

City Council Introduction: **Monday**, September 15, 2008  
Public Hearing: **Monday**, September 22, 2008, at **5:30** p.m.

Bill No. 08R-225

## **FACTSHEET**

**TITLE:** A Resolution approving and adopting a proposed amendment to the **NORTH 56<sup>TH</sup> STREET AND ARBOR ROAD REDEVELOPMENT PLAN**, requested by the Director of the Urban Development Department.

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: Consent Agenda 08/27/08  
Administrative Action: 08/27/08

**STAFF RECOMMENDATION:** A finding of conformance with the Comprehensive Plan.

**RECOMMENDATION:** A finding of conformance with the Comprehensive Plan (9-0: Gaylor Baird, Carroll, Cornelius, Esseks, Francis, Larson, Partington, Sunderman and Taylor voting 'yes').

### **FINDINGS:**

1. The purpose of this proposed amendment to the **North 56<sup>th</sup> Street and Arbor Road Redevelopment Plan** is to add the "NCS Equipment Rental Project", for the development of a 23,147 sq. ft. building and public improvements, including the paving of North 54<sup>th</sup> Street, sidewalks along 54<sup>th</sup> and 56<sup>th</sup> Streets, public water, street lights along North 54<sup>th</sup> and North 56<sup>th</sup> Streets, grading and site preparation, storm drain work and driveway approach and landscaping, on property generally located at the northwest corner of North 56<sup>th</sup> Street and Alvo Road.
2. The staff recommendation to find the proposed amendment to be in conformance with the Comprehensive Plan is based upon the "Analysis" as set forth on p.4.
3. On August 27, 2008, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
4. On August 27, 2008, the Planning Commission agreed with the staff recommendation and voted 9-0 to find the proposed amendment to the **North 56<sup>th</sup> Street and Arbor Road Redevelopment Plan** to be in conformance with the 2030 Comprehensive Plan.

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

**DATE:** September 8, 2008

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

**DATE:** September 8, 2008

**REFERENCE NUMBER:** FS\CC\2008\CPC.08022 Redev Plan Amendment

**LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT**

**for AUGUST 27, 2008 PLANNING COMMISSION MEETING**

**Project #:** Comprehensive Plan Conformance No. 08022

**PROPOSAL:** Amendment to N. 56<sup>th</sup> & Arbor Road Redevelopment Plan to add a new redevelopment project.

**LOCATION:** N. 56<sup>th</sup> Street and Alvo Road

**LAND AREA:** 5.00 acres, more or less

**CONCLUSION:** The proposed amendment is in conformance with the Comprehensive Plan.

<b><u>RECOMMENDATION:</u></b>	In conformance with the Comprehensive Plan.
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**GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** Lot 1, Northbank Junction 2<sup>nd</sup> Addition

**EXISTING ZONING:** H-4 General Commercial District

**EXISTING LAND USE:** Undeveloped

**SURROUNDING LAND USE AND ZONING:**

North: AG Agriculture District, undeveloped  
South: H-4 General Commercial District, commercial uses  
East: H-4 General Commercial District, commercial uses  
West: AG Agriculture District, undeveloped

**HISTORY:**

April 4, 2008: Final Plat #08004 Northbank Junction 2<sup>nd</sup> Addition was approved by the Planning Director.

March 10, 2008 Change of Zone #08001 (from AG to H-4) and Annexation #08001 were approved by City Council.

February 13, 2008: Preliminary Plat #08001 was approved by Planning Commission.

Sept. 25, 2006: N. 56<sup>th</sup> Street and Arbor Road Redevelopment Plan was adopted by City Council.

April 14, 2004: Preliminary Plat #03004 was approved by Planning Commission.

