources, the plan notes;

**Green Space:** *Areas predominately used for active recreational uses, such as parks, golf courses, soccer or ball fields, and trails. Green space areas may be either public or privately owned. While some isolated environmentally sensitive features may be within these areas, they are predominately for active recreation, with some passive recreation uses also possible. Page F 22*

**Environmental Resources:** *Land and water masses which are of particular importance for maintenance and preservation, such as saline wetlands, native prairie, and some floodway and riparian corridors. Such areas may be either publicly or privately owned.*

***Agricultural:** Land principally in use for agricultural production. Agricultural land may be in transition to more diversified agribusiness ventures such as growing and marketing of products (e.g., horticulture, silvaculture, aquaculture) on site. Page F 22*

This is also shown as part of the Salt Valley Heritage Greenway. The Plan states

*“The Salt Valley Heritage Greenway would provide connectivity with current and future green corridors that extend out from Lincoln such as the MoPac Trail corridor, Murdock Trail corridor, Antelope Valley, Dietrich Bikeway, and Antelope Creek Trail Corridor. It would provide a destination for additional trails as Lincoln continues to grow. The Greenway would also provide access to green corridors that then would extend out into the county to State Recreation Areas (SRA) and natural resource areas and beyond including the following:*

- Cardwell Branch corridor to Yankee Hill SRA*
- Middle Creek corridor to Pawnee SRA*
- Haines Branch corridor to Conestoga SRA*
- Salt Creek corridor to Killdeer and Bluestem SRA*
- Oak Creek corridor to Branched Oak Lake*
- Salt Creek corridor east and up the Rock Creek corridor*

*The Salt Valley Heritage Greenway would also provide connectivity with the Homestead Trail that goes to Beatrice and south to Kansas. It would connect with additional rail lines that are acquired for trails in the future.*

*Use the Salt Valley Heritage Greenway concept to embody the Comprehensive Plan’s Vision and environmental resource guiding principles, including:*

- Conserve flood-prone areas for storm water management*
- Preserve signature landscapes*
- Create a continuous commuter and recreational trail loop*
- Connect urban neighborhoods, as well as urban and rural areas with unbroken corridors of open space*
- Provide links of wildlife habitat and movement areas*
- Enhance the value of properties adjacent to and served by the Greenway (page F61)*

### Conclusion

This is an area of multiple issues including acreages, buildthrough, floodplain and green space, future open space and the East Beltway. The staff report on acreage development indicated that is more than adequate opportunity to provide for acreage demand in the county. Rural services are not in place to handle substantial acreage development at this location. This may be an appropriate location for an AG Community Unit Plan but it is not consistent with the plan for a Low Density Residential designation.

Based on these findings, this application should be Denied.

Prepared by  
Mike DeKalb, 441-6370, [mdekalb@ci.lincoln.ne.us](mailto:mdekalb@ci.lincoln.ne.us)  
Planning Department,

# COMPREHENSIVE PLAN AMENDMENT NO. 04009

## PUBLIC HEARING BEFORE PLANNING COMMISSION:

May 19, 2004

Members present: Carlson, Marvin, Taylor, Carroll, Krieser and Bills-Strand; Larson, Sunderman and Pearson absent.

Staff recommendation: Denial

### Proponents

#### **1. Peter Katt** appeared on behalf of the landowner, **Steve Champoux of Prairie Homes.**

There is a lot of history with regard to this property and its request to be converted to a residential acreage project. Back in the early 70's, this property was preliminarily platted with virtually the same density as the Emerald SID—about 1-acre lots. That plat was not built upon and it expired.

Dating back to the 1995-96 Comprehensive Plan, there was an identified weakness in the county component. It was decided at that time to adopt the Comprehensive Plan and update the county component at a later date.

