

## **FACTSHEET**

**TITLE:** ANNEXATION NO. 08004, requested by the Lancaster County Agricultural Society, Inc., to annex approximately 29.07 acres, more or less, generally located at North 84<sup>th</sup> Street and Havelock Avenue.

**STAFF RECOMMENDATION:** Approval, subject to a Memorandum of Understanding between the City and the Lancaster County Agricultural Society.

**ASSOCIATED REQUESTS:** Memorandum of Understanding (08R-160); Comprehensive Plan Amendment No. 08014 (08R-161); and Change of Zone No. 08025 (08-90).

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: 06/18/08

Administrative Action: 06/18/08

**RECOMMENDATION:** Approval, subject to a Memorandum of Understanding between the City and the Lancaster County Agricultural Society (8-0: Esseks, Sunderman, Taylor, Larson, Partington, Francis, Cornelius and Carroll voting 'yes'; Gaylor Baird absent).

### **FINDINGS:**

1. This proposed annexation request was heard by the Planning Commission in conjunction with the associated requests, except for the Memorandum of Understanding, which requires hearing and action only by the City Council.
2. This is a request by the Lancaster County Agricultural Society to annex 29.07 acres, more or less, generally located at North 84<sup>th</sup> Street and Havelock Avenue. The annexation area would include land nearest the intersection which the Agricultural Society is seeking to rezone and lease to a private developer, plus the remainder of the "developed" area of the Lancaster Event Center that was not annexed previously.
3. The staff recommendation of approval, subject to a Memorandum of Understanding in place of the more typical annexation agreement, is based upon the "Analysis" as set forth on p.4, concluding that the proposed annexation is consistent with the City of Lincoln's annexation policy as outlined in the 2030 Comprehensive Plan. The Memorandum of Understanding is intended to address broader issues related to the future expansion of the Lancaster Event Center, which is exempt from City zoning control.
4. The applicant's testimony is found on p.7.
5. There was no testimony in opposition.
6. On June 18, 2008, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend approval, subject to a Memorandum of Understanding (Gaylor Baird absent).
7. As of July 8, 2008, the applicant and staff are still discussing one of the provisions of the Memorandum of Understanding regarding the coordination of plans for and operation of the proposed downtown arena and a possible arena at the Lancaster Event Center. The applicant has requested that this issue proceed to the City Council for a decision as the discussions continue. Staff will send additional information on this issue to the Council before the hearing date.

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

**DATE:** July 8, 2008

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

**DATE:** July 8, 2008

**REFERENCE NUMBER:** FS\CC\2008\ANNEX.08004+

**LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT**

**for JUNE 18, 2008 PLANNING COMMISSION MEETING**

**PROJECT #:** Annexation #08004  
**PROPOSAL:** Annex approximately 29.07 acres.  
**LOCATION:** N. 84<sup>th</sup> Street and Havelock Avenue  
**LAND AREA:** 29.07 acres, more or less.  
**CONCLUSION:** The proposal is consistent with the City of Lincoln’s annexation policy as outlined in the 2030 Comprehensive Plan.

<b>RECOMMENDATION:</b>	Conditional approval
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**GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** Lot 37 Irregular Tract and the west 1,441.22 feet of vacated Chicago Rock Island and Pacific Railroad right of way located in the NW 1/4 of Section 11-10-7, Lancaster County, Nebraska.

**EXISTING ZONING:** AG Agriculture District

**SURROUNDING LAND USE AND ZONING:**

North Portion:

North:	AG	University of Nebraska; primarily agricultural uses.
South:	H-4 and AG	Lancaster Event Center buildings and parking.
East:	AG	Undeveloped Lancaster Event Center land.
West:	AG	University of Nebraska; primarily agricultural uses.

South Portion (bike trail):

North:	AG	Lancaster Event Center buildings and parking.
South:	R-5	Undeveloped multiple family.
East:	AG	Bike trail.
West:	AG	Bike trail.

**EXISTING LAND USE:** Open space, drainage, parking, and bike trail.

**COMPREHENSIVE PLAN SPECIFICATIONS:**

**Page 21** - Urban Growth Tiers - This site is in Tier 1, Priority Area A of the City’s Future Service Limit.

**Page 23** - The Comprehensive Plan includes three tiers of growth for the City of Lincoln. Tier I reflects the “Future Service Limit,” where urban services and inclusion in the city limits are anticipated by 2025 within the 25 year planning period. Infrastructure planning, especially for water and sanitary sewer facilities, can reach beyond the 25 year time horizon to 50 years and further. Tier II respects this extended planning horizon by showing areas where long term utility planning is occurring today with the expectation that these areas will follow Tier I as the next in line for urban growth. Tier III reflects an even more distant planning area — both in time and geography. Little active planning of utilities or

service delivery is likely to occur in the near term in Tier III. A fuller description of each Tier is provided below:  
Tier I: Defines the City of Lincoln’s near term growth area – a 52 square mile area which could reasonably expect urban services within the next twenty five year period. Land within this area should remain generally in the present use in order to permit future urbanization by the City.

