

April 28, 2004

**S. 70th & Yankee Hill Road:
Change from Priority B to Priority A**

Applicant	Location	Proposal
John Nanos	Generally east of S. 70 th Street and south of Yankee Hill Road.	See Below:
Recommendation: Approval		

Status/Description

This request is a change from Priority B to A of approximately 143 acres of land east of S. 70th Street, south of Yankee Hill Road. In reviewing this application an additional 620 acres within the Beals Slough drainage basin was evaluated as part of this application. The land to the west, north and northeast of this larger area is already designated as Priority A in the Comprehensive Plan. Future development is approved to the northwest at 56th and Yankee Hill Road, and Comprehensive Plan Amendment No. 04011 has been submitted for new urban residential, south of Highway 2 and west of 84th Street, north of this area.

As a result of this application, the Planning Department proposes the following amendment:

- 1) Amend the Comprehensive Plan to change from Priority B to A, approximately 760 acres of land generally between S. 70th to east of S. 84th Street, north and south of Yankee Hill Road within the Beals Slough drainage basin.

Acresage residential subdivisions, ranging in size from 3 to 5 acres per dwelling unit comprise approximately half of the 760 acres that is recommended for designation as Priority A.

Comprehensive Plan Implications

The Comprehensive Plan states the following about priority areas on page F 29:

“Top Priority Area

Area generally within the city limits at the beginning of the planning period. There are still significant infrastructure needs within the existing city and areas currently under development. Some larger projects, such as Antelope Valley, will be ongoing throughout the planning period and will require significant infrastructure resources.

Priority A of Tier I

Areas designated for near term development are generally contiguous to existing development and should be provided with basic infrastructure within 12 years of the adoption of the plan.

Some of the infrastructure required for development may already be in place. This area includes some land already annexed, but is still undeveloped and without significant infrastructure. Areas with this designation are the next priority for infrastructure programming. Some infrastructure improvements may be done in the near term while others, such as road improvements that are generally more costly, may take longer to complete.

Priority B of Tier I

The next area for development beyond Priority A, which currently lack almost all of the infrastructure required to support development. In areas with this designation, the community will maintain present uses until urban development can commence. Infrastructure improvements to serve this area will not initially be included in the City's CIP, but will be considered in the long term capital improvement planning of the various city and county departments."

The Comprehensive Plan then addresses how the priority areas are to be used to guide infrastructure financing and utility planning. In particular, on page F 29 and 30 the Plan states:

"The principles for prioritization and the individual priority areas are described as follows:

- *The top priority for the City's CIP is to maintain existing infrastructure, provide for new neighborhood improvements and to complete needed improvements for areas already under development...*
- *In order to implement the Plan Vision, infrastructure should generally be provided in different directional growth areas, depending upon limited financial resources and if there is development interest in the area...*
- *Funds for improvements in new major drainage basins to the southwest and to the east should provide the opportunity for development to begin in these areas within the next 12 years.*
- *Generally, adequate infrastructure improvements should be completed in all Priority A areas where there is development interest prior to beginning infrastructure in Priority B areas.*
- *It is anticipated that there may be some unique circumstances to warrant consideration of development of land in Priority B, prior to the full completion of improvements in Priority A. The community will consider development in a sub-basin in Priority B areas, before completing the infrastructure in Priority A areas, if all of the following conditions are met:*
 - 1) *the project is contiguous to the City and proposed for immediate annexation, and is consistent with principles of the Comprehensive Plan.*
 - 2) *the developer provides information demonstrating how the necessary infrastructure improvements to serve the sub-basin would be provided and financed. The City shall contact other public agencies to obtain their report on the infrastructure necessary to serve the sub-basin including utilities, roads, fire service, public safety, parks, trails, schools and library needs.*

3) *the impact that development in the sub-basin will have on capital and operating budgets, level of service, service delivery and Capital Improvement Programs is addressed.*

