**MEETING RECORD**

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| **NAME OF GROUP:** | PLANNING COMMISSION |
| **DATE, TIME AND PLACE OF MEETING:** | Wednesday, October 18, 2006, 1:00 p.m., City Council Chambers, First Floor, County-City Building, 555 S. 10th Street, Lincoln, Nebraska |
| **MEMBERS IN ATTENDANCE:** | Jon Carlson, Gene Carroll, Michael Cornelius, Dick Esseks, Gerry Krieser, Roger Larson, Mary Strand, Lynn Sunderman and Tommy Taylor. Marvin Krout, Kent Morgan, Mike DeKalb, Steve Henrichsen, David Cary, Sara Hartzell, Brian Will, Brandon Garrett, Teresa McKinstry and Michele Abendroth of the Planning Department; media and other interested citizens. |
| **STATED PURPOSE OF MEETING:** | Special Planning Commission Meeting on the proposed 2030 Comprehensive Plan and Long Range Transportation Plan |

Chair Jon Carlson called the meeting to order.

Staff presentation: **Steve Henrichsen of Planning staff** stated that copies of the Comprehensive Plan and various maps were available for review.

Planning staff encouraged members of the development community and others to send their proposals to Planning earlier this month. That gave staff time to review the proposal.

Letters in opposition were received the last few days. They are mostly in opposition to the widening of 27th St. There are some minor corrections to be made to the plan as outlined in a memo handed out. An area of less than one square mile needs to be changed from Tier III to Tier II. In the section on the economy, a statement from Lincoln Partnership for Economic Development was added. The Downtown Lincoln Association was inadvertently left out. There was a conflict in the Business and Commerce section. Staff is trying to encourage a minimum amount of retail. One section listed 20%, another listed 25%. This clarifies a maximum of 25% as long as it does not include big box retail. 70th St. and Yankee Hill Rd. was inadvertently left off the list of mixed use office locations. There is a correction of the representation of the future East Beltway.

Henrichsen explained that there are eight private proposals.

The first one is the southwest corner of 84th St. and Adams.

**1.** This is part of the North Forty proposal. Staff evaluated this to see if it conforms in terms of the 2030 Comprehensive Plan. There is a neighborhood center immediately east of 84th St.

Randy Hoskins of Public Works pointed out that the traffic study submitted added 140,000 square feet. That study assumed that only 75 percent of the Prairie Village Commercial Center would be built. Staff does not feel this is an acceptable assumption to make. They do not recommend approval.

**2.** Henrichsen stated that the second proposal is the northeast corner and southeast corner of 84th St. and Adams. The owner would like to change the northeast corner to a community center. They have proposed more of a town center concept. It meets a lot of the principles. A community center application was previously reviewed. Staff believes this application is different from the previous one. Denial of the whole application has been recommended. The applicant has not had a lot of time to submit a traffic study.

**3.** The third proposal is on Roca Rd., generally west of 82nd St. There are two separate property owners. This is just beyond the one mile jurisdiction of Hickman. Staff is not recommending adding the low density residential.

**4.** The fourth proposal comes from staff. It came to our attention that area north of the Interstate is designated as Priority B. Today, in the 2025 Plan it is shown as Priority A. Priority A in the 2030 plan is more of a six to seven year area. In the 2025 plan, it was more of a 12-year area. This is an economic development area. The portion that drains into Salt Creek would be recommended to Priority A.

**5.** The fifth proposal is for a small area to be added from Tier II and Tier I. It is on the north side of the future South Beltway. There is about 50 acres of land that could be future residential. There is a small area of acreages that could be Priority C. The applicant has shown how the area could be served by gravity. Staff believes before it is moved to Priority A, more study should be done to see how the sanitary sewer can be served.

**6.** Proposal number six is for a small area south of West Denton Rd. It is designated as Tier II and surrounded by existing acreages. This is a brand new acreage build through. This would add area north of the Cardwell Creek area as Priority A. Staff believes this would be more appropriate as Priority B, but is appropriate for Tier I.

**7.** Proposal number seven is a proposal from the City of Hickman. This coordinates their one mile jurisdiction with our jurisdiction. Hickman likes the idea of build through, but it does not apply to Lancaster County outside the one mile jurisdiction.

**8.** The final proposal number eight is for commercial to urban residential, environmental resources and green space in the area of Sun Valley Blvd., south of West Charleston. There is a developer who would like to build more apartments. Staff is recommending approval.

Henrichsen stated that staff is available today for any questions.

