

MEETING RECORD

NAME OF GROUP: PLANNING COMMISSION

DATE, TIME AND PLACE OF MEETING: Wednesday, April 3, 2002, 1:00 p.m., City Council Chambers, First Floor, County-City Building, 555 S. 10th Street, Lincoln, Nebraska

MEMBERS IN ATTENDANCE: Jon Carlson, Steve Duvall, Gerry Krieser, Roger Larson, Patte Newman, Greg Schwinn, Cecil Steward, Mary Bills-Strand and Tommy Taylor; Kathleen Sellman, Kent Morgan, Ray Hill, Steve Henrichsen, Mike DeKalb, Ed Zimmer, Jason Reynolds, Becky Horner, Brian Will, Tom Cajka, Duncan Ross, Jean Walker and Teresa McKinstry of the Planning Department; media and other interested citizens.

STATED PURPOSE OF MEETING: Regular Planning Commission Meeting

Chair Greg Schwinn called the meeting to order and requested a motion approving the minutes of the regular meeting held March 20, 2002. Bills-Strand moved to approve the minutes, seconded by Krieser. Carlson requested to make a correction to the last line on page 3, "He ~~has~~ wants to have confidence that the future uses will be compatible and positive." Motion for approval of the minutes, as corrected, carried 8-0: Carlson, Duvall, Krieser, Larson, Newman, Schwinn, Steward and Bills-Strand voting 'yes'; Taylor absent.

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION BEFORE PLANNING COMMISSION:

April 3, 2002

Members present: Carlson, Duvall, Krieser, Larson, Newman, Schwinn, Steward, Bills-Strand and Taylor.

The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 3361; SPECIAL PERMIT NO. 1951, HARTLAND HOMES SOUTHWEST COMMUNITY UNIT PLAN; PRELIMINARY PLAT NO. 01020, HARTLAND HOMES SOUTHWEST; MISCELLANEOUS NO. 01011; PRE-EXISTING USE PERMIT NO. 9S; PRE-EXISTING SPECIAL PERMIT NO. 23E; SPECIAL PERMIT NO. 1962; SPECIAL PERMIT NO. 1963; SPECIAL PERMIT NO. 1774A, AMENDMENT TO THE WILDERNESS ESTATES 3RD ADDITION COMMUNITY UNIT PLAN; SPECIAL PERMIT NO. 1952, HAWKSWOOD ESTATES 1ST ADDITION COMMUNITY UNIT PLAN; and PRELIMINARY PLAT NO. 01024, HAWKSWOOD ESTATES 1ST ADDITION.**

Item No. 1.3, Pre-Existing Special Permit No. 23E, was removed from the Consent Agenda and scheduled for separate public hearing.

Carlson moved to approve the remaining Consent Agenda, seconded by Newman and carried 8-0: Carlson, Duvall, Krieser, Larson, Newman, Schwinn, Steward and Bills-Strand voting 'yes'; Taylor absent.

Note: This is final action on Pre-Existing Use Permit No. 9S, 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.

**PRE-EXISTING SPECIAL PERMIT NO. 23E
TO ALLOW FOR FUTURE CONSTRUCTION
OF STUDENT HOUSING, A "CAMPUS CENTER/LIBRARY COMPLEX",
AND A NEW CENTRAL UTILITY PLANT
AT NEBRASKA WESLEYAN UNIVERSITY
ON PROPERTY GENERALLY LOCATED
AT NO. 50TH STREET AND HUNTINGTON AVENUE.
PUBLIC HEARING BEFORE PLANNING COMMISSION:**

April 3, 2002

Members present: Newman, Duvall, Bills-Strand, Steward, Carlson, Krieser, Larson and Schwinn; Taylor absent.

This application was removed from the Consent Agenda and had separate public hearing at the request of Craig Groat.

Staff recommendation: Conditional approval.

Proponents:

1. John Sinclair of Sinclair Hille Architects presented the application on behalf of **Nebraska Wesleyan University**.

The application is two-fold in purpose—1) to allow for future construction of additional student housing at the northeast corner of the campus, about 56th & Madison, and 2) to allow for future construction of a new "campus center/library complex" at the heart of the campus.

With regard to the student housing, Envelope A is for two collegiate style dormitory buildings for use by sophomores and juniors, plus a 200 car surface parking lot. Envelope B is envisioned to be developed with up to seven low density residential scale student housing buildings arranged in a courtyard development.

Envelope C is at the heart of the campus. It currently houses the student union as well as the library and existing power plant facility. Wesleyan University is hoping to build a new "campus center/library complex" at this location, remodeling the existing library and then expand to the east with a new campus center, which will be about a 70,000 sq. ft. addition that would provide all of the new student use amenities that would go along with an expanded student union concept. In order for this to happen, the campus would no longer be able to be served by the current power plant.

This application also requests consideration of Envelope D which would relocate the power plant either to the south of the library or on the east side of the Athletic Center. In addition to the campus center itself, the current student union would come down as well as the power plant. The campus center has been conceptually designed and is currently in consideration for fund-raising.

Sinclair emphasized that this application does not envision any increased student enrollment--it seeks to allow for an increase in the percentage of students who live on campus; seeks to provide an additional amount of student parking on the campus, taking 200 existing cars that are out in the neighborhood onto the campus; and seeks to expand the existing on-campus student life opportunities with the campus center.

Carlson believes that Wesleyan presented this to the University Place Community Organization at their annual meeting. Sinclair concurred that there has been neighborhood involvement.

If increasing on-campus housing, Steward asked what percentage of the 200 spaces will be taken up with the new housing. He also was interested in the anticipated building heights for both the higher density and lower density. Sinclair advised that the student housing is being provided under the assumption that they are existing students, so the 200 parking spaces are for cars that are assumed to already be on the perimeter of the neighborhood and being brought onto the campus. They are going to a mandatory on-campus residential situation by the year 2004. With regard to the building height, the zoning ordinance changed the R-6 recently from 45' to 35'. The housing developments are being built and designed within that constraint.

Opposition

1. Craig Groat, 4935 Huntington, was raised across the street from Wesleyan and it used to be a really nice community of homes. He is very much in favor of what they are doing except for the lack of a parking garage to take care of the cars currently being parked around the campus. Many of the historic homes that used to surround the university have been destroyed. Approximately 35-40 years ago, Wesleyan purchased the first house to use as a parking lot. His mother asked to save some of the plants on this property and was not allowed to do so. They failed to maintain this parking lot and let weeds grow; there was a retired Methodist minister that lived next door and he fought Wesleyan and the city for years to take care of this. Groat has worked very hard to get the city screening standards met on this property and the city refused to enforce the screening standards. They finally did force Wesleyan to put some screening plants in; however, they died because they were not watered. The parking lot was then paved, but they did not get a special permit for the parking lot.

Groat contends that Wesleyan has basically destroyed the quality of life in his neighborhood because they put in the parking lots and did not take care of them. Other property owners have not taken care of their weeds because Wesleyan doesn't have to. The homes have become non-owner-occupied rental units and deteriorated. Wesleyan is responsible for the deterioration of this neighborhood.

Groat requests that a parking garage be constructed. He wants the character restored to the area. Groat displayed pictures of the parking lots which do not meet screening standards. He also showed photos of the historic homes that have been destroyed.

Wesleyan has told Groat that they will restore some of the historic character to the neighborhood. He believes the neighborhood meeting was manipulated and one of the biggest concerns of the neighbors were the parking lots and lack of maintenance.

Response by the Applicant

Sinclair clarified that the application is for a surface parking lot, not a parking garage.

Carlson inquired whether Wesleyan has a long range parking strategy in the master plan. Sinclair believes they are working on a parking analysis and he believes it is a priority.

Public hearing was closed.

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

April 3, 2002

Duvall moved approval, with conditions, seconded by Steward.

Schwinn sympathizes with Mr. Groat and it does seem like campuses do have a tendency to expand into the neighborhoods; however, he believes that Wesleyan was there first and people chose to be around Wesleyan. Sometimes this happens when you are on the edge of the university. There is not much that this Commission can do about that.

Motion for conditional approval carried 8-0: Newman, Duvall, Bills-Strand, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'; Taylor absent.

Note: This is final action 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.

CHANGE OF ZONE NO. 3360
FROM R-4 RESIDENTIAL TO O-2 SUBURBAN OFFICE
ON PROPERTY GENERALLY LOCATED
AT SOUTH 49TH STREET AND LOWELL AVENUE.
PUBLIC HEARING BEFORE PLANNING COMMISSION:

April 3, 2002

Members present: Newman, Duvall, Bills-Strand, Steward, Carlson, Krieser, Larson and Schwinn; Taylor absent.

Staff recommendation: Denial.

Proponents

1. **Katie Reese**, 5417 So. 62nd, presented the application. She and her husband are requesting this change of zone to change the residential property to O-2. They intend to establish their business office at this location. She and her husband own Reese Construction, a residential remodeling business. She reviewed the surrounding zoning, e.g., there is O-2 and business zoning just to the west about 200', and right across the street to the north there is a parking lot for the 7th Day Adventists Church. Union College campus is just another 200' to the north. As far as the

setbacks for O-2 zoning, the requirements fit except for the west side where the setback for the side should be 10'. They have 9'. Ms. Reese does not believe this change of zone would cause any disruption for the neighborhood or the area.

Steward inquired whether the Reese's live on this property. Ms. Reese stated that they do not live there. It is currently used as a rental property.

There was no testimony in opposition.

Public hearing was closed.

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

April 3, 2002

Steward moved to deny, seconded by Carlson.

Steward believes the staff analysis is correct. Even though there is some other zoning in the general proximity, he believes this does fit the classic definition of spot zoning and it is further encroachment to the east into an otherwise apparently stable neighborhood. He does not believe we are so restricted in availability of office space in other parts of the city.

Motion to deny carried 7-1: Newman, Duvall, Bills-Strand, Steward, Carlson, Krieser and Schwinn voting 'yes'; Larson voting 'no'; Taylor absent.

**SPECIAL PERMIT NO. 1961
FOR MATERIAL AND EQUIPMENT STORAGE
ON PROPERTY GENERALLY LOCATED
AT YANKEE HILL ROAD AND CORAL DRIVE.
PUBLIC HEARING BEFORE PLANNING COMMISSION:**

April 3, 2002

Members present: Newman, Duvall, Bills-Strand, Steward, Carlson, Krieser, Larson and Schwinn; Taylor absent.

Staff recommendation: Denial.

Proponents

1. **Michael Rierden** appeared on behalf of the applicant. Rierden understands that Building & Safety has some problems with this request. Rierden requested a four-week delay in order to have some discourse with Building & Safety and hopefully come back with resolution of some of the problems.

Duvall moved to defer for one month, with continued public hearing and administrative action scheduled for May 1, 2002, seconded by Larson and carried 8-0: Newman, Duvall, Bills-Strand, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'; Taylor absent.

There was no other public testimony.

**WAIVER OF DESIGN STANDARDS NO. 02004
TO WAIVE THE PEDESTRIAN WAY EASEMENT
ON PROPERTY GENERALLY LOCATED SOUTH
OF BENZIGER DRIVE AND BLACKSTONE ROAD.
PUBLIC HEARING BEFORE PLANNING COMMISSION:**

April 3, 2002

Members present: Newman, Duvall, Bills-Strand, Steward, Carlson, Krieser, Larson and Schwinn;
Taylor absent.

Staff recommendation: Approval.

Proponents

1. Mark Hunzeker appeared on behalf of **Hampton Development Services**. He has been here several times to request releases of these easements and he does not believe he has ever seen anything quite like this one. In this case, there was a preliminary plat that showed the pedestrian way easement; we had a final plat in one addition which showed the pedestrian way easement and a second final plat that did not show it. There are four houses now built on either side of what was going to be a pedestrian way easement, none of which have appropriate setbacks from the walkway. There is no feasible alternative for construction of this pedestrian way. Staff has reviewed this very carefully because they generally do not look with favor on relinquishing these easements, but the staff agrees that there is not a good alternative for placing this easement.

Carlson does not understand how this happened. Hunzeker thought these easements were always labeled on a final plat. Apparently, either that has not been uniformly the case or it wasn't necessarily a requirement that was made with the final plat. He believes that it is now a requirement and he agrees that it should be. If they are going to be labeled for the purpose of code enforcement they need to be on the final plat because Codes do not look at the preliminary plat.

Hunzeker further explained that ordinarily, the easements are 5' on either side of the property line, which would put it right up against the house in this case. Newman would rather see some sort of sidewalk put through in some way, by a variance or something. Hunzeker understands, but it is literally 5' away from the property line with the house, which would mean that the sidewalk could be under the eaves of the house. The other side would be the same situation. You are allowed to have the eaves of the house stick into the side yard setback up to within 2-3' of the property line. You could literally be under the eaves if you were on the pedestrian way in this situation.

There was no testimony in opposition.

Carlson asked staff for a response as to how this occurred and how we can assure that it will not happen again. Jason Reynolds of Planning staff stated that the pedestrian way easement is to be labeled on the final plat. In this situation, it was labeled on the 7th Addition but was not correctly labeled on the 6th Addition. The sidewalk needs to be put in at the time of the street paving as that is what was required by the resolution, but it was not done. When building permits are reviewed, we need to catch the pedestrian way easement and there needs to be a 10' setback from the easement, which would make it 15' from the property line.

Public hearing was closed.

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

April 3, 2002

Duvall moved approval, seconded by Steward.

Newman stated that she will reluctantly vote in favor, but she does not want it to happen again. Schwinn commented that he has never seen this occur before.

Newman further commented that if ever there was a need for a pedestrian easement, this is the place.

Motion for approval carried 8-0: Newman, Duvall, Bills-Strand, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'; Taylor absent.

ANNEXATION NO. 01008;
CHANGE OF ZONE NO. 3195;
CHANGE OF ZONE NO. 3253; and
USE PERMIT NO. 133.
FOR COMMERCIAL RETAIL AND OFFICE USES,
ON PROPERTY GENERALLY LOCATED
AT SO. CODDINGTON AVENUE AND WEST VAN DORN STREET.
CONTINUED PUBLIC HEARING BEFORE PLANNING COMMISSION:

April 3, 2002

Members present: Newman, Duvall, Bills-Strand, Steward, Carlson, Krieser, Larson and Schwinn; Taylor absent.

The Clerk submitted a letter from Kent Seacrest requesting an additional four-week deferral until May 1, 2002.

Carlson moved to place these application on pending, seconded by Steward and carried 8-0: Newman, Duvall, Bills-Strand, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'; Taylor absent.

There was no public testimony.

Chair Schwinn then announced that this is the last regularly scheduled meeting for the Planning Director, Kathleen Sellman, who is moving to Castle Rock, Colorado. Schwinn expressed gratitude and appreciation to Kathleen for her leadership. He believes there have been some very positive things done within the Planning Department during the time that Kathleen has been the Director. Schwinn conveyed the Commission's best wishes.

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

April 3, 2002

Larson made a motion to approve the minutes of the Special Public Hearing held on the draft 2025 Comprehensive Plan on March 13, 2002, seconded by Carlson and carried 8-0: Newman, Duvall, Bills-Strand, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'; Taylor absent.

Duvall made a motion to approve the minutes of the Continued Special Public Hearing held on the draft 2025 Comprehensive Plan on March 27, 2002, seconded by Larson and carried 8-0. : Newman, Duvall, Bills-Strand, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'; Taylor absent.

2025 LINCOLN CITY-LANCASTER COUNTY COMPREHENSIVE PLAN

ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

April 3, 2002

Kent Morgan, the Assistant Director of Planning, submitted ***Exhibit #64***, consisting of eight items of additional correspondence received by the Planning Department since March 29, 2002, including a memorandum from the Mayor regarding potential planning policy changes. The Mayor's suggestions were presented to the City Council on Monday, April 1, 2002, concerning the Tier I Growth Area and Priorities Map, a South and Southwestern Lincoln Transportation Study, and city-wide mobility issues.

Some of the correspondence on this exhibit includes some specific amendment requests; however, they were received after the 12:00 Noon March 29th deadline so they do not appear on the inventory of proposed amendments (***Exhibit 66***).

Morgan also submitted ***Exhibit #65***, a memorandum from the Director of Planning concerning updates to information distributed to the Commission on Friday, March 29th. The staff has gone back and reviewed the proposed amendments and this memorandum covers items that need correction or that were inadvertently omitted, including:

1. Request for Human Services Text by the County Board (consent item);
2. Request for 6% Acreage Text by the County Board (consent item);
3. Request for Stevens Creek Basin Text by the County Board (consent item);
4. Amendments agreed upon at the Planning Commission Workshops (consent item);
5. Proposed Regional Parks text (consent item);
6. Proposed swimming pool location and design criteria (consent item -- however, removed from the Consent Items at the request of Commissioner Carlson);
7. MPO Technical Committee Functional Class text and map (consent item);
8. Commissioner Schwinn's proposed text for Youth Baseball/Softball Complexes (consent item);

9. Water and Wastewater Future Facility Maps (consent item); and
10. Friends of Wilderness Park request re setback and buffer provisions (not a consent item).

Chair Schwinn then proceeded to explain the protocol for taking action. The Commission will begin with a main motion to either approve or deny the 2025 Comprehensive Plan. Any amendments will be considered motions to amend. If a motion is not made on a particular amendment on the list, the amendment will not be discussed. Discussion should not occur until a motion has been made and seconded.

MAIN MOTION. Larson moved to approve the “draft” 2025 Lincoln-Lancaster County Comprehensive Plan, seconded by Newman.

The Consent Items are set forth on **Exhibit #66**. Carlson requested to remove Item No. 6 on **Exhibit #65** (F137 - “Add sentences to existing text regarding swimming pool locations and design criteria”, on **Exhibit #66**) from the list of Consent Items so that it could be dealt with separately.

Motion to Amend #1, made by Carlson and seconded by Newman to approve the remaining Consent Items on the lists dated March 29, 2002, and April 3, 2002 (**Exhibit #66**). **Motion carried** 8-0: Newman, Duvall, Bills-Strand, Steward, Carlson, Krieser, Larson and Schwinn voting ‘yes’; Taylor absent.

*****VISION*****

Motion to Amend #2. Newman moved that the language offered by the Friends of Wilderness Park be included in the Vision with amendment as follows:

When natural or man-made environmental features occur in the path of development, they should be encouraged to serve as the centerpiece of the development and their integrity protected rather than be considered as impediments that should be crossed, fragmented or otherwise minimized.

Newman believes it should be encouragement rather than a mandate. The discussion was that this language may be appropriate, but not in the Vision statement. **Motion failed for lack of a second.**

*****EXISTING CONDITIONS - ENVIRONMENTAL RESOURCES*****

Motion to Amend #3. Steward moved to approve the amendment requested by Public Works & Utilities on p.E29 regarding definition of floodplain, seconded by Carlson. Upon further discussion and explanation from Nicole Fleck-Tooze of Public Works that this language clearly spells out the definition of a “floodway” and “floodplain”, the **motion carried** 8-0: Newman, Duvall, Bill-Strand, Steward, Carlson, Krieser, Larson and Schwinn voting ‘yes’; Taylor absent.

*****EXISTING CONDITIONS - PARKS, RECREATION & OPEN SPACE*****

Motion to Amend #4. Newman made a motion to approve the amendment to p.E78, paragraph 2, as requested by the Friends of Wilderness Park, seconded by Duvall:

The Wilderness Park trail system connects to the City's trail network. The potential for extension of the Wilderness Park trail system south to connect with the Homestead Trail exists, and could continue into the State of Kansas.

Newman observed that there is no reference to the Homestead Trail. Mike Brienzo of Public Works advised that the Homestead Trail will make a connection as it follows the railroad right-of-way. Lynn Johnson of Parks & Recreation further advised that it does not currently connect; however, it would in the future. Johnson agreed with the proposed language.

Motion to Amend #4 carried 8-0: Newman, Duvall, Bill-Strand, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'; Taylor absent.

*****FUTURE CONDITIONS - THE PEOPLE*****

Motion to Amend #5. Duvall moved to change the annual growth rate from 1.5% to a range of 1.8% to 2.2%, seconded by Bills-Strand.

Duvall referred to the 1.8% increase in residential and 2.2% growth rate in commercial reported by LES. Larson asked staff to indicate what this would trigger if approved. Steve Henrichsen of Planning staff clarified that those percentages are not population projections. When looking at population growth (not dwelling units or commercial or industrial customer hookups), LES has been using 1.2% to 1.3% based on some estimates that they had received from a different analysis. The population projection is different than what the actual growth and number of dwelling units might be. The commercial employment growth assumption in the Comprehensive Plan is 2% and the industrial employment growth is 2.5%. The Plan is based on a 1.5% population growth rate, which is different than a dwelling unit growth rate.

Bills-Strand asked about the population growth rate in the last two years. Morgan indicated that there is no information available from the census at this time.

Carlson suggested that when you compare apples to apples and figures, LES's population projection is lower than what we are projecting in this plan. Henrichsen further observed that what LES has been using was a population growth rate of 1.2% to 1.3%, which is different than the information provided which had to do with their residential customer growth. The population growth rate for the 1990's was approximately 1.6%; approximately 1.3% in the 1980's; and the 100 year historical average is a little over 1%.

Schwinn inquired as to the impact on the proposed plan if the population projection growth rate is changed. Morgan stated that if it is changed dramatically, it would make a dramatic difference in how we proceed from here. It could severely or substantially change what we're doing.