## COMPREHENSIVE PLAN SPECIFICATIONS:

The 2030 Comprehensive Plan identifies this area as Commercial and Lakes and Streams. (P. 19)

Lakes and Streams: This category includes the larger stream corridors, lakes, and ponds. (P. 16)

Commercial: Areas of retail, office and service uses. Commercial uses may vary widely in their intensity of use and impact, varying from low intensity offices, to warehouses, to more intensive uses such as gas stations, restaurants, grocery stores or automobile repair. Each area designated as commercial in the land use plan may not be appropriate for every commercial zoning district. The appropriateness of a commercial district for a particular piece of property will depend on a review of all the elements of the Comprehensive Plan. (P. 16)

Economic development incentives should be offered for Primary jobs. (Primary employers means where 50% of the end product sales or services of a business occur outside Lancaster County.) (P. 30)

The *Comprehensive Plan* identifies the following General Principles for, "All Commercial and Industrial Uses: (P. 35)

Commercial and industrial districts in Lancaster County shall be located:

- within the City of Lincoln or incorporated villages;
- outside of saline wetlands, signature habitat areas, native prairie and flood plain areas (except for areas of existing commercial and industrial zoning);
- where urban services and infrastructure are available or planned for in the near term;
- in sites supported by adequate road capacity - commercial development should be linked to the implementation of the transportation plan;
- in areas compatible with existing or planned residential uses;
- in areas accessible by various modes of transportation (i.e. automobile, transit and pedestrian);
- so that they enhance entryways or public way corridors, when developing adjacent to these corridors; and
- in a manner that supports the creation and maintenance of green space as indicated in the environmental resources of the Comprehensive Plan.

N. 56<sup>th</sup> and Arbor Road Redevelopment Plan:

Entryway corridors are a community's "front door." It is acknowledged that the corridor's landscaping, commercial signage and building character provides the first, and oftentimes, the most lasting impression of the entire community. Yet the North 56<sup>th</sup> Street corridor does not necessarily provide the most desirable impression. The west and north ends of the corridor are characterized by predominately vacant land with sporadic commercial development along North 56th Street and Arbor Road. Although these land uses are appropriate for the area, the lack of continuity and unity give the corridor no sense of place; that is, this front door to Lincoln is vague and ill-defined. (P. 1)

Improve street landscaping, where possible, along parking lots or in conjunction with new developments. (P. 17)

Redevelopment Activities: Industrial and Commercial

Support of commercial and residential redevelopment efforts on the west side North 56th Street (Project Sub-Area A, Exhibit 4), south of Arbor Road at property generally described as: Finigan Brothers Lot 2, Finigan Brothers Lot 1 in the East half of Section 32-11-7 and commercial development north of Arbor Road on property generally described as Lots 11, 27, 28, and 33 Irregular Tracks in Section 29-11-7.

Support of residential development shall be limited to the initial phase of a maximum of 115 lots in Project Sub Area A. No internal roadways, utility collection or distribution facilities or other on-site improvements shall be made within and in support of residential development.

Project elements may include:

- Acquisition of necessary easements, rights-of-way from willing seller for construction of public improvements;
- Construction of on-site and off-site public utilities including sanitary sewer extensions, water main extensions, and storm water facilities;
- Construction of internal public roads and parking;

- Sidewalk construction, landscaping, trails, ornamental lighting and streetscape in public rights-of-way; and
- Re-platting and re-zoning as necessary. (P. 22)

This project is located in Sub-Area A in the redevelopment plan. (P. 25)

The proposed future land use is identified as Commercial in the redevelopment plan. (P. 26)

**ANALYSIS:**

1. This is a request to review a proposed amendment to the N. 56<sup>th</sup> Street and Arbor Road Redevelopment Plan for a determination of conformity with the Comprehensive Plan. The amendment includes Lot 1, Northbank Junction 2<sup>nd</sup> Addition.
2. The proposed amendment is consistent with the future land use and specified redevelopment activities for Sub-Area A.
3. Total cost of this project is estimated at \$1.6 million, this includes approximately \$250,000 of City public investment. The source of these public funds will be Tax Increment Financing (TIF) estimated to be approximately \$250,000, generated from a private investment of \$1.5 million.