In 1998, when there was nothing brought forward on the county component, Champoux elected to file an amendment trying to convert this area to low density residential (AGR), 1 dwelling unit per 3 acres. The reason for that then is still valid today. There are virtually no acreage low density residential lots available for development east of Lincoln. This property is within less than 1/4 mile of existing paved county roads and less than a mile from "O" Street. There is plenty of water and it is within a school district that wants additional development (Waverly).

In 1998, we agreed to put the application on pending because it was said that "we're still working on the acreage component". The 2002 Comprehensive Plan excited Katt and his client because there was a component that said "we're going to develop some criteria against which to judge acreage development sites". Now, two years later, we only have "drafts" of these acreage components.

Katt stated that the purpose of this request is an attempt to make sure that we continue this discussion and answer the question: is this an appropriate location for AGR density residential development? Katt believes that the staff report includes all of the components that are favorable in terms of what the developer is willing to do.

With regard to the Stevens Creek watershed, floodplain and green space, Katt stated that the property would be developed through a community unit plan and all of those areas would be preserved and dedicated at no cost to the NRD.

With regard to street paving, Katt stated that the paving would be extended all the way to "A" Street next to the county maintenance shed.

Katt concluded, stating that this is a good location for acreages. It is on the east bank of Stevens Creek. It is not projected anytime within the next 50 years that there will be urban development in this area. It is readily accessible to a state highway system that can be connected through 134<sup>th</sup> Street. This area of Stevens Creek has excellent quality and quantity of groundwater. It is adjacent to existing AGR zoning, the Crooked Creek Golf Course development. Katt submitted that this location meets all of the criteria for a good location for AGR development in the county. The desire is to get this property to the point where the developer can bring forward a specific plan that can be approved.

Marvin inquired how this would boost the tax base of Waverly. Katt explained that he meant the Waverly Public Schools. There are large portions of the Waverly School District that are being swallowed up by the city of Lincoln, affecting their school's tax base, and the school district likes the growth in its tax base that this development would bring.

There was no testimony in opposition.

Carlson asked for a staff response to the suggestion that, with some improvements, this is a prime acreage spot. Mike DeKalb of Planning staff suggested that the key is probably that the applicant is representing that they will comply with a number of conditions when they bring the community unit plan forward. The staff's review does not include the review of a community unit plan on this property. As raw land, the staff finds that there is no substantial difference from the other land in Stevens Creek or in the 3-mile jurisdiction that would raise this property up to a level above the other property pre-designated for acreage development. The County Engineer indicated deficiencies in the road system. Other than being adjacent to AGR, DeKalb does not see this being substantially different than a mile either side of "O" Street. Many of the Waverly students go to LPS, yet the tax base goes to the Waverly School District, so it is a unique circumstance.

Carlson pointed out that this property could be developed as an AG community unit plan as it sits. But, if changed to AGR, it could be developed without those concessions. DeKalb clarified that if they get pre-designated to acreage zoning, the zone change does not require a preliminary plat. If they come in with a straight plat, we have very little latitude, if any, to put conditions on it. This property did come up in conjunction with the development of Crooked Creek, and staff has consistently said that this is not an appropriate location for change of zone to AGR.

#### Response by the Applicant

Katt responded, stating, "obviously, we are in a transition phase in acreage development in Lancaster County". The former history of the Comprehensive Plan was that you couldn't get AGR zoning without the right color on the map. Now we're moving "somewhere in between" with an "unadopted" scoring concept. If we come in for AGR with an AGR community unit plan, it costs money and time to bring forward a good plan. If this is not an appropriate place in the county for AGR, why should that property owner invest the time and money? He does not believe that a Comprehensive Plan change showing this as an appropriate location for AGR guarantees that the change of zone will occur. All of the same standards will apply when the change of zone is requested with the community unit plan. His client would like an opportunity to bring that proposal forward upon approval of this amendment.

**ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

May 19, 2004

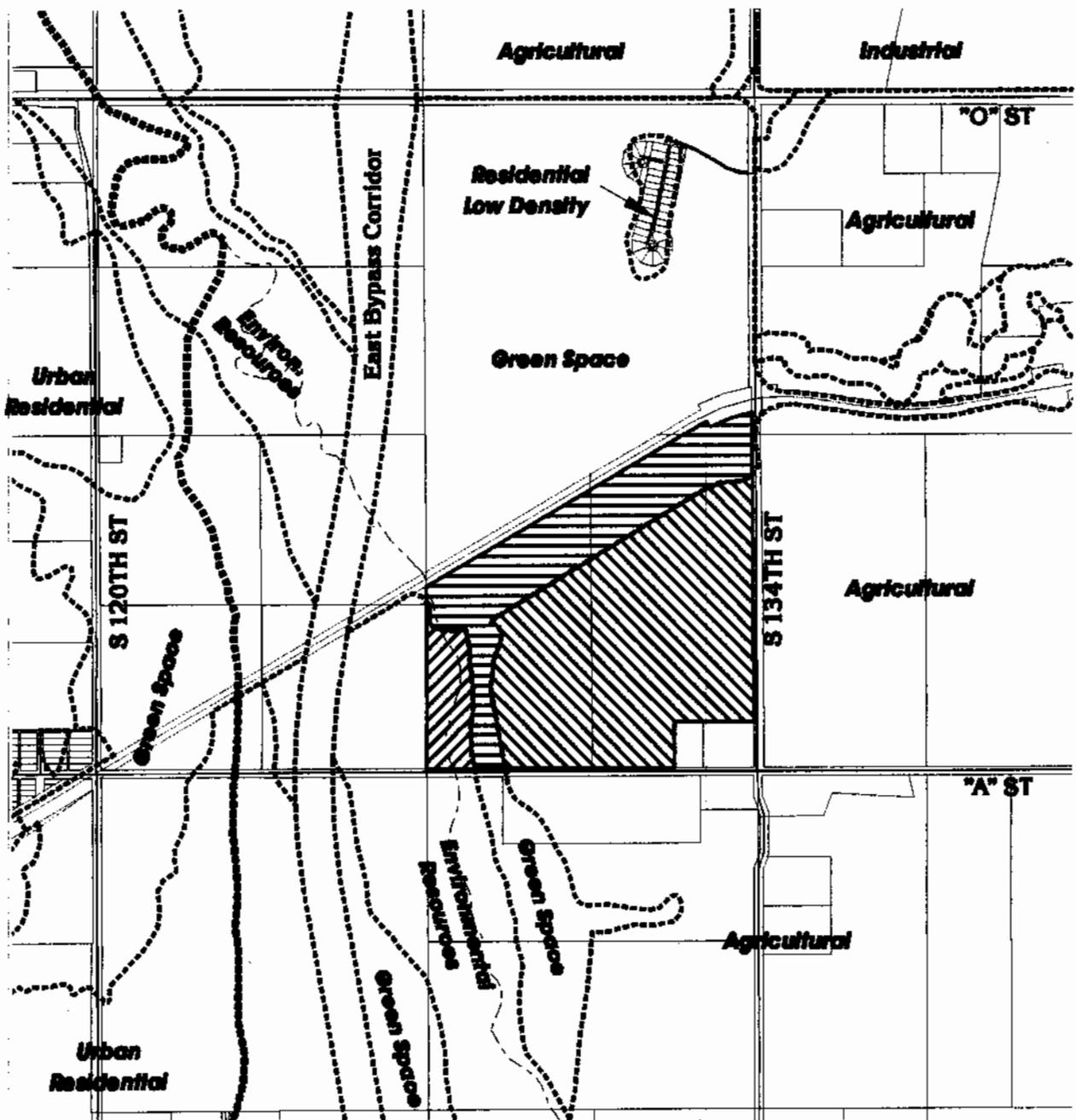
Carlson moved to deny, seconded by Marvin.