**Page 30** - Capitalize on Public Infrastructure Investments - The community should seek to efficiently utilize the community’s investments in existing and future public infrastructure to advance economic development opportunities.

The City and County will foster responsible land use and development through the timely provision of infrastructure and transportation system improvements, while at the same time maintaining the environmental values and stewardship they wish to sustain.

**Page 154** - The City’s Annexation Policy of the 2030 Comprehensive Plan:  
Annexation policy is a potentially powerful means for achieving many of the goals embodied in the Plan’s Vision. The annexation policies of the City of Lincoln include but are not limited to the following:

The provision of municipal services shall coincide with the jurisdictional boundaries of the City – in short, it is not the intent of the City of Lincoln to extend utility services (most notably, but not necessarily limited to, water and sanitary water services) beyond the corporate limits of the City.

The extension of water and sanitary sewer services shall be predicated upon annexation of the area by the City. City annexation shall occur before any property is provided with water, sanitary sewer, or other potential City services.

Land which is remote or otherwise removed from the limits of the City of Lincoln will not be annexed; land which is contiguous to the City and generally urban in character may be annexed; and land which is engulfed by the City should be annexed.

Annexation generally implies the opportunity to access all City services. Voluntary annexation agreements may limit or otherwise outline the phasing, timing or installation of utility services (e.g., water, sanitary sewer), and may include specific or general plans for the private financing of improvements to the infrastructure supporting or contributing to the land uses in the annexed area.

Annexation to facilitate the installation of improvements and/or possible assessment districts is appropriate if it is consistent with the annexation policies of the Plan listed above.

Plans for the provision of services within the areas considered for annexation shall be carefully coordinated with the Capital Improvements Program of the City and the County.

**HISTORY:**

March 12, 2007: Change of Zone #07003 from AG to H-4 was approved for a portion of the County Fairgrounds.

May 30, 2000: City Council approved Annexation #99022, which included the portion of the County Fairgrounds between the two proposed portions of the current annexation request.

**ASSOCIATED REQUEST:**

Comprehensive Plan Amendment #08014  
Change of Zone #08025  
Special Permit #08025

## **SPECIFIC INFORMATION:**

### **UTILITIES & SERVICES:**

- A. **Sanitary Sewer:** The property is within the future service limit. City water is available to the site. The Stevens Creek trunk sanitary sewer to Havelock Avenue is shown in 2008/2009 in the Capital Improvement Program. Sewer connection may not be available until fall of 2009.
- B. **Water:** The property is within the future service limit. City water is available to the site.
- C. **Roads:** N. 84<sup>th</sup> Street is classified in the Comprehensive Plan as an Urban Principal Arterial and Havelock Avenue is classified as an Urban Minor Arterial. The nearest City bus stop is N. 70<sup>th</sup> Street and Havelock Avenue, approximately one mile west of the site.
- D. **Parks and Trails:** The southern portion of the annexation is a segment of an existing bike trail. Mahoney Park is southwest of the site west of N. 84<sup>th</sup> Street. The Stevens Creek portion of the site is designated as Green Space and Environmental Resources in the Comprehensive Plan.
- E. **Fire Protection:** The nearest Fire Station is at 3640 Touzalin Avenue.

### **ANALYSIS:**

1. The Memorandum of Understanding will take place of an annexation agreement.
2. The south portion is City-owned land and is an existing bike trail.
3. The land is contiguous, generally urban in character, and is adjacent to the City limits on two sides (north portion). Annexation generally implies the opportunity to access all City services.
4. The north portion of the annexation is proposed to be zoned H-4, both portions are adjacent to the City, are located in Tier 1, Priority A, and have ready access to utilities such as water and sewer.

### **CONDITIONS OF APPROVAL:**

The applicant signs the Memorandum of Understanding before the City Council approves the annexation.