**Public Testimony:**

**1. Michael Rierden** appeared on behalf of GMH Properties to address proposal number eight. There are a lot of questions. Planning has allowed the applicant to go ahead with a change of zone application. He represented Dinerstein when they did the original student housing. They haven't even determined exactly how many units can be built. There are still a lot of questions to be answered. He would encourage approval of this amendment.

Carlson wondered if there were any comments on what is a challenging site in the flood plain, live there versus shop there. He questioned if a safe mitigated area can be created. Rierden believes it can. There are questions that need to be answered in regard to the flood plain. He believes this could benefit the area.

Esseks wondered why the staff report shows this as a flood plain area. Devon Biesecker of Public Works stated that the current flood insurance study shows that there are recommended fill percentages along Salt Creek. This was done to keep the floodway in between the levee system. The new Salt Creek study will also be based on the same things, allowable fill percentage and storage.

**2. Don Bowman** appeared to represent Steve and Lauri Harms. They own property immediately north of 84th St. and Highway 6. In their 130 acres is a 4.7 acre parcel that they purchased in 2004. In the previous plans that the Harms have seen, this is designated as potential commercial use. It appears to have been removed from the 2030 plan. This is important to them since they offer a refuse hauling service. They bought the property because it was a commercial designation. Mr. Harms talked to Planning. They recommended he file an application to apply for actual zoning. A couple of days later, they recommended he not apply since the Comprehensive Plan is showing this be taken out of commercial designation. Mr. Harms has already begun the subdivision process. Mr. Harms understood after talking to staff that there is a railroad track there and the property does not benefit anyone. It will be a detriment to him.

Henrichsen commented that this change was made many months ago in terms of a draft. This small area is outside of the future service limit and outside of the flood plain. It is the only area that was shown for commercial development. The railroad line is extremely busy and they would like to not encourage commercial beside the railroad tracks. This parcel would have to be accessed off 84th St. Staff did not comment that it did not benefit anyone. Staff's concern is due to the railroad tracks. This also goes with the policy that commercial

and industrial are within the future service limits.

**3. Tom Huston** appeared on behalf of Alan Baade and Ken Mueller. This is approximately 200 acres west of 82nd St. and north Roca Rd. His client has made at least two attempts to file a change of zone from AG to AGR. Availability of water, proximity to a roadway, examination of soil conditions, any impediment to an urban growth area and land urbanization were all criteria previously used. It seems that the County Board believes that any property seeking a change of zone believes it should be contiguous to that zoning. This property is now next to AGR zoning south of Roca Rd., 1/4 mile to the west and across the road. He observed that Planning has been meeting with the City of Hickman. Hickman has a zoning jurisdiction of one mile. Staff seems to think that this application would trigger more requests. He does not think so. Roca Rd. is a natural corridor for attracting acreage development. It is clear to him that these two properties satisfy the rules for acreages. Roca Rd. is surfaced. If and when this property is designated as AGR, the zoning and subdivision issues can be addressed. He does not think his clients would object to the build through concepts.

Esseks questioned how many dwelling units are envisioned. Huston replied one dwelling unit per three acres. Their last calculation is about one dwelling unit per five acres. They are primarily talking about the Comprehensive Plan at this point. Density issues would be addressed when the application is submitted.

**4. Arnold Mendenhall**, 335 Locust St., is Chair of the Planning Commission in Hickman. He does not think there are too many issues with how the County will show land uses in the one mile. There is industrial shown. They have it shown as a commercial/industrial mix. He understands they have no control over the two-mile area. They are working on finalizing their Comprehensive Plan. They are looking at the build through concept. They would like for Hickman, Waverly, and perhaps others in Lancaster County to have orderly development, particularly where sewer lines can be built. It is difficult to develop all the infrastructure as the smaller towns grow and their one mile jurisdictions expand. He would like to have the two-mile considered. East of Hickman, west of Wagon Train Lake, these areas have feasible gravity flow. They would like to maintain some future plans. They would like the Planning Commission to consider a two-mile jurisdiction.