4) *there is demonstrated substantial public benefit and circumstances that warrant approval of the proposal in advance of the anticipated schedule.”* (Emphasis added)

Technically, the applicant is not asking for improvements in Priority B to be done prior to Priority A as stated above. In this amendment the applicant is only requesting this area be added to Priority A. However, the applicant has stated that if this proposal is approved, they intend to work with the City on further details of how this project might be funded to expedite water, sewer and road infrastructure. Thus, it is worth considering the four criteria mentioned in the Plan in regards to this proposal for a change from Priority B to A:

- 1) Parts of the land are **not** contiguous to the city. The applicant’s 143 acre proposal is currently not contiguous to the city.
- 2) The City has contacted other agencies for comments on service implications of this proposal. In general, the implications are relatively minor on the near term infrastructure financing and utility planning since most of the infrastructure to serve this 760 acre proposal is already planned for since the adjacent land to the northwest and northeast is in Priority A.

Wastewater: Public Works and Utilities notes that downstream improvements are required prior to development on this site. This area must wait until the Beals Slough Relief Sewer Phase I project is completed prior to service being extended to this property. The draft 2004 CIP proposes completion of the relief sewer improvements in 2006. The Theresa Street Wastewater Treatment Plant has capacity to serve this area. However, the financing of these improvements are based on several rate increases over the next few years. Extension of an existing trunk line from approximately 66th and Pine Lake Road to 70th and Yankee Hill Road is necessary to serve this area. The extension of the trunk sewer is identified in the draft 2004 CIP. Additional 8-inch sewers will be required to serve this area at the developer’s expense.

Water: There are some water mains in the draft 2004 CIP to serve the surrounding area: a large diameter non-tappable distribution main in Yankee Hill Road from 56th to 84th Street is shown in the draft 2004 CIP; a 16-inch main is shown in 70th Street, from Pine Lake to Yankee Hill Road for 2006. This main would need to be extended to serve this area. A 24-inch main currently planned in 84th Street would need to be extended to this development. The extension of this main is not shown in the draft 2004 CIP. Interior 12-inch mains would be built along with the development. The financing of the improvements in the 2004 CIP are based on several rate increases over the next few years.

Arterial Streets: Street improvements are identified for a construction in the next 12 years, but are unfunded at this point. These streets are planned for to serve Priority A land to the north and northeast of this site. Substantial new funding is needed to build the needed improvements for the City. For this area, needed improvements include:

- Yankee Hill Road, from 70th to east of 84th Street,
- 70th Street, a ½ mile south of Yankee Hill Road, and

- 84th Street, from Amber Hill Road to a quarter mile south of Yankee Hill.

These urban roadway improvements are identified in the Transportation Plan but are not funded. Public Works and Utilities notes this site would need "...internal collector system will need to be developed to accommodate internal traffic circulation in this area." Public Works recommends that approval be withheld "until the transportation improvement issues can be accommodated in the Capital Improvement Program process.

County Engineer: Notes that S. 70th Street is presently a two-lane paved county road. Yankee Hill Road has been graded to accommodate a two-lane paved road but remains gravel at this time. No further county road improvements are planned.

Schools: This land is already designated as residential and the nearest Lincoln Public Schools are located north of Highway 2. The nearest potential school site is located in the vicinity of 56th and 70th Street, from Pine Lake to Yankee Hill Road. Accelerating the pace of residential development may impact the timing for the need of the elementary in this area, which is potentially a lower priority for LPS and would not be built in the next 6 years.

Parks: The Parks and Recreation Department notes that there is a neighborhood park shown in the Comprehensive Plan that would serve the area proposed for urban residential development. The Parks and Recreation Department recommends that a neighborhood park be provided at the service standard as outlined in the Comprehensive Plan.

Fire: The nearest fire stations are located at 5051 S. 48th Street and 27th and Old Cheney Road. There is a future fire station planned at 56th & Cavvy Road, but will require a voter approved General Obligation bond for construction which is tentatively scheduled for 2007-2008.