Bills-Strand wondered what numbers would be used with the benchmark indicators. Morgan explained that the idea of the benchmarks is to go beyond the population. We don't just look at population—we look at dwelling units, real estate sales, etc., etc. Between 1990 and 2000, based on the census, we were at 1.6% growth annualized. The CPC took a lot of time looking at a lot of different information and numbers, and they determined that 1.5% was a reasonable basis upon which to plan. You have to look at the dynamics of that 1.5%. The CPC did vote several times on this number. It was not unanimous. Steward recalled that it was like a vote of 12-4 vote. Morgan suggested that the benchmarks will be used to validate that number in a short period of time. It could be changed at that time, if necessary.

Bills-Strand inquired why we would use 20 or 30 years and not just the last 10 years in determining the growth pattern. Steward believes that when you are basing your entire cost base characteristic of planning for the future upon estimates, you want to have a system that is as realistic as possible yet dynamic. In the past, we've landed on a number and we've been stuck with that number for 3-4-5 years. It was in the context of the CPC discussion that the benchmark indicators evolved very much because of this kind of discussion. Forecasting numbers is a fool's game. You will be lucky if you are within 10-25 percent of being correct, either up or down. So, it seems that what has evolved from that very discussion is a plan that has the ability to be much more dynamic and responsive than this city has ever had. If we live up to the fact that we bring the new forecasts and new one year data and complete set of indicators to bear at the same time that this body is looking at the CIP, then we have linked funds, growth, projections and reality together on a regular basis. So when the CPC began to conceive of the benchmark indicators, the committee became more comfortable with the fact of not worrying about being exactly correct.

Morgan further explained that the benchmark indicators would be instituted once the plan is approved and would report on a periodic basis, probably within 3 years.

Bills-Strand wondered whether the tiers would be considered at that same time. Morgan answered in the affirmative.

Larson agrees with the concept of keeping it dynamic. Furthermore, if you look at the last four years, it does go up and down, so he believes 1.5% is reasonable. Morgan observed that when we went from 1% to 1.5% in 25 years, that increased the population base by 42,000 people. We are well over 100,000 people in 25 years at 1.5%.

Schwinn believes that 1.8% to 2.2% may be pushing the envelope a little bit. He understands how it is tied to the 6-year CIP. The 1994 plan being behind as it was and falling behind so rapidly has put a lot of our projections well behind schedule and we see this problem. Likewise, if we were to accelerate the CIP on a population growth that may not occur, you have the expectations and promises to the citizens that may not be fulfilled. For the merits of this plan, he is going to support the 1.5%. Hopefully we can accelerate some of the benchmarks.

Motion to Amend #5 failed 1-7: Duvall voting 'yes'; Newman, Bills-Strand, Steward, Carlson, Krieser, Larson and Schwinn voting 'no'; Taylor absent.

*****FUTURE CONDITIONS - THE ECONOMY*****

Motion to Amend #6. Bills-Strand moved to add retail to the list of business forces on p.F13, as requested by Bob Norris:

In the section on Future Locational and Land Use Considerations (page F13), add a section recognizing Retail Goods and Services as one of the “other business forces in a variety of industries that should be addressed in the long range comprehensive planning process”.

seconded by Carlson and **carried** 8-0: Newman, Duvall, Bill-Strand, Steward, Carlson, Krieser, Larson and Schwinn voting ‘yes’; Taylor absent.

Motion to Amend #7. Bills-Strand moved to approve the County Board recommendation on p.9 of the amendments:

Parks, recreation, and open space corridors should be connected. ~~Wilderness Park Salt Creek Heritage Greenway~~ should begin at Wilderness Park and be extended to the south, natural and environmental sensitive areas should be preserved along Interstate 80 and Little Salt Creek to the north, and a new “green space” should be developed along Stevens Creek to the east. Care should be taken that adequate future crossings of such corridors for roads, utilities, and other community facilities are ensured.

Bills-Strand also suggested additional language be added as a part of this motion to amend:

It may be appropriate at a time in the future for portions of the greenway to be considered park. The following things should be considered by the community at that time: Road crossings and utility easements.

seconded by Larson.

Bills-Strand is adding language so that before making a greenway a park, future growth for roadways and utility easements are taken into consideration so that we do not create barriers to ourselves.

Lynn Johnson of Parks & Recreation acknowledged that this is the first time that there is a reference in the plan to the Salt Valley Heritage Greenway. Steward believes the strategies for future development will trump the planning for the Heritage Greenway by this motion. Johnson explained that the vision of Parks and Recreation is that as this interconnected system of open space areas and park becomes developed, one of the criteria to identify park land would be unique environmental resources and unique opportunity for recreation. That should be considered as part of the criteria for fee simple acquisition of park land or conservation easement acquisition for open space. Steward believes that at least 95% of the Heritage Greenway is in the floodplain. Johnson concurred. Steward noted that that carries its own set of conditions, which may or may not be consistent with the conditions suggested in this motion. Johnson believes that what is suggested is fairly consistent with how we do parkway planning now. We try to be cognizant of

the future roadway system and make land acquisition in consideration of that. You have to plan the two together. Johnson does not object to the proposed language.

Carlson believes that in the order of things, the initial action would be to designate the Salt Valley Heritage Greenway to achieve that as a system of green spaces (they could be public spaces, private spaces and not necessarily just parks). Johnson stated that the vision is a system of conservation easements and fee simple acquisition of land. Carlson believes it is clearly much more difficult to deal with designated park area in terms of crossing utility easements as it is with a greenway area. Johnson replied, stating that if the land has been dedicated park land for public recreation, then if there is a taking issue with the development of a roadway, then you run into the 4F issues.

Carlson believes it is in our interest to coordinate the future crossings with where the potential park areas might apply and he believes this issue is covered by the fifth paragraph on p.F62.

Bills-Strand agreed to withdraw the additional language which she added. This was accepted by the second.

Motion to Amend #7 carried 8-0 to include the language as recommended by the County Board, without the additional language suggested by Bills-Strand (Newman, Duvall, Bills-Strand, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'; Taylor absent).

Motion to Amend #8. Schwinn moved to replace any reference to "right to farm" with "property rights of agricultural land owners", as requested by the Home Builders Association of Lincoln, seconded by Larson.

Schwinn requested a definition of "right to farm". Mike DeKalb of Planning staff stated that it has multiple definitions. The state statutes describe it as conducting a farm in a normal management pattern that is not considered a nuisance; the County Board has used the term to acknowledge that there are rights of farmers to continue farming when there are other activities going on around them such as acreages. DeKalb reiterated that the term "right to farm" is a statutory term. **Motion to Amend #8 was withdrawn.**

Motion To Amend #9. Bills-Strand moved to approve and add new language on p.F20 regarding affordable housing, requested by the Home Builders Association of Lincoln (p.45 of the amendments), seconded by Duvall.

Motion to Amend #9A. Steward **moved to amend**, that the first two sentences be stricken and begin with:

Home ownership is the foundation upon which successful neighborhoods and communities are built. Implementation of this Plan shall take into account the

financial impact any new policy or program will have upon the ability of the average worker to be able to afford to buy and maintain a home in our community, as well as growth management and the overall impact to public costs of both new and existing residential areas." (Underlined language added by Steward)

seconded by Newman.

Steward believes that the first sentence of the amendment requested by the Home Builders is a listing and you run the risk of leaving some out and not covering all of it. It is not proper text in the plan. He does not disagree with the essential nature of affordability and home ownership as a principle within this plan, but he also would like in the same breath to declare that this plan is based upon principles of growth management, not simply unlimited growth and that it strives hard to plan for and lay the foundation for choices in home ownership. And all of those choices have costs to the public which the plan in its present form has struggled to try to balance.

Schwinn does not think the language is appropriate. Bills-Strand thinks that growth management fits in another place.

Steward's **motion to amend #9A failed** 1-7: Steward voting 'yes'; Newman, Duvall, Bills-Strand, Carlson, Krieser, Larson and Schwinn voting 'no'; Taylor absent.

Motion to Amend #9B. Carlson moved to amend by substituting the following language (*Exhibit #67*) in place of that submitted by the Home Builders Association:

Home ownership is the foundation upon which successful neighborhoods and communities are built. Citizens should be able to afford to buy a safe and decent home. The plan should recognize the impact of policies and programs on community housing costs.

seconded by Steward. Schwinn agreed.

Motion to Amend #9B carried 6-2: Newman, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'; Duvall and Bills-Strand voting 'no'; Taylor absent.

Main Motion to Amend #9, as amended, carried 8-0: Newman, Duvall, Bills-Strand, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'; Taylor absent.

Discussion on requests to amend the Land Use Plan. The Commission then discussed the proposed amendments to the Land Use Plan as set forth on page 5 of the written amendment list. Bills-Strand wondered whether this is the place and time to work through all those proposals. Henrichsen believes that raises a good point. In previous annual reviews of the Comprehensive Plan, the staff has had the opportunity to provide an analysis and background information along with the proposed amendment to the Land Use Plan.

Schwinn believes the additional analysis and information from the staff has been helpful during the annual review process. Secondly, any one of these items could be brought forward in a subarea

plan with a request for a Comprehensive Plan amendment at that time. Schwinn suggested that speculatively putting these pieces in the Land Use Plan right now may make this whole process cumbersome and not necessarily what we want to be doing here.

Bills-Strand indicated that she would normally drive out and take a look at these places and look at the area to make a decision. These requests could be very valid but she is not sure this is the right place and time.

Motion to Amend #10. Schwinn moved to approve the request by the University of Nebraska-Lincoln to modify the generalized future land use map to reflect the future land use of UNL's City and East Campuses as set forth in the Campus Master Plan (p.70 and 72 of the amendments), seconded by Steward.

Schwinn inquired whether this would reflect the University's current boundaries. Henrichsen advised that it reflects their current boundaries, but also some of their future boundaries.

Carlson is opposed. If the University is talking about future expansion, he is concerned whether they have had dialog with the neighborhoods and he thinks they should come back through the process just like anybody else.

Henrichsen explained that this is in response to the Antelope Valley project. The only amendment done during the Antelope Valley process was to show the green space. There were no land use changes made at that time other than showing the green space. That was also part of the 1994 Comprehensive Plan where the Land Use Map reflected the zoning map. UNL states that there are some areas to the west and the north where they have already acquired the land, and they are requesting that those acquisitions along with most of the property to the east should be shown as future public/semi-public as part of the University boundaries as what was adopted in Antelope Valley package.

Newman wondered whether there are any single family homes or residential areas in that eastern area that people don't know will be public after the end of today. Henrichsen indicated that the University had stated that this was part of the Antelope Valley discussion.

Schwinn asked whether UNL has condemnation powers. Henrichsen answered in the affirmative. Schwinn suggested that it doesn't make any difference then.

Morgan offered that the additional map does reflect sort of the new spirit of planning. We have tried to get away from being very site specific--we're trying something that is more generic with flexibility. But, whether the neighborhoods have had ample opportunity to review it is a good point.

Roger Figard of Public Works observed that it seems totally appropriate to put a "P" Public designation on land that the University owns, but he has great concerns about putting a different designation on other privately owned property because suddenly Antelope Valley is the bad person that's going to come in and take over and then we're saddled with an inverse condemnation situation. He has great concern about putting a designation on privately owned property. He agrees that the shape on the map is consistent with UNL's future master plan but he does not believe the process has gone forward to make that happen.

Carlson knows UNL is doing a good job of outreach with the neighborhoods but they have had a spotty past and he is not sure about the degree of trust.

Wynn Hjermsstad of Urban Development agreed with Figard. The proposal does conform with the Antelope Valley boundaries but we have to be careful. We are working with the neighborhoods, but it is not to that point yet.

Schwinn asked how many of the properties within the boundaries shown on the proposed map (p.72 of the amendments) are owner-occupied residences. Hjermsstad did not know. Home ownership in that area has traditionally been the lowest in the city. In that whole neighborhood it was 11% home ownership in the 1990 census, so she would be inclined to say "not very many".

Steward clarified that he does not represent UNL, but he offered that UNL has made a specific request and he believes that it is consistent with their work with the Antelope Valley project. From the beginning, it was always seen on their plans that the Antelope Valley project would be the easternmost border and that was one of the selling points of the overall community planning strategy, i.e. now we had a hard edge and that hard edge would be there. He does not know why we can't accept this as a plan. It is no different than our plan. It seems that this is consistent with what has been done before.

Carlson believes that Antelope Valley has its own public relations problems as far as its connectiveness to the neighborhoods. There are people in the neighborhoods that are concerned about the planning processes and UNL is not here to say what they've done about neighborhood dialog. Hjermsstad advised that through the whole process, UNL has been a partner in the Antelope Valley process, and many, many neighborhood meetings were held with individuals, neighborhoods, etc. There has been a lot of dialog with the neighborhood on behalf of the partners. She believes those connections continue to be made through the partnership and JAVA.

Schwinn agreed with Steward. This is a 25-year plan; it is a vision of UNL and it should be included. Obviously, UNL is one of our crowned jewels of the community and we need to support it as much as possible.

Newman inquired whether a "P" designation would have an impact on residential property values. Hjermsstad believes that it could because we get into the inverse condemnation kind of issue, but that is beyond the scope of what she knows.

Rick Peo, City Law Dept., suggested that this gets into speculative anticipation of when does pre-condemnation activity constitute condemnation. The University indicates that this has been on their master plan since 1998. If you put it in the Comprehensive Plan, you are then giving more public notice that this is what the future use probably will be. The Comprehensive Plan is just a guide; a statement of what we think is the best use and purpose for the property in the future. It is the actual zoning that counts. He suggests that a "P" designation at this time could possibly discourage continuation or upgrading of existing uses. He did not know whether it would impact property values or not. He agreed that we cannot stand in the way of UNL if they want to come. They have the right to condemn property for their needs. Figard wonders whether it has to be all or nothing. He just is a bit uncomfortable having worked with some of the private owners.

Motion to Amend #10 was then rescinded by Schwinn, agreed to by Steward, who had seconded the motion.

Motion to Amend #11 made by Carlson, seconded by Newman, to insert the language proposed by the Friends of Wilderness Park on p.F18 at the end of the second paragraph under “Environmental Stewardship”:

When natural or man-made environmental features occur in the path of development, they should serve as the centerpiece of the development and their integrity protected rather than be considered as impediment that should be crossed, fragmented or other minimized.

Bills-Strand is concerned because it requires a definition of “natural environmental feature”. Newman suggested the language be changed to, “...be encouraged to serve as a centerpiece...”, rather than “should serve” as a centerpiece.

Carlson believes that natural features should be incorporated. Bills-Strand believes it is already stated. She believes the Plan already provides for green spaces and we don’t need to make it any stronger.

Steward does not know whether “centerpiece” is necessarily appropriate.

Motion to Amend #11 failed 2-6: Newman and Carlson voting ‘yes’; Duvall, Bills-Strand, Steward, Krieser, Larson and Schwinn voting ‘no’; Taylor absent.

Motion to Amend #12. Bills-Strand moved to include the definition of “urban acreage” as requested by the County Board (p.10 of the amendments):

There are two distinct areas of the county where acreages may occur: “Urban Acreages” within the sphere of influence of the City of Lincoln, that may experience urban pressure and should be designed to reflect that possibility; and “Rural Acreages” that are at a more remote location in the county and will not interfere with urban growth.

seconded by Duvall. This language should be inserted appropriately on p.F29.

Steward stated that he cannot support this motion because “an acreage is an acreage is an acreage”, whether in the near vicinity or further vicinity. Secondly, he believes that this entire county is subject to urbanization at some point and that it would be unrealistic and not useful to make this definition. Thirdly, he does not agree with the statement “should be designed to reflect that possibility”. He does not know what “that possibility” is or what “design” means attached to that definition. He believes this language is unnecessary.

Upon further discussion, **Motion to Amend #12 was withdrawn.**

Motion to Amend #13. Carlson submitted and made a motion to approve **Exhibit #68**, consisting of amended language and a new Priority Area map. It provides for two priority areas rather than three, and modifies the language about Priority A and Priority B areas. (Priority A and B are used instead of I and II to avoid confusion with Tier I and Tier II), seconded by Newman.

Carlson indicated that he did work from the amendment submitted by Tom Schleich (p.101 of the amendments). This amendment is based upon testimony the Commission heard about the priority areas.

Henrichsen explained the changes to the priority areas: This amendment adds some additional area to the south compared to the February draft; it adds the area in the Stevens Creek basin north of A Street; it adds some area generally in the region of 70th & Arbor Road; it adds a little bit of area along the west side of 14th that could already be served by existing water and sewer in 14th Street; it adds a little area generally to the north of Kawasaki; and in the southwest it adds a small area on the north side of Old Cheney Road; and it completely drops Priority 3. Everything in Priority 3 becomes the new Priority B. Generally, this puts approximately 16.5 squares in Priority A.

Schwinn referred to the area north of Kawasaki, recalling that Ross McCown had expressed concerns about the industrial designation. Henrichsen pointed out that that was set forth as a separate amendment to the land use map. This proposal just talks about the timing.

Bills-Strand sought to understand why the CPC felt we really needed to have these phases of the tiers. We've done business all these years without it. We do a budget. So why is there so much need to have priorities within the tiers? Morgan advised that the Comprehensive Plan has had a phasing plan in the past. In working with the CPC, they wanted to look at more priority areas so that it was not quite as stringent as the phasing plan. The CPC felt that the community would like to know where their tax dollars are being invested first. So it became critical to the CPC to understand that this is the area within this larger area where the community would like us to go first, second and third. Bills-Strand wondered whether this would change from year to year. Morgan responded, stating that hopefully we can set those parameters and start to work toward development of programs to fulfill those infrastructure requirements in some areas. It takes years to develop the utility programs.

Bills-Strand reiterated that we have not had priorities in the past. Morgan reiterated that we have had a phasing plan which is very much akin to this, but it was fairly specific and identified with lines. We are trying to be more flexible.

Allan Abbott, Director of Public Works, stated that the utility plans cannot be changed from year to year, at least not any major changes from year to year, because once we start it is very difficult to continue and add something. He also pointed out that any change is usually an "add on" – not an "instead of". We need to be careful that we can in fact meet the commitments. The developers in the priority 1 (now A) areas are expecting services to be there. In order to meet those commitments we need to have a more firm plan. That plan may be two years or three years, but he would hope it would not change every year. It is reviewed each year, but he would not anticipate that at the end of year 1 we would do year 5 instead of year 2.

Morgan also pointed out that one of the other procedural changes in this plan is to run the CIP review along with the Comprehensive Plan Annual Review process instead of six months apart. We're trying to tie the infrastructure planning back to the plan itself.

Steward believes this is an integrated strategic approach. Bills-Strand is hopeful there will be flexibility in that for changes. Steward believes there will be more flexibility than in the past.

Larson clarified the basic changes by this motion: Two priority areas instead of three; Priority A (formerly Priority I) is quite a bit bigger; and it changes the language which restricted any of the development in Priority B (formerly Priority II) before Priority A (formerly Priority I) is done; and it sets out what conditions are necessary before you start Priority B if Priority A is not done. Larson is in favor, but he wonders whether there is enough change in the southwest area.

Bills-Strand commented that some of the concerns in the community are that there is not enough change in Stevens Creek.

Motion to Amend #13A. Larson moved to add paragraphs 1) and 2) as set forth on p.103 of the proposed amendments regarding the southwest area, seconded by Bills-Strand.

Carlson requested comments from staff about the context of the “place holder” language and CIP information. Henrichsen pointed out that the text talks about Priority A (formerly Priority I) as being a 12 year period. This language provides that funds be put in the CIP, which is 6 year project, saving X amount of funds as a “place holder”. Henrichsen is not sure about putting funds in both these areas.

Steward believes that dealing with one area in Priority A and Priority B as distinct from one other seems to abrogate the process that is trying to be set in place. If we don't believe that southwest has enough Priority A in it, then we should take action on that. But to instruct the CIP timing in the Comprehensive Plan document is not appropriate. Steward is opposed to this motion. Steward supports the Carlson motion.

Carlson finds it intriguing--southwest is a good place to go because of the existing infrastructure. He asked staff whether the basins in the southwest are equally easy to serve infrastructure-wise. Morgan stated that they have different characteristics. The proposal suggests that we take a look in more detail at what makes sense from an infrastructure perspective and from a market perspective. The staff did not have time to do that detailed analysis in this process.

Motion to Amend #13A to add the paragraphs 1) and 2) on p.103 of the amendments **failed** 2-6: Carlson and Larson voting ‘yes’; Newman, Duvall, Bills-Strand, Steward, Krieser and Schwinn voting ‘no’; Taylor absent.

Motion to Amend #13B made by Schwinn, seconded by Duvall, to add the fringe basins identified as W-D, W-E and W-F from the Stevens Creek Initiative Basin Plan to the new Priority B. This moves these areas out of Tier II to Tier I, and Schwinn believes this would be in conformance with the Stevens Creek Basin Initiative Report. These areas become Tier I, Priority B.

Carlson stated that he will vote against this motion. He asked staff to clarify whether this conforms to the recommendations of the Stevens Creek Basin Initiative Task Force (SCBI).

He understood that the SCBI called for the planning of the entire basin but he is not sure it called for the immediate urbanization of the entire west bank.

