



#31

08R-160

Introduce: 7-14-08

RESOLUTION NO. A- 84995

1 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

2 That the Memorandum of Understanding, which is attached hereto marked as
3 Attachment "A" and made a part hereof by reference, between the Lancaster County Agricultural
4 Society and the City of Lincoln, Nebraska, outlining certain conditions and understandings relating
5 to the annexation of approximately 160 acres of property generally located at North 84th Street and
6 Havelock Avenue, is approved.

7 BE IT FURTHER RESOLVED that the Mayor is authorized to execute the Memorandum
8 of Understanding on behalf of the City.

9 *q/s* ✓ BE IT FURTHER RESOLVED that the City Clerk is directed to return one fully executed
10 copy of this Memorandum of Understanding to Rick Peo, Chief Assistant City Attorney, for
11 distribution to the Lancaster County Agricultural Society.

12 BE IT FURTHER RESOLVED that the City Clerk is directed to record the Annexation
13 Agreement or a summary memorandum thereof with the Register of Deeds, filing fees to be paid
14 by Lancaster County Agricultural Society.

15 BE IT FURTHER RESOLVED that the City Clerk is directed to forward a copy of this
16 Agreement to Michaela Hansen, Impact Fee Administrator.

See further Council Proceedings on next page.

Approved as to Form and Legality:

James V. Hendry
City Attorney

Introduced by:

[Signature]

AYES: Camp, Cook, Emery,
Eschliman, Marvin, Spatz, Svoboda;
NAYS: None.

ADOPTED

AUG 25 2008

BY CITY COUNCIL

Approved this 2nd day of Sept, 2008:

[Signature]
Mayor

08R-160

7/21/08 Council Proceedings:

EMERY Moved to continue Public Hearing on Bill No. 08R-160 to 8/18/08 with Action on 8/25/08.

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.

8/18/08 Council Proceedings:

SVOBODA Moved to waive the rules to have action on Bill No. 08R-160 on this date.

Seconded by Camp & carried by the following vote: AYES: Camp, Cook, Emery, Marvin, Svoboda; NAYS: Spatz; ABSENT: Eschliman.

MARVIN Moved to amend Bill No. 08R-160 in the following manner:

1. Amend Attachment "A" Memorandum of Understanding by adding Recitals VII, VIII, and IX on page 2 as follows:

VII.

Pursuant to the Conditional Annexation and Zoning Agreement for Regent Heights 1st Addition and Northern Lights Addition ("Regents Heights Agreement"), the City and the developers of Regent Heights 1st Addition and Northern Lights Addition constructed certain sanitary sewer trunk lines (hereafter "Sewer A" and "Sewer B") to sewer 254 acres of land within the preliminary plats of Regent Heights 1st Addition and Northern Lights Addition. Said Sewer A and Sewer B can also sewer 746 acres of land outside of the boundaries of the preliminary plats for regent Heights 1st Addition and Northern Lights Addition, including the Fairgrounds.

VIII.

In the Regent Heights Agreement, the City agreed to charge owners of land outside the boundaries of the preliminary plats for Regent Heights 1st Addition and Northern Lights Addition who benefit not from maintenance of Sewer A and Sewer B, but from the extension of Sewer A and Sewer B into an entirely new area, including the property on which the Fairgrounds is located, a fair share of the cost of Sewer A and Sewer B based upon a per-acre formula or some other fair share formula approved by the City.

IX.

The City is willing to annex a portion of the Fairgrounds as requested by the Agricultural Society, provided the Agricultural Society agrees to contribute \$40,443.20 as the Agricultural Society's fair share of the cost to construct Sewer A and Sewer B which sewers that portion of the Fairgrounds being annexed based upon a cost of \$1,570.00 per acre times the 25.76 acres being annexed.

Amend attachment "A" Memorandum of Understanding by adding paragraph 12 on page 5 as follows:

12. Sewer Main Extension. The Agricultural Society understands and acknowledges that the portion of the Fairgrounds being annexed was made sewerable by the construction of Sewer A and Sewer B pursuant to the Regent Heights Agreement and that the Agricultural Society did not participate in, nor contribute the Agricultural Society's fair share of the cost of the construction of Sewer A and Sewer B to serve that portion of the Fairgrounds being annexed. The Agricultural Society desires the portion of the Fairgrounds being annexed to be connected to Sewer A and Sewer B and therefore agrees to pay at the time of annexation a connection fee of One Thousand Five Hundred Seventy and 00/100ths Dollars (\$1,570.00) per acre times 25.76 acres for a total connection fee of \$40,443.20.

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Emery, Marvin, Spatz, Svoboda; NAYS: None; ABSENT: Eschliman.