- 3) None of these departments addressed the impact this proposal might have on operating budgets.

The Plan also contains a "concurrency policy" on page F 154 that states:

"Public infrastructure — including roads, water, sewer, parks, schools, libraries — is essential to the health, safety and welfare of the community. As the community grows, it is desirable that these systems and facilities be developed concurrently, — that is, at the same time— with that growth."

Conclusion

In regards to the request to change from Priority B to A, the basic questions are does this land meet the definition of the Priority A and will including it as Priority A negatively impact the City's infrastructure plans:

1. Given utility planning and infrastructure financing plans is the land serviceable by 2014?

Yes, this area, due to the planning underway for the Priority A areas to the north and northeast can be reasonably expected to be provided with services by the year 2014. The area meets the definition of Priority A in that it is contiguous, will be provided with basic infrastructure within 2014 (12 years from adoption of Plan) with some improvements done in the near term (wastewater by 2006) with others in the longer term (water and roads). Some water and road improvements are not in the six-year CIP, but are under consideration for funding by 2014. All water, sewer and road improvements in the CIP are contingent are contingent upon increased revenue.

2. Will the Priority A designation negatively impact the community’s infrastructure plans?

No, most improvements to serve this 760 acres are already included in plans for the next 10 years. This change only adds this area to Priority A, it does not place it in the first year of the draft 2004 CIP.

Approval of this amendment includes several important caveats:

- The community already has limited funds to be able to serve the land already designated as Priority A in the Plan — inclusion in Priority A is not a guarantee of financing,
- Addition to Priority A does not mean the land will be included for service in the 6 Year Capital Improvement Program — it only means the land should be served by 2014,
- The 2004 CIP is based on numerous water and sewer rate increases, new financing sources for the arterial streets, continued revenue from impact fees, and approval of general obligation bonds to pay for watershed, park and fire station improvements. If these any of these financing mechanism are not approved or available, then improvements and services to Priority A areas will be delayed,
- It is important that the community move toward the goal of concurrency in improvements — providing utilities to an area in one year, with roads, schools, fire protection and parks lagging years afterward provides citizens with poor service and is contrary to the goals of the Plan.