Morgan submitted **Exhibit #69**, which is a compilation of excerpts from the Planning Guidelines prepared by the SCBI. Morgan stated that it is important to understand that the SCBI work was completed prior to the full initiation of the complete Comprehensive Plan process. The SCBI did not have the vision statement; they did not know the population projections; the concept of tiers were not present at that time; and there was no beltway decision at that point. The CPC did have the benefit of speaking with representatives from the SCBI. The excerpts from the Planning Guidelines prepared by the SCBI Task Force were not formally approved or adopted by anyone other than that group. As far as urbanization, the SCBI Task Force realized that not all of the western bank would be urbanized, but that certainly a portion would be. Morgan believes that the CPC recommendation complies with the work done by the SCBI Task Force. Morgan again stressed that the SCBI Task Force did not have the benefit of the tier approach. They wanted to make sure there is some active kind of planning going on for the western portion of the basin. The CPC and the staff believe that with Stevens Creek in Tier I and Tier II, the recommendations of the SCBI are represented. Overall, Morgan pointed out that 80% to 90% of everything that the SCBI Task Force requested is included in the draft plan.

Carlson does not believe this plan ignores the SCBI recommendations at all. He thinks they are incorporated. The SCBI Task Force was part of a larger process and they did not have all the studies available to them as they made their decision. At all of the public forums, there was overwhelming support for multi-directional growth in this plan. Carlson believes it is a mistake to over-balance that growth to the east. The dollars and cents involved, the combination of the dollars available, and the infrastructure available along with the idea that we are creating a plan that is flexible with continual checks, support multi-directional growth.

Schwinn pointed out that we're talking about contiguous growth with the community and there is absolutely no growth to the east. Secondly, the infrastructure for the east is available—Aquila (formerly Peoples Natural Gas) has gas on that side and we have 84th programmed to 6 lanes in this plan. By coloring it red doesn't mean it is going to be developed tomorrow, but it does move it forward. Schwinn noted that the SCBI Task Force did talk about population growth and did discuss the fact that if we were to designate just Stevens Creek alone, we could handle all the population Lincoln will have in the next 25 years. But, Morgan again pointed out that the SCBI Task Force did not have the benefit of knowing what the figure was going to be in context of the broader plan. Schwinn's response was that we have to start at the ridge and go down and he believes it would make more sense to go all the way down the ridgeline. If we vision the crescent necklace all the way around we need to have rooftops to support the development of Stevens Creek as a park land.

Steward commented that in the spirit of the entire plan and the work of the CPC in regard to multi-directional growth, the direction is the most disturbing part of adding all of the west bank of Stevens Creek into this plan. Everybody in Lincoln knows already that we have major transportation problems from the growth to the southeast. Adding the entire west bank of Stevens Creek will continue to only exacerbate that condition, and all of the numbers

for the East Beltway have indicated that that is not going to be any solution to the eastern/southeast traffic problem. It seems the rational planning response is to do what we can to encourage and use our infrastructure in the best way to get more of the contiguous growth parcels in various corridors and parts of the city. He does not deny that the pressure may continue in Stevens Creek. This may be the only place the market wants to go, but we've put in place the mechanism to determine that. If this motion is passed, it will weaken all of the infrastructure use in the north, in the west and in the southwest.

Schwinn disagrees that it is southeast growth—it is east growth. We have talked about moving towards Omaha and going towards Beatrice does not get us very close to Omaha. Our growth has been generally to the south. He feels that these basins need to be added. Schwinn did serve on the SCBI Task Force and he believes they supported moving into the whole basin on that side.

Newman commented that readjusting the priorities helps, but she is not at this point willing to put any more land in the plan.

Larson wondered whether it would be more acceptable to just add W-D. Schwinn responded that with W-D being the largest basin and most easily sewerable, that is certainly a position that could be taken.

Motion to Amend #13BB made by Larson, seconded by Bills-Strand, to add only Fringe Basin W-D as Tier I, Priority B, seconded by Bills-Strand. Carlson does not believe this is necessary. It makes no sense when you are budgeting for what your capability is.

Bills-Strand believes we need to add more land because the market pressure is already there. We've got six lanes going in to accommodate traffic.

Carlson does not disagree that we're going to be in Stevens Creek--the question is how you do it and how you pay for it.

Bills-Strand noted that next month the Planning Commission will be talking about the Infrastructure Financing Strategy (IFS). It kind of seems backwards but that is the way it is coming before the Commission.

Motion to Amend #13BB adding W-D to Tier I, Priority B, **failed** 2-6: Krieser and Larson voting 'yes'; Newman, Duvall, Bills-Strand, Steward, Carlson and Schwinn voting 'no'; Taylor absent.

Motion to Amend #13B to add W-D, W-E and W-F to Tier I, Priority B, **failed** 4-4: Bills-Strand, Duvall, Krieser and Schwinn voting 'yes'; Newman, Steward, Carlson and Larson voting 'no'; Taylor absent.

Motion to Amend #13C. Bills-Strand moved to add Fringe Basin W-D, to Tier I, Priority B, seconded by Larson and **carried** 5-3: Duvall, Bills-Strand, Krieser, Larson and Schwinn voting 'yes'; Newman, Steward and Carlson voting 'no'; Taylor absent.

Motion to Amend #13 (Exhibit #68), as amended (adding W-D to Tier I, Priority B) **carried** 8-0: Newman, Duvall, Bills-Strand, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'; Taylor absent.

Schwinn asked staff to clarify the request by the Planning Department to add text on p.F34 to the Tier II Priority Areas, providing for a "Public Infrastructure Investment and Growth Strategy" for all Tier II areas (p.31-32 of the amendments). Morgan explained that the idea is that we had gone through a process with the Stevens Creek property owners and adjacent landowners to look at planning guidelines, but we have not done that same kind of thing with other parts of the community. In fairness, the staff suggests that we should go through a similar process in other growth areas of the City to allow the citizens and property owners the opportunity to express their concerns. It is simply an attempt to equalize "the planning playing field" across the entire area around the city. Stevens Creek had this opportunity in advance of the Comprehensive Plan update. Out of fairness, it is believed that other citizens in other areas should have that same opportunity. It could apply to both Tier I and Tier II. Steward believes this would be valuable in the annual review process.

Henrichsen added that the text on p.31 of the amendments provides that this be done within three years, not necessarily during the first annual review.

Motion to Amend #14. Steward moved to add the text in #3 on pp.31-32 of the proposed amendments, as requested by the Planning Department, to prepare a "Public Infrastructure Investment and Growth Strategy" for all areas in Tier II, seconded by Schwinn.

Bills-Strand believes there will need to be some language changes to reflect the adjustments that have been previously made and that can be done by staff.

Motion to Amend #14 carried 8-0: Newman, Duvall, Bills-Strand, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'; Taylor absent.

With regard to the amendment requested by the Home Builders Association to add the recommendations of the SCBI Task Force (p.94 of the amendments), Carlson believes this has already been incorporated by the County Board request.

*****FUTURE CONDITIONS - BUSINESS & COMMERCE*****

Motion to Amend #15. Steward moved to approve the amendments requested by the Urban Development Department (#2 and #3 on p.16 of the amendments):

p. F37: "Expansion of existing commercial and industrial uses should not encroach on existing neighborhoods and must be screened from residential areas."

P.F42: “New or established commercial uses should not encroach upon, or expand into, existing neighborhoods.”

seconded by Schwinn.

Carlson agrees that this makes sense, although he wants to make sure it doesn't “wing” us on the side of integrating mixed uses. Newman believes it is covered.

Motion to Amend #15 carried 8-0: Newman, Duvall, Bills-Strand, Steward, Carlson, Krieser, Larson and Schwinn voting ‘yes’; Taylor absent.

Motion to Amend #16. Bills-Strand moved to add symbols indicating new commercial/industrial centers at Highway 77 and South Beltway, Highway 2 and South Beltway, 98th and Highway 6, and Highway 77 and I-80, as requested by the Home Builders Association (p.94 of the amendment), seconded by Duvall.

Bills-Strand believes the Commission has heard good testimony about problems real estate brokers have in locating commercial sites, especially in lieu of protection of the floodplains. Larson agrees that getting industrial centers down in the south will help us with a lot of things, including traffic.

Carlson expressed concern about shifting the tax base and our ability to tax these uses. We're putting uses outside of our corporate limits. Also, we're putting uses along a corridor that is not even there yet. Carlson believes we should get the corridor established before adopting land uses along it. We are putting the uses in an area that we're saying we are not going to serve with water.

Bills-Strand responded to Carlson's comments, stating that this is a county plan. And this is what's good for the county, not just the city. These beltways are going to be there. People need to know what the highest and best use of that land is going to be. We need to designate what it's going to be. These are logical places where commercial and industrial uses will occur and we need to just recognize that in the next 25 years. This does not say that we are promising water.

Carlson believes we're putting it in an awkward place. Schwinn noted that we did not have a problem operating Kawasaki outside the city.

Steward stated that he would support the motion if it said, “...in the vicinity of Highway 77 and South Beltway...”, etc. It is a mistake to designate the intersections at this point without good related planning information. Steward also believes that this pattern continues the condition of interchanges and highway intersections as being the only place that industrial sites should be put, and there are many other circumstances that come to bear on those locations.

“...in the vicinity of...” was accepted by Bills-Strand as part of the **Motion to Amend #16** and **carried** 8-0: Newman, Duvall, Bills-Strand, Steward, Carlson, Krieser, Larson and Schwinn voting ‘yes’; Taylor absent. **The adopted language reads:**

p.F41. Add symbols indicating new proposed commercial/industrial centers in the vicinity of Highway 77 and South Beltway; Highway 2 and South Beltway; 98th and Highway 6, and Highway 77 and I-80.

(Editorial Note: Motion to Amend #16 was later reconsidered [Motion to Amend #63] and replaced by Motion to Amend #64)

Motion to Amend #17. Steward moved to change property located at N.W. 27th Street and Highway 34, from “heavy industrial” to “light industrial” (p.F39) requested by NEBCO, in view of the University plans out that direction, seconded by Duvall and **carried** 8-0: Newman, Duvall, Bills-Strand, Steward, Carlson, Krieser, Larson and Schwinn voting ‘yes’; Taylor absent.

Motion to Amend #18. Krieser made a motion to add language to p.F37-38, “Commercial and Industrial Development Strategy”:

Development in Lancaster County, outside of Lincoln: The County recognizes that industrial and business development may be appropriate in the rural and agricultural areas of the county, outside the three-mile zone, where determined by the County Board through a special permit.

seconded by Duvall. This amendment was requested by Larry Hudkins, County Commissioner **(Exhibit #70)**.

Steward commented that we have a county-wide Comprehensive Plan and the principle is that we designate and indicate land uses in that plan as well. He believes this language says that the County Board wants authority to choose and decide where commercial and industrial sites outside the service limit would be, irrespective of the Comprehensive Plan. He asked for staff’s interpretation of this language. DeKalb suggested that the CPC recommendation reflects the 12 incorporated towns. There are at least three places in the current Comprehensive Plan that directs industrial/commercial growth to towns to help support their base. DeKalb stated that there has been discussion by the County Board to add a provision to allow remote locations by special permit, and this is what is reflected in Commissioner Hudkin’s request. This was not a County Board vote. DeKalb believes it is Commissioner Hudkin’s intent to include a special permit provision. Steward noted that if it is a special permit provision, it would come before the Planning Commission first. DeKalb further explained that the Comprehensive Plan will be a joint City/County plan. If a mechanism is established to approve these industrial and commercial uses in the County by some criteria, it would be processed through the Planning Commission and then to the County Board. However, DeKalb pointed out that the AG district does not currently have a special permit provision for industrial and commercial uses. Hudkins is suggesting that it would be nice to have a special permit provision in the AG district.

Carlson pondered whether this could be done under the current policy by asking for a change of zone with appropriate public hearing and appropriate action. DeKalb believes the County Board is looking for some guidance in the adopted policy. Many of the cities and towns don’t have a big tax base and existing taxing facilities. By directing commercial and industrial uses to locations, it helps support those towns. When it is freestanding in the middle of the county, it does not directly fund or support those towns or Lincoln, and is requiring county services.

Carlson contends that the process exists. If the commercial or industrial use is desired, then they can request the appropriate change of zone. He does not see that making a change in policy is wise when you can already accomplish it by changing the zone.

Steward further commented that it isolates probably the most sensitive potential land use into a privileged category, viz-a-viz the plan, when we don't do it with any other land use.

Motion to Amend #18 failed 2-6: Duvall and Krieser voting 'yes'; Newman, Bills-Strand, Steward, Carlson, Larson and Schwinn voting 'no'; Taylor absent.

Motion to Amend #19. Steward moved to approve the Urban Development Department request (#4 on p.16 of the amendments) to amend the theater policy to:

Lincoln's successful Theater Policy must be maintained and reinforced.

seconded by Larson.

Schwinn pointed out that the Commission in today's previous hearing just granted three additional movie screens to Edgewood. Steward pointed out that such request complies with the existing policy.

Motion to Amend #19 carried 8-0: Newman, Duvall, Bills-Strand, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'; Taylor absent.

Motion to Amend #20. Steward moved to amend the second paragraph on p.F50 regarding the Antelope Valley discussion, as requested by the Urban Development Department (#5 on p.17 of the amendments), with the addition of "and transit opportunities":

Support development and implementation of the Antelope Valley project which is to provide neighborhood revitalization, transportation and transit opportunities and stormwater improvements on the east side of Downtown, ~~and~~ the UNL campus and surrounding neighborhoods. As the Antelope Valley project progresses, ensure that new development is compatible with the existing downtown and is pedestrian oriented. Development in the existing and expanded Antelope Valley and Downtown will maintain the urban environment, including a mix of land uses and residential types.

seconded by Newman **and carried** 8-0: Newman, Duvall, Bills-Strand, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'; Taylor absent.

Motion to Amend #21. Bills-Strand moved to add the County Board request regarding accessory home business (p.6 of the amendments):

p.F51. Replace the first sentence of the last paragraph under “Development in Lancaster County, Outside of Lincoln” to read: “Continue to encourage and permit accessory home businesses and explore options ~~to permit an additional outside employee on the premises~~ to assist in the expansion of home occupations.

seconded by Duvall.

Steward suggested adding “legal and compatible” home occupations. This puts some notice against some mischievous uses of home occupations as well as the fact that there can be incompatible conditions of home occupations if it is out in the County. This was accepted by Bills-Strand as part of her Motion to Amend #21.

Motion to Amend #21 carried 8-0: Newman, Duvall, Bills-Strand, Steward, Carlson, Krieser, Larson and Schwinn voting ‘yes’; Taylor absent. The adopted language reads as follows:

p.F51. Replace the first sentence of the last paragraph under “Development in Lancaster County, Outside of Lincoln” to read: “Continue to encourage and permit accessory home businesses and explore options ~~to permit an additional outside employee on the premises~~ to assist in the expansion of legal and compatible home occupations.

*****FUTURE CONDITIONS - ENVIRONMENTAL RESOURCES*****

Motion to Amend #22. Larson moved to add the Core Resource Imperatives and map as requested by the Mayor’s Pedestrian/Bicycle Advisory Committee on p.116 and 119 of the amendments, seconded by Duvall.

Bills-Strand has problems because this continues to talk about Wilderness Park expanding south to the community of Roca and we don’t want to call that Wilderness Park. We have to clean up that language so that we’re not designating parks in this language. Schwinn believes it specifically defines the crescent.

Bills-Strand requested Parks to give an opinion on this language. Lynn Johnson, Director of Parks & Recreation believes the language is consistent and it is language that the Parks Department drafted.

Motion to Amend #22 carried 8-0: Newman, Duvall, Bills-Strand, Steward, Carlson, Krieser, Larson and Schwinn voting ‘yes’; Taylor absent.

Motion to Amend #23. Bills-Strand moved to adopt the request by the County Board to delete all references to “smoke buffers” and “smoke easements” (p.6 of the amendments) and to add language, Notification to adjacent property owners of possible burning and smoke occurrences must occur as title to property changes. Motion was seconded by Larson and **carried 8-0:** Newman, Duvall, Bills-Strand, Steward, Carlson, Krieser, Larson and Schwinn voting ‘yes’; Taylor absent.

Commissioner Taylor arrived.

Motion to Amend #24. Bills-Strand moved to adopt the County Board language to replace “Wilderness Park” and “parkland” with “Greenway Corridor” on pp.F20 and F62 (p.6 of the amendments), seconded by Krieser.

Carlson does not have a problem with a statement to pursue acquisition of additional park land to the south. We’ve already established that when we pursue park land we need to take into account access and crossings. He does not want to strike “parkland”. Bills-Strand would prefer to use “greenway corridor”. Parkland makes it deal with different rules. The County Board feels strongly that it should be “greenway corridor”.

Carlson asked whether there is a strategy in the plan that calls for extending Wilderness Park to the south. Johnson clarified that it is discussed as part of the Heritage Greenway Concept – rather than extension of Wilderness Park as dedicated parkland. Johnson believes what was replaced under the Salt Valley Heritage Greenway accomplishes all of that. We were trying to get the entire loop encompassing Wilderness Park as well as acquisition of land to the south. The big picture concept is encompassed in the broader language approved.

Motion to Amend #24 was withdrawn.

Motion to Amend #25. Bills-Strand moved to change the fourth paragraph on p.F20:

Parks, recreation, and open space corridors should be connected. ~~Wilderness Park~~
Greenway corridor should be extended to the south...”.

seconded by Larson. Carlson believes this has already been done. **Motion to Amend #25 was withdrawn.**

Motion to Amend #26. Steward moved to adopt the specific language requested by the County Board regarding “Greenway Corridor” (p.6 of the amendments; p.F20 and F62 of the Plan), seconded by Bills-Strand and **carried** 9-0: Newman, Duvall, Bills-Strand, Taylor, Steward, Carlson, Krieser, Larson and Schwinn voting ‘yes’.

Motion to Amend #27. Newman moved to approve the request by the Friends of Wilderness Park to reword the sentence on stormwater management practices to include buffer areas (p.38 of the amendments-p.F60), with amendment as follows:

Pursue stormwater management practices that consider both water quality and quantity approaches near fresh water wetlands. Buffer areas should be encouraged at their perimeters to decrease the effects of adjacent future uses.

seconded by Steward. Newman explained that this addresses the issue where there is certain runoff on certain things that should not be going into certain areas. This could be around Wilderness Park, it could be agricultural stream corridors, it could be a wetland. We need to establish buffers so that certain runoff does not go into these areas.

Motion to Amend #27 carried 9-0: Newman, Duvall, Bills-Strand, Taylor, Steward, Carlson, Krieser, Larson and Schwinn voting ‘yes’.

Motion to Amend #28. Newman moved to adopt the language requested by the Friends of Wilderness Park regarding buffer zones around all edges of Wilderness Park (p.38 of the amendments):

Establish buffer zones around all edges of Wilderness Park to act as additional vegetated areas to reduce flooding potential and protect the park's habitat. Prohibit development in the 100 year floodplain adjacent to the park. Develop a zoning plan for low-density agricultural or residential use of lands adjacent to Wilderness Park to provide additional buffers beyond the managed buffers. Establish buffers on all major tributaries flowing into Salt Creek, plus adjoining buffers on all slopes greater than 10% on these tributaries.

seconded by Carlson.

Bills-Strand stated that she cannot support the additional buffer. Larson agreed. Schwinn does not understand why we need to protect Wilderness Park from flooding. Newman responded, stating that there are certain areas with junk trees that do slow down the water from going where it should go slower. That is what they are trying to establish. Larson believes this equates to an expansion of Wilderness Park. Carlson pointed out the difference, i.e. this language calls for the adoption of land uses that are compatible and suitable to be along side of a park. Carlson believes this is good planning.

Steward stated that he understands the intent and he is in favor of more protection for sensitive environmental areas, but he believes that the greenway planning and study is where this more specific information needs to be brought to bear. There is no determination of width of the buffer here. That's the only problem he has with it. It is so indeterminate that it is going to be hard to administer. He will not support the motion, but he is not voting to not protect the sensitive environmental areas. He is voting for the process. Carlson believes the language is purposeful in giving direction. But, Steward believes there is a responsibility to be specific wherever possible when we are into these growth management conditions and creating potential conflicts between public uses and private land circumstances.

Schwinn called the question. **Motion to Amend #28 failed** 3-6: Newman, Taylor and Carlson voting 'yes'; Duvall, Bills-Strand, Steward, Krieser, Larson and Schwinn voting 'no'.

Motion to Amend #29. As an alternative to **Motion to Amend #28**, Newman moved to add text under "Greenways and Open Spaces: General" on p.F62:

Buffer areas should be sought, as ecologically appropriate, along Greenway stream corridors with significant natural values worthy of continued preservation, and/or to decrease impacts from adjacent future land uses; such impacts may include natural areas protection strategies and/or stormwater management considerations.

seconded by Steward.

Newman clarified that the purpose of this language is to consider a buffer if it is a protected area. She believes it is also very benign.

Motion to Amend #29 carried 7-2: Newman, Duvall, Taylor, Steward, Carlson, Larson and Schwinn voting 'yes'; Bills-Strand and Krieser voting 'no'.

Motion to Amend #30. Newman moved to add the text and map of trails and Greenway as requested by the Mayor's Pedestrian/Bicycle Advisory Committee (p.116-118 of the amendments, p.F63 of the Plan), seconded by Duvall. This adds the map shown on p.118 of the amendments.

Johnson explained that this is essentially the map that goes with this section illustrating the concepts in the text. It is a completely new map showing the linkages of the Salt Valley Heritage Greenway and the framework map for a future county trails system. This came out of the Greenprint Challenge document. The text was added previously.

Motion to Amend #30 carried 9-0: Newman, Duvall, Bills-Strand, Taylor, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'.