1. The City Council approves associated request:
  - 1.1 Memorandum of Understanding—Comprehensive Plan Amendment #08014

Prepared by:

Brandon M. Garrett, AICP  
Planner

**DATE:** June 10, 2008

**APPLICANT:** Ralph Haen  
Design Associates  
1609 N Street, Ste. 100  
Lincoln, NE 68508

**OWNER:** Lancaster County Agricultural Society Inc.  
4100 N. 84<sup>th</sup> Street  
Lincoln, NE 68507

**COMPREHENSIVE PLAN AMENDMENT NO. 08014,  
ANNEXATION NO. 08004,  
CHANGE OF ZONE NO. 08025  
and  
SPECIAL PERMIT NO. 08025**

**PUBLIC HEARING BEFORE PLANNING COMMISSION:**

June 18, 2008

Members present: Cornelius, Larson, Taylor, Sunderman, Esseks, Partington, Francis and Carroll; Gaylor Baird absent.

Ex Parte Communications: None.

Staff recommendation: Conditional approval, subject to a Memorandum of Understanding between the City and the Lancaster County Agricultural Society.

Staff presentation: **Brandon Garrett of Planning staff** submitted a correction to the staff report, adding language from the special permit report to the change of zone report regarding "Regional Issues".

Esseks expressed concern about the part of the proposed development being in the floodplain. It appears that there will be a lot of impermeable surfaces. He wondered whether the conservation easement proposed is adequate and whether the hydrology is such that 7.8 acres are enough to achieve the new growth area standard of "no net rise". Chad Blahak of Public Works and Utilities explained that the existing proposed conservation easement was to deal with the replacement of green space as identified in the Comprehensive Plan. The new growth area flood standards will be addressed at a future date when there is a final site plan and final grading plan provided by the applicant. He does not believe the existing conservation easement was meant to account for the flood standards.

Esseks pondered whether there is any reason to believe that the developer could not engineer a design for this property, through compensatory storage, for example, in order to achieve "no net rise". Blahak believes that will be the intent, but the applicant has not yet gone to that level of analysis.

Esseks pointed out the concern expressed by Lincoln Fire and Rescue about the lack of facilities, both fire suppression and medical, that allows timely response that the citizens expect. How far away is the closest station that can provide these services? Garrett indicated that the nearest station is #5 located at the intersection of Touzalin Avenue and Fremont Street. The approximate distance for travel by fire truck would be just over 2 miles.

Referring to the annexation, Carroll inquired whether there are any existing buildings left out of the annexation proposal. Garrett stated "no". He showed the area of annexation on the map. The applicant owns additional property beyond the existing buildings all the way to Stevens Creek, so there is still significant acreage that is not proposed to be annexed at this time, but there are no existing buildings or short term plans to build in that area. That area is also significantly in the floodplain so it is just being used for parking for now.

## Proponents

**1. Alan Wood**, attorney for the applicant, **Lancaster County Agricultural Society**, first addressed the issue of “no net rise”. The green space was originally agreed to be 1.5 times the amount coming out of the floodplain, and that was increased to two times. He referred to Analysis #6 in the staff report on the special permit, which requires that the applicant comply with the “no net rise” regulations. “We are not only providing green space but also complying with the ‘no net rise’ regulations.”

Wood then proposed additional language for Condition #2.1.20 of the special permit as follows:

2.1.20           Revise the site plan to show a 250' north to eastbound right turn lane in N. 84<sup>th</sup> Street at Havelock Avenue, a 350' east to southbound right turn lane in Havelock Avenue, a 250' west to northbound right turn lane in Havelock Avenue, 200' right turn lanes at the proposed driveways off of Havelock Avenue, and a minimum of 250' of left turn storage for the left turn lanes for the driveways off of Havelock, or such other dimension to the satisfaction of Public Works.

The additional language leaves open the possibility of future discussions regarding a minimum of 250 feet of left lane storage for the left turn lanes for the driveway off of Havelock Avenue proceeding west and turning left into the driveways of the Event Center.

He believes that Public Works is in agreement with the additional language. If conditions change with regard to that street, this language would provide the ability to at least discuss that item in the future.

Wood also advised that the Memorandum of Understanding has not yet been finalized and is still under negotiations.

Wood went on to state that this corner commercial development has been a part of the site plan of the Lancaster County Fairgrounds and the Event Center since before the first phase was constructed in 1999-2000. It was the thought by the Ag Society Board that reserving this corner for future development would provide income to the Ag Society to support the activities of the County Fair and provide for cash flow and perhaps to develop a reserve for maintenance. The Board feels strongly that it is necessary to account for depreciation with regard to the buildings and the more they can reserve the better off they will be in the future.