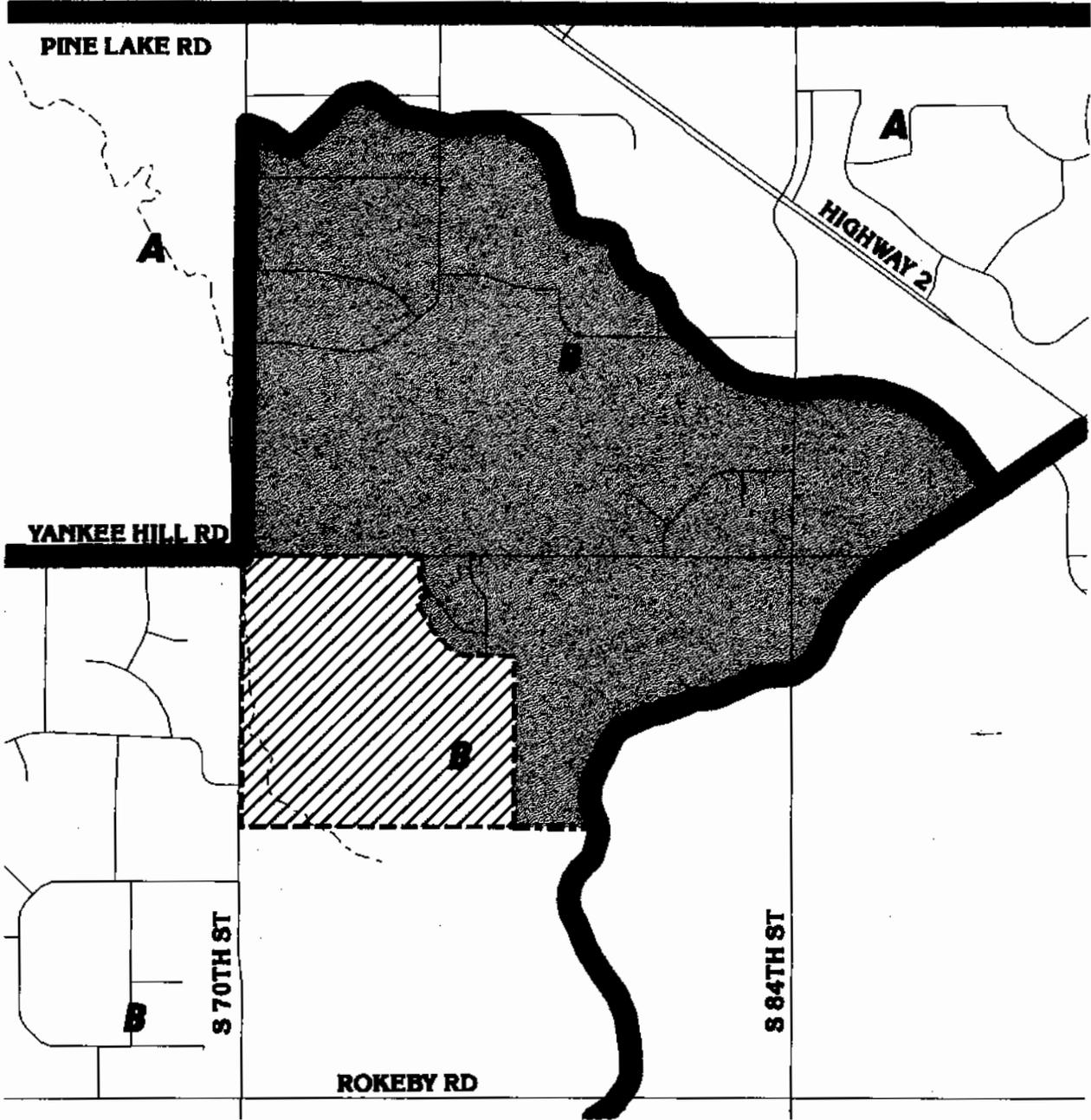
Amend the Comprehensive Plan as follows:

1. Amend the “Tier I — Priority Areas” map on page F 31, to change the designation from Priority B to Priority A the area as shown on the following page.

Prepared by

Duncan Ross, AICP dross@ci.lincoln.ne.us

Planning Department, (402) 441-7603



S 70th & Yankee Hill Rd

Proposed Amendment # 15

- Future Service Limit
- ▬ Priority Area Boundary
- A** Priority Designation
- ▨ Additional Area For Consideration From Priority B to Priority A
- ▧ Applicant Proposal From Priority B to Priority A



**WOODS
BROS
REALTY**

John Nanos
Multi-Million Dollar Producer

Office	(402) 434-3600	SouthPointe
Fax	(402) 434-3605	7100 S. 29th St.
Home	(402) 420-1671	Lincoln, NE 68518
Mobile	(402) 730-3564	

February 2, 2004

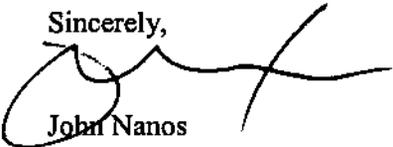
Mr. Steve Henrichsen
C/o City Planning Department

Dear Steve:

Per our conversation, this letter shall serve as a request for an amendment of the comprehensive plan from priority B to A for the ground located at the Southeast corner of South 70th Street and Yankee Hill Road., legally described as Lot 31 NW 27-9-7. It is our hope that this proposed amendment will expediate the placement of water, sewer and street to the aforementioned property.

Please call me with any questions or comments.

Sincerely,



John Nanos
Woods Bros.
730-3564