Carlson agreed with the staff analysis and comments. We've got some environmental resource area issues. He is somewhat sympathetic to the argument that they are trying to figure out the process but he does not believe there is that much confusion. The issue is whether it is appropriate for acreages or not, and the staff is saying it is not. He also does not believe it is appropriate.

Carroll commented that AG to AGR adds density that probably is not warranted in this area. It is a nice place to develop, but because of the natural resources and green space that should be in that Stevens Creek area, he believes the staff is correct in recommending denial. We need to preserve and keep the AG in place.

Bills-Strand is in favor of preserving the land and the density.

Motion to deny carried 6-0: Carlson, Marvin, Taylor, Carroll, Krieser and Bills-Strand voting 'yes'; Larson, Sunderman and Pearson absent.



# S 134th & A St

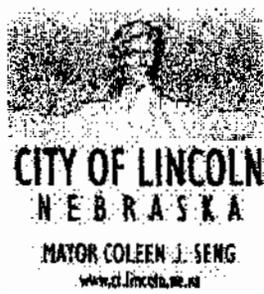
## Proposed Amendment # 9

- Future Service Limit
- Land Use Boundary
- Res** Land Use Category
-  From Agricultural to Low Density Res
-  From Open Space to Low Density Res
-  From Env Resources to Low Density Res



008

COPY



LINCOLN/LANCASTER COUNTY

2004

COMPREHENSIVE PLAN AMENDMENT APPLICATION

The use of this application is appropriate when a change to the adopted Lincoln/Lancaster County Comprehensive Plan is desired. The required questionnaire on the reverse side of this application must be completed as well. Applications for the 2004 Annual Review are due to the Planning Department no later than 4:30 p.m. on February 2, 2004.

PART I

Please print or type.

Date: February 2, 2004.

Applicant: Steven M. Champoux

Mailing Address: 2045 S. Folsom

City: Lincoln State: NE Zip: 68522

Phone: ( ) N/A

Contact (if not applicant): Peter W. Katt

Mailing Address: P.O. Box 95109

City: Lincoln State: Nebraska Zip: 68509

Phone: (402) 476-7621

Application Fee of \$250.00 to the City of Lincoln.

If applicable, name of general area/location/site which would be affected by this proposed change (Attach additional sheets if necessary).

South of Crooked Creek golf course, North of A Street

West of 134th St. and East of Stevens Creek

Applicant Signature: Peter W. Katt

Date: February 2, 2004

PLANNING DEPARTMENT USE ONLY: RECEIPT NO. DATE FEE PAID \$

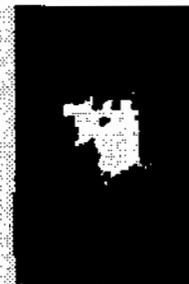
I:\PC\FORMS\CP Amendment App. Form.wpd

## **134<sup>TH</sup> & A QUESTIONNAIRE ANSWERS**

1. Change the Land Use Plan designation for the subject property from Agricultural to Residential, low density. A copy of the Lancaster County Parcel map for the property is attached.
2. The County acreage policy has been a work in progress that remains under development. The applicant believes that this property would score well under the current proposed acreage "points" system and is hopeful this policy can be reflected in the Comprehensive Plan.
3. Applicant does not anticipate any impacts from this proposal. The community will benefit by providing an acreage lifestyle market choice that is not likely to have or impose any significant impediments to growth in the community and can leverage existing community investments in roads and trails.
4. The proposed change reflects the current Comprehensive Plan's desire to provide choices and allow the local market economy to function effectively. By concentrating acreage development in limited locations with available infrastructure, the greatest overall benefit can be achieved for the community as a whole.
5. Unknown. No public meetings are proposed.

(G:\WPData\PK\Champoux 807-097\134th & A 160-004\Comp Plan App Answers 2-2-4.wpd)

### Lancaster County Parcel Map



- Legend**
-  Lakes/Streams
  -  Parcels
  -  Streets
  -  Schools
  -  Parks
  -  City Limit
  -  County



This map is intended to show as accurately as possible the relationship of parcels, but it is not intended to be construed as survey accurate in any manner.

