

## MEETING RECORD

**NAME OF GROUP:** PLANNING COMMISSION

**DATE, TIME AND PLACE OF MEETING:** Wednesday, May 10, 2000, 1:00 p.m., City Council Chambers, First Floor, County-City Building, 555 S. 10th Street, Lincoln, Nebraska

**MEMBERS IN ATTENDANCE:** Russ Bayer, Jon Carlson, Steve Duvall, Linda Hunter, Patte Newman, Tommy Taylor and Cecil Steward (Gerry Krieser and Greg Schwinn absent); Kent Morgan and Jean Walker of the Planning Department; other City Department representatives; media and other interested citizens.

**STATED PURPOSE OF MEETING:** Special Planning Commission Meeting  
F.Y. 2000-2006 Capital Improvements Program  
and Comprehensive Plan Amendment No. 94-54

Chair, Russ Bayer, called this special meeting of the Planning Commission to order and opened the public hearing on the Planning Commission Review Edition of the City of Lincoln's six-year Capital Improvements Program (CIP) for FY 2000/2001-2006, and Comprehensive Plan Amendment No. 94-54, to amend the 1994 Lincoln-Lancaster County Comprehensive Plan to reflect various changes for improvements to the Future Water System, Lincoln Electric System and in Vine Street from 20<sup>th</sup> to 26<sup>th</sup> Streets.

Kent Morgan, the Assistant Director of Planning, introduced the 6-year CIP for the City and Comprehensive Plan Amendment No. 94-54. As specified in the City Charter, the role of the Planning Commission in the CIP process is to determine if the capital projects being requested by the various City departments are in conformance with the adopted Comprehensive Plan. According to the Charter, City Council ordinances and resolutions dealing with capital improvements cannot be acted upon until a finding of Plan conformity has been made by the Planning Commission and/or the Planning Department. However, Morgan noted that the Charter does not prohibit the City Council from approving capital projects which are not in conformance with the Plan, but there needs to be a finding of conformity or non-conformity established.

Morgan pointed out that in column 9 of Form B for each department's project, Planning staff has provided the Commission with a recommended finding of conformity. As in past years, the Planning Department has employed a four-tiered

approach to the conformity finding. A project can be determined to be within one of the following categories: ICWP - In conformance with Plan; GCP - Generally conforms with Plan; NICP - Not in conformance with Plan; or NIP - Not in Plan.

With the exception of those projects for which a Plan amendment is being proposed by Comprehensive Plan Amendment No. 94-54, Morgan advised that all of the projects in this year's draft CIP are being recommended by staff as being either "in conformance with Plan" or "generally in conformance with Plan."

Following Planning Commission action on the CIP, Morgan advised that the Planning Commission recommendations will be forwarded to the Mayor for incorporation into the City Council Edition of the CIP. This edition of the CIP will be issued in conjunction with the City's Operating Budget -- tentatively targeted for release sometime in June. The Council will have a hearing on both the Operating and Capital Budgets on August 7th, with approval of both budgets typically occurring in late August. The City's 2000-2001 Fiscal Year begins on September 1<sup>st</sup> of this year.

Morgan reminded the Commission that the City Council only approves the first year of the CIP; no formal action is taken on the remaining five years, although it is part of their discussion of the capital improvement needs.

Morgan also noted that for the first time, the Planning Commission Review Edition of the CIP, and all subsequent editions, are available on the Internet, at the City of Lincoln's site<<http://interlinc.ci.lincoln.ne.us>>

Chair Bayer then proceeded with public hearing Department-by-Department:

**FINANCE DEPARTMENT**

1. **Pershing Auditorium.** There were no public comments nor discussion by the Commission.
2. **Communications.** There were no public comments nor discussion by the Commission.

**FIRE DEPARTMENT**

There were no public comments nor discussion by the Commission.

**PARKS AND RECREATION**

There were no public comments nor discussion by the Commission.