Wood explained that under state statute, agricultural societies are not able to sell county fairgrounds unless the proceeds are used to acquire other county fairgrounds. This corner will not be sold. The Ag Society will develop a RFP for interested developers and request a long term lease to provide a stream of income. The Ag Society will not be involved in any way in operating this commercial venture or managing it.

Wood advised that the Traffic Study will be attached to the Memorandum of Understanding. The Traffic Study was done in 2005 and references a 6,000 seat arena. The Ag Society has no plans as this time with regard to development of an arena and has no plans to develop an arena of 6,000 seats. Wood acknowledged that there may be a need for arena space in the future, and, at this point in time, the Ag Society anticipates that could be 6,000 seats. The general future plans call for an arena of 3,500 permanent seats, which would more accurately accommodate their needs. However, at this point in time, in view of all of the circumstances surrounding the Haymarket arena

and development that may occur, it is difficult for the Ag Society to agree to anything with regard to an arena. It is premature. The Ag Society is not comfortable making any binding decisions with regard to the Lancaster Event Center arena. The Ag Society is open to cooperation with other arena developments in town. It is difficult to agree to anything binding at this point. The Memorandum of Understanding has not been completed; however, there is no language therein dealing with seating, but simply a general concept of attempting to avoid duplication of facilities and competition with regard to the Downtown arena. The Event Center arena will be in the future – not now.

Wood also commented that normally, the Event Center does not host concerts. But that is not to say that concerts might occur if held in connection with another activity, e.g. the County Fair. The Ag Society does not believe there can be any steps taken to restrict the Ag Society from attracting and accommodating the events that this property was designed to accommodate.

Wood clarified that the special permit provides for 40,000 sq. ft. of retail; 6,000 to 8,000 sq. ft. in restaurant and a hotel of 75-150 rooms. The applicant does not know what kind of retail will be involved. That will be up to the developers.

Sunderman noted that the “Analysis” talks about the Ag Society having an interest in maintaining some control over the hotel’s booking operations. Wood explained that that goes to football Saturdays when there might also be events going on at the Event Center for which they need rooms. This issue will be addressed in the RFP.

**2. Jeremy Williams of Design Associates**, referred to Condition #2.1.20 of the special permit and discussed the developer’s concerns with the requested turn lanes that differ from the traffic analysis submitted with the original application.

Carroll noted that the Traffic Study was done in 2005 and he inquired as to why it was not updated with this application. Williams stated that the developer has not made any significant modifications to the trip generations since that time and there has been no change in the amount of square feet being requested, except that there would actually be a decrease in the trips considered in the 2005 study. The 2005 Traffic Study did consider the new building and accounted for all existing facilities as well as future facilities.

There was no testimony in opposition.

Cornelius inquired as to what other agencies and entities are involved in negotiating the Memorandum of Understanding. Garrett stated that the parties are the Planning Department, the Lancaster County Agricultural Society and LES.

#### Response by the Applicant

Wood clarified that when the 2005 Traffic Study was completed, it contemplated a 6,000 seat arena – that arena was placed on permanent hold because of the Mayor’s task force study, the decision with regard to the State Fair Park, etc. The Traffic Study was developed based on the commercial corner being in existence and based on the buildout that the Event Center is currently doing. They are basically downsizing the campus, yet some of the traffic design is increasing. The applicant believed they could abide by the recommendations of the 2005 Traffic Study.

Carroll confirmed that the additional language to Condition #2.1.20 of the special permit deals with

the easternmost driveway if proceeding west on Havelock and you want to turn left or south into that driveway. Wood agreed. The staff is requesting 250' and the developer does not believe that the traffic volume would justify the need for a 250' storage lane for left hand turn at that point.

**COMPREHENSIVE PLAN AMENDMENT NO. 08014**

**ACTION BY PLANNING COMMISSION:**

June 18, 2008

Larson moved approval of the staff recommendation, seconded by Francis.

Cornelius noted that one of the concerns raised in the staff report was that of the direction that we are given by the Comprehensive Plan to maintain Downtown as a focus of events and activities in Lincoln. He understands that this issue is being addressed through the Memorandum of Understanding and urged the Planning Department and other agencies involved in the drafting of that agreement to protect the interests of Lincoln as set forth in the Comprehensive Plan.

Carroll agreed with Cornelius. Since the Planning Commission does not have any authority in the Memorandum of Understanding, the Planning Commission would ask that the Comprehensive Plan be followed as much as possible; that any green space and environmental space in that area be protected; and that the community's guidelines be followed which the Planning Commission is here to uphold.