**Norman H. Agena**  
County Assessor/Register of Deeds  
555 South 10th Street  
Lincoln, NE 68508  
402-441-7483  
assessor@co.lancaster.ne.us

Lancaster

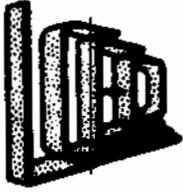
DON R. THOMAS - COUNTY ENGINEER

County

Engineering

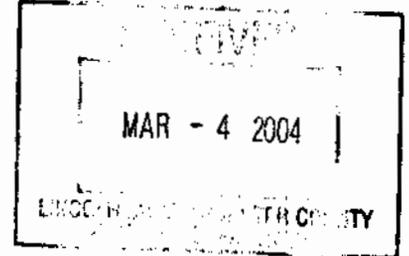
Department

DEPUTY- LARRY V. WORRELL  
COUNTY SURVEYOR



March 3, 2004

**TO:** Steve Henrichsen, Planning  
Special Projects Manager  
**FROM:** Don Thomas Don Thomas  
**SUBJECT:** Comp Plan amendment comments



Steve, I would offer the following comments as they relate to those proposed amendments that would have a potential impact on this office:

-- #4009 - So. 134<sup>th</sup> & 'A' (northwest corner)



This proposal has come up before in differing forms and the problems remain the same -- road improvements to both 'A' Street and 134<sup>th</sup> Street. These roads are unprepared to accommodate a low density residential development in their present condition. This area is shown in Tier 3 and the only road proposed for improvements is 'A' Street.

~~-- #4013 - NW 12<sup>th</sup> & Highway #34 (north from Kawasaki Plant)~~

~~NW 27<sup>th</sup> has been graded from Highway #34 to the Alvo Road as a part of the Kawasaki Plant expansion improvements; but, only wide enough to accommodate a two-lane rural paved road. The road remains a gravel road for the foreseeable future and no improvements are proposed for Alvo Road as a part of the County Road Plan.~~

~~-- #4014 - NW 70<sup>th</sup> & Superior Street (on the west side of Airpark)~~

~~The County has received requests from two landowners for improvements to both NW 70<sup>th</sup> (north of Adams Street) and Superior Street (between NW 70<sup>th</sup> and Airpark) to provide all-weather access. These roads are presently dirt roads and the County's intention is to grade to higher standards and provide aggregate surfacing. The County has been working with the NRD on a dam proposed on NW 70<sup>th</sup> and the City of Lincoln relative to a proposed development and what type of grading section should be built.~~

~~-- #4015 - So. 70<sup>th</sup> & Yankee Hill Road (southeast corner)~~

~~So. 70<sup>th</sup> is presently a two-lane paved rural road. Yankee Hill Road has been graded to accommodate a two-lane rural paved road, but remains gravel as the demand is not there for a higher level of surfacing.~~

I believe this covers the appropriate comments regarding the proposed amendments.

# LOWER PLATTE SOUTH NATURAL RESOURCES DISTRICT



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

## Memorandum

Date: February 27, 2004  
To: Lincoln-Lancaster County Planning Department  
From: Glenn D. Johnson, General Manager *GJ*  
Subject: Comments on Proposed 2004 Comprehensive Plan Amendments

~~The following are comments from the Lower Platte South Natural Resources District Staff on the draft proposed comprehensive plan amendments for 2004 Comprehensive Plan Annual Review.~~

~~Number 04004. Trails Network Plan. Our comment on this would be to correct the spelling in the listing of grade separations for the Salt Creek Levee and to add Parkway West as an additional underpass.~~



~~Number 04009. South 134<sup>th</sup> and A. We note that the MoPac East Trail abuts the north line of this parcel proposed for land use designation change. Any planned crossing or connections to the trail will require special permits from the District.~~