Prepared by:

Brandon M. Garrett, AICP  
Planner

**DATE:** August 19, 2008

**APPLICANT:** David Landis, Director  
Urban Development Department  
808 P Street, Ste. 400  
Lincoln, NE 68508

# COMPREHENSIVE PLAN CONFORMANCE NO. 08022

**CONSENT AGENDA**  
**PUBLIC HEARING & ADMINISTRATIVE ACTION**  
**BEFORE PLANNING COMMISSION:**

August 27, 2008

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

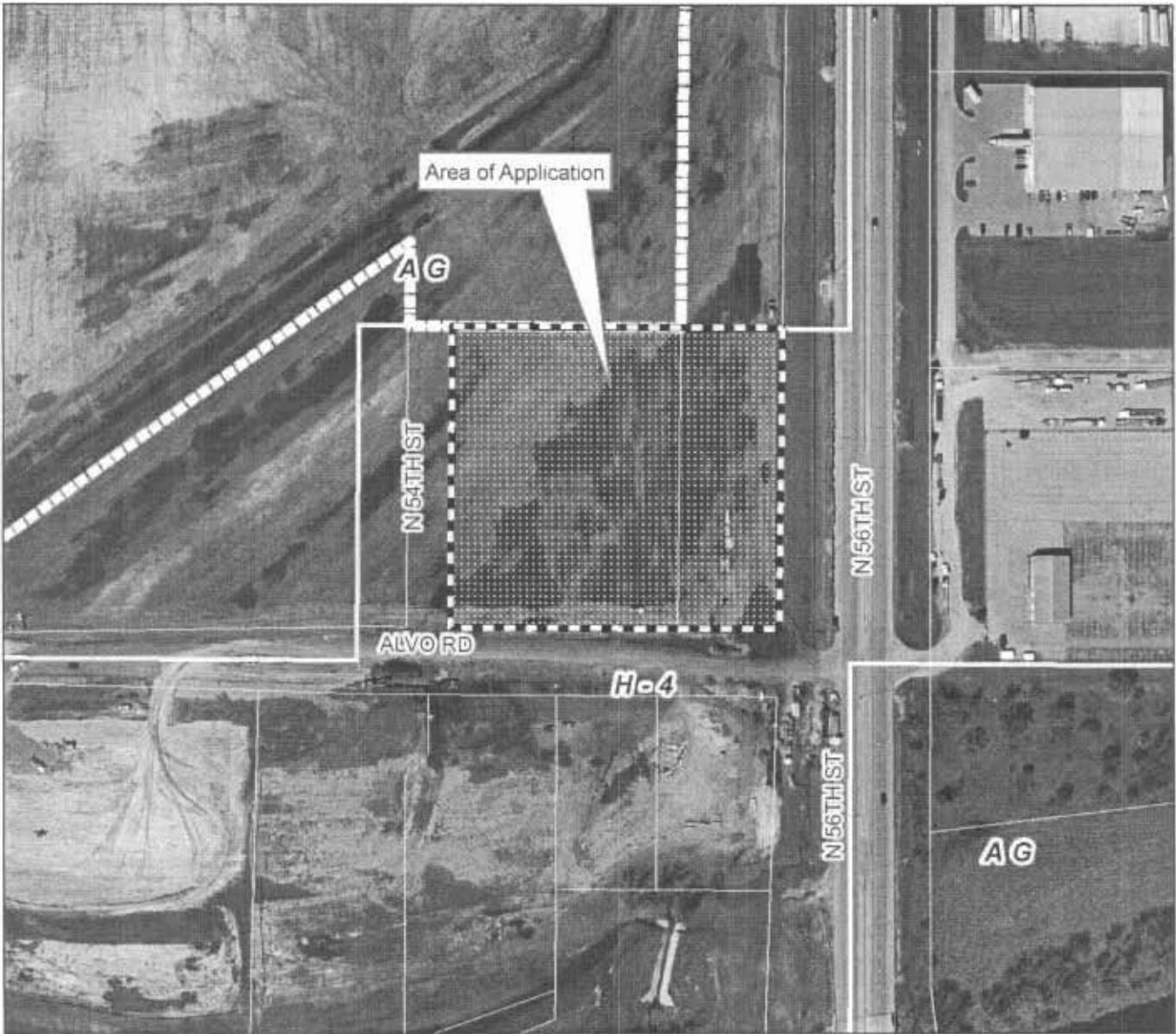
The Consent Agenda consisted of the following items: **COMPREHENSIVE PLAN AMENDMENT NO. 08015, COMPREHENSIVE PLAN CONFORMANCE NO. 08022, SPECIAL PERMIT NO. 08037, ANNEXATION NO. 08006 and CHANGE OF ZONE NO. 08041.**