**PUBLIC WORKS**

1. **StarTran.** There were no public comments nor discussion by the Commission.
2. **Business Office (Parking).** There were no public comments nor discussion by the Commission.
3. **Street and Highways.** Virendra Singh of Public Works & Utilities submitted proposed amendments (See Exhibit A attached hereto) proposing to pave the following in cooperation with the Lancaster County Engineer:
  - A. South 40<sup>th</sup> Street from approximately San Mateo Lane to the south City Limits during fiscal year 2000-2001. This proposed improvement is very similar in nature to South 27<sup>th</sup> Street south of the Pine Lake Road area which remained unpaved for quite some time. The County is proposing to do a paving project south of the Yankee Hill area and felt this was the time to close that gap. The city's share of the cost for this project is approximately \$75,000 and will be paid out of the paving subsidies budget toward the improvement of 40<sup>th</sup> Street.
  - B. North 70<sup>th</sup> Street from approximately I-80 north to Bluff Road in fiscal year 2001-2002. This is necessary as 70<sup>th</sup> Street is an alternative route for the landfill area. The funding committed by the City is a maximum of \$100,000. Approximately \$21,400 of this amount is identified in the 2000-01 Wastewater CIP budget and \$28,600 in the 2000-01 Landfill CIP budget. The remaining \$50,000 is included in the Streets and Highways 2001-02 paving subsidies budget.

Discussion. Hunter inquired about the "9" full depth asphalt" proposed for North 70<sup>th</sup> Street. Singh explained that 70<sup>th</sup> Street will be carrying some heavy trucks in this area so it is a little bit more than usual.

Carlson clarified with Singh that these moneys are identified in the CIP and are included in the total for subsidies.

4. **Storm Water and Drainage.** There were no public comments nor discussion by the Commission.
5. **Street & Traffic Operations (Maintenance).** There were no public comments

nor discussion by the Commission.

**PUBLIC UTILITIES**

1. **Water Supply and Distribution - including Comprehensive Plan Amendment No. 94-54.** Nick McElvain with the Lincoln Water System presented information on the Comprehensive Plan Amendment. Lincoln Water System has projects that have been in the 7<sup>th</sup> year and beyond in its planning efforts which have moved into the 6-year CIP this year. For example, they have built reservoirs on the highest places which are often outside the City Limits. Lincoln Water System built a reservoir at 84<sup>th</sup> & Pine Lake Road and built three miles of water main to get there and it was all on rural roads with no access. One of the projects in the Comprehensive Plan Amendment is an effort to pump additional water to the Belmont System generally west of 27<sup>th</sup> and north of Cornhusker – Highlands, Belmont area, Air Park, Airport – and to show the beginning part of a water main project to pump from 102<sup>nd</sup> & Alvo over to the Belmont System near 14<sup>th</sup> & Fletcher. They are flexible on what roadways those pipes end up going in. They do not have a specific alignment or exact design, but the idea is to have another pump station pumping into that system and they have at this stage identified 102<sup>nd</sup> & Alvo to pump across the north corridor.

There is also a new reservoir and pump station shown from 84<sup>th</sup> & Yankee Hill down towards 40<sup>th</sup> & Yankee Hill to serve the growth area going south from Yankee Hill toward Rokeby toward Saltillo.

Discussion. Steward referred to the Ashland well system and inquired about its life expectation. He noticed there is quite a large sum in the 5<sup>th</sup> year for transmission pump, etc. Are there adequate wells for the growth of the city? What is our long term look at that supply system? McElvain advised that there are 44 vertical wells that are all located on the west bank of the Platte River, both north and south of Hwy 6. With the Ashland expansion project the City built two new horizontal collector wells on an island in the Platte River—there is room on that island for two additional horizontal collector wells. The City also owns 700-800 acres on the Sarpy County side of the Platte River. Thus, McElvain believes that the City has planned for probably until the year 2030-2040-2050 for adequate land for those wells for expansion. Last year, the Water System had a project for a facilities master plan and they are just in the process of hiring the consultant with the proposals being due soon. In that master plan, they will look at every element of the systems—wells, pipelines, treatment plant, finished water storage and pumping, and all distribution systems here in Lincoln. Next year the

water system's CIP will have a lot more current information about the needs to grow 10-20-40 years into the future.

Steward inquired whether there is any evidence of drawdown of the water table in existing wells. McElvain indicated that there is none. In fact, some of them are even higher than last year at this time.

2. **Wastewater.** There was no public comment nor Planning Commission discussion.
3. **Landfill.** There was no public comment nor Planning Commission discussion.

**URBAN DEVELOPMENT (Comprehensive Plan Amendment No. 94-54).**

**1. Wynn Hjermsstad of the Urban Development Department** provided background information on the Comprehensive Plan Amendment regarding Vine Street. This is a revitalization plan from 26<sup>th</sup> to about 22<sup>nd</sup> Street. The Malone Neighborhood is a City of Lincoln "Focus Area". This Vine Street revitalization plan was the neighborhood's vision—this was truly a "grass roots" effort and really did come from the neighborhood association. This was rated as the highest priority in the neighborhood. Vine Street is a cold, harsh urban environment and does not feel like a safe place for pedestrians and for the neighborhood. It also divides the neighborhood, yet Vine Street is a major entrance to the University and Downtown. Again, it was the neighborhood's vision to turn Vine Street into a more pleasant place to be and something that would be an enhancement and asset to the neighborhood.