**5. Peter Katt** appeared to talk about the southwest corner of 84th St. and Adams. The North Forty proposal appeared before Planning Commission last week. He presented Commissioners with a packet of information. The Comprehensive Plan update talks about neighborhood centers and he does not agree with staffs' interpretation of these standards. A specific Comprehensive Plan amendment is not required for project approval. He doesn't know what value the spacing requirements have. He does not know of any current centers that could meet the proposed language. He presented a map of the existing centers. None of the centers are very large, are looking to close or relocate or don't exist today. There is a big gap in providing commercial shopping opportunities to north Lincoln. People in this area have to drive four to six miles to get to any kind of a shopping area. The Planning

Director has said that north Lincoln needs to balance their needs with south Lincoln's needs to zip down 84th St. Granted, transportation is a concern. Take away the North Forty Plaza project. Adams is two lane rural cross section and the City has no money to improve this road. We have problems moving traffic in north Lincoln. Another road could be built. The City has property through Mahoney Park or the Murdock Trail. It is a balance between commercial needs and the ability to reasonably serve the traffic in the community. There are reasonable solutions to solve the traffic capacity problem in this area.

Larson questioned the existing intersections. Katt replied that they are unnamed at this point. They are stubs on 84th St.

Esseks stated that it could be argued for more commercial in north Lincoln, but he wondered what is so special about the southwest corner of 84th St. and Adams. Katt replied that crossing 84th St. would be very busy with all the traffic that goes down 84th St. This would be an ideal location for a neighborhood center. Another proposal is to convert the southeast corner to a mixed use office and be more compatible with the parochial school. This would match the southwest corner much better. And the northeast corner would be a community center. When the whole intersection is viewed as a package, he believes it is a very good idea. A community sized center at 84th St. and Holdrege was talked about but you couldn't fit one in there. These are places where the market would be willing to invest.

Esseks would like to see Katt address the traffic flow into and out of the development. Katt thinks there needs to be a neighborhood connection for the people who live there to access the development, but people coming from outside the neighborhood should be encouraged to use arterials.

Strand questioned if Katt is recommending Fremont Ave. be constructed as a two plus one road. Katt replied that he thinks it is a possibility. He is not sure why a road wasn't put in there in the first place.

Larson wondered about the option of a four-lane road from 70th St. to 84th St. on Adams. Katt replied that widening Adams to four lane needs to be done in a broader conversation. There are only twelve homes that have access onto Adams St. and they would need to be considered.

Larson questioned how much right-of-way he is considering on the part of the North Forty. Katt replied that North Forty is willing to provide all that is necessary. The cemetery is on the north side and can't be moved. He stated that he has not had the luxury of any conversations with staff regarding right-of-way and road design.

Esseks commented that Leighton Ave. can't be extended due to the existing school.

**6. Mike Eckert of Civil Design** appeared on behalf of Prairie Homes. The current status of 84th St. and Adams are B-2 zoning. In a staff report dated April 2005, staff supported a community center designation. A big box was located on the site, and it got hung up in the process. Under the business and commerce section, it talks about community centers. The proposed locations are listed on page 39. This site is shown. It was drafted on September 18, 2006. Monday of this week, it was brought to our attention that Public Works began to develop concerns about the two plus one roadway. The fact that this was in the September 18, 2006 draft shows that Public Works had months to review this. He is discouraged that this seems to be a problem at the eleventh hour. This is a different concept for this area. This is a town center concept. There are two boxes that comply with the 175,000 square foot requirement with other uses in between. The key component is rather than two neighborhood centers, this design integrates and allows all the trips to stay in the same center. He and Planning staff feel that this design has a lot of merit. He reviewed the current status of permitted square footage and the proposed Comprehensive Plan amendment permitted square footage in relation to trip generation. There is a net increase of 6.9 percent in p.m. trip generation. He thinks that what they are proposing makes a lot of planning sense. It shows that there is an impact at 70th St. and Adams. This is a level of service issue. We feel that this is not threatening. It is a great change design wise and it is in conformance.

Larson questioned if it is the same landowner on both sides of Adams. Eckert replied that it is the same client for both corners. He noted that the mixed use office center on the south side of the street is proposed in such a way that they commit that the design shows office next to the church, along Adams and down 84th St. There are plenty of creative solutions that can be explored for traffic issues.

Esseks questioned the expected build out time. Eckert replied that realistically it could be a ten to fifteen year buildout. The residential could be quicker depending on the market.

Esseks wondered how much of the total square footage depends on development to the east. Eckert replied that he believes very little depends on development to the east. This site as a community center has the potential to pull people in from Waverly or off the Interstate. He doesn't think distribution is a bad thing.

**7. Mike Eckert** appeared regarding proposal number five on S. 54th St. and Saltillo Rd. He presented a map and information regarding trip generation. He believes City staff never really looked at the drainage basin that closely. Staff shows that what was submitted can be provided with sewer. This area will remain Tier I, Priority C until a more comprehensive study is done for the area. He agrees with the recommendation.