~~Number 04010. South 66<sup>th</sup> and Highway 2. We agree with the analysis described in their letter concerning stormwater. The proposed roadway through this property connecting Highway 2 to South 66<sup>th</sup> would have significant floodplain impacts between South 56<sup>th</sup> Street and the BNSF Railroad and would involve dedicated park and open space property.~~

~~Number 04012. North 84<sup>th</sup> and Adams Street. The Hall and Perry properties included in this application have significant areas within the Stevens Creek floodplain and floodway. The Natural Resources District's Stevens Creek Plan shows acquisition by the District of permanent floodplain easements over the entire 100-year Floodplain between the Murdock Trail and the MoPac East Trail, which includes these properties.~~

~~Number 04014. NW 70<sup>th</sup> and West Superior. The Natural Resources District, in cooperation with Lancaster County, has designed a flood control dam to be constructed on NW 70<sup>th</sup> Street with the roadway crossing the top of the dam. The project is ready to be constructed, however the City has requested that the structure be redesigned to future urban standards. The land use designation of the property is pertinent to the design of this project.~~

We would be happy to respond further to any of these comments.

GDJ/bb

Enclosure

pc: file

# Memorandum

April 7, 2004

TO: Steve Henrichsen, Planning

FR: Lynn Johnson, Parks and Recreation

RE: Review of Proposed 2004 Comprehensive Plan Amendments

*Lynn Johnson*

The purpose of this memo is to provide comments on behalf of the Parks and Recreation Department regarding proposed amendments to the Comprehensive Plan associated with the 2004 annual review.

**Number 04003** We endorse the request of Lincoln Public Schools to include an Executive Summary of the MGT of America, Inc. Study along with additional master planning information in the Lincoln/Lancaster County Comprehensive Plan. This would assist in ongoing efforts toward coordinated planning for community facilities and infrastructure.

**Number 04004** We endorse the proposed revisions to the Lincoln Area Current and Future Trails Network Map. In addition, we recommend that the future trail depicted along Sun Valley Boulevard between 'O' Street and Charleston Street be deleted as it duplicates the recently completed trail along the Salt Creek levee in the same area.

**Number 04005** We recommend that:

- the corridor study at 98th and Highway 2 include a grade separated trail crossing over Highway 2, as identified on the Trails Network Plan;
- the corridor study of 56 and Highway 2 include consideration of a trail connection between the Highway 2 Trail, the Old Cheney Road Trail, and the Beal Slough Trail; and
- the corridor study at 13th and Highway 2 include consideration of a trail connection and westerly extension of the Highway 2 Trail.

**Number 04009** The proposed acreage density (i.e., one dwelling unit per three acres) does not trigger the need for a neighborhood park in this area.

**Number 04010** The proposed roadway connection to South 56th Street crosses a piece of publicly owned property dedicated to the City as "park/open space". It is recommended that the City Attorney be consulted to determine the legality of extending a road through this property. We have determined that the property is not needed for active recreation (e.g., neighborhood park), and is most suitable as open space along Beal Slough.

**Number 04011** There is not a neighborhood park within walking distance (i.e., approximately 1/2 mile) of the area proposed for urban residential



# MEMORANDUM

To: Duncan Ross, Planning Department  
From: Public Works and Utilities/Wastewater Division  
Subject : Revised Comments Regarding Amendments to Comprehensive Plan  
Date: April 22, 2004  
Cc: Steve Master, Gary Brandt, Gary Thalken, Brian Kramer, Steve Henrichsen

Listed below are comments that the Wastewater Division has regarding the proposed Comprehensive Plan amendments now being evaluated. The amendments are numbered as per your review handout provided in February, 2004 and at the April 15<sup>th</sup>, 2004 meeting at the Wastewater Training Room.