*****FUTURE CONDITIONS - RESIDENTIAL*****

Motion to Amend #31. Larson moved amended text for "Guiding Principles for Rural Areas" as set forth on **Exhibit #71**. This confirms the 20:1 ratio for all agricultural zoning with the possibility of clustering. It provides no new acreages in Tier I. Acreages are allowed in Tier II as long as they comply with the "New Urban Estate" model, which is three acres with a build-through feature. Motion was seconded by Duvall.

Bills-Strand believes this is essentially what the County Board has requested with some changes.

Steward opposed the motion on the broad principle. The details of the language may very well be appropriate. But, ultimately, he believes that the entire county of Lancaster is subject to urbanization in 50 to 75 to 100 years. He believes that our planning at every possible point should recognize this ultimate urbanization at the same time that we recognize the right to farm and the distinctions between urban and rural acreages and the build-through concept. He suspects that if we polled each of the 9 Commission members right now as to "what is the build-through and how to administer and manage it", we would get nine different answers. One of the reasons a study was called for was not only economical, but it was also the complexity and the interaction of all of these indeterminate conditions about the future of acreage development and what impact it does have--not just on Lincoln but on the smaller towns, on our natural resources, etc. That map that was generated that begins to zone more desirable and less desirable conditions for acreages in the draft plan is based upon geological geographical information. If we begin to predetermine by only looking at the economics or only looking at the land use, we are making a mistake that is going to be difficult to overcome in a more comprehensive study. Steward believes we need to put as much pressure as we can upon an immediate rural land use study.

Bills-Strand wondered whether changing the study to guidelines for a build-through model would make any difference. In other words, if we didn't lay out quite exactly what they had to do, would that help? Steward agreed that that would be one piece of it. Bills-Strand explained that this tries to lay out guidelines of what they would have to do in order to have these continuing clustering acreages.

Steward stated that he is in favor of the principle but he is very nervous about a quick snapshot approach and a quick vote. He suggested that one other option might be to approve this as the first requirement and give some reinforcement to the comprehensive study that he believes needs to happen right behind it.

Carlson noted the section in the Plan that calls for city-wide county-wide acreage study. If we want to debate the pro's and con's of the build-through design, he would rather have a specific task force created. Larson is not intending to set the build-through design now. This amendment accommodates the design of the build-through at a later time. Carlson believes we can have an interim situation while the study is going on--we hold to the map while the study is done.

Steward stated that it is not only an economic question. It's the environmental issues, it's the relationship between present development and further development. it's the build-through strategy.

Carlson does not see how you can adopt a brand new policy in the meantime. This is too broadly brushed. What is proposed is the earth's plan and the GIS says this is where we know where the roads, water, soils, etc. exist. Carlson agrees that the proposed amendment is what we should be moving towards with the study to determine that. Larson believes the information is available right now.

Newman is concerned because all reference to animal production activities is taken away. They are not considering whether those are appropriate areas for acreages. She prefers to keep it "as is" and let that rural land use study call the shots and work out the details. Larson believes the acreages need to understand they are not entitled to buffer or protection. This whole plan is based on the fact that the acreage owners need to be notified when a permit is given that all these activities could take place and they have no right to object.

Carlson thinks that is a whole other issue. How can you deny someone the right to object? Larson thinks this goes to the "right to farm" issue.

Bills-Strand would agree to add, "based upon the completion of a study".

Motion to Amend #31A. Carlson moved to amend p.F77 and submitted ***Exhibit #72*** as substitute language for Motion to Amend #31, which allows the property owners the opportunity to come in and deviate from this plan while the study is being done if they can demonstrate that sufficient natural conditions, resources and access to public services. Motion was seconded by Steward.

Bills-Strand believes it is terribly unfair to not stick with current policy while the study is being done. Carlson suggests that it will make no difference if they can come in and say they have the necessary water, roads, etc. Bills-Strand believes we need to treat everyone the same while the study is being conducted. Carlson believes that would imply that we should leave the rules the way they are now.

Steward called the question.

Motion to Amend #31A failed 4-5: Newman, Taylor, Steward and Carlson voting 'yes'; Duvall, Bills-Strand, Krieser, Larson and Schwinn voting 'no'.

Motion to Amend #31B. Carlson moved to amend Motion to Amend #31, deleting the shaded portions of **Exhibit #71**. This motion represents the amendments as proposed by the County Board, seconded by Newman.

DeKalb explained that this reverts back to the 20 acre rule with some provisions like 3 acres per every 40. The emphasis would be on the study that would develop the point system matrix based upon criteria that the study would analyze and do. That would become the criteria for requested changes of zone. The shaded portions allow acreage development in Tier II and Tier III.

Motion to Amend #31B failed 3-6: Newman, Steward and Carlson voting 'yes'; Duvall, Bills-Strand, Taylor, Krieser, Larson and Schwinn voting 'no'.

Carlson knows that there was much talk during CPC about potential difficulties of build-through. He requested staff comments on those conflicts that arise in the future growth area and denying the people the right to protest. DeKalb advised that the CPC subcommittee dealing with acreages dealt with issues such as the technical and economical issue of design; the social issue where people have moved out there and choose for the city not to join them--there is a question as to whether you can infringe upon their ability to object; there is a conflict about political subdivisions, the issues of fire, school district, etc., and the issue of other jurisdictions. There were multiple layers of potential conflict.

Carlson observed that we've seen this time and time again where the city runs up to the acreages to annex and it's a major issue. DeKalb agreed that the political and social issue of annexing people is real tough. Some annexations have been delayed 5-6-7 years because of those issues.

In Carlson's opinion, if there needs to be compromise on this, he does not believe it drastic to require acreage owners to drive 2-3 miles out of town if they want to live out of town. It is a major mistake to be putting people in harm's way when we know we're going to go out and annex and we know it is going to cause difficulty for an acreage owner. If we do nothing else, he thinks it is important to minimize acreages in Tier I, II and III.

Larson thinks the build-through concept takes care of most of that. We need to accommodate those that want to live in these areas. Carlson pointed out that you can put it on the map, but to those people who live there and their house is there, it doesn't matter what the map says. Carlson's point is that you need to drive three miles out to live on your acreage.

Larson suggested that **Motion to Amend #31 (Exhibit #71)** does move them out of Tier I. As far as the time line to get into Tier II, he thinks it will be quite awhile. By then they will have had a chance to enjoy their country life. He has lived on an acreage 25 years. When he built there he knew the city would be out there sometime and he still knows that. But, Carlson pointed out that in that 25-50 years, those people's trees will have grown up, they will have expanded their house, etc. All Carlson is urging is that they need to drive one extra mile to be on an acreage.

Bills-Strand observed that the County Commissioners believe that if you don't allow acreages in the Tier II and III, it contradicts with the right to farm. It puts them on 20-acre tracts and many times the rest is left to weeds.

Schwinn called the question. **Motion to Amend #31** includes two friendly amendments on p.3:

New 'urban acreage' development should only be permitted in Tier II and Tier III areas of Lincoln and near towns under high 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: ...

.....

When the independent study to quantify and qualify the positive and negative economics of acreage development is completed, the county should determine if an impact fee or other development exactions are needed to be sure acreage development is paying its "fair share" of costs. The study should include a review of policy issues and options such as the build-through concept, lot size, acreage standards, acreages and town relationships, acreages and sensitive areas, agriculture, acreage clusters, desired acreage population, acreage size and land use consumption and AGR zoning. (This language is an excerpt from the Carlson proposal).

Motion to Amend #31, with two friendly amendments on p.3, **carried** 5-4: Duvall, Bills-Strand, Krieser, Larson and Schwinn voting 'yes'; Newman, Taylor, Steward and Carlson voting 'no'.

*** Dinner Break ***

Motion to Amend #32. Steward moved to amend to add language on p.F67 regarding affordable housing, as requested by Tom Schleich for HOME real estate (Amendment Three, p.104-105 of the amendments):

A safe residential dwelling should be available for each citizen: The efficiency apartment and the country estate, the small single family "starter" home and the large downtown apartment suite, the most affordable and the most expensive dwelling unit, completely independent living and living within the care of others. Provision of the broadest range of housing options throughout the community improves the quality of life in the whole community.

Yet this diversity of housing choices directly depends upon achieving affordable housing. Housing affordability is not merely important for the community, it is imperative. Lack of affordable housing directly impacts citizens' assets and opportunities, which in turn shape the community's assets and opportunities. Failure to achieve housing affordability reduces the quality of life for income groups disproportionately, creates widespread hardships and stress, and retards the City's collective abilities to address community problems and objectives.

seconded by Schwinn.

Steward has had concern since the end of the CPC work that there is not a strong statement that leads the city and its public responsibilities to deliberate consideration of affordable housing. While

he believes this statement is probably intended by the author for another purpose, Steward believes the statement is true. There is a whole variety of definitions of “affordable housing”. Whether or not this is the appropriate place for this statement, he would leave it to the staff to tweak. He believes that this statement is true; that quality of life very much depends upon both choices and affordability in this community; one of the reasons we do not have extremely blighted neighborhood housing is because there has been historic attention to both choice and affordability. We need to maintain that and reinforce it.

Larson agreed, but he does not know what measures we take to achieve it. Schwinn believes it is important to make the statement. This is not the place to put in the measures to achieve it. It is important that the Comprehensive Plan recognize the importance of it.

Carlson noted that the last plan took a lot of Urban Development documents and put them into the Plan and make it kind of bulky. In this document, those Urban Development plans are only referenced, but there are lots and lots of strategies about affordable housing in the Urban Development package.

Motion to Amend #32 carried 9-0: Newman, Duvall, Bills-Strand, Taylor, Steward, Carlson, Krieser, Larson and Schwinn voting ‘yes’.

*****FUTURE CONDITIONS - UTILITIES*****

Motion to Amend #33. Larson moved to add text as requested by the Home Builders Association to p.F79 (p.94 of the amendments):

Planning and construction of utilities should, whenever feasible and affordable, be sized to accommodate service to all developable land in each watershed in Tier I, whether the entire watershed is planned for urbanization in the current planning period or the longer term future.

seconded by Bills-Strand. The words “whenever feasible and affordable” were added as a friendly amendment.

Staff was asked to respond. Henrichsen does not believe this amendment is necessary. If it is restricted to Tier I, he believes it would be too restrictive. Steve Masters of Public Works advised that generally, Public Works does look at the long range service needs of the basin. Right now we are conducting facility studies working from what we understand the Comprehensive Plan might be.

Upon further discussion with the staff, Henrichsen clarified that the proposed draft plan is to look at Tier I and Tier II for utilities planning.

Morgan added that the Commission has also adopted a map which basically shows the wastewater facilities that would be used to serve Tiers I and II. It is redundant to add this language.

Motion to Amend #33 was withdrawn.

Motion to Amend #34. Steward moved to approve the proposed language on floodplain management in regard to Salt Creek as requested by Public Works (#2 on p.41 of the amendments:

p.F82: Special consideration should also be given to the Salt Creek floodplain from Van Dorn Street to Superior Street where the FEMA Flood Insurance Study recommends preserving flood storage so as not to increase flood heights greater than one foot.

seconded by Newman and **carried** 9-0: Newman, Duvall, Bills-Strand, Taylor, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'.

Motion to Amend #35. Carlson moved to adopt the three amendments requested by Antelope Park Neighborhood Association regarding relocating overhead utility lines underground (p.149 of the amendments), seconded by Steward.

Bills-Strand distributed a study that was done by LES (**Exhibit #73**) to estimate what it would cost to bury the overhead lines. It would cost LES alone \$500 million. Where will we get the money and what will we do with existing homes that built storage sheds; what about easement areas, landscaping that would be ruined, fences that would be taken down. Bills-Strand believes it is a utopian idea but difficult to administer. \$500 million does not cover Alltel or Time Warner Cable, etc. Carlson believes you could tailor that plan and time that plan. But, Bills wants to know what you do about digging up people's yards when you bury those lines. She does not believe it is feasible. Schwinn does not believe we should put something in the plan that is going to cost \$500 million dollars.

Without being so specific, Steward believes this is a practical issue. Have we run cost estimates on what all the downed power lines and ice and snow damage has caused? You don't look at this just as a single one-time fixed cost and you don't look at it as a whole city. We're not putting overhead lines in new developments today. Is the question, do you want a wireless appearance city? And if you do, how do you get there? Or do you want to live with poles and wires for eternity? He would like to see a general statement that does not force LES into an immediate cost condition that is going to have to be distributed to the public, but he would like to make a statement that we envision a city that is without overhead wiring. Larson concurred, but he does not want to require that we have any expenditure of money immediately. That visioning statement would be important.

Bills-Strand agrees that attempts are being made to go underground whenever possible, but it would cause a problem for some people with patios, trees and landscaping to go underground to connect.

Carlson stated that he is not looking for a program that will cause undue hardship. What we are trying to do is create a process--a dialogue--where we start figuring out how we can do this.

Larson observed that LES has been doing a wonderful job since 1972, where they have gone from serving 8% to 63% underground.

Steward offered substitute language for **Motion to Amend #35**:

Within the city of Lincoln, wherever feasible and affordable, implement a phased program to relocate overhead utility lines underground.

seconded by Larson. This substitute language was accepted as a friendly amendment to **Motion to Amend #35 and carried 9-0**: Newman, Duvall, Bills-Strand, Taylor, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'.

Schwinn referred to the amendment requested by the Emerald Village SID to include language that would allow Emerald to purchase water from Lincoln at a metered tap. What are the ramifications if Emerald goes above the nitrate limits? Steve Masters of Public Works explained that the levels they site exceed the maximum contaminate level by state and federal government. They will have the choice of either seeking to find another source of supply (we've been here before, and they did find another source of supply), or treatment. Treatment is quite costly but it is a possibility. Schwinn inquired whether Lincoln has to treat any of the water from the Platte. Masters indicated that we do not have to treat for nitrates with our source of supply in Platte Valley. Schwinn inquired as to the source of the nitrates. Masters indicated that it could be a multitude of sources. In some instances, perhaps even the act of cultivation and row cropping can cause the nitrogen cycle to change in such a way that nitrogen levels increase. It is a complex matter. Within Lancaster County, often it has been a matter of human or animal waste within the zone of influence of a well.

Steward asked whether there are any other jurisdictions currently purchasing water from Lincoln. Masters indicated that Lincoln does supply water to a rest stop on the Interstate and to Novartis. But that was a decision made in the 60's and since that time we've not extended water to any other party. We worked with the State Legislature to allow the connection with the Village of Ashland because of all the other services.

Rick Peo of the City Law Department stated that the City's concern with the possibility of supplying water outside the city limits, is if you do it for one you have to do it for all. Therefore, the City does not want to violate the policy that we have established not to provide water outside the City Limits. Masters added that we have had properties adjacent that want supply without being annexed and when told no, they have found other sources.

There was not a motion on this issue.

*****FUTURE CONDITIONS - TRANSPORTATION*****

Motion to Amend #36. Newman moved substitute language from the Mobility and Transportation Task Force as set forth on p.150 of the amendments, regarding "Pedestrians", "Bicycles and Trails" and "Public Transportation", seconded by Carlson.

Newman explained that the proposed language was in the January draft reviewed by the Comprehensive Plan Committee. The strategies did not change. It is basically a little bit more information and reinserts language on StarTran that was omitted which Newman believes is very necessary.

Schwinn asked Newman if she would accept a friendly amendment on p.156, “Strategies: Bicycle Amenities” as follows:

~~Develop~~ Encourage bicycle rack and storage requirements for new developments. Requirements should address design, location, and number. Requiring lock facilities in major developments should be considered.

Bills-Strand was also curious about the language that refers to “shower facilities”. Newman explained that this is just background information. Schwinn suggested that it could stay in since it is just listed as an example. Bills-Strand agreed that it need not be removed since it doesn’t state that is must be provided.

Bills-Strand referred to p.155 under “Strategies: Bicycle and Trails Standards”, where it talks about developing “minimum bicycle and trails standards for private developments.” If someone is going to develop an area, we are saying they need to have bicycle and trail standards in every development? Newman explained that the purpose is that they provide activity to get to the trails. The standards are down the road. Upon further discussion Newman agreed to accept the following as a friendly amendment on p.155:

~~Develop~~ Encourage minimum bicycle and trails standards for private developments to provide bicycle and trails facilities connecting key destinations such as schools, parks and activity centers. (**Note: this friendly amendment was later removed from Motion To Amend #36**)

Bills-Strand asked for an explanation of “Select and implement a near term bicycle facilities demonstration project...”. (p.155). Mike Brienzo of Public Works explained that this would be examples that we base standards on. The standards would be to identify the goals in developing bicycle facilities. Best practices would be examples that we would use to fit federal guidelines. Morgan suggested that part of it was that the “proof is in the pudding”. There were questions as to whether we can implement these things. The only way you are going to know if it is going to work is to put it in place and see how it functions. Morgan assumes that near term would mean 1-5 years.

Bills-Strand referred to p.154 where it talks about establishing “a dedicated funding plan to complete the bicycle and trails facilities plan. ...” What are we envisioning with the funding on this? Morgan does not know that there is one in mind. The idea is to try to look at alternative funding sources at this point. Bills-Strand suggested another friendly amendment to “Explore options to establish a dedicated funding plan...”. Morgan believes the Mobility and Transportation Task Force was trying to be as pro-active as possible. Newman pointed out that it is under existing areas as well. It could be a matter of requiring bicycle licenses to help with the funding. “Explore options to” was accepted as a friendly amendment.

Taylor went back to the “Strategies: Bicycle and Trails Standards” on p.155. He is not in favor of using the word “Encourage” instead of “develop” in the second bullet. He also suggested that the words “where feasible and where possible” be added to the end of the first bullet.

Carlson sees no reason to dilute any of the language or verbage. We should be encouraging the bicycle and trail issues whenever we can. We should be developing standards.

Steward totally agreed with the objective and he believes that this particular section talks about standards, not a plan for implementation. We're talking about the standards against which you measure your feasibility.

Carlson suggested that if the standards are not considered feasible they might not go into the mix. Feasibility will be part of that process automatically. Upon further discussion, it was agreed that there be no changes to the "Strategies: Bicycle and Trails Standards".

Motion to Amend #36, with two friendly amendments (p.154 and p.156) and no changes to p.155, **carried** 9-0: Newman, Duvall, Bills-Strand, Taylor, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'.

Motion to Amend #37. Newman moved to amend Pedestrian Facilities Coordination to designate "Directness", "Continuity" and "Security" for "Schools & Parks" with the "+++" which is the "extremely important" classification (p.162 of the amendments requested by Lincoln Volkssport Club), seconded by Carlson. **Motion to Amend #37 carried** 9-0: Newman, Duvall, Bills-Strand, Taylor, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'.

Motion to Amend #38. Newman moved to adopt the amendment proposed by the MPO Technical Committee to revise the timeline for implementation of the Downtown Bicycle Facilities Plan on p.19 of the amendments, seconded by Carlson.

Mike Brienzo of Public Works explained that this amendment provides that the Downtown Bicycle Facilities Plan be implemented "early in the planning stages" as opposed to a specific timeframe. The MPO Technical Committee did not want to focus on one year because if it was not in place within one year it could jeopardize the plan and federal funding. The Mayor's Pedestrian/Bicycle Task Force recommends to leave in the term "one year" but ties it to the adoption of the Bicycle Facilities Plan, so once that plan is in place, then it would be one year. We have not begun to work on the Facilities Plan. The goal is to establish bike lanes within the Downtown area and work with the DLA to do that.

Steward commented that the desire of the CPC was to get the Downtown Bicycle Facilities plan in place as quickly as possible. But realizing that there are many logistical and engineering and traffic management conditions that have to be studied, he believes the Mayor's Task Force proposal seems more strategic and more appropriate.

Motion to Amend #38 was withdrawn.

Motion to Amend #39. Newman moved to approve the amendments in bold on p.115-116 of the proposed amendments to the Bicycle and Trails Standards (p.F95) requested by the Mayor's Pedestrian/Bicycle Advisory Committee, seconded by Carlson. The amendments are in bold. Mike Brienzo of Public Works requested that the first bullet on p.116 be changed by deleting the word "primarily" and adding the words "when feasible" after "greenway corridors". This was accepted as a friendly amendment. **Motion to Amend #39 carried** 9-0: Newman, Duvall, Bills-Strand, Taylor, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'.

Motion to Amend #40. Newman moved to revise text requested by Lyn Kathlene on p.165 of the amendments under "Special Needs Demand Responsive Transit":

p.F100: Pursue coordination with special transit service providers to promote improved operational efficiency and cost effectiveness of special needs transportation services. This may will include the potential coordination of such services to be determined through a planning process with stakeholders, including clients, agencies, and StarTran.

seconded by Steward. **Motion to Amend #40 carried** 9-0: Newman, Duvall, Bills-Strand, Taylor, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'.

Motion to Amend #41. Newman moved to approve the amendment proposed by Public Works to change Humphrey Avenue between 1st and 14th Streets from 4+center turn lane to 2+center turn lane, and to change Pennsylvania Avenue from undesignated to 2+center turn lane (p.24 of the amendments, P.F104 of the Plan), seconded by Carlson and **carried** 9-0: Newman, Duvall, Bills-Strand, Taylor, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'.

Motion to Amend #42. Newman made a motion to remove all references to a North 14th Street Traffic Study from approximately Superior Street to Cornhusker Highway, including deletion of references to the study appearing on the "Projects & Studies: Lincoln Area Roadway Improvements 2025" and the text describing the study appearing under the "Proposed Studies" list, seconded by Carlson

Schwinn indicated that he will support this motion because this would be a major intrusion into this neighborhood. There are schools located on that street. If there is any way we can possibly get around there by channeling traffic over to I-180 and downtown, he does not believe this neighborhood should be impacted. There are other neighborhoods in this city that have been protected for years and he believes this neighborhood should be protected as well.