Urban Development met with the Malone Neighborhood Association and all the property owners and residents along Vine Street. The neighborhood wants to see lighting, landscaping, wide sidewalks, planted medians, etc.

Urban Development did an RFP and hired Erickson and Sullivan Architects to take the neighbors' ideas and create a plan. This resulted in the need to widen Vine Street. Urban Development took this back to the neighborhood and the neighborhood agreed to pursue the widening of Vine Street.

Hjermsstad advised that it has been three years since they started working on this plan. It is a street widening through the heart of this neighborhood, but it is not a widening as traditionally defined, but a neighborhood revitalization project—the street needs to be widened to make that happen. We don't want this just to be a street widening project.

Hjermsstad also advised that there are some ideas that the neighborhood had

that are not included in this plan. The neighbors wanted to make the alley behind 25<sup>th</sup> Street into a courtyard, but there was disagreement about it amongst the neighbors. A pedestrian crosswalk at 22<sup>nd</sup> and Vine is not warranted at this time. That does not mean that it can't happen in the future; however, it is not in this plan today. The Antelope Valley issue came up. Urban Development did present this to some of the various groups involved in Antelope Valley and there was a lot of talk about combining this effort with Antelope Valley, but the Malone area neighbors want this plan to go forward.

Hjermstad noted that this is a concept plan. There are tons of details to be resolved. If this is made a part of the Comprehensive Plan, they will work through those details with the neighborhood.

Hjermstad stated that Urban Development met with the neighborhood again last week. One of the concerns they have is housing along Vine Street and the neighbors wanted to know if Urban Development could target some of their housing programs to Vine Street. Hjermstad indicated that this is possible.

Hjermstad acknowledged that there are some unresolved issues and one of the biggest is maintenance, which will have to be resolved before getting to the project stage.

Hjermstad also advised that Urban Development also met with UNL a couple of times. It was the neighborhood's vision to make this a gateway to the University, and Urban Development will continue to work with the University to coordinate where the neighborhood ends and the University starts. They also met with Public Works and Planning Department several times and resolved those issues.

Hjermstad emphasized that this needs to become a special corridor and identified in the Comprehensive Plan as a special corridor. Urban Development will withdraw the application if it is only considered a street widening project. Without the amenities and the revitalization plan, Urban Development would withdraw it.

**2. Scott Sullivan, the Architect** testified as to the design. Instead of two lanes either direction, there would be two lanes either direction with a planted median. The sidewalks will be 8' from the retaining wall to the curblin, and they are looking at a combination of concrete sidewalks, with maybe some colored concrete and plant beds, with every other one having an ornamental light fixture. There will be some serpentine retaining walls, replacing a bleak straight cast concrete wall. They will create landscaping beds between the tiers. The retaining wall varies in height from 2' to 0'. They are considering trees on either side to create an element of design all the way from 27<sup>th</sup> going into the Campus.

They talked with the University early on because a neighborhood request was for an entrance sign into the campus. The University personnel requested not to do that entrance sign as part of this project and to let them do it as part of a University project.

Discussion. Newman wondered whether they would consider continuing the project to 33<sup>rd</sup> & Vine. Hjermsstad stated that a number of people have been interested in this, but this specific project grew out of the Malone Neighborhood Focus Area plan. Once we get it in place, maybe there will be interest further east.

Steward inquired as to responsibility for maintenance of the boulevard and sidewalks. Hjermsstad indicated that this is an issue yet to be determined and it is a huge issue because this is a residential area. Before this plan is implemented, it will have to be resolved. Steward believes it obvious that the City does not have a good track record of maintaining boulevards—the sidewalks tend to be taken over by residents and property owners. He would be very concerned about this scheme without a definitive funded maintenance plan.

Carlson wanted to know what key words are in the Comprehensive Plan Amendment to assure that the revitalization does happen, and it is not just street widening. Kent Morgan advised that because the primary issue is right-of-way acquisition it needs to be included in transportation chapter of the Comprehensive Plan. The proposal is to amend the transportation plan to show a wider right-of-way with the caveat that it would be specifically for the purpose of enhancing the streetscape. We would not find it in conformance unless the purpose can be met.