Motion for approval, subject to a Memorandum of Understanding between the City and the Lancaster County Agricultural Society, carried 8-0: Cornelius, Larson, Taylor, Sunderman, Esseks, Partington, Francis and Carroll voting 'yes'; Gaylor Baird absent. This is a recommendation to the City Council.

**ANNEXATION NO. 08004**

**ACTION BY PLANNING COMMISSION:**

June 18, 2008

Taylor moved approval, subject to the Memorandum of Understanding, seconded by Francis and carried 8-0: Cornelius, Larson, Taylor, Sunderman, Esseks, Partington, Francis and Carroll voting 'yes'; Gaylor Baird absent. This is a recommendation to the City Council.

**CHANGE OF ZONE NO. 08025**

**ACTION BY PLANNING COMMISSION:**

June 18, 2008

Cornelius moved approval, subject to the Memorandum of Understanding, seconded by Esseks and carried 8-0: Cornelius, Larson, Taylor, Sunderman, Esseks, Partington, Francis and Carroll voting 'yes'; Gaylor Baird absent. This is a recommendation to the City Council.

**SPECIAL PERMIT NO. 08025**

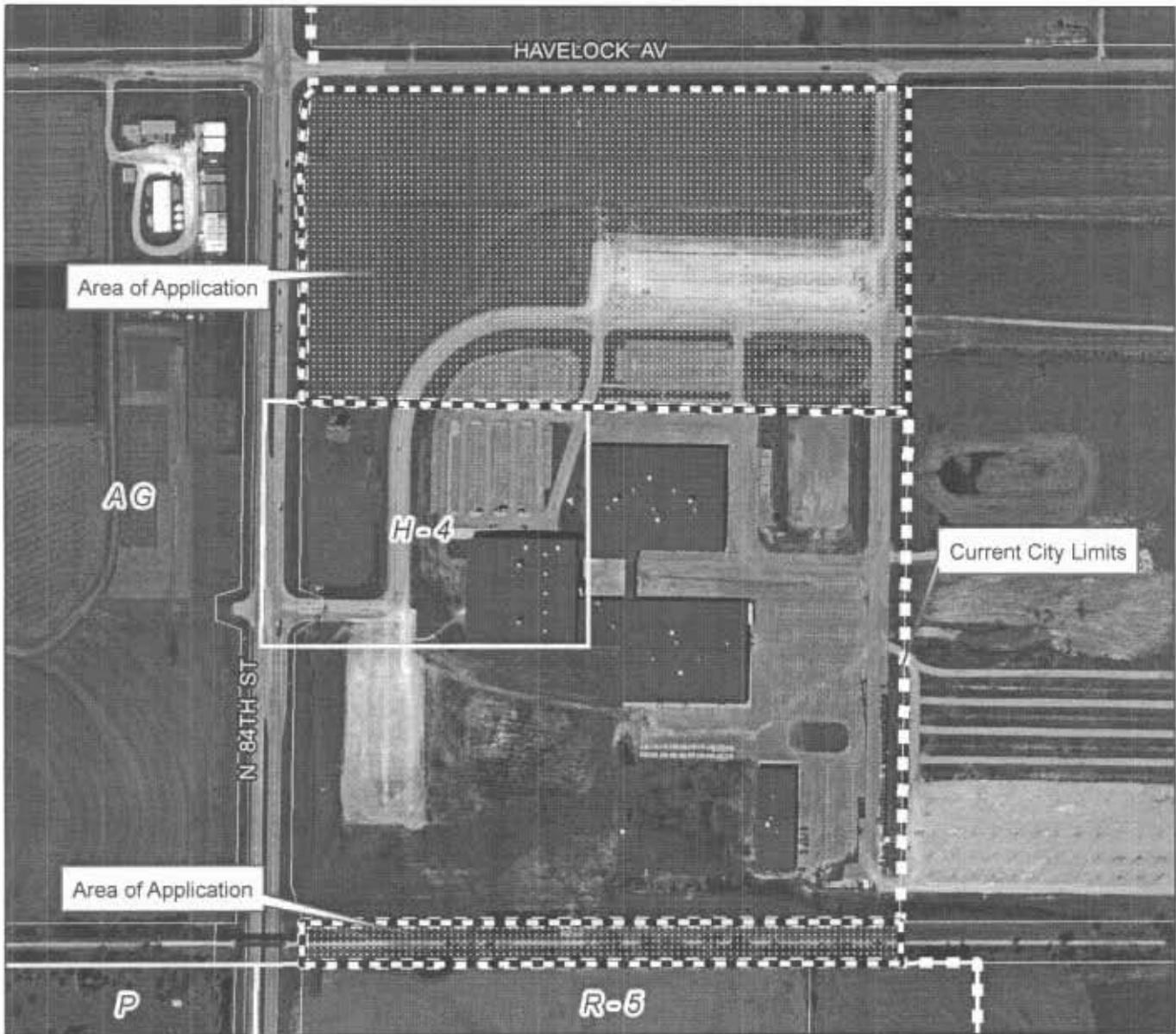
**ACTION BY PLANNING COMMISSION:**

June 18, 2008

Taylor moved approval of staff recommendation of conditional approval, with the amendment to Condition #2.1.20 as requested by the applicant, seconded by Cornelius.

Esseks clarified that the amendment pertains to the easternmost driveway when proceeding west on Havelock and turning left/south into that driveway.

Motion for conditional approval, with one amendment, carried 8-0: Cornelius, Larson, Taylor, Sunderman, Esseks, Partington, Francis and Carroll voting 'yes'; Gaylor Baird absent. This is final action unless appealed to the City Council within 14 days.



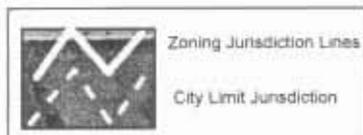
**Annexation #08004**  
**N 84th St & Havelock Ave**

2007 aerial

**Zoning:**

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

One Square Mile  
 Sec. 11 T10N R07E



J.

NORT.  
5 I.T.

AVE. HAVELOCK AVE.

84TH ST.

ST.

84TH ST.

ST.

LOT 37  
23.78 ACRES +/-

LOT 38  
98.96 ACRES +/-

LOT 30

MAY 21 2008

LINCOLN  
PL

PRAIRIE VILLAGE

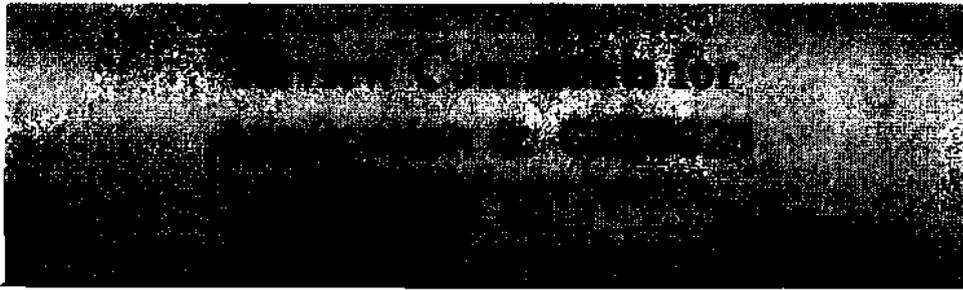
NORTH ADD.

LOT 43  
14.21 ACRES +/-

FREMONT ST.

LOT 44

2



Status of Review: Active

Reviewed By ANY

Comments:

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Status of Review: Active

Reviewed By 911 ANY

Comments:

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Status of Review: Active

Reviewed By Alltel ANY

Comments:

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Status of Review: Active

Reviewed By Building & Safety ANY

Comments:

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Status of Review: Active

05/28/2008 7:50:31 AM

Reviewed By Building & Safety ANY

Comments: There is questions by this department at what we can enforce (zoning) on this property. The area shown on this application already has a sign that was not allowed by the zoning ordinance and was constructed without this departments approval. The AG Society is a taxing authority and thus the sign was allowed. Does this new action change any of this or does it make the sign legal.

What kind of signage is allowed on this site and can this be enforced?

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Status of Review: Active

Reviewed By County Attorney ANY

Comments:

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Status of Review: Complete

05/30/2008 11:25:20 AM

Reviewed By Fire Department

ANY

Comments: The fire hydrants and accessibility to the project are acceptable from the perspective of our department. Our concern is the lack of fire facilities in the area that llows us to provide the timely response that our citizens have grown to expect.

Status of Review: Approved

06/03/2008 10:43:12 AM

Reviewed By Health Department

ANY

Comments: LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT  
INTER-OFFICE COMMUNICATION

TO: Brandon Garrett DATE: June 3, 2008

DEPARTMENT: Planning FROM: Chris Schroeder  
ATTENTION: DEPARTMENT: Health

CARBONS TO: EH File SUBJECT: Lancaster Event Center  
EH Administration SP #08025 CZ #08025  
CAN #08004

The Lincoln-Lancaster County Health Department has reviewed the proposed development with the following noted:

Developers are responsible for all mosquito control issues during the building process and all outlots, green-spaces, and/or natural corridors subsequently controlled by the owner, tenant, occupant, lessee, or otherwise, for that subdivision would be responsible for vectors of zoonotic disease in those areas.