Larson stated that he will support the motion, but he pointed out that the Antelope Valley roadway dumps into No. 14th and we've got to figure out how to handle it. He agrees that No. 14th is not a very good option.

Motion to Amend #42 carried 9-0: Newman, Duvall, Bills-Strand, Taylor, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'.

Motion to Amend #43. Bills-Strand moved to eliminate the current study for the Yankee Hill Crossing of Wilderness Park and to "Explore options for promoting the maximum utilization by local traffic of the west, south and east beltways, I-80 and major urban fringe arterials in order to minimize

the impact of future traffic growth on existing interior roadways” (p.F110), seconded by Newman. **(This motion was subsequently split by Motion to Amend #44, and became Motion to Amend #44A and #44B)**

Bills-Strand suggested that this also addresses the No. 14th, So. 27th and So. 40th Street issues. She wants to look at all the options we have to get across from the West Beltway. There may be some better options.

Newman thinks the Yankee Hill study needs to come out. The Community has spoken. We have heard it loud and clear and we do not need any more study on this issue.

Larson has concerns. He thinks it is foolish not to consider the Yankee Hill bridge. If it doesn't fit, it doesn't fit. But to not even look at it is foolish.

With regard to the Yankee Hill Road Crossing Study of Wilderness Park, Roger Figard of Public Works offered comments. He suggested and reminded the Commission that the MPO and the City of Lincoln are responsible each year to analyze what's going on across our entire transportation network and report to the community on how we're doing. In those areas where there are problems, it is further our responsibility to come up with options and alternatives to deal with some of those difficulties from the standpoint of congestion, air quality, etc., and bring those forward for the Planning Commission's consideration and then the City Council and County Board. The fact that you may or may not have a 14th Street study identified or a Wilderness Park crossing study identified, does not necessarily mean that Public Works is not required and obligated to look at these alternatives. It furthermore does not mean it doesn't preclude someday a project being done in those areas. A greater responsibility we have in bringing forward the MPO plan each year is to look at the whole thing and tell you how the system is doing and provide alternatives and options.

Larson observed then that continual study is required. Figard concurred, and it is done annually. Larson suggested that maybe the Plan does not need to designate the studies. Figard explained that if the study is in the Comprehensive Plan, and it is placed in the CIP, then Public Works has authority to hire someone to specifically study in more detail. When we look at the system in the annual update, you may have to choose studies or projects on an annual basis rather than having them in the 25 year plan.

Bills-Strand noted that we are adding a lot of development off of 27th south of Pine Lake Road. There is going to be a lot more traffic coming. We need to be a step ahead, not a step behind. We don't want to wait until the congestion is so severe that we've got a lot of problems. Taking out the study does not eliminate it as a viable option. The motion does not eliminate the study as an option. Figard commented that the purpose of the 25 year plan is to be a step ahead. Within the context of the land use, the 25 year road plan is supposed to provide reasonable levels of service to those uses.

Carlson believes the Yankee Hill Road Crossing Study needs to be an up or down vote in and of itself.

Motion to Amend #44. Carlson moved to split the question, seconded by Newman and **carried** 9-0: Newman, Duvall, Bills-Strand, Taylor, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'

The motion to delete the Yankee Hill Road Crossing Study is now **Motion to Amend #44A.**

Discussion on **Motion to Amend #44A.**

Schwinn understands from Figard that even if the Commission votes to take the Yankee Hill Road Crossing Study out, they are required by federal regulations to study it anyway as part of all options. Does it make any difference what we do? Taylor believes that taking it out results in no funding toward making that a specific study. It would be studied just like anything else but the funds would not be earmarked for studying that one area. Larson agreed, but we also then should not eliminate it.

Duvall noted that the Mayor has suggested that this study be eliminated. Figard believes the Mayor's goal is to perhaps study in the greater context of land use and the way you would serve land use in that southwest quadrant. This could include a lot of alternatives. Morgan explained that the Mayor is interested in expanding the whole area of study. The focus has been on the Yankee Hill Road crossing. The Mayor has suggested broadening it to look at the overall area, multi-modal options and a whole series of possibilities.

Steward noted that the CPC got hung up on the issue of access and level of service conditions to the southwest area and started focusing on Wilderness Park as a barrier to some possible solutions. We ended up with Wilderness Park being called out as a study. He believes that there were some people who were thinking that it would be a larger study; and there were certain people thinking that it was a single bridge and that it would be limited to feasibility, cost effective or not. In the meantime, the transportation element introduces a whole new review process on levels of service and transportation management from a comprehensive transportation system point of view with an annual report and review of that status. Steward agrees to drop this language. It will not keep the study from that area and that region from being done, but it will remove the tipping point of the language on that one crossing.

Figard also explained that there is funding each year for analyzing the system from PL (federal) and General Public Works funds. It would not earmark specific dollars for a detailed project activity.

Motion to Amend #44A, deleting references to the Yankee Hill Road Crossing Study of Wilderness Park **carried** 7-2: Newman, Bills-Strand, Taylor, Steward, Carlson, Larson and Schwinn voting 'yes'; Duvall and Krieser voting 'no'.

Motion to Amend #44B is now the second part of **Motion to Amend #43** made by Bills-Strand regarding the "Beltways and Fringe Arterials: Explore options for promoting the maximum utilization by local traffic of the west, south and east beltways, Interstate 80, and major urban fringe arterials in order to minimize the impact of future traffic growth on existing interior roadways."

Carlson suggested that maybe this was resolved by what Figard had said. Bills-Strand believes it gives him direction to explore options.

Motion to Amend #44B carried 5-4: Duvall, Bills-Strand, Krieser, Larson and Schwinn voting 'yes'; Newman, Taylor, Steward and Carlson voting 'no'.

Motion to Amend #45. Newman moved to insert language regarding the "Two Plus Center Turn Lane Program" on p.F107, as set forth on p.169 of the amendments:

While all arterial rehabilitation projects should be done to a width that can accommodate two lanes plus a center turn lane, actual striping may vary depending on particular neighborhood circumstance.

seconded by Carlson.

Newman explained her rationale. When a street is redone there are neighborhood situations where it might be feasible to have 2+1 but leave it unstriped so that on-street parking can be maintained until they need it for capacity.

Motion to Amend #45 carried 8-0: Newman, Duvall, Bills-Strand, Taylor, Steward, Carlson, Krieser and Schwinn voting 'yes'; Larson absent at time of vote.

Motion to Amend #46. Newman moved to add language to the "Nebraska Highway 2 Corridor Preservation" sub-element, as requested by Commissioner Carlson and set forth on p.170 of the amendments:

p.F110: Serious conflicts currently exist between local commuter traffic and highway truck traffic. The South Beltway, when completed, will become the official truck route instead of Highway 2. This will present the opportunity to shift "through" highway truck traffic off Highway 2. When the South Beltway is opened, policies should be implemented to deter through truck traffic, preserve the right-of-way corridor, and facilitate local traffic use on Highway 2.

seconded by Carlson. Carlson believes this reinforces that when the South Beltway goes on line we want to get the truck traffic off of Highway 2. **Motion to Amend #46 carried** 8-0: Newman, Duvall, Bills-Strand, Taylor, Steward, Carlson, Krieser and Schwinn voting 'yes'; Larson absent at time of vote.

Motion to Amend #47. Newman moved to use the substitute language for "Right-of-Way Considerations" on p.F112, as set forth on p.172 of the amendments:

Within the older established areas of the city, 66 foot rights-of-way are typical. This is normally adequate for a two lane or a two plus center turn lane street design, which is typically 33 feet wide (back of curb to back of curb). Where impacts from even minor widening would be significant, 31 feet (back of curb to back of curb) is an acceptable width. ~~The use of these street designs within a 66 foot right-of-way should allow space for pedestrian or bikeways, landscaping and utilities.~~

seconded by Carlson.

Newman explained that generally streets are built 33' wide but where the 2+1 goes in and there are trees or whatever, this suggests that 31' is acceptable. Newman removed the final sentence from this amendment. Carlson, who had seconded the motion, agreed.

Steward was interested to know how this affects our current standard. Figard indicated that it is consistent with what we've been doing and it would not be in violation of state minimum design standards for rehabilitation type projects.

Steward wondered whether this provides for any on-street parking. Figard suggested that it would not if it is striped as a 2+1, but would allow for some on-street parking until such time as the striping is put in place.

Motion to Amend #47 carried 8-0: Newman, Duvall, Bills-Strand, Taylor, Steward, Carlson, Krieser and Schwinn voting 'yes'; Larson abstaining.

Motion to Amend #48. Newman moved to adopt the proposed replacement language for the Transportation System Management Program on pp.F118-F121, as requested by the Director of Public Works and set forth on p.173-177 of the amendments, seconded by Carlson.

Steward noted that on p.174 in the third paragraph at the end of the first sentence it talks about the Annual Review process. Steward suggested to add the language at the end of this sentence, "...Annual Review process and delivered to the Planning Commission concurrent with the Planning Director's report on the Comprehensive Plan and the CIP requests. ...". Steward asked Morgan whether this is consistent with our new strategy. Morgan stated that the assumption would be that this would come forward in the Annual Review process. The intent is to have the CIP and Annual Review at the same time. This was accepted as a friendly amendment to **Motion to Amend #48.**

Motion to Amend #48, with one friendly amendment, **carried** 9-0: Newman, Duvall, Bills-Strand, Taylor, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'.

Motion to Amend #49. Newman moved to add McKelvie Road from N.W. 12th to No. 1st Street, and N.W. 12th, the one-half mile segment south of McKelvie Road, as Acquisition Potential of 120' of right-of-way (p.F111), as requested by the MPO Technical Committee as set forth on p.20 of the amendments, seconded by Bills-Strand. This is a map change. **Motion to Amend #49 carried** 9-0: Newman, Duvall, Bills-Strand, Taylor, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'.

Motion to Amend #50. Newman moved to add text to p.F110 under the "Proposed Studies" section of the "Mobility and Transportation" element, as set forth on **Exhibit #74**, which calls for a "Community-Wide Mobility Review:

Community-Wide Mobility Review of those groups whose transportation and mobility needs are not being met today. Early in the planning effort, groups comprising this portion of Lincoln and Lancaster County's population should be identified, including unique transportation and mobility characteristics. The study should consider at a minimum alternative approaches for providing transportation services to these groups, level of service characteristics and funding options. The study to be completed within approximately two years from the adoption of this Plan.

seconded by Duvall. Morgan observed that this was one of the Mayor's suggested changes. This is in response to some of the people that came forward. There is a human services group working now (C-SIP) and they are working on making some of these things happen. It is anticipated that this will make their lives easier if it is in the Comprehensive Plan.

Motion to Amend #50 carried 9-0: Newman, Duvall, Bills-Strand, Taylor, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'.

Motion to Amend #51. Duvall moved to amend the text for Airports and Airfields to begin Part 150 Airport Noise Compatible Planning Study within one year of the adoption of the Comprehensive Plan, as requested by Kent Seacrest for B & J Partnership on p.178 of the amendments:

p.F122: The Lincoln Airport Authority will assess the existing and future noise impacts, noise contours for the Airport environment in a *Part 150 Airport Noise Compatible Planning Study*. The Airport Authority should begin the *Part 150 Study* within one year from the adoption of this Comprehensive Plan, and the material results should be processed as amendments to the Comprehensive Plan and City and County land use ordinances. These results could effect the development patterns in southwest and northwest Lincoln and other parts of the County.

seconded by Carlson. Mike Brienzo of Public Works advised that the Airport Authority is undertaking this study which is scheduled to be started on April 16, 2002. They have a contractor in mind. The schedule for that contract would be 16 months and their project description says 16 months.

Motion to Amend #51 carried 9-0: Newman, Duvall, Bills-Strand, Taylor, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'.

*****FUTURE CONDITIONS - COMMUNITY FACILITIES*****

Motion to Amend #52. Steward moved to amend p.F129 to include language concerning downtown and the main library, requested by the Preservation Association of Lincoln as set forth on p.179 of the amendments:

Downtown is the heart of our community, and strong community facilities are essential to maintaining downtown vitality. The main library should remain downtown, where it is pedestrian and transit accessible, serving and linking downtown's housing, education, government, offices and commerce communities. Keeping the main library downtown is important not only for downtown, but for the surrounding historic neighborhoods and the city as a whole. Any future renovation and/or relocation plans must involve sites that maintain

or augment pedestrian and mass transit accessibility, attempt to provide linkage between downtown and newly revitalized areas such as the Haymarket, and continue the main library's role as a core community facility in traditional geographic downtown.

seconded by Bills-Strand.

Carlson suggested striking "attempt to provide linkage between downtown and newly revitalized areas such as the Haymarket". This was accepted as a friendly amendment.

Taylor asked why this language should be stricken. Steward believes this amendment was originally conceived for purposes other than general instruction on the Old Federal Building. If we are only talking about a library being central to the Downtown, that is supportable and true, but there is no actual imperative linkage between the Haymarket and a downtown library.

Motion to Amend #52, with one friendly amendment deleting language, **carried** 9-0: Newman, Duvall, Bills-Strand, Taylor, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'.

Motion to Amend #53. Carlson moved to amend the text for medical health care on p.F130, as requested by Tom Schleich of HOME Real Estate on p. 106 of the amendments:

Currently, BryanLGH West and St. Elizabeth's Hospitals are undergoing significant expansions. The BryanLGH East campus and Madonna Rehabilitation Hospitals also recently underwent major renovations and construction as well. These four campuses, located near existing residential neighborhoods, are expected to remain the vital core to health care services in the county and region. It is important to Lancaster County citizens and other surrounding areas to develop Lincoln as a major network of quality regional health care services at reasonable costs.

Hospitals represent one of the highest and most important community service land uses. Further construction on these campuses in the future is likely. ...

seconded by Newman and **carried** 9-0: Newman, Duvall, Bills-Strand, Taylor, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'.

*****FUTURE CONDITIONS -- PARKS, RECREATION & OPEN SPACE*****

Motion to Amend #54. Carlson moved to amend p.F137 to revise text on city swimming pools as requested by Parks & Recreation, as set forth on p.26-27 of the amendments:

Attendance at swimming pools reached a peak in the 1970's and has been declining in spite of increasing population in the community and construction of additional swimming pool facilities. The City aquatics program currently recovers approximately 40 percent of its operating costs, thus the program is subsidized by general tax revenue sources. The City should maintain its commitment to outdoor water recreation activities, however no additional neighborhood swimming pools should be constructed in the future. New facilities should be located and designed to serve quadrant areas of the community in the future. New swimming pool facilities should be readily accessible by pedestrians and bicyclists.

seconded by Bills-Strand and **carried** 9-0: Newman, Duvall, Bills-Strand, Taylor, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'.

Motion to Amend #55. Bills-Strand moved to amend p.F137 regarding Kuklin Pool as requested by the Parks & Recreation Advisory Board as set forth on p.27 of the amendments:

Relocate Kuklin Pool to a location north of "O" Street to provide better access to residents living in the Malone, Hartley and Clinton Neighborhoods.

seconded by Larson.

Lynn Johnson of Parks & Recreation advised that a specific location has not yet been identified. The process for that decision will definitely involve the neighborhood residents in an attempt to identify a location that is suitable and accessible.

Carlson wondered whether an area could be identified and then determine the exact location.

Schwinn understands that the pool is going to need to be replaced and it is not in a good position. Moving it into the neighborhood north (Clinton) is going to be advantageous.

Johnson clarified that the Antelope Valley channel does not take the pool out of its current location. It could remain in its current position, but it is not the preferred option. There may be options that could reduce the costs of Antelope Valley if the pool were not in that location. But, the reason the pool is being considered for relocation is that the pool is failing and it is not well attended. It was not an Antelope Valley project decision. We need to get it into a better location.

Carlson recalled that the Advisory Board previously had suggested language that talked about the New Friends of the Kuklin Pool being referenced. Carlson recalls that the monies that were dedicated were charitably raised and he thought there was some text added. Johnson does not believe there was any text included, although they have talked about that. Parks & Recreation is a contributor to the Kuklin Kids Campaign and they have requested that their funding go toward the pool. They wanted shade structures, benches and picnic tables that could be relocated to the new facilities. The improvements and money will follow the pool wherever it goes.

Motion to Amend #55 carried 9-0: Newman, Duvall, Bills-Strand, Taylor, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'.

Motion to Amend #56. Carlson moved to add text on p.F139 regarding tree database strategy, as requested by Parks & Recreation Advisory Board as set forth in p.27 of the amendments:

Provide financial resources to assure adequate management of public trees, including development and management of an inventory and associated data base.

Investigate development of tree preservation regulations that encourage conservation of trees unique due to species, or size, or location.

seconded by Newman.

Schwinn requested staff comment. Johnson stated that this suggests consideration of a tree preservation ordinance. It is not a mandate but we should give consideration to developing one. There are two different things. One is a data base of existing public trees so the street trees and trees in the park would be inventoried. The data base would be used for management of those trees. Second, it provides to investigate establishing a tree preservation ordinance. If the community would adopt a tree preservation ordinance, that would establish standards for preservation of trees in conjunction with land use applications.

Steward suggested that this would also have a relationship to the Nebraska state-wide arboretum. Johnson concurred that to be the intent.

Motion to Amend #56 carried 9-0: Newman, Duvall, Bills-Strand, Taylor, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'.

*****FUTURE CONDITIONS - HISTORIC & CULTURAL RESOURCES*****

Motion to Amend #57. Carlson moved to adopt additional language on p.F142 as requested by the Preservation Association of Lincoln, as set forth on p.179 of the amendments:

Strengthen historic preservation ordinances and Historic Preservation Commission power to prevent the demolition of historic buildings.

seconded by Newman. Bills-Strand has concerns about this language in terms of trying to stop progress when a building is at the point where it needs to be demolished. Larson believes this language calls for legislation and he is opposed. Carlson commented that the Historic Preservation Commission already exists and they function very well.

Steward offered substitute language:

Strengthen historic preservation ordinances and the Historic Preservation Commission for the purposes of protection of historic buildings.

This was accepted as a friendly amendment to **Motion to Amend #57**.

Schwinn believes that under federal regulations the Historic Preservation Commission has enough power. Schwinn does not think it's necessary to strengthen the ordinances.

Carlson pointed out that the National Historic Register offers tax credits but does not provide any protection against demolition and destruction. There is local landmark power but it also does not prevent demolition or significant renovation. We are talking about some important buildings and important homes. It is an important cultural resource. They are not safe.

Steward concurred that the federal regulations do not provide protection.

Motion to Amend #57 (substitute language offered by Steward as a friendly amendment) **carried** 5-4: Newman, Taylor, Steward, Carlson and Schwinn voting 'yes'; Duvall, Bills-Strand, Krieser and Larson voting 'no'.

Motion to Amend #58. Carlson moved to amend p.F142 to add language as requested by the Preservation Association of Lincoln as set forth on p.179 of the amendment:

Widen the scope of powers of the Historic Preservation Commission to include all of Lancaster County.

seconded by Newman.

Steward offered substitute language:

Widen the scope of the mission of the Historic Preservation Commission to include all of Lancaster County.

This was accepted as a friendly amendment to **Motion to Amend #58 and carried** 6-3: Newman, Bills-Strand, Taylor, Steward, Carlson and Schwinn voting 'yes'; Duvall, Krieser and Larson voting 'no'.

Motion to Amend #59. Carlson moved to add text to p.F142 as requested by the Preservation Association of Lincoln as set forth on p.179 of the amendments:

Preserve historic public buildings for continued public use.

seconded by Newman.

Steward commented that not all buildings are in public use when they become qualified for National Register or historic designation. We have hundreds of community examples across the country of wonderfully restored and preserved historic buildings that do not continue in a public function. Steward relayed information about the Joslyn Castle Institute as an example.

Upon further discussion, **Motion to Amend #59 failed** 1-8: Carlson voting 'yes'; Newman, Duvall, Bills-Strand, Taylor, Steward, Krieser, Larson and Schwinn voting 'no'.

Motion to Amend #60. Carlson moved to amend p.F142 by adding language requested by the Preservation Association of Lincoln as set forth on p.179 of the amendments:

Conduct a county-wide survey to create a list of all historic sites and resources.

seconded by Newman. Steward thought this had been done. Henrichsen explained that this is similar to a strategy that is in the current Comprehensive Plan. While we do have some scattered sites, more sites were added as a result of the South and East Beltway, so we know there has not been a system wide survey.

Steward commented further that the beltway corridor was influenced by that information, so that's already done. Schwinn is not opposed to a county-wide survey.

Motion to Amend #60 carried 7-2: Newman, Bills-Strand, Taylor, Steward, Carlson, Larson and Schwinn voting 'yes'; Duvall and Krieser voting 'no'.

*****FUTURE CONDITIONS - FINANCIAL RESOURCES*****

Motion to Amend #61. Steward moved to amend p.F150 to clarify use of park and trail dedication for residential and commercial development, as requested by Parks & Recreation Advisory Board as set forth on p.27 of the amendments:

Establish a mandatory park land ~~and trail~~ dedication requirement for residential plats, and a trail dedication requirement for residential plats and commercial developments.

seconded by Carlson.

Henrichsen explained that this is also being discussed with the Infrastructure Financing Strategy (IFS). It treats all developments the same. Trails can also be required as a requirement of commercial type developments whereas you cannot require park land of commercial developments.