Ex Parte Communications: None

**Item No. 1.1, Comprehensive Plan Amendment No. 08015; Item No. 1.4a, Annexation No. 08006, and Item No. 1.4b, Change of Zone No. 08041,** were removed from the Consent Agenda.

Taylor moved to approve the remaining Consent Agenda, seconded by Larson and carried 9-0: Gaylor Baird, Carroll, Cornelius, Esseks, Francis, Larson, Partington, Sunderman and Taylor voting 'yes'.

Note: This is final action on Special Permit No. 08037, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days of the action by the Planning Commission.



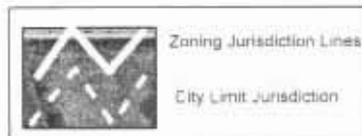
2007 aerial

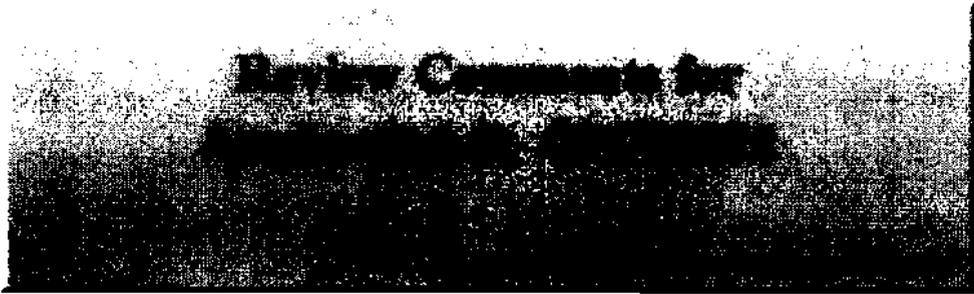
**Comp Plan Conformance #08022**  
**N 56th St & Alvo Rd**

**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. 29 T11N R07E





Status of Review: Active

Reviewed By

ANY

Comments:

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Status of Review: No Rev Req

Reviewed By Building & Safety

Terry Kathe

Comments:

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Status of Review: Approved

08/11/2008 4:00:20 PM

Reviewed By Health Department

ANY

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

TO: Brandon Garrett DATE: August 11, 2008

DEPARTMENT: Planning FROM: Chris Schroeder

ATTENTION:

DEPARTMENT: Health

CARBONS TO: EH File SUBJECT: N. 56th Arbor

EH Administration Redevelopment Plan

UNCS Equipment

CPC #08022

The Lincoln-Lancaster County Health Department has reviewed the comprehensive plan conformance application and does not object to the approval of this application.

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Status of Review: Active

Reviewed By Law Department

ANY

Comments:

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Status of Review: Active

Reviewed By Nebraska Department of Roads

ANY

Comments:

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Status of Review: **Active**

Reviewed By **Planning Department**

**BRANDON GARRETT**

Comments:

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Status of Review: **Complete**

Reviewed By **Planning Department**

**RAY HILL**

Comments:

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Status of Review: **Routed**

Reviewed By **Planning Department**

**COUNTER**

Comments:

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Status of Review: **Active**

Reviewed By **Public Works - Development Services**

**ANY**

Comments:

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Status of Review: **Approved**

Reviewed By **Urban Development**

**ANY**

Comments:

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Status of Review: **Approved**

Reviewed By **Urban Development**

**ANY**

Comments:

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**Chad E Blahak/Notes**  
08/15/2008 02:58 PM