## **Amendment 04002 — SW 40<sup>th</sup> & West A Street**

The proposed area is an 80-acre parcel south of West A and East of SW 40<sup>th</sup> Street and approximately 22 acres north of West A Street and East of SW 40<sup>th</sup> Street. Both of these areas would be served from a 12" sewer line located in West A Street. This line is currently at capacity based on a full pipe at design conditions. Improvement would have to be made to approximately 9,500 feet of line to provide relief capacity to serve this area. None of these improvements have been included in the 2003-09 CIP. Only 22 acres north of West A Street can be provided sewer service due to the elevation of the sewer in West A Street and the slope of the area away from West A Street toward Middle Creek. This assumption is based on extending the existing 12" sewer in West A Street at minimum slope to the west. A detailed engineering study is necessary to determine the sub-basin sewer requirements for serving this proposed area. Achieving the improvements necessary to serve this area through a future CIP will require sewer rate increases. Additional 8" sewers will be required to serve this area at the developer's expense. The Theresa Street Treatment Plant has available capacity to serve this development.

## **Amendments 04003 through 04008**

No Comment

## **Amendment 4009 — S. 134<sup>th</sup> & A**

 This proposed amendment is for an area that is in the Tier III service area which is beyond the 25 year service area. LWWS requests that a sanitary sewer ROW/Corridor be reserved or provided for along the East side of Stevens Creek and in other sub-basins to be served in the future by sanitary sewer.

## **Amendment 04010 — S. 66<sup>th</sup> & Hwy 2**

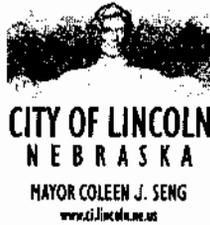
The proposed area in this amendment was originally planned for connection to an existing 8" diameter line located at 64<sup>th</sup> and Hwy 2. It is LWWS assumption that the sewer that would serve this proposed area would be an 8" line and would connect to the above noted existing 8" line. The cost for this 8" line and the connection to the existing line would be at the developers cost. Sewers 8" and smaller required to serve this area will be at the Developer's expense. The Theresa Street Treatment Plant has available capacity to serve this development.

# Memo

**To:** Stephen Henrichsen - Planning  
**From:** Nick McElvain - LWS  
**Date:** March 3, 2004  
**Subject:** Comp Plan Amendment 02004

LWS has the following comments on the proposed amendments as follows:

- ~~4003 LPS Master Plan - No specific sites were shown, therefore LWS has no comment regarding when or how those sites could be served.~~
- ~~4004 Trails Network - LWS has no comment.~~
- ~~4005 2025 Road Improvements - LWS has no comment.~~
- ~~4006 County Future Road Improvements - As LWS seeks to serve growth areas contained in the Comp Plan, and funding for all of the necessary street improvements is uncertain, it is necessary to obtain full ROW widths early in the process, so that the water mains can be located at such a location that future taps will have the least disruption to the new paving and the traveling public.~~
- ~~4007 Category 3 Saline Wetlands - LWS has no comment.~~
- ~~4008 Update Acreage - LWS has no comment.~~
- ~~4009 S. 134<sup>th</sup> & "A" - This proposal is beyond proposed 25 year LWS service area.~~
- ~~4010 S. 66<sup>th</sup> & Highway 2 - A 12" main should be extend through this area to provide adequate service and fire protection. The exact alignment will be determined based on the final layout of the site.~~
- ~~4011 S. 84<sup>th</sup> & Highway 2 - A 12" main should be build in Amber Hill Road to provide adequate service and fire protection to this area. The distribution main in S 84<sup>th</sup> is under contract for construction this year.~~
- ~~4012 N. 84<sup>th</sup> & Adams - A 16" main from 81<sup>st</sup> to 87<sup>th</sup> is necessary to provide adequate service and fire protection to this area. This main is schedule for FYE 2007 in the current CIP.~~
- ~~4013 NW 12<sup>th</sup> & Highway 34 - A 16" main from NW12 to NW 20<sup>th</sup> is shown in the LWS Master Plan to serve this area from the Northwest Pressure District. This main is not shown in the current CIP.~~
- ~~4014 NW 70<sup>th</sup> & W. Superior - All of the comments contained in the May 22, 2002 memo from Duncan Ross to the City Council are still applicable to this area. In summary, the areas of the proposed development above elevation 1280 cannot be served by the existing system and would require a booster pump. The required 16" mains would be built in the CIP. The 12" mains would be built along with the developments, and would be subsidized by the City. None of these improvements are in the current CIP.~~