Schwinn commented that he has a good friend who develops in Los Angeles County and they had a similar requirement and it finally got to a point where the Parks Department said “no more”. When you are given facilities in each subdivision you finally get to a point that you cannot handle them. Schwinn suggested that possibly this should be deferred to IFS and be part of that because Parks might rather have things added to a community park in lieu of the neighborhood park. This makes it mandatory that every neighborhood have a park. Lynn Johnson explained that this is the enabling language for an impact fee system. With every residential subdivision we are not going to want park land. The idea is to get consolidated pieces in the right location. It would be the option to request park land with a subdivision, and if not suitable then the intent is that there would be a fee in lieu of that. Henrichsen agreed. This is not viewed as a requirement for regional or community parks, but as a requirement used in terms of neighborhood parks.

Schwinn believes the proposed language suggests a mandatory park and that every neighborhood has to have a park. Henrichsen clarified that the Comprehensive Plan does show a neighborhood park within one square mile of the neighborhood. As this language would be implemented, it would give Parks the ability to say “no, this is not a good site for a neighborhood park” and not accept land that they do not want.

Carlson wondered whether this takes into account the need for maintenance of the parks. Johnson explained that the intent with the new Comprehensive Plan is that we are probably developing a new neighborhood park every year and the operating costs are made part of the operating budget each year. The City Council would appropriate funds for ongoing maintenance and operation.

Motion to Amend #61 failed 4-5: Newman, Taylor, Steward and Carlson voting ‘yes’; Duvall, Bills-Strand, Krieser, Larson and Schwinn voting ‘no’.

*****FUTURE CONDITIONS - PLAN REALIZATION*****

The proposed amendments listed here were approved as Consent Items at the beginning of the meeting.

*****COMMENTS NOT SPECIFIC TO ONE CHAPTER OR PAGE*****

Motion to Amend #62. Duvall moved to enlarge the maps so that they are easier to read and add color to some that are hard to read, seconded by Carlson and **carried** 9-0: Newman, Duvall, Bills-Strand, Taylor, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'.

Carlson thought there was going to be a separate atlas of maps incorporated as part of the plan. Morgan agreed that it had been indicated early on in the process that it would be the Planning Department's intent to put together an atlas of all the Comprehensive Plan maps.

Schwinn recalled the suggestion by Rick Krueger that all items be removed that are not now included in the design standards or zoning ordinances. Morgan responded, stating that assuming we get through this process and we have a plan in place, the staff would then go back and begin to prepare the standards and changes to the ordinances that are required and bring them forward through the process. Schwinn commented that one has to go first and typically the policy comes first.

Steward thought there was some language that calls for reassessment of codes and standards. Morgan concurred. That provision is sprinkled throughout the document.

Motion to Amend #63. Steward moved to reconsider **Motion to Amend #16** which added symbols for new commercial/industrial centers in the vicinity of various intersections, seconded by Carlson and **carried** 9-0: Newman, Duvall, Bills-Strand, Taylor, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'.

Motion to Amend #64 (Reconsideration of Motion To Amend #16). Steward moved to approve substitute language as set forth on **Exhibit #75** regarding designating new commercial and industrial centers. In lieu of designating new centers at this time without knowing the transportation, land use and financial impact of those centers, nor a full consideration of all possible locations, Steward offered the following language (in lieu of the language approved by **Motion to Amend #16** which is now reconsidered:

p.F37 and 38: The Plan identifies eleven new major industrial and commercial centers in Tier I. However, in the long term new centers should be identified in Tier II in order to facilitate planning in the Tier II area. The general principles for locating new commercial/industrial centers within the city limits, in Tier II, should be identified within the next five years based on the guiding principles of the Plan, such as the impact on the transportation network, financial tax base and utilities. ****Following language added by friendly amendment: Study the areas in the vicinity of locations such as Highway 77 and South Beltway; Highway 2 and South Beltway; 98th and Highway 6, and Highway 77 and I-80.**

seconded by Carlson. Bills-Strand suggested adding the clause at the end to "study the areas in the vicinity of" and list those intersections in the Tier II, such as Hwy 77 and the South Beltway, Hwy 2 and the South Beltway, 98th Street and Hwy 6, Hwy 77 and I-80, and the East Bypass and "O" Street. Steward agreed if this additional language is approved (**see above**).

Schwinn believes this is to make sure the city is ready to move toward annexation of these properties.

Steward believes this clarifies that the industrial and commercial centers already identified are in Tier I and they have met all of these conditions in areas other than the south and southwest. This clearly puts the emphasis on time, Tier II and the examples of areas.

Motion to Amend #64 (which is a reconsideration and replacement of **Motion to Amend #16**) **carried** 9-0: Newman, Duvall, Bills-Strand, Taylor, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'.

Motion to Amend #65. Larson moved to reinsert paragraphs 1) and 2) on p.103 of the amendments concerning the southwest drainage basins, deleting the last sentence in each paragraph. This takes out the placement of the infrastructure dollars in a place holder designation. The references to Priorities should also be changed to A and B instead of 1 and 2. Motion was seconded by Bills-Strand.

Schwinn is not comfortable with the Stevens Creek language in paragraph 2). He would rather see "...the east opportunities are located in a contiguous pattern from existing Lincoln area." Upon further discussion, paragraph 2) was deleted from the main **Motion to Amend #65.**

Motion to Amend #65 (which reinserts paragraph 1) on p. 103 of the amendments with the deletion of the last sentence, **carried** 7-2: Duvall, Bills-Strand, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'; Newman and Taylor voting 'no'.

Bills-Strand would like to provide some sort of direction for all of the people that submitted requests to amend the Land Use Plan. Morgan indicated that the staff would like to get the new plan in place before addressing these amendments. He suggested that the staff could come back with some suggestions in a week or so as to the best approach to take. Bills-Strand does not want to slam the door on these people. Morgan concurred.

Schwinn recalled that Tom Schleich proposed an amendment to assure an annual review. Morgan advised that the proposed Plan does provide for an annual review process. As structured now by City Charter, the Planning Director has discretion as to when a Comprehensive Plan Amendment is brought forward.

As far as the concern for the various site specific proposals, Steward observed that technically, it is true that with the discretion of the Director, anything can come forward at any time. Morgan concurred that the Planning Director is the gatekeeper. Steward wondered whether there needs to be a motion outside of the language of the Comprehensive Plan draft that directs staff to bring each of the land use plan requests back to the Planning Commission with an analysis. Morgan agreed that the staff could certainly entertain something like that. He requested that we at least let the Comprehensive Plan process come to fruition and determine the policies, and then come back to those individual requests.

Motion to Amend #66. Steward moved that, as feasible, upon finalization of the Comprehensive Plan, the Planning Director bring back to the Commission each of proposed amendments to the Land Use Plan, either together or separately, with an analysis of the impact on a change to the new Comprehensive Plan, seconded by Schwinn and **carried 9-0:** Newman, Duvall, Bills-Strand, Taylor, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'.

Steward called the question on the main motion.

Main Motion to approve the 2025 Lincoln City-Lancaster County Comprehensive Plan, as amended, carried 9-0: Newman, Duvall, Bills-Strand, Taylor, Steward, Carlson, Krieser, Larson and Schwinn voting 'yes'

Steward personally commended Kathleen Sellman, Kent Morgan and every one of the staff that has been involved in helping the CPC and the Commission with this process. He commended the community on the very rational and professional testimony offered at the hearings. He anticipates that the Commission's work is going to be much more productive at the conclusion of this process.

Bills-Strand expressed appreciation to the staff for organizing the proposed amendments in such a short turn-around time.

Schwinn also extended appreciation to Teresa McKinstry and Jean Walker for their steadfastness throughout these hearings and action.

There being no further business, the meeting was adjourned at 9:10 p.m.

Please note: These minutes will not be formally approved until the next regular meeting of the Planning Commission on April 17, 2002.

COMPREHENSIVE PLAN TRANSMITTALS

TO: Planning Commission Members
FROM: Kathleen Sellman, Director of Planning
DATE: April 3, 2002
SUBJECT: Additional Submittals RE: Draft Comprehensive Plan

Attached please find additional correspondence that the Planning Department has received regarding the February 6, 2002, draft City-County Comprehensive Plan:

1. Memorandum from Lincoln Mayor Don Wesely regarding potential planning policy changes to the February 6, 2002, draft Comprehensive Plan
2. Letter from Stephen D. Mossman (Mattson, Ricketts, Davies, Stewart & Calkins) regarding potential amendments regarding various environmental items in the February 6, 2002, draft Comprehensive Plan
3. Letter from Dennis Heckman (Mayor City of Hickman) regarding urban growth tiers and acreage development policies in the February 6, 2002, draft Comprehensive Plan
4. Statement from The Citizens Transportation Coalition (CTC), entitled, "Position Paper on the Comprehensive Plan," generally regarding public transit items in the February 6, 2002, draft Comprehensive Plan
5. Letter from Dick Esseks regarding "rural subdivisions" in the February 6, 2002, draft Comprehensive Plan
6. Letter from Lancaster County Commissioner Larry Hudkins regarding industrial and business development policy in the February 6, 2002, draft Comprehensive Plan
7. Memo from Lynn Johnson (Director - Lincoln Parks and Recreation Department) providing information on funding considerations for parkland. Memo prepared in response to a request from Commissioner Newman.
8. Letter from Michael Carlin to Lincoln Mayor Don Wesely regarding the Yankee Hill Road Study in the February 6, 2002, draft Comprehensive Plan

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Planning Commission Transmittal

TO: City-County Planning Commission
FROM: Lincoln Mayor Don Wesely *DW*
DATE: April 3, 2002
SUBJECT: Policy Considerations RE: February 6, 2002 Draft
of the City-County Comprehensive Plan
COPIES: Lincoln City Council Members
Lancaster County Board of Commissioners
Kathleen Sellman, Director of Planning

I have been following with much interest the recent Planning Commission hearings on the proposed City-County Comprehensive Plan. The testimony has been keenly intense and full of many interesting and thought-provoking ideas.

As the time draws near when the Commission will act on the draft Plan, I wanted to provide you with my thoughts on a number of major issues facing you. I've intentionally waited until the hearings were closed so that I benefit from hearing all of the community's ideas on Lincoln's future. I would like to offer you my insights into three specific topics:

1. Tier I Growth Area and Priorities Map
2. South and Southwestern Lincoln Transportation Review
3. Addressing City-wide Mobility Issues

Tier I Growth Area and Priorities Map

Clearly a major item of concern throughout this planning process has been the amount of land area shown for future urbanization over the next twenty five years. This topic has been the subject of much debate, with strong feelings expressed on both sides

After having listened to the public testimony and having given it much thought, I am of the belief that the draft Comprehensive Plan does a credible job in trying to anticipate what our future land use needs might be. Having said that, however, I feel that there is the need to make some adjustments to the draft Plan supporting and enhancing the Plan's core Vision Statement.

I am recommending that Lincoln's Tier I area be extended by adding a 4.6 square mile area along the eastern edge of the City's future growth area – specifically a portion of a sub-basin within Stevens Creek. I have attached a map showing the proposed addition.

With this in mind, there are several other factors closely aligned to this recommendation. I would ask that the Planning Commission also consider the following actions:

1. Recognize the infrastructure financing challenges the draft Plan presents to the community. In the final analysis, meeting the Plan's overall development goals requires sufficient funds to construct the public infrastructure needed by the projected growth. The infrastructure proposal that I have put forth provides a strong foundation upon which we can build a sound financing approach. In recommending that additional area be included in the Plan, I am also calling on the community to work with me to ensure that an adequate, predictable, and balanced funding approach is established to further both urban growth and Lincoln's fine quality of life.
2. Retain the "Priorities Areas" map as a part of the Comprehensive Plan. This map plays an integral part in the City's ability to properly plan its future infrastructure – especially water, wastewater, and roads. We need to know not only *where* future urban development is going to occur, but *when* the services needed to support that development should be there.
3. Consolidate the currently proposed priority areas shown on the proposed "Priorities Map" from three areas to two areas. This option was discussed during your March 27th public hearing. This approach helps to simplify the successful implementation of the priorities concept and provides a sound basis from which to begin the long range capital improvements programming process.
4. Add the Stevens Creek Sub-Basin that I am recommending to the "Priorities Map" as a "Priority C" area. While this sub-basin will be the only Priority C areas on the "Priorities Map," it will signal the City's intent to progress logically and efficiently along the west bank of Stevens Creek.
5. Modify the draft Plan's text to ensure greater flexibility in the timing of growth. It's been suggested that the language in the draft Plan is too rigid to allow the marketplace to operate effectively. The language should be moderated to accommodate growth that isn't needlessly hamstrung by limits in other growth areas.
6. Endorse the draft Plan's intent of achieving multi-directional urban growth. The policy of multidirectional growth aids the City in providing choice. It is imperative to the City's long term viability to recognize the value in growing in more than a single direction. This was a policy direction clearly called for by the Comprehensive Plan Committee and the community at large.
7. Support the proposal to investigate the best means for developing Lincoln to the southwest. At the Planning Commission's March 27th public hearing, it was

suggested that the City study how best to potentially urbanize five southwest drainage basins. This proposal offers an approach for working with the property owners in the area to begin development in a manner that considers their needs, market interests, and the City's infrastructure demands. This option should be pursued.

8. Affirm the City's commitment of maintaining quality public services to the existing urban area. While growth tiers and priority areas define where and when the city intends to grow, the Plan must also recognize the importance of existing city development. Keeping services at a quality level within the existing City's is the top priority and needs to be further affirmed in the Plan and in the Plan's implementation.
9. Eliminate the draft Plan's objective of attempting to accommodate 25 years worth of infrastructure development in 20 years. The draft Plan calls for the City to try and build 25 years worth of basic infrastructure within the next two decades. While this may be a laudable objective, the expansion of the Tier I area will create significant new demands for the City in funding additional roads, water, and sewer services. The new objective should be instead to seek ways of providing basic infrastructure to the expanded growth area by the year 2025.

■ South and Southwest Lincoln Transportation Study

Ensuring the efficient and effective movement of people and goods in south and southwest Lincoln is vital to the City's long term interest. This is not a growth issue, but rather a long term quality of life imperative for all of us.

An extraordinary public debate has occurred these last few months on the recommended study of a potential elevated crossing of Yankee Hill Road over Wilderness Park. Many excellent points have been made as to why we do or don't need such a facility. Assuredly this is a point of much contention and consternation within the community.

Having listened to the many thoughtful and articulate comments that have been made on this issue, it is my feeling we need to acknowledge the evidence presented by both sides and seek a reasoned answer to this issue.

First, please consider of the valuable resources we have to work with in south and southwest Lincoln:

Existing and Future Community Assets

- The centerpiece for the area is, of course, Wilderness Park. We need to be sensitive to the environmental value it provides to us today and to succeeding generations. It can become the premier "green feature" to the

numerous neighborhoods that do and will make up this part of our community.

- The full complement of development – in the form of houses, shopping, recreational facilities, community services, and business development -- is only now being realized for the area. Over time, the area will be home to many neighborhoods, and commercial and industrial facilities. The development community has expressed a serious interest in the numerous new opportunities growth in this area will provide.
- Lincoln Southwest High School is to be opened shortly. This will be an true academic centerpiece for the area as students attend one of the area's finest new educational facilities.
- The West Beltway (Hwy. 77) is already in place. This high capacity travel corridor is being looked at for upgrading by the Nebraska Department of Roads. This effort will make the West Beltway a major freeway for the area. As Highway 77 is upgraded, several new interchanges will be added, thus increasing development opportunities to the south and southwest.
- The South Beltway has been designated for early implementation within the planning period of the new Comprehensive Plan. The South Beltway should be in place well before the East Beltway. Moreover, we anticipate that the South Beltway will be constructed and opened within the next ten years – again well in advance of the East Beltway. We need to capitalize on this infrastructure investment as soon as possible.
- The Homestead Trail will expand our trails network even further into the southern part of the county. Efforts are being made to preserve the railroad right-of-way that will allow for the development of this trail.
- If approved, the Salt Valley Heritage Greenway portends an exciting new environmental asset for the city and county. We need to take a closer look at how this concept can be realized and what implications it has for long term transportation planning. This green corridor can also support the further establishment of an integrated trails network. In so doing, we must also take a close look at how the needs for future roads and utility crossing can be sensitively accommodated as the Greenway concept is brought about.

Proposed Study

My recommendation for addressing these issues is to take a broadly based look at the urban future of south and southwest Lincoln -- and most specifically the transportation investment that is needed to support a quality built and natural environment for the area.

This review would include a more extensive look at the transportation concerns of this area than is presently being suggested in the draft Comprehensive Plan. The study I'm suggested would consider the broad transportation and mobility needs of the south and southwest area, including streets and highways, public transportation, trails, pedestrian movement, and bicycling.

This study should assess how to maximize the use of the south and west beltway system, what roadway improvements might be needed to support an effective street system for the area, the future role that transit might play in facilitating movement in the area and in turn helping to reduce reliance on the automobile, the ways trails (including those in Wilderness Park) can be enhanced and used to support commuter and recreational users, and means for promoting pedestrian and bicycle usage as alternative modes of travel.

In completing this analysis, it is clear that transportation should not be viewed as being independent from the area's future land uses. Land use and transportation are strongly linked -- especially as multi-modal transportation planning objectives are being considered.

I would also suggest including, as part of the land use review, consideration of those aspects of the natural environment that need special or unique attention. Wilderness Park's sustained viability is a critical element in the quality living and working experience of the area and must be carefully integrated into the assessment of transportation and land use alternatives.

■ Community-Wide Mobility Review

Transportation has been a major issue throughout this comprehensive planning process. From the initial telephone survey through the recent public hearings, the community has expressed concerns about the performance of the existing transportation system as well as the future role of various transportation modes and services.

Of particular concern has been the mobility needs of those in our community whose mobility options are more limited -- such as the elderly, children, low income families, and persons with mobility disabilities. While the draft Plan considers the travel needs of these individuals, I would recommend that we take a further, more in-depth look at the unique mobility issues facing these members of our community.

Specifically I am recommending that we undertake a community-wide mobility review of those groups whose transportation and mobility needs are not being met today. This mobility study should be developed within approximately two years from the adoption of the Comprehensive

Plan. Early in this planning effort, the groups comprising this portion of Lincoln's and Lancaster County's population should be identified. This would include determining the unique transportation and mobility characteristics of these groups. A series of strategies would then be critiqued of potential alternatives for serving their needs. Such approaches would be evaluated against varying criteria that considers service levels, effectiveness, safety, equity, and projected costs. Funding mechanisms for such services would also be examined. The results of this study would then become a touchstone for programming future transportation options to insure effective mobility for all persons in our community.

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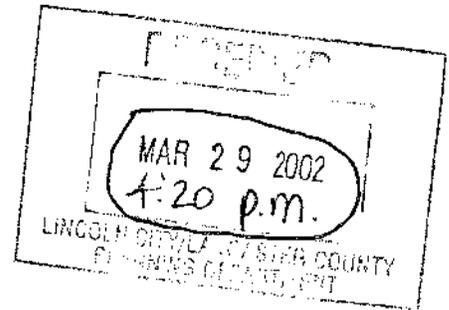
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—
OF COUNSEL
JOHN W. STEWART

March 29, 2002

VIA HAND-DELIVERY

Chairman Greg Schwinn and
Members of the Planning Commission
c/o Lincoln-Lancaster County Planning Dept.
County/City Building
555 S. 10th Street, Room 213
Lincoln, NE 68508



RE: North Lancaster Citizens for Common Sense Development

Dear Chairman Schwinn:

As you know, I represent the North Lancaster Citizens for Commons Sense Development ("NLCCSD"). The group has organized in the last several months and has been mobilized to respond to the proposed listing of the Salt Creek Tiger Beetle, as well as the proposed Lincoln-Lancaster County Comprehensive Plan revisions pending before the Planning Commission. During my testimony before the Planning Commission of March 13, 2002, I said that we would be requesting Amendments in writing to the Commission. The Association's Board of Directors have adopted a request for the following proposed Amendments:

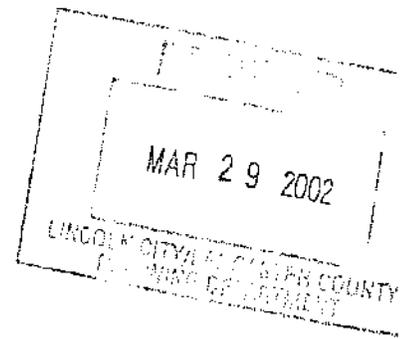
1st AMENDMENT

Page F73 -- New Lincoln/Lancaster Comprehensive Plan concerning rural divisions of areas and their relative densities.

Rural sub-areas A East, West and North should be combined into one single area with the housing density of 1 house per every 20 acres. We feel that equality throughout the whole county is essential to continue "centralized" growth around Lincoln. Furthermore, we as a group whole-heartedly endorse the County Commissioners letter to the Planning Commission dated March 26th, 2002, as it was read into the public testimony on March 27th.

March 29, 2002

Page 2



2nd AMENDMENT

Pages E31 and F61 -- Concerning the use of smoke buffers and smoke easements.

Smoke easements and buffers should be eliminated entirely due to the fact that there are other alternatives to keeping native prairies clean of invasive weeds and trees. Although burning is the easiest and most inexpensive, other forms of control are usable in order to work with rural neighbors/acreages. Chemical, mechanical as well as intensive grazing practices may be utilized to achieve the same goal. If people are so inclined to save the prairies we are sure volunteers can remove trees, shrubs and weeds by use of chainsaws, machetes and sprayers.