To Brandon M Garrett/Notes@Notes  
cc Tina D Queen/Notes@Notes, Dennis D  
Bartels/Notes@Notes  
bcc  
Subject cpc08022

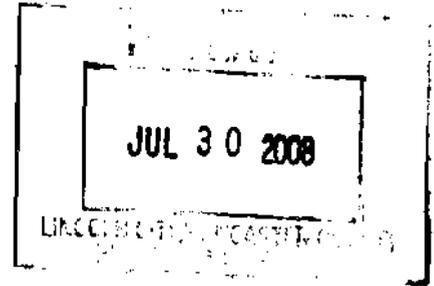
Brandon,

Public Works finds the Comp. Plan Conformance submittal satisfactory.

Chad

Chad Blahak, P.E.  
City of Lincoln  
Public Works/Utilities Department  
Engineering Services  
(402) 441-5660

# Memo



**To:** Marvin Krout   
**From:** Dave Landis  
**Date:** July 29, 2008  
**Subject:** Amendment to the N 56<sup>th</sup> Street & Arbor Road Redevelopment Plan

Please find enclosed an amendment to the North 56th & Arbor Road Redevelopment Plan. This amendment is to add a new redevelopment project to the Plan under the section entitled Redevelopment Activities: Industrial and Commercial, on page 23, project number five. Ernie Castillo has met with Steve Henrichsen to discuss the project and we have now received all the information needed to move forward.

Project location is generally described as Lot 1 Northbank Junction 2<sup>nd</sup> Addition, Lincoln, Lancaster County, Nebraska. The project site is located at the NW corner of 56<sup>th</sup> & Alvo Road.

Please forward the amendment to the Planning Commission for their consideration at their meeting on August 27, 2008. If you have any questions please call Ernie Castillo at 441-7855.

**Proposed Amendment to the N 56<sup>th</sup> Street & Arbor Road Redevelopment Plan for  
the NCS Equipment Rental Project  
(Page 23, Number 5, of the North 56<sup>th</sup> & Arbor Road Redevelopment Plan)**

**Project Description**

Project number five, NCS Equipment, is located within Sub-Project Area A at the NW corner of 56<sup>th</sup> & Alvo Road at property generally described as Lot 1, Northbank Junction 2nd Addition, Lincoln, Lancaster County, Nebraska. The project site is shown in the attachment provided.

NCS Equipment Rental plans on building a new 23,147 square feet service location. NCS is a leader in equipment rental, service and contractor supplies for Nebraska and surrounding areas and has one of the largest selections of construction equipment for rent or sale in Nebraska. NCS offers everything from rental, sales, delivery options, equipment maintenance programs, machinery parts and certification for operator training. The organization started in 1994 in Bertrand, Nebraska.

Public improvements include the paving of N 54<sup>th</sup> Street, sidewalks along 54<sup>th</sup> and 56<sup>th</sup> Streets, public water, street lights along N 54<sup>th</sup> and N 56<sup>th</sup> Streets, grading and site preparation, storm drain work and driveway approach and landscaping.

**Statutory Elements**

**A. Property Acquisition, Demolition and Disposal**

No public acquisition of private property, relocation or families or business or the salae of property is necessary for this project.

**B. Population Density**

This redevelopment project contains no residential units. The project consists of a commercial/retail development which will not affect the population density in the project area.

**C. Land Coverage**

The project site is currently vacant but shall be developed with the project. The developer will construct a new 23,147square ft. building.

**D. Traffic Flow, Street Layout, and Street Grades**

This project will likely increase traffic flow and the anticipated public improvements at N 54<sup>th</sup> Street and along Alvo Rd will be adequate to provide access to the project site.

**E. Parking**

Private parking will be developed as part of the project according to the zoning classification.

**F. Zoning, Building Code, and Ordinances**

The project site zoning has been changed to H4. No other changes are contemplated to local codes or ordinances.