**8. Kent Seacrest** appeared representing Sundance LLC, and property on 48th St. and Rokeby Rd. He contacted Planning staff many months ago and asked that this be designated Tier I, Priority A. It can be urbanized. Staff surprised him with the July, 2006 draft that showed this as Tier I, Priority A. This piece drains downhill. The more current draft has taken to three phases. A purchase agreement has been signed. This is now listed as Tier I, Priority B. This piece can be gravity flowed. Hopefully, this development would use Rokeby Rd. He presented a document outlining his proposed motion to amend changing this property from Tier I, Priority B to Tier I, Priority A.

Esseks wondered if staff explained the change to him. Seacrest replied he didn't notice the change until today. He would suggest the Commission question staff.

**9. Mark Hunzeker** appeared on behalf of Developments Unlimited with respect to proposal number four. He questioned if there will be a public hearing next week.

Carlson replied that he believes it will be discussion and action at the Planning Commission meeting next week.

Hunzeker stated that the Comprehensive Plan shows this corner clearly designated. He believes it would be appropriate to have it moved to the northwest corner of the intersection. In light of the fact that on page 47, 56th St. and Interstate 80 is shown as a new designation for highway oriented commercial area. That is not his designation for that particular site, the northwest corner of the site. He would like to see it clarified highway commercial designation on the south side of the Interstate or taken out entirely.

**10. Mark Hunzeker** appeared on behalf of Oberland, L.L.C. regarding property on 27th St. and the South Bypass. This particular parcel was also before Planning Commission when they reviewed the Long Range Transportation Update a year or so ago. They believed a designation of commercial along the South Bypass made sense. The description used to describe the highway oriented commercial areas is disturbing. They all appear to be truck stops, restaurants and warehouses. It strikes him that it is short sighted and overly market manipulative that the area will be designated commercial but try to limit it truck stops, hotels, motels, etc. rather than the possibility of major retail. It describes these areas as being oriented to the Interstate as generally distant from large residential area. If you look at the land use map, that is not really the case. It may be on the edge, but there is a lot of residential that is being developed in that vicinity. We are lacking in roadway development dollars. Why would we want to limit ourselves when we know there is a highway system that is going to be there to generate customers? They would like the H designation removed and replaced with a C, or nothing. As he reads the text, he thinks it could be done without completely. Highway oriented uses will develop near those areas. You don't need to direct the users.

**11. Peter Katt** appeared on behalf of LIBA and his own interest. His organization has been tracking legislation for pipeline regulation and hazardous waste. LIBA is concerned that Lincoln is developing a whole scheme of regulations more restrictive than Federal government requires. The minimal benefit that comes about does not seem to be worthwhile. They would like to see that section removed.

He thinks the Comprehensive Plan is entirely too specific about growth rates and percentages. The market should have a little more flexibility. He believes the text should reflect that these are approximate numbers.

*** Break ***

Reconvening at 6:00 p.m.

**12. Linda Wibbels**, 2740 Royal Ct., thanked the Commission for the time they have put in during this process. She thanked Public Works for the open houses and feedback form for citizens. She was really pleased with the development attorneys and taking into account the existing neighborhoods and how they employ the two plus one center turn lanes thru the built environment. She stated her appreciation to Marvin Krout and the Planning Department for their work.

**13. Douglas Critten** stated that he is impressed with traffic flow. He reiterated what Linda Wibbels said regarding the process as it seems accessible and transparent to the public. He is somewhat perplexed by the bike lanes downtown going down the middle of the road. He is hoping to take what we have learned from traffic to the new developments.

Henrichsen stated that at the next meeting on October 25, 2006, he will provide background information on a few of the new proposals; the proposal from Kent Seacrest, the highway designation at N. 56th St. and I-80 and the proposal near the South Beltway near S. 33rd St. and S. 40th St.

Esseks asked for justification on Hunzeker's request to eliminate the highway designation. Henrichsen replied there are some areas that have more of a highway orientation. They will try to address the highway designation in terms of the S. 56th St. and Interstate 80 proposal.

Carlson questioned the order of the October 25, 2006 agenda. Marvin Krout informed the Commissioners the agenda was already printed with action on the Comprehensive Plan and Long Range Transportation plan being the last items on the agenda. The Commissioners agreed that they will make a motion at the beginning of their next meeting to move two items on the agenda to the very end of the agenda, since they will be affected by the action on the Comprehensive Plan; those items being North 40 Plaza and a change of zone on 1st St. and Charleston.

There being no further business, the meeting was adjourned at 6:15 p.m.

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