3rd AMENDMENT

Pages E25 to E34 and pages F53 to F66 -- Eliminate Greenprint Challenge and the environmental impact.

Unfortunately under this section there are several things that need to be addressed. NLCCFCSD members are not anti-environmental by anyone's standard. However we do feel that the Greenprint challenge's cabinet members scientific integrity needs to be addressed. Interpretations of the GIS maps were not made with local landowner input and based totally on assumption by people who have strong environmental convictions. Greenprint Challenge maps included in Comprehensive Plan are vague and very generalized, create perceptions that environmentally sensitive areas are a huge landmasses. For example, saline wetlands and native prairies found in small areas across the county appear in maps to be a significantly large portion of our area. Even parcels previously cropped and turned back to pasture and CRP are included here.

Other maps not included in the plan specifically but had an impact on the Comprehensive Plan decision making process:

1. Map showing water table dropped 50 feet over time. Scott Summerfield of the UNL Conservation-Survey Division says maps were misinterpreted.
2. Maps that show ponds are included as wetlands need more designation here.
3. Maps that show tiger beetle is located in the entire watershed. UNL counts show beetle found only in southern Little Salt Creek area.
4. Maps showing the better farm ground is located in North Lancaster County.

4th AMENDMENT

We also would like to address the issues not included in the Comprehensive Plan. Water quality issues are of grave concern to the people making decisions on the growth of Lincoln. We would like to see a more in-depth study as to water quality and quantity within the county. Most acreage owners and farmers can attest to the fact that there is an overabundance of potable water from the limestone aquifer in northern Lancaster County.

5th AMENDMENT

Endangered species status.

We have attached the letter previously sent by our legal counsel to the United States Fish and Wildlife Service. We would like to reiterate that we have laws in place to protect the saline wetlands. The U.S. Army Corp of Engineers, the Nebraska Department of Environmental Quality and other agencies have input into the process as well.

6th AMENDMENT

The NLCCFCSD also would like the plan to address the need for an economic impact study. The study should develop a strategy on the city growth as to taxes generated due to the expansion north, in and around the I-80 corridor. Job creation, economics enhancements, and fiscal responsibility are of utmost importance for the survival of Lincoln as a community.

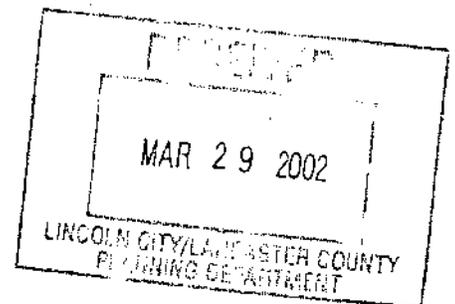
Very truly yours,



Stephen D. Mossman

SDM/sb

cc: Doug Nagel

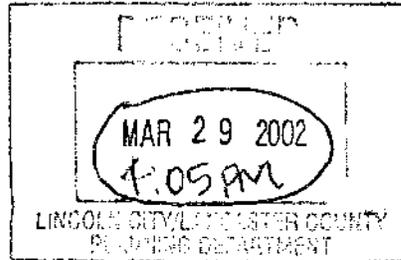


CITY OF HICKMAN

115 Locust St.
P. O. Box 127
Hickman, NE 68372-0127
(402) 792-2212

March 29, 2002

Greg Schwinn, Chair
Planning Commission
County -City Building
555 South 10th Street
Lincon, NE 68508



Dear Chair

I would request that you respectfully share this correspondence with the other members of the Commission.

Support the Tier Proposal for Urban Development

The proposed plan is the culmination of much time, effort and expertise. PLEASE do not let the political gamesmanship of the Realtors, Chamber of Commerce, Home Builders and LIBA sway the decision making for the good of the community. SMART GROWTH is affordable growth and an adequate amount of land is provided in the proposal. Special interest groups should NOT detract from the good of total populace.

Acreage Development

The County Commissioners have offered their suggestions for the Twenty Acre Rule and as presented it is a MANDATE FOR RURAL RESIDENTIAL SPRAWL and the floodgates for rural development will swell.

The County Boards recommendation is a compromised position that promotes rather than discourages RURAL RESIDENTIAL SPRAWL.

- . Rural residential growth is not smart, efficient or affordable growth.
- . Mandatory Sprawl destroys rather than preserves farmland and open space.
- . Forces Taxpayers to foot the bill for the cost of services

Suggested Options to Consider

- . Create the right to split by 40 acre parcels in all areas zoned AG
- . Create a density level of residences per square mile rather than the size of acreages in areas zoned AGR.
- . Adopt a global perspective for the conservation of farmland and rural resources
- . Support the growth of small towns and villages for rural life styles.

CITY OF HICKMAN

115 Locust St.
P. O. Box 127
Hickman, NE 68372-0127
(402) 792-2212

In conclusion, I thank you for your serious consideration of alternatives to keep rural growth for what it was intended, agriculture use.

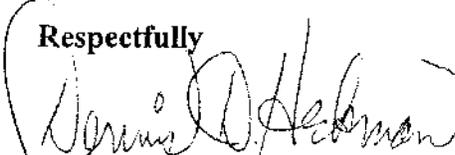
Learn, learn , learn from other areas of our country where sprawl has been addressed after the fact rather than dealt with prior to its becoming a problem.

The comprehensive plan is a vision for the people today and for future generations who will have to deal with our good planning and our mistakes.

Rural Lancaster county is our seashores and mountains , protect it before it is forever lost. Look, listen and learn to what has happened to land resources in other parts of the country. We have an opportunity for smart growth.

Smart growth can be dynamic and can create vibrant communities for all.

Respectfully



Dennis Heckman
Mayor City of Hickman

*The Citizens Transportation Coalition (CTC)
Position Paper on the Comprehensive Plan*

APR 2 - 2002

GENERAL

PURPOSE

The proposals and ideas expressed in this Paper derive directly from the basic Public Transit advocacy brought forward as prospective aids to planners in line with the City request for public commentary. It is not intended that they constitute a political statement or endorsement.

RATIONALE

There are many reasons to justify greater reliance on Public Transit and reduce private automobile dependency. Those are also, in fact, reasons for reduction of the automobile population. Some of these are:

1. Reduction in pollutants and smog originating with over-use of automobiles.
2. Consequent improvement of air quality.
3. The above includes smaller quantities of particulates in the air as well as lesser amounts of toxic gases.
4. Consequent contribution to the efforts to contain and manage climate changes.
5. A fairer distribution of transportation opportunities to all citizens, including the disabled, those who cannot afford an automobile or for various personal reasons choose not to have one, those who have given up on the automobile, members of the growing immigrant population who may not be able to get a driver's license due to language barriers as well as costs, and others. This will tend to eliminate a 2-tier class of Public Transit and encourage a greater amount of fair play.
6. Progress toward achievement of the realization that good and well used Public Transit is pre-requisite to sustainability.
7. Laying and being part of the groundwork for smart urban design, growth, urban sprawl containment, better land use decisions and the use of modern neighborhood designs and plans, all in line with the principles of the "new urbanism".

GENERAL STATEMENT

A Comprehensive Plan to be truly comprehensive should include more attention to and provision for Public Transit. In various public meetings regarding the Comprehensive Plan it was stated that the Comprehensive Plan contemplated the configuration of Lincoln 50 years hence. A Plan with such an extended view certainly should devote more space to Public Transit and the use thereof.

SPECIFIC REMARKS RELATED TO PUBLIC TRANSIT

Elsewhere in the nation and also in many other countries the use of public transit exceeds that of Lincoln and indeed this use is growing. The importance of public transit is increasing and, indeed, is becoming critical, in many places which have had problem situations of the same

type that have gone either unrecognized or ignored in Lincoln. This is a fact, which appears to be true now and in the past. It is to be strongly hoped that people in general and people in authority will come to realize such facts of life and that they will be enabled to learn lessons (especially with regard to public transit) from other societies. It is hoped this learning will be permitted and encouraged by the features of the Comprehensive Plan now being designed. It is the belief of the CTC that it is imperative that this happen.

OBSERVATIONS SPECIFIC TO LINCOLN

Lincoln now has a Public Transit system that in design and geographical extent fits the Lincoln of 1950. This system has not grown with Lincoln. The needs for more Public Transit have grown. The city has grown. But the Public Transit system has not. Yet it is now 2002 with the city predicted to grow even more. It should be obvious to an observer that provision for enlarged and improved Public Transit belongs in the new Comprehensive Plan. In fact it seems that growth in Public Transit and the use thereof ought to be vigorously emphasized and advocated by and in the Plan.

Star Tran is good as far as it goes. It does not go far enough. The system is worse now than in 1950 (both in absolute terms and relative terms). It would seem to be far past the time that the Lincoln-Lancaster Comprehensive Plan provided for developments and features that correct this situation of Public Transit deprivation. The City evidently needs to budget greater amounts of money for Public Transit and implement plans to enlarge Public Transit in Lincoln.

CTC supports the present Public Transportation section of the draft Comprehensive Plan, in general, with some modifications as indicated herein. In particular, the CTC agrees with the statements made as follows:

1. Page 1 of the Public Transportation section marked F98 (6 Febr 2002) with regard to "Balanced Transit System.", "Transit-Friendly Development" and "Maximize Transit Productivity" (subject to the understanding that no portion of the population needing transit is left out).
2. Page 2, F98 (6 Febr 2002), in paragraph 3, the statement on "Long Term" strategies. The CTC further believes the proposal therein should be part of a plan to stimulate over-all growth of public transit.
3. Paragraph 5, same page, contains a very good idea. CTC states further that the suggestion here should take into account light rail. Opinion on this particular subject is also expressed elsewhere in this CTC Position Paper.
4. Continuation of this topic appears in paragraph 7. CTC agrees with the views expressed therein, and further states that the Lincoln transit system should do more than just "consider" rail service and other modes. It should place emphasis on the use of rail. Support should be given to the rapid development of the Lincoln-Omaha commuter rail line.
5. The idea given in paragraph 3, F100 (6 Febr 2002), strongly supported.
6. The content of paragraph 4, same page, suggests the interest of the transportation committee of the UNL Public Policy Center (attn: Patte Newman, Lyn Kathlene). CTC supports further action on their proposal.
7. Paragraph 6, same page. A proposal strongly supported, as stated elsewhere in this Paper. CTC also believes this concept should tie-in with the proposals for light rail in Lincoln.

8. The initiative described in paragraph 7, as represented elsewhere in this Paper.
9. The statement in paragraphs 8, 9, and 10, with the stipulation that there not be too many studies without action. Attention to the funding needs indicated is very important.

Some specific recommendations for the present and very near future are:

1. Create "Park and Ride" lots to allow those who live on or just beyond (e.g., Bennet) the edge of the city to drive to these lots, park there and then take a bus into work downtown.
2. To accomplish what is suggested in (1), above, it would be necessary to have at least some buses running later (say to 7:30 P.M.) than the Star Tran buses do now.
3. CTC and others have recommended later bus runs over a long time, as well as restoration of Sunday service.
4. Increase effective utilization of the buses so as to serve various major employers and/or employment areas outside of downtown.
5. Implementation of (4), above, would help reduce peak commuter traffic and reduce some of the need for parking lots/garages for accommodating employees.
6. It is noted that the design stipulated in (1), above, is presently working very well in conjunction with the light rail systems in other cities.

FURTHER SPECIFICS

The CTC believes that all forms of transport in a balanced multi-modal system should appear in the Comprehensive Plan. This includes trails for walking and for bicycle riding, specific bicycle routes for the downtown neighborhood, provisions for car-pooling incentives and programs, provisions for new transport technologies and new means and vehicles for (future) transport, anything else by way of innovation in Public Transit (present and future) and light rail.

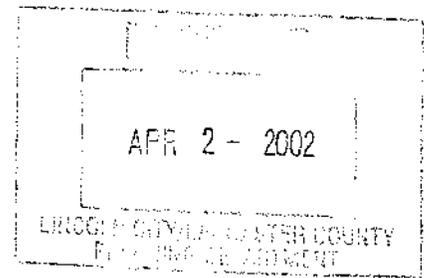
In any practical transportation system, if considered balanced and multi-modal, its provision must rationally include uses of the private automobile. It is the belief of the CTC that these uses should be constrained such that the benefits listed under "Rationale" can be realized. This is especially so in planning for all future times. The CTC does not promote an "anti-car" plan; it promotes a plan that is (stronger) pro-transit.

With regard to the rail suggestion, a good place to start would be with the Antelope Valley Project. In this case it is proposed that the land now allocated to a 6th lane in the North-South highway instead be reserved for light rail. It is contemplated that this would become part of a start on intra-city connections to the stops (or depots) in Lincoln on the commuter rail line between Lincoln and Omaha. It also would be contributing in general to a better alternative for transit than the (single driver) automobile.

Notwithstanding the remark about including private vehicles in the concept of a practical transportation system and not promoting an "anti-car" agenda, it can certainly be said that Lincoln does not really need a 6-lane expressway across downtown.

March 30, 2002

Director
Planning Department
555 South 10th St.
City of Lincoln
Lincoln, NE 68508



Dear Director:

I am sorry to have missed last week's hearing on the Lincoln-Lancaster County Comprehensive Plan. My wife and I recently moved to Lincoln and are not yet tuned into public events of interest to us.

I am very interested in rural subdivisions. As a professor of public administration, I studied them in the context of the "collar counties" around Chicago. If I had attended the hearing, I would have raised these three questions:

- **To what extent is the Planning Commission concerned about long response times when residents of rural subdivisions or free-standing home sites call for emergency services—medical, fire, and police?** As the attached printout of slides indicate (pp. 3-4), my students and I found some rather lengthy response times for new homes built in three rural areas of the collar counties.
- **To what extent is the Commission concerned about the distance-related costs of rural subdivisions?** The same study we published in 1998 showed that homes in rural subdivisions, even in the upscale developments in Kane County, tended not to pay enough in taxes to the school district to cover their busing costs (p. 3). The average number of public school children per new home was high, and the busing distances tended to be long.

Also, the rural subdivision's usually large road frontages per dwelling unit meant that most new developments didn't cover their road maintenance costs. Residents of nearby towns who were in the same service districts paid for both the school and road deficits.

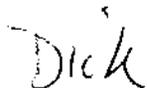
A particularly expensive fiscal consequence of rural subdivisions was when the school boards gave into lobbying by rural residents to build new school campuses close to them. Although new homes built adjacent to cities may also require new classroom space, that space could be added onto existing campuses and therefore have the potential to cost less.

In the Chicago region, we found reasons to discount the argument that new homes lead to more commercial development which, in turn, reduces the residential share of property taxes. A lot of the commercial building occurred outside the boundaries of the impacted school districts. Also there often was a sizable time lag between when

new homes sent children to public schools and when the number of such homes became large enough to generate significant new land taxes from commercial buildings.

- **To what extent do active farmers support the draft plan?** I inferred from the *Journal-Star* article that the farming community is divided about the plan. Another bit of research my students and I did indicated that rural subdivisions are often bad neighbors to operating farms (see p. 2 of the slides). The costs to farmers may include trespassing that tramples crops, vandalism that damages farm equipment, and trash that ends up on farm fields and perhaps in harvesters. Also, nuisance complaints may constrain the farmers' freedom to operate. The Farm Bureau in my former county, De Kalb, Illinois, has consistently opposed rural subdivisions and prefers orderly growth coming out from the existing towns so that their farmers can plan to disinvest (i.e., sell off livestock, stop adding lime, etc.), rather than have a subdivision built next to them with little forewarning.

Sincerely,



Dick Esseks
7911 Colby St.
Lincoln, NE 68505
420-7678

Scattered Residential Development in Farming Areas

Potential Costs to:
Adjacent Farmers,
Local Taxpayers,
and the Residents of the New
Homes, Themselves

What can be learned from the study?

- The study provides reasons to encourage county, township, and municipal governments to locate new residential developments:
 - as far away as possible from farm operations and
 - as close as practicable to schools, rescue squads, and other essential services

What else can be learned from the study, and who were the sponsors/funders?

- The study measured the costs of scattered residential development in parts of three Northern Illinois counties (McHenry, Kane, and Will) whose experiences indicate the kinds of costs that other still-important agricultural counties may suffer if they permit similar types of development.
- Sponsored by the American Farmland Trust, and funded by the Joyce Foundation and the Gaylord and Dorothy Donnelley Foundation.

Forecasts for Population Growth by Northeast Illinois Planning Commission, 1997-2020, Compared to Changes in Percentage of Total Land Surface of County in Farms

County	% increase in population 1997-2020	% of county land in farms, 1997	%-point drop, land in farms, 1982-1997
Kane	45%	63%	-9 points
Lake	39%	18%	-14 points
McHenry	53%	63%	-7 points
Will	63%	55%	-11 points

Average Number of Residential Building Permits in Unincorporated Areas and Those Permits' Share of All Issued in Their Counties, 1996-98

County	Av. Number of Permits	Average Percent of all Permits in County
Kane	487	11%
McHenry	329	13%
Will	1,255	22%

Types of Scattered Residential Development

- Early Scatter--small groups of large-lot homes in subdivisions or free-standing along section-line roads
- Maturing Scatter--homes mostly in subdivisions on one-to-two-acre lots
- Transitional Scatter--fairly small lots with city sewer and water services, but separate subdivision developments are scattered, at least initially

Comparing Study Sites: Lot Size, Frontage, and Population Density

	Early Scatter Site	Maturing Scatter	Transitional
Median lot size (acres)	5.0	1.3	0.22
Median lot frontage (ft.)	216	191	75
Persons per square mile	45.8	331.1	492.7
Total studied new homes	175	189	322

Large-Lot Homes in Unincorporated Area (Two-Acre Lots in Designated Growth Zone near Sycamore, Illinois)



1. Scattered Developments' Potential Costs to Adjacent Farm Operations

- Trampling of crops when residents trespass onto fields (on foot, horses, dirt bikes)
- Fields flooded by storm water runoff from subdivision driveways, roofs or roads
- Trash or litter that damages equipment or adulterates harvests
- Limitations on the types or timings of farm operations because of complaints about farm chemicals, dust, odors, or sounds.

Random Sample of 281 Farmers Operating (1982-83) Next to Rural Subdivisions in Kane, McHenry, and Will Counties

Type of Problem Attributed to Subdivision	% of Surveyed Farmers Reporting that Problem
Crops Trampled	32.8%
Trash or Litter	32.0%
Fields Flooded	29.0%
Vandalism	10.7%

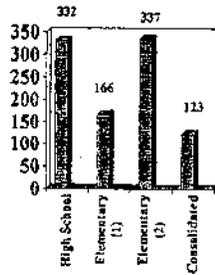
2. New Homes in Scatter Sites Don't Pay for All the Distance-Related Costs of Services They Consume

- The longer road frontages per new home (191 feet, 216 feet) compared to new homes within cities, translate into higher road maintenance costs per home, but the new homes with large frontages don't have sufficiently higher assessed valuations for real estate tax purposes to offset those greater costs.
- The longer distances from scatter-site homes to school campuses translate into higher annual busing costs, which in three of the four school districts we studied were *not* offset by higher assessed valuations and/or by smaller average numbers of public school children per new home. In other words, expensive new homes may not pay for their services.

Rural Subdivision Roads May be Subsidized by Nearby Cities: Comparison of Tax Revenues and Maintenance Costs

	Township Includes a city	Without a city	Township has a city
Average Frontage	231 ft.	242 ft.	228 ft.
Maximum tax per mile	\$8,488	\$10,927	\$4,115
Expenditure ² per mile (average)	\$11,354	\$9,640	\$13,544
Balance	-\$2,854	+\$1,287	-\$9,429

Dollar Differences in Annual Busing Cost Per Student from Unincorporated New Home Sites versus from Incorporated Sites, by District



3. Potential Costs to the Residents, Themselves, of Scattered Residential Development

- Waiting too long for emergency medical services
- Waiting too long for fire-fighting services
- Waiting too long for police services
- Excessively long daily bus rides for their school-attending children

Comparison of Early and Maturing Scatter Sites: Distances of New Homes (1990-95) to Closest High School

Distances	Early Scatter Site	Maturing Scatter
Less than a mile	1.1%	0.5%
1 mile to fewer than 3	29.2%	2.6%
3 to fewer than 5	43.4%	17.5%
5 miles or more	25.1%	79.5%

Average Waiting Time in Minutes for Emergency Medical Service to Respond to Calls from New Homes

Location	All Calls
Early Scatter Site	9.6 mins.
Nearby Small City	6.4 mins.
Maturing Scatter Site	7.0 mins.
City Near to It	6.2 mins.
Transitional Scatter	7.5 mins.
City-wide average	4.6 mins.

Rural Site on Which Developer Proposed 76 Single-Family Homes



Average Waiting Time in Minutes for Fire-Fighting Service to Respond to Calls from New Homes

Location	All Calls
Early Scatter Site	15.0 mins.
Nearby Small City	12.2 mins.
Maturing Scatter	6.9 mins.
City Near to It	5.2 mins.
Transitional Scatter	5.4 mins.
City-wide average	3.4 mins.

**Average Waiting Time in Minutes
for Police to Respond to Calls for
Service from New Homes**

Location	All Calls
Early Scatter Site	25.3 mins.
Nearby Small City	4.1 mins.
Maturing Scatter Site	17.9 mins.
City Near to It	7.6 mins.
Transitional Scatter Site	16.2 mins.