**PUBLIC WORKS AND  
UTILITIES DEPARTMENT**

**MEMORANDUM**

**Date:** April 22, 2004

**To:** Steve Henrichsen

**From:** Devin Biesecker, Nicole Fleck-Tooze

**Subject:** *2003 Annual Review of the Comprehensive Plan  
Watershed Management Comments - REVISED*

**cc:** Allan Abbott, Ben Higgins  
Glenn Johnson

---

Below are our comments relating to proposed amendments where we identified issues related to watershed management.

**Amendment 04009 - S. 134th and 'A' Street**

The western portion of the parcel identified in the application for this proposed amendment includes the Stevens Creek floodplain and floodway, which is designated as Green Space and Environmental Resources on the Land Use Plan.

The land use designation within the floodplain should remain Green Space and Environmental Resources. An important management strategy embodied in the Comprehensive Plan is to designate areas for future development outside of the floodplain to avoid introducing new development to flood risks and to preserve the important functions of the floodplain. The floodplain along Stevens Creek is designated as Green Space and Environmental Resources in order to preserve the natural functions of the floodplain, including flood storage, conveyance and riparian habitat. The recommendations of the Mayor's Floodplain Task Force are consistent with this approach.

Additional information regarding the Stevens Creek floodplain is anticipated to be available following the completion of the Stevens Creek watershed study in the next year by the City and NRD.

**Review of Proposed Comprehensive Plan Amendments**  
**March 4, 2004**

Page 6

---

**Comprehensive Plan Amendment:** CPA #04009

**Proposal:** South 134th Street & "A" Street, northwest corner, change approximately 100 acres from Agricultural to Low Density Residential

**General Information:**

This proposed development is located along gravel surfaced roads and in the Tier III Growth Area east of Stevens Creek. Access to this site is by rural roads and the projected impacts to the rural system have not been addressed. "A" Street is identified in the Transportation Plan as "Potential Paved" with an expected right of way of 120 feet but this is not programmed for improvement. Access to 134th Street provides a connection to US-34 Highway to the north but this road is not identified in the County Plan for improvements.

Staff has a concern as to the impact of intensifying development at this location and the impacts it may have on an unimproved rural roadway. There are also potential environmental impacts with improving "A" Street to the west since this roadway crosses the Stevens Creek floodplain. It is premature to determine the environmental impacts or mitigation costs in improving this rural facility and bridging the floodplain. A "no-net-rise" policy for the improvement of roadways the floodplain may substantially add to the economic costs of roadway improvements.

**Conclusions:**

1. Development within this area will need to be tied to infrastructure improvements and this will need to be accommodated within the transportation planning and road improvement process.
2. Since the costs for these improvements are not programmed, the improvement costs will need to be born by the proposed development.
3. The 134th Street connection from "A" Street to US-34 Highway is not identified in the "Future County Road Improvement" plan as a "Potential Paved" road with a potential right of way of 120 feet.
4. "Build Through Roadway Standard" have not been adopted and this will need to be addressed before this proposal is approved.

**Recommendation**

Withhold the proposal until the County Engineer is in agreement with the necessary road improvements and is satisfied that the timing and costs of these improvements are addressed. Other

**Review of Proposed Comprehensive Plan Amendments  
March 4, 2004**

**Page 7**

---

issues that need to be addressed are 1) the "Build Through Roadway Standards", 2) an amendment to the "Future County Road Improvement" plan to include 134th Street, "A" Street to US-34 Highway as a "Potential Paved" road with a right of way of 120 feet.