Carlson noted that the funding mechanism is indicated as Federal Aid funding. He wanted to know what program the funds would come from. Hjermsstad did not know what specific funding will end up being available. They haven't pursued the funding because they aren't allowed to do so until the project is in the Comprehensive Plan. She would like to get some demonstration funds because it is really a unique project. She has a list of potential funding sources but she could not pursue them until the project is in the Comprehensive Plan. She has not considered Block Grant because there just isn't enough to go around and it is spread so thin as it is.

Hunter noted the removal of LES light poles and inquired whether they would be removing the sidewalks and replacing them with new sidewalks. Sullivan clarified that the light fixtures will be removed and replaced. With the help of Public Works, they put the cost estimate together. There are two options--resurfacing the existing street or complete replacement. He understands that this would all be a privately contracted project. If the sidewalks and the streets

were to be removed, Hunter wondered whether anyone has considered the concept of burying the utility lines. Hjermsstad advised that they always look at that because it is desirable, but it is extremely expensive. Hunter thinks it is less expensive if you are digging up the sidewalks and streets anyway.

**3. Marcella Ganow**, Malone Neighborhood Association member and resident in the neighborhood, testified in support. She moved into the neighborhood about 3 years ago and purchased a home 2 years ago because she liked it and wanted to stay. She knows that historically Malone has a long list of concerns with property acquisition in the neighborhood, the manner in which it has been done and the manner in which the projects have been done. But, the Urban Development Department has done a very good job with this project. In particular, they took much time to seek the input of the Neighborhood Association and the Hawley Historic District. She has been at numerous meetings where they have asked the neighborhood whether there is consensus. Yes, there is consensus. The neighborhood does agree with this plan because it fixes some blighted conditions in the neighborhood--the retaining walls are falling down; there is some real attention that needs to be given to this area. There are pedestrian use concerns; there is a lot of walking traffic between the University's city and east campus; there is a lot of neighborhood and child traffic; we need to have some improvement of the pedestrian facilities in this area, which this project can accomplish. There are also some traffic problems along Vine Street because there are no turning lanes. By putting in the medians and turn lanes it does a lot to enhance that corridor and will provide some needed upgrading and some community revitalization and beautification in this neighborhood that has previously been ignored. She knows that Urban Development has discussed the maintenance issues with Public Works and Parks, but a lot of other issues have been resolved. She requested that the Commission include this project in the Comprehensive Plan.

**4. Tim Francis**, 2511 T Street, spoke on behalf of the **Hawley Area Association**, in support. Vine Street from 27<sup>th</sup> west does not attract very positive investment. It is a high density area and will remain high density, investor owned. This plan addresses those kinds of issues to attract better investment in the properties and to complement other efforts going on within the neighborhoods. If we can make Vine Street function higher and encourage

investment, it will come back to benefit the neighborhood and the business community.

**5. Mike Morosin, Past President of Malone Neighborhood Association** testified in support. He has watched the Malone Neighborhood go through a lot of trials and tribulations. This project began when he was President. This project will enhance the neighborhood and bring more people into the neighborhood. We need to keep the people and the housing in the neighborhood. These types of projects do benefit the people that live there and those coming in. The landscaping will be a big issue and he believes it will fall upon the neighbors to carry on some of the maintenance work. He believes it will be a project that Lincoln will be proud of. There are so many people that come to the University and improving this corridor will take a good message back.

**6. Edward H. Patterson, President of Malone Neighborhood Association** submitted a letter in support of the Vine Street revitalization project. He was not present at the hearing to give testimony but his letter is attached hereto as Exhibit B.

**LINCOLN ELECTRIC SYSTEM (Comprehensive Plan Amendment No. 94-54)**

**Jim Miller of LES** discussed the Comprehensive Plan Amendment, which takes into consideration the ability of LES to provide service to 9,900 new customers during the next 6 years. This will add a new load of about 112 megawatts—comparable to the amount of capacity required by a city the size of Fremont. In other words, within 6 years, LES will have to provide facilities and capacity as if we were starting from scratch and building a system to serve Fremont.

The additional transmission lines located in the plan are across LES' north tier of transmission lines. That is to provide 345,000 volts and 115,000 volts to substation ties in that area. That will give LES the regional ties and capacity for north Lincoln. They will be installing a new substation at about N.W. 12<sup>th</sup> and Alvo. This is to begin to provide service to the Lynn Creek subareas.

In addition, Miller advised that LES is starting the acquisition of a site to provide a combined cycle generating station in the northeast part of Lincoln. This will provide additional capacity to serve future loads all over the City and within the LES service area.