All wind and water erosion must be controlled during construction. The Lower Platte South Natural Resources District should be contacted for guidance in this matter.

During the construction process, the land owner(s) will be responsible for controlling off-site dust emissions in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32. Dust control measures shall include, but not limited to application of water to roads, driveways, parking lots on site, site frontage and any adjacent business or residential frontage. Planting and maintenance of ground cover will also be incorporated as necessary.

Status of Review: Active

Reviewed By Lancaster County Sheriff Department

ANY

Comments:

Status of Review: Active

Reviewed By Law Department

ANY

Comments:

# Memorandum

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**To:** Brandon Garrett, Planning Department  
**From:** Chad Blahak, Public Works and Utilities  
**Subject:** Lancaster Event Center sp08025 cz08025 an08004  
**Date:** June 10, 2008  
**cc:**

Engineering Services has reviewed the plans for the Lancaster Event Center special permit, located on the southeast corner of 84<sup>th</sup> and Havelock Avenue, and has the following comments:

- 1 The proposed grades for the three lane urban paving section for Havelock Avenue need to be shown on the grading plan to ensure that the proposed site grading will match the grading necessary for the curb and gutter section.
- 2 The proposed storm sewer and drainage calculations need to be provided.
- 3 The required 30' easements need to be shown for the public sanitary sewer.
- 4 The Stevens Creek trunk sanitary sewer to Havelock is shown in 2008/2009 in the proposed Capital Improvement Program. Sewer connection may not be available until fall of 2009.
- 5 The site plan shows a 6" water main loop in the private system shown to serve the proposed buildings. Public main design standards require 8" water mains in commercial developments. Information needs to be provided showing that the proposed private system will provide adequate fire protection flows.
- 6 The site plan needs to be revised to show a 250' north to eastbound right turn lane in 84<sup>th</sup> Street at Havelock Avenue, a 350' east to southbound right turn lane in Havelock, a 250' west to northbound right turn lane in Havelock, 200' right turn lanes at the proposed driveways off of Havelock, and a minimum of 250' of left turn storage for the left turn lanes for the driveways off of Havelock.

INTER-DEPARTMENT COMMUNICATION



DATE 06/04/2008  
TO: Brandon Garrett, City Planning  
FROM: Sharon Theobald (Ext. 7640) *ht*  
SUBJECT: DEDICATED EASEMENTS  
DN #43N-84E

AN#08004  
CZ#08025  
SP#08025

Attached is the Site Plan for Lancaster County Fairgrounds.

**In reviewing the dedicated transmission line or other electrical easements shown on this plat, LES does not warrant, nor accept responsibility for the accuracy of any such dedicated easements.**

Windstream, Time Warner Cable, and the Lincoln Electric System will require blanket utility easements, excluding building envelopes, over Lot 37.

In addition to the 115kV Transmission Line, there is also a 35kV line along the east side of 84<sup>th</sup> St. Please show the easements and poles (as hi-lighted in green on the enclosed plat map).

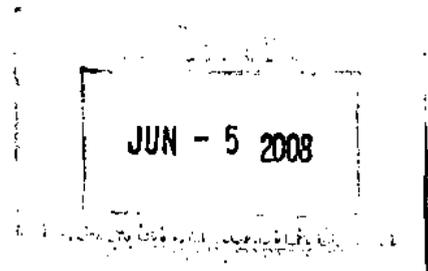
Please add, as a stipulation, the following:

Any construction or grade changes in LES transmission line easement corridors are subject to LES approval and must be in accordance with LES design and safety standards.

Landscaping material selections within easement corridors shall follow established guidelines to maintain minimum clearance from utility facilities.

As an added note – we noticed the legal description in the survey notes was marked Range 09 East instead of Range 07 East.

ST/ss  
Attachment  
c: Terry Wiebke  
Easement File





**PUBLIC WORKS AND  
UTILITIES DEPARTMENT**

**MEMORANDUM**

**Date:** 6/5/2008

**To:** Brandon Garrett

**From:** Devin Biesecker

**Subject:** SP08025 Lancaster Event Center

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Below are Watershed Management's comments for the Special Permit, Change of Zone and Annexation for the Lancaster Event Center.