**Average Daily Roundtrip Bus Ride
in Minutes for Students from New
Homes**

Type of District	Rural Homes	City Homes
High School	51.5	33.0
Elementary	42.4	31.0
Elementary	46.0	Not applicable
Consolidated: Elementary	29.1	27.4
Consolidated: High School	53.9	31.8

Scattered homes may be numerous enough that residents lobby for their own school campuses.

- In one of our studied sites, parents objected to long bus rides to high school, which averaged 53.9 minutes a day for students from new homes in our sample. However, the new high school campus would likely average *per student seat* about \$26,000 in construction costs.
- New homes paid in total impact fees to the school district no more than \$2,600 per home. It would therefore take about 10 homes to pay for one seat if all of their fees went to building only the high school. But our research found that 10 new homes would need on average nearly 4 seats.

National Median Costs, Square Footages per Student, and Numbers of Pupils for New Schools Expected to be Completed in 1999

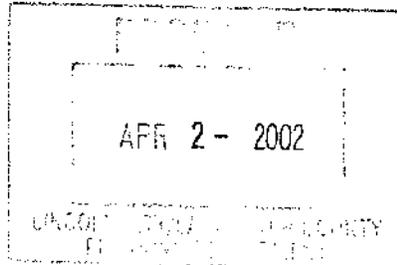
Level of School	Cost per Student	Sq. feet per student
Elementary	\$11,478	120.0
Middle	\$14,500	141.7
High	\$20,000	178.3
(High: IL, MN+WI)	(\$26,599)	(286.1)

A Safer, Less Expensive Growth Model for Large-Lot Developments: 69-Unit Approved Subdivision within 1.8 Miles of School and Rescue Squad



LANCASTER COUNTY BOARD OF COMMISSIONERS

COUNTY-CITY BUILDING
555 South 10th Street, Room 110
Lincoln, Nebraska 68508
Phone: (402) 441-7447
Fax: (402) 441-6301
E-mail: commish@co.lancaster.ne.us



COMMISSIONERS

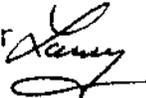
Kathy Campbell
Bernie Heier
Larry Hudkins
Ray Stevens
Bob Workman

Chief Administrative Officer
Kerry P. Eagan

Deputy Chief Administrative Officer
Gwen Thorpe

MEMORANDUM

TO: Greg Schwinn, Chair, Lincoln-Lancaster County Planning Commission
Kathleen Sellman, Planning Director

FROM: Larry Hudkins, Lancaster County Commissioner 

DATE: April 2, 2002

RE: Request for Comprehensive Plan Additional Language

Would you please consider inclusion of the following language in the Comprehensive Plan under "Development in Lancaster County, outside of Lincoln":

"The County recognizes that industrial and business development may be appropriate in the rural and agricultural areas of the county, outside the three-mile zone, where determined by the County Board through a special permit."

Thank you for your consideration.

cc: County Board
Lincoln City Council
Mayor Don Wesely

RESPONSE TO PC INFORMATION REQUEST

TO: City-County Planning Commission

FROM: Lynn Johnson, City Parks and Recreation Department

DATE: April 1, 2002

SUBJECT: Parkland vs. Greenway Corridor

COPIES: Kathleen Sellman, Planning

The purpose of this message is to respond to Planning Commission Newman's request for information regarding the difference implied between the term "parkland" vs. "greenway corridor."

The description of the Salt Valley Heritage Greenway includes a discussion that some land would be conserved through conservation easements (purchased or donated). Fee simple title would be acquired for other areas of particular natural resource significance or recreation value by purchase or donation.

The primary potential funding sources for land conservation or acquisition are the Nebraska Environmental Trust and the Land and Water Conservation program. The Land and Water Conservation funds are federal funds that go through the national Parks Service with the Game and Parks Commission administering them. According to the National Park Service and Game and Parks Commission, it does not matter if the land is identified as future park land, open space, or as a greenway corridor in order to be eligible for funding. In fact, we only need to identify in the Comprehensive Plan the need for additional land for parks, open space, or greenways as Lincoln continues to grow to be eligible for funding. It is when we apply for funding that the parcel will need to be identified whether it is on the map now or not. Once acquired, the land does need to be available for public use no matter what it is called.

I agree with the County Board suggestion that the Comp Plan include continued conservation of land along Salt Creek south of Saltillo Road as part of the Salt Valley Heritage Greenway. "Expansion of Wilderness Park" suggests fee simple acquisition of additional land.

The greenway concept is broader and has a much greater chance of being implemented due to lesser acquisition costs and reduced public maintenance responsibilities as much of land would likely remain in private ownership and management. Please let me know if you have additional questions or comments.

April 2, 2002

To: Mayor Don Wesely

Copy to: Planning Commission Members: Mary Bills, John Carlson, Steve Duvall, Gerry Krieser, Roger Larsen, Patte Newman, Greg Schwinn, W. Cecil Steward, Tommy Taylor
City Council Members Jon Camp, Jonathan Cook, Glenn Friendt, Annette McRoy, Coleen Seng, Ken Svoboda, Terry Werner
Board of Commissioners Kathy Campbell, Bernie Heier, Larry Hudkins, Ray Stevens, Bob Workman
Kerry Eagan, Chief Administrative Officer
Kent Morgan, Director of Planning
Lynn Johnson, Director of Parks and Recreation
Nate Jenkins, Lincoln Journal/Star

From: Michael Carlin

Subject: Yankee Hill Road Study

I am sending this letter as an individual, not as a representative of any group. I have just read your comments in Nate Jenkins' article and feel obligated to respond. It would appear that the information that the Friends of Wilderness Park has sent you concerning the inclusion "for study" of the extension of Yankee Hill Road through Wilderness Park in the comprehensive plan have gone unread or unheeded. Detailed information is provided in the Friends of Wilderness Park letter of March 25th (e-mailed to you March 25th); allow me to sum it up:

Traffic needs analysis. The Planning and Public Works departments say that another study is necessary. They say that the traffic analysis conducted by LSA Associates was not adequate and that the computer modeling software would have to be manipulated to get accurate results. Yet, this same software was adequate enough to determine the street and roadway improvement plan for the entire county, except Yankee Hill Road, through 2025.

LSA Associates did conduct a system-level analysis of the Wilderness Park crossing at Yankee Hill Road and provided the results to the Planning Department on January 9, 2002. This information was withheld from the Comprehensive Plan Committee and the Planning Commission. The Planning Department repeatedly denied that the information existed. It was only after Mary Roseberry-Brown submitted a formal request (e-mail copy to you March 25th) for a copy of the document pursuant to the Nebraska public records statutes that it was made available. Even then, it was Mary who provided the information to the Planning Commission during the public hearings on March 27th, not the Planning Department. This intentional withholding of critical information from decision-making bodies by city employees, and the resultant attempt at a cover-up, calls for an official investigation by an outside agency.

The subject correspondence from LSA Associates to the Planning Department is

attached. It clearly states that extending Yankee Hill Road to Highway 77 will yield little if any congestion reduction and is not a cost-effective solution.

Fiscal realities. The projected cost of the street and roadway improvement plan is \$346 million more than projected revenue during the same period. Conversations with the Nebraska Department of Roads, the Federal Highway Administration and the National Park Service all confirm that federal money may not be used to cross the park or build an intersection with Highway 77 due to 4(f) requirements. We can't afford to pay for what we know needs to be done, it is fiscally reckless to spend half a million dollars on a study of dubious need to justify a \$45 million project that we don't need.

Public opinion. In public and written testimony to the Comprehensive Plan Committee and the Planning Commission, the citizens of Lincoln and Lancaster County have shown that they are overwhelmingly against "the study." Comments posted to the Planning Department's website, and letters to the editor were 100% against "the study." The only people who seem to be for it are those who stand to gain financially from it, or those who have made promises to those who will.

Environmental effect. Even if the road is elevated, all of the trees in the right-of-way would have to be removed. The longest unbroken stretch of the park would be cut in half. A significant portion of Salt Creek would have to be straightened and channelized, dramatically reducing the park's ability to slow and retain stormwater.

Your comment "that studying the feasibility of extending Yankee Hill Road over Wilderness Park be included in a broader transportation plan for south and southwest Lincoln" implies that you endorse another study. This brings to mind several questions:

- Will the Yankee Hill Road study be removed from the comprehensive plan and replaced by a "south and southwest Lincoln" study?
- How much will that cost?
- What was deficient about the LSA Associates study?
- How much did we pay LSA Associates to conduct a traffic analysis that was adequate for the rest of the city and county but not good enough for the south and southwest part of the city?

Until I read today's article, I was optimistic that the Planning Commission would remove "the study" from the comprehensive plan during their final session tomorrow. Now, because of your apparent endorsement of "the study", I am confident they will not. It's a combination of human nature and political survival; when a body receives guidance from the person who appointed them, they have a tendency to do what that person wants. The timing of your comments was either perfect or disastrous, depending on your goal.

Sincerely,

Michael Carlin
2700 West Paddock Road
Lincoln, NE 68523
420-9092

January 9, 2002

System-level Analysis of the Wilderness Park Crossing at Yankee Hill Road

As part of the development of the 2025 Long Range Transportation Plan for the City of Lincoln and Lancaster County, a continuation of Yankee Hill Road across Wilderness Park was considered among several alternative roadway improvements throughout the region. Growth projections through 2025 in the southwest portion of the City highlight the need to review roadway levels of service in the area and access between the southwest and other parts of the region.

Although concerns about environmental impacts, costs related to construction and possibly legal challenges, and other issues have been brought forward through the plan's development process, this analysis simply looks at the need for a Yankee Hill Crossing to accommodate Traffic generated by the projected growth at the citywide, or system, level. Other potential benefits, including economic development opportunities, were not considered in this analysis.

Roadway Level of Service

In its simplest form, roadway level of service (LOS) can be compared to a grading scale from "A" to "F", where "A" is excellent and "F" indicates failure. Level of service was calculated for this analysis as a mathematical function that considers the roadway carrying capacity, amount of traffic, and the speed at which the traffic is moving during rush hour.

In 1998, the most recent year for which detailed LOS data is available, virtually all of the roads in the southwest portion of the city exhibit good levels of service. This includes US77, the current east-west and north-south crossing of the park that currently exist, and other roads in the vicinity. In fact, virtually all of the traffic congestion in 1998 is confined to the arterials in the older, core area of Lincoln.

As the region grows and more housing and jobs begin to locate in the southwest quadrant, traffic volumes and congestion will increase. The region's Comprehensive Plan Committee has approved a draft 2025 land use plan that will add a fair amount of socioeconomic growth to the southwest area, generally bounded by I-80 to the north and US77 to the east. Much of the growth planned in this area through 2025 will be to the north of Yankee Hill Road.

This system-level analysis for the year 2025 is based on anticipated growth and a roadway network that includes the existing roadway system with additional committed projects added to it. Committed projects are those currently under development and funded through the region's current 6-year transportation improvement program. It is likely that additional roadway improvements will be made in the 2025 timeframe, but

they still need to be determined through the Plan's development process. As such, the Existing and Committed network provides a reasonable basis for level of service comparisons.

Based on results from the Lincoln Regional Travel Model, level of service on the Existing and Committed network in the year 2025 is generally good in the vicinity of the Yankee Hill crossing at Wilderness Park. Some of the roads closer to the Highway 2/US77 interchange area show elevated levels of service. Wilderness Park crossings on Pioneers and Old Cheney are becoming congested under this scenario. However, the Warlick Blvd. crossing does not appear to experience any congestion. Since the growth and related traffic congestion are north of Yankee Hill, a new crossing at this location may not provide much additional traffic congestion relief to those more congested roads.

Yankee Hill Crossing Alternatives

The Mobility and Transportation task Force reviewed four alternatives related to the Yankee Hill crossing of Wilderness Park:

- Option 1 – an elevated structure extending Yankee Hill Road over Wilderness park between South 14th Street and South 1st Street;
- Option 2 – Option 1 with closures at the Old Cheney and 14th Street crossing of the park;
- Option 3 – Option 2 with an additional closure at the Pioneers crossing; and
- Option 4 – Option 2 with an interchange at Yankee hill and US77.

Results of Analysis

Each of the Yankee Hill crossing options were tested in the Lincoln Regional Traffic Model for their ability to reduce vehicle miles of travel and delay associated with congestion. Option 1 showed a relatively small benefit in reducing vehicle miles and congestion delay when compared to the no-build scenario. This is likely due to the additional access provided to some travelers to and from the southwest area of the City. Without the improvement, these travelers would need to take a different route, resulting in slightly more circuitry on facilities with more congestion. Again, the relative benefits are very small.

The other options, the ones that involve a US77 interchange with Yankee Hill and removal of existing park crossings, exhibited increased delay when compared to the no-build scenario. In other words, the removal of existing crossing more than eliminates any travel time savings derived from the Yankee Hill overpass.

Conclusions

Given the high cost of implementing a new Yankee Hill crossing over Wilderness Park and the relatively small amount of congestion delay and vehicle mile savings, the project

appears to have limited benefits and would likely score poorly in terms of congestion reduction and cost effectiveness when compared with other, more beneficial projects across the City. In addition, the roadway system in the southwest quadrant generally provides sufficient capacity and access to serve the travel demand in the area through the year 2025. While some additional improvements to the roadway network in the area will be necessary to accommodate new growth, the Yankee Hill overpass appears to have only a small ability to alleviate the congestion on these facilities.

If the City decides to proceed with a Yankee Hill crossing of Wilderness Park, the effects of closing existing crossing should be carefully studied. Based on this system-level analysis, the elimination of the existing crossings will negate any benefit derived from the new crossing.

As growth in the southwest area continues beyond 2025, it may be prudent to revisit the need for a Yankee Hill crossing or other potential roadway improvements to handle the increase in traffic congestion.

COMPREHENSIVE PLAN AMENDMENTS UPDATE

TO: City-County Planning Commission
FROM: Kathleen Sellman, Director of Planning *KS*
DATE: April 3, 2002
SUBJECT: March 29, 2002, Plan Amendments Package Update

Last Friday we delivered to each of you a package of the proposed Comprehensive Plan amendments we'd received to date. Since then we have discovered a number of inadvertent omissions and errors:

- (1) *County Board's Request for Human Services Text* -- In the County Board's March 26, 2002, letter they requested text be added to the Plan addressing the relationship between human services planning and land use planning where appropriate. The staff generated draft language was inadvertently left out of the March 29th Amendments Package. We would offer the following strategy for inclusion on page F-160 in the "Future-Plan Realization" section of the Plan under the subheading of "On-Going Comprehensive Plan Activities."

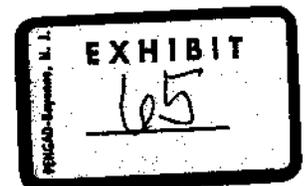
Human Services Planning -- Explore points of common concern and emphasis between the long range Comprehensive Plan and the local human services programs to identify strategies for enhancing the coordination of these two endeavors. This activity should be initiated and completed within two years from the adoption of the Comprehensive Plan.

It is my recommendation that this amendment be included on your list of **CONSENT ITEMS**.

- (2) *County Board's Request for Six Percent Acreage Text* -- In the County Board's March 26, 2002, letter they requested text be added to the Plan broadening the assumption that six percent of the future population would reside on acreages. This new language is shown on page 8 of the Amendments Package.

It is my recommendation that this amendment be included on your list of **CONSENT ITEMS**.

- (3) *County Board's Request for Stevens Creek Basin Text* -- In the County Board's March 26, 2002, letter they requested text be added to the Plan reflecting the importance of Stevens Creek to the future of the City and County and acknowledging the "Planning



Guidelines” developed during the Stevens Creek Basin Initiative. This new language is shown on page 10 of the Amendments Package.

It is my recommendation that this amendment be included on your list of **CONSENT ITEMS**.

- (4) **Planning Commission Workshops Text Amendments** – When the Planning Commission held workshops in February, 2002, a number of small text changes to the draft Plan were discussed. These include:

Existing - Mobility and Transportation (page E-58) – Modify text as follows under the “Trails and Bicycles Facilities” discussion: “The existing Lincoln/Lancaster County network has approximately 94 miles of trails – most made of 8 to 10 foot wide concrete pathways.”

Existing - Parks, Recreation & Open Space (page E-77) – Add the following sentence to the first paragraph of the sub-section entitled “Trails,” “The Lower Platte South Natural Resources District maintains approximately 16 miles of trails in Lancaster County.”

Future - The Economy (page F-13) – Modify text as follows under the “Information Based Companies” discussion: “Prefer locations close to the upper middle income neighborhoods of its workers, and where new commercial development is located (restaurants, power retail centers, malls.)”

Future - Community Form (page F-20) – Modify text as follows under the “Residential Neighborhoods” discussion, “A range of parks, from tot-lots to ballfields, should be distributed within neighborhoods and be within walking distance (1/2) mile of the residents.”

It is my recommendation that these amendments be included on your list of **CONSENT ITEMS**.

- (5) **Proposed Regional Parks Text and Amendment** – During one of the Planning Commission’s discussions on the draft Plan it was noted that the “Parks and Recreation” section of the Plan include descriptions of “Community Parks” and “Neighborhood Parks” but not “Regional Parks,” and that a map of the future parks site was missing. These omissions are being addressed with a response from Parks & Recreation Director Lynn Johnson, appearing on pages 25 through 28 of your Amendments Package.

Based on additional discussions, Parks and Recreation is recommending that the proposed text be amended to include a reference to a regional park in the Stevens Creek Basin. The proposed additional text would include: (1) add as the second sentence to the paragraph entitled “Other Location and Design Criteria” (page 26) the following, “In addition,

acquisition of a new regional park site in the eastern portion of the Stevens Creek Basin is anticipated; and (2) add as the fourth bullet under "Strategies" (page 26) the following, "Identify and acquire a regional park site for the future development in the eastern portion of the Stevens Creek Basin." Parks and Recreation is also recommending that the reference to "Community Park" along Stevens Creek on the "Future Parks" map (page 28) be eliminated as it is dealt with under the "Salt Valley Heritage Greenway." The map as shown could be misinterpreted as being site specific – which is not the intent.

It is my recommendation that these amendments be included on your list of **CONSENT ITEMS**.

(6)

Proposed Swimming Pool Location and Design Criteria – In his March 6, 2002, memo regarding potential Plan amendments, Parks and Recreation Director Lynn Johnson included text concerning swimming pool location and design criteria. This text should have been shown under the "Consent Items" list. The text appears on page 26 and 27 of the Amendment Package document and would appear on page F-137 of draft Plan.

It is my recommendation that this amendment be included on your list of **CONSENT ITEMS**.

(7)

Metropolitan Planning Organization (MPO) Technical Committee Functional Class Text and Map – The MPO Technical Committee has recommended that the functional class text and maps included in the February 6, 2002, draft Plan be modified. The specific text changes are shown on pages 21 and 22 of the March 29th Amendments Package. The updated maps were inadvertently omitted from the Amendments Package – copies are attached to the memo. These items appear on pages F-102 and F-103 of draft Plan.

With guidance from Allan Abbott as Chair of the MPO Technical Committee, I am recommending that these amendments be included on your list of **CONSENT ITEMS**.

(8)

Planning Commissioner Schwinn's Proposed Text for Youth Baseball/Softball Complexes – Inadvertently an amendment proposed by Planning Commissioner Schwinn regarding baseball/softball complexes was omitted from the Amendments Package. This amendment request was submitted in on March 12th. The proposed text would appear as a bulleted item under the "Community Parks - Other Location and Design Criteria" on page F-134 of the draft Plan:

Establish Youth Baseball/Softball complexes as part of community parks throughout the city. Partnerships should be formed with the youth baseball organizations and Lincoln Public Schools for maintenance of utilization strategies.

It is my recommendation that this amendment be included on your list of **CONSENT ITEMS**.

- (9) *Water and Wastewater Future Facility Maps* – In the Amendments Package distributed to you on March 29th, the Water and Wastewater Future Facility Maps were not included. These maps were still in the production stage and not available at that time. A reference to the maps was included on your March 29, 2002, list of Consent Items.

Copies of the maps are attached to this memorandum.

- (10) *Mary Roseberry-Brown, for Friends of Wilderness Park, RE: Setback and Buffer Provisions* – Ms. Roseberry-Brown's requested amendment to add text concerning "setback and buffer provisions" was inadvertently left off of the list of "Regular Items." The proposed text appears on page 40 of the Amendments Package document.

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*****CONSENT ITEMS*****

Plan Page #	Amendment Request	Name	Request Item #	
<i>Existing Conditions - Transportation</i>				
E58	Modify text regarding city and county trails system.	Planning Commission Workshops	(4)	
<i>Existing Conditions - Parks, Recreation, & Open Space</i>				
E77	Add text concerning LPSNRD trails.	Planning Commission Workshops	(4)	
<i>Future Conditions - The Economy</i>				
F13	Delete reference to "upper middle income" as part of location preferences discussion	Planning Commission Workshops	(4)	
<i>Future Conditions - Community Form</i>				
F19	Modify text to moderate the assumption that six percent of the population will reside on acreages	County Board	(2)	
F20	Delete reference to "walking distance" in reference to neighborhood park distances.	Planning Commission Workshops	(4)	
F29	Add text to acknowledge the work of the Stevens Creek Basin Initiative Task Force and of the importance of the basin to the future of the city and county	County Board	(3)	
<i>Future Conditions - Transportation</i>				
F102/ F103	Change text and maps regarding functional street classification	MPO Technical Committee	(7)	
<i>Future Conditions - Parks, Recreation, & Open Space</i>				
F134	Add text regarding youth baseball/softball complexes in community parks	Commissioner Schwinn	(8)	