Discussion. With regard to alternative generating sources, Steward inquired whether the 6-year plan includes alternative power sources--solar or otherwise. Miller advised that there is nothing specifically identified as a specific project; however, the last two items in the written explanation talk about renewables #3 and #4. #4 would be the possibility of adding a wind turbine; #3 identifies funds to be readily available as LES would develop some type of plan for alternatives. They are considering something like landfill gas projects. Steward asked whether LES intends to look at the opportunity for minor power source buy-back, site specific energy. Miller suggested that LES may have generation on-site from specific customers and LES is reviewing that very actively at this point. Steward inquired whether this would require a change in the state statutes. Miller advised that LES did accomplish that legislation in the last year.

Hunter inquired as to the cost of the wind turbines. Miller believes that they cost over \$1.1 million each, installed. Hunter wanted to know what kind of replacement energy one of the wind turbines provides. Miller stated that it will provide a capacity of about 650 kw, which is less than 1 megawatt of the 1200 megawatts that we would need to add in the future. One would be one one-hundredth of what we need for the next 6 years. LES has not seen additional interest to promote the next turbine yet.

**LINCOLN CITY LIBRARIES.**

There was no public comment nor any Planning Commission discussion.

**AREA AGENCY ON AGING.**

There was no public comment nor any Planning Commission discussion.

**HEALTH.**

There was no public comment nor any Planning Commission discussion.

Public hearing was closed.

**ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

May 10, 2000

Duvall made a motion to approve the Planning staff recommendations on the CIP, seconded by Steward.

Newman has a concern about North 70<sup>th</sup> Street. If the Planning Commission approves the funding for that street, in 20-30 years we're going to be back and that street will be a part of the Urban Development revitalization of North 70th. She realizes it is already in

the plan, but there are certain things in the transportation chapter of Comprehensive Plan which talk about alternative modes of transportation; environmental issues, etc. She will support this as long as the street widenings and the 2+ 1's are done with all sensitivity to the neighborhoods, including talking about 30' for the 2+ 1's rather than 32'; with a gigantic asterisk next to No. 70th Street.

Hunter wanted to know whether adopting the Vine Street Plan at this point makes any commitment in terms of eventual funds to see that it goes forward, or is it in terms of it being a desired redevelopment of that area and not a commitment to funding participation from the City. Does it create a budget impact? Kent Morgan advised that there is an implied commitment to attempt to find the funding. They want the commitment from the community to say to go find the funds. Hunter's ultimate question is whether there is a city commitment for funds by approving these CIP projects.

The Chair requested a motion to table so that the Commission could take action on the Comprehensive Plan Amendment No. 94-54 prior to the CIP conformity. Steward moved to table, second by Hunter and carried 7-0: Steward, Duvall, Taylor, Hunter, Carlson, Newman and Bayer voting 'yes'; Schwinn and Krieser absent.

**COMPREHENSIVE PLAN AMENDMENT NO. 94-54**

**ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

May 10, 2000

Duvall moved approval, seconded by Newman.

Carlson advised that he is on the Community Development Task Force, which is the public advisory body for Urban Development. Their traditional funding source for neighborhoods is CDBG, but he understands that Urban Development will be finding different funding for the Vine Street project. They have a yearly budget which has a public input component and citizen advisory component. Carlson understands that this action puts the project in but does not commit city funds per se.

Hunter assumes that at the point in time that the Vine Street project goes forward, parts would probably come back before the Planning Commission. Bayer stated that the funding will be approved by the City Council as the final step.

Motion for approval carried 7-0: Steward, Duvall, Taylor, Hunter, Carlson, Newman and Bayer voting 'yes'; Krieser and Schwinn absent.

**FY 2000/2001-2005/2006 CAPITAL IMPROVEMENTS PROGRAM**  
**ADMINISTRATIVE ACTION BY PLANNING COMMISSION:**

May 10, 2000

Steward moved that the previously tabled motion to approve the staff recommendations as to conformity with the Comprehensive Plan be brought back for reconsideration, seconded by Newman and carried 7-0: Steward, Duvall, Taylor, Hunter, Carlson, Newman and Bayer voting 'yes'; Schwinn and Krieser absent.

The tabled motion, made by Duvall and seconded by Steward, to approve the Planning staff recommendations as to conformity with the Comprehensive Plan carried 7-0: Steward, Duvall, Taylor, Hunter, Carlson, Newman and Bayer voting 'yes'; Krieser and Schwinn absent.

There being no further business to come before the Commission, the meeting was adjourned at 2:10 p.m.

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