1. A portion of the area being proposed for commercial development is located in the Stevens Creek floodplain. Any filling of the Stevens Creek floodplain in this area requires that the "New Growth Area" floodplain standards be met. The "New Growth Area" floodplain standards require that any fill in the floodplain result in no-net rise in the 100 year water surface elevation of Stevens Creek by utilizing compensatory storage.
2. This area is also designated as Green Space in the Lincoln/Laneaster County Comprehensive Plan. The proposed development would eliminate approximately 3.8 acres of floodprone area currently serving as Green Space. In a draft Memorandum of Understanding between the City of Lincoln and the Laneaster Event Center the City has asked that in order to compensate for the loss of Green Space due to this proposed development that the Laneaster Event Center preserve 7.6 acres of land in the floodplain. This would result in the preservation of 2 acres of floodplain/floodprone land for every 1 acre of floodplain/floodprone land developed.

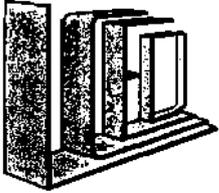
Lancaster  
County

DON R. THOMAS - COUNTY ENGINEER

Engineering

DEPUTY- KENNETH D. SCHROEDER  
COUNTY SURVEYOR

Department



**DATE:** May 29, 2008  
**TO:** Brandon Garrett  
Planning Department  
**FROM:** Ken D. Schroeder  
County Surveyor  
**SUBJECT:** LANCASTER EVENT CENTER  
SP08025, CZ08025, AN08004

MAY 30 2008

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Upon review, this office would offer the following comments:

- 1) On the drawing, both Legal descriptions should be revised to reference Range 7 East and reference Principal Meridian.
- 2) Road improvements along Havelock Avenue should be the responsibility of the developer.

KDS/pb

Zone/08025 Change of Zone. wpd

FAX # (402) 441-8692

444 CHERRYCREEK ROAD, BLDG C

LINCOLN, NEBRASKA 68528

(402) 441-7681



"Sgt. Don Scheinost"  
<lpd798@CJIS.LINCOLN.NE.  
GOV>

05/26/2008 01:01 PM

To Brandon Garrett <BGarrett@ci.lincoln.ne.us>

cc

bcc

Subject Lancaster Event Center-SP08025, CZ08025

Mr. Garrett,

The Lincoln Police Department does not object to the Lancaster Event Center, SP08025, CZ08025 plans.

Sergeant Don Scheinost  
Management Services  
Lincoln Police Department  
575 South 10th Street  
Lincoln, NE 68508  
402.441.7215  
mail to: [lpd798@cijs.lincoln.ne.gov](mailto:lpd798@cijs.lincoln.ne.gov)

# Memo

**To: Brandon Garrett, Planning Department**

**From: Mark Canney, Parks & Recreation**

**Date: May 27, 2008**

**Re: Lancaster Event Center SP08025, CZ08025**

Brandon,

Staff members of the Lincoln Parks and Recreation Department have conducted a plan review of the above-referenced application/proposal and have not comments or concerns at this time. Please approve.

If you have any additional questions, comments or concerns, please feel free to contact me at 441-8248.

Thank you.

Mark Canney

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Mr. Marvin Krout, Planning Director  
Lincoln City – Lancaster County Planning Dept.  
555 South 10th Street, Room 213  
Lincoln, NE 68508

Re: Lancaster County Agricultural Society  
Our File No.: 13841.47637

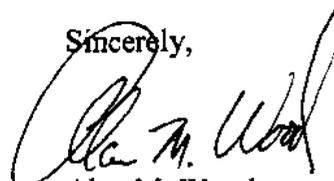
Dear Mr. Krout:

On behalf of the Lancaster County Agricultural Society, I am requesting the City of Lincoln annex a parcel comprising 25.75 acres, more or less, located at the Southeast corner of 84th and Havelock Avenue on the Lancaster County Fairgrounds. I have attached a hard copy legal description of the parcel (see Exhibit "A") and a digital file containing the legal description has been sent by e-mail to Steve Henrichsen.

This requested annexation is made in conjunction with the Ag. Society's request for change of zone from AG to H-4, as well as a request for a special permit in order to allow the private development of a hotel, restaurant and retail space on the subject real estate. The Ag. Society intends to enter into a long-term lease with a private developer.

Please present this request for annexation to the Lincoln City Council for action as soon as conveniently possible. Contact me should you require additional information or action on my part.

Sincerely,



Alan M. Wood

AMW:rln  
Enclosure

c/enc: Lancaster County Agricultural Society  
Lancaster County Board of Commissioners  
Mayor Chris Beutler  
Rick Peo, Chief Assistant City Attorney  
Joan Ross, City Clerk