**Proposed Coets and Financing**

The estimated total cost for project implementation is approximately \$1.6 million; this includes up to approximately \$250,000 of City public investment. The source of public funding is Tax Increment Financing (TIF) estimated to be approximately \$250,000, generated from a private investment of \$1.5 million under Neb. Rev. Stat §18-2147, based upon the incremental taxes created by the project.

# NCS Equipment Project Site

**Legend**

- Landbase (Plat)
- ▭ Parcel Boundaries
- ▨ Project Area



City of Lincoln  
 Urban Development GIS  
 7/29/08  
 Includes Parcels  
 1829402001000  
 1829402002000



**Cost Benefit Analysis  
NCS Equipment Project  
July, 2008**

As required by Nebraska Community Development Law (Nebr. Res.Stat §18-2147), the City has analyzed the costs and benefits of the proposed NCS Equipment Project.

**Tax Revenues.** The NCS Equipment project is located at the NW corner of 56<sup>th</sup> & Alvo Road. The current assess value is \$41,462.

Tax Increment Finance Analysis		
<b>Base Value</b>	Current Assessed Value	\$41,462
<b>Estimated New Assessed Value</b>	Project Cost	\$1,311,062
<b>Increment Value</b>	New Value minus Base Assessed Value	\$1,269,600
<b>TIF Tax Generated</b>	= increment x 2.009031 rate	\$25,507
<b>Funds Available</b>	Annual TIF Generated x 14 years at 8.25%	\$250,875

The assessed value of the property within the project area will increase by an estimated \$1.2 million as a result of the project private investment of \$1,587,000. This will result in an estimated annual increase of \$25,507 in property tax collections that will be available for the construction of the public improvements related to the project during the 15 year TIF period. The City will forgo 14.33 percent of the collections, or \$3,655 per year because they will be used for eligible public improvements to enable the project to be built.

The Redevelopment Agreement assumes the generated TIF will be approximately \$250,000. This amount in public funds will leverage about \$1,587,000 in private sector financing. An investment of \$6.35 for every City dollar spent.

**Public Infrastructure and Community Public Service Needs.** TIF financing will be used for public infrastructure costs such as street paving, driveway approach, sidewalks, public water, street lights, landscaping the right-of-way and street name signs.

**Employment Within the Project Area.** The developer is planning on adding up to 20 new jobs within the first year of operation.

**Employment in the City outside the Project Area.** Approximately 125,936 persons living in Lincoln are employed, according to the 2005 American Community Survey. The median household income for the City in 2005 was \$45,790.

The impact of an additional 20 jobs will have minimal impact on the overall employment in Lincoln.

**Other Impacts.** The project site is currently vacant and most of the land around the site is vacant. This redevelopment project should continue to spur further development in the area in accordance with the N 56& Arbor Rd Redevelopment Plan.

**Ernesto Castillo/Notes**  
08/19/2008 02:11 PM

To: Brandon M Garrett/Notes@Notes  
cc: David M Landis/Notes@Notes, Wynn S  
Hjermstad/Notes@Notes, Mike Lang/Notes@Notes  
bcc:  
Subject: Plan Amendment Request

Brandon,

The Urban Development Department is confident that the NCS project meets the TIF guideline in E.O. 080673. The two prong test was verified by review of company documents provided by NCS.

NCS sales reports for 2007 were reviewed by City staff and established sales outside Lancaster County were well above the 50% level required by the policy. While we know the percentage, we do not want to make public information about a company's profitability, business strategy or market performance without permission. Our goal is a reliable method of measuring compliance and that has been achieved.

Secondly, the NCS payroll journal of wages paid to employees working in Lincoln during 2007 exceeded the benchmark required by TIF policy. The benchmark was established by using the most recent Department of Labor reports.

UDD is happy to provide the methodology used for determining compliance. We also believe compliance has been verified, but the release of sensitive business information should be done with the knowledge and concurrence of the business.

Call me with any questions.

Ernie

Ernesto Castillo  
Community Development Program Specialist  
Community Development Division  
Urban Development Department  
Phone 402.441.7855  
Fax 402.441.8711