MARVIN Moved to amend Bill No. 08R-160 in the following manner:

1. Amend Attachment "A" Memorandum of Understanding by adding paragraphs 13 and 14 on page 5 as follows:

13. Binding Effect. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns and shall inure to and run with the Fairgrounds.

14. Recordation. This Agreement or a memorandum thereof shall be filed in the Office of the Register of Deeds of Lancaster County, Nebraska at the Society's cost and expense.

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Emery, Marvin, Spatz, Svoboda; NAYS: None; ABSENT: Eschliman.

SVOBODA Moved to delay Bill No. 08R-160 for action only for one week on August 25, 2008.

Seconded by Cook & carried by the following vote: AYES: Camp, Cook, Marvin, Spatz, Svoboda; NAYS: Emery; ABSENT: Eschliman.

8/25/08 Council Proceedings:

MARVIN Moved to amend Bill No. 08R-160 by adopting the "Substitute Memorandum of Understanding" as Attachment "A".

Seconded by Emery & carried by the following vote: AYES: Camp, Cook, Emery, Eschliman, Marvin, Spatz, Svoboda; NAYS: None.

GENERAL FACT SHEET

BILL NUMBER 08R-160

BRIEF TITLE	APPROVAL DEADLINE	REASON
Memorandum of Understanding		

DETAILS

POSITIONS/RECOMMENDATIONS

Approving a Memorandum of Understanding between the City and the Lancaster County Agricultural Society relating to the annexation of approximately 160 acres of property generally located at North 84th Street and Havelock Ave.	Sponsor	Law Department
	Program Departments, or Groups Affected	Planning
	Applicants/ Proponents	Applicant Rick Peo City Department Law Dept. Other
Discussion (Including Relationship to other Council Actions)	Opponents	Groups or Individuals Basis of Opposition
	Staff Recommendations	X For <input type="checkbox"/> Against Reason Against
	Board or Commission Recommendation	BY <input type="checkbox"/> For <input type="checkbox"/> Against <input type="checkbox"/> No Action Taken <input type="checkbox"/> For with revisions or conditions (See Details column for conditions)
	CITY COUNCIL ACTIONS (For Council Use Only)	<input type="checkbox"/> Pass <input type="checkbox"/> Pass (As Amended) <input type="checkbox"/> Council Sub. <input type="checkbox"/> Without Recommendation <input type="checkbox"/> Hold <input type="checkbox"/> Do not Pass

DETAILS

POLICY/PROGRAM IMPACT

	POLICY OR PROGRAM CHANGE	<input type="checkbox"/> NO <input type="checkbox"/> YES <hr/> <hr/> <hr/>
	OPERATIONAL IMPACT ASSESSMENT	<hr/> <hr/> <hr/>
	FINANCES	
	COST AND REVENUE PROJECTIONS	COST of total project: \$ _____
		COST of this Ordinance/ Resolution \$ _____
RELATED annual operating Costs \$ _____		
	INCREASE REVENUE EXPECTED/YEAR \$ _____	
SOURCE OF FUNDS	CITY [Approximately]	
	_____ \$ _____ % _____	
	_____ \$ _____ % _____	
	_____ \$ _____ % _____	
	NON CITY [Approximately]	
	_____ \$ _____ % _____	
	_____ \$ _____ % _____	
	_____ \$ _____ % _____	
	_____ \$ _____ % _____	
BENEFIT COST		
<input type="checkbox"/> Front Foot		Average Assessment
<input type="checkbox"/> Square Foot	\$ _____	\$ _____

APPLICABLE DATES:

FACT SHEET PREPARED BY:

REVIEW BY:

REFERENCE NUMBER

08R-160

MOTION TO AMEND NO. 4

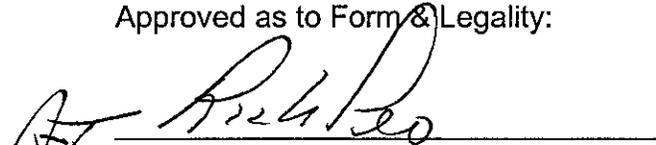
I hereby move to amend Bill No. 08R-160 by adopting the attached "Substitute Memorandum of Understanding" as Attachment "A".

Introduced by:



AYES: Camp, Cook, Emery,
Eschliman, Marvin, Spatz, Svoboda;
NAYS: None.

Approved as to Form & Legality:


City Attorney

Requested by: Law Department

Reason for Request: To adopt the revised agreement which incorporates Motion to Amend Nos. 1 and 2 to the prior agreement and acknowledges that paragraph 10 is intentionally omitted as opposed to the language being under development.

ADOPTED
AUG 25 2008
BY CITY COUNCIL

**SUBSTITUTE
MEMORANDUM OF UNDERSTANDING**

THIS MEMORANDUM OF UNDERSTANDING is entered into on this 2nd day of September, 2008, by and between the Lancaster County Agricultural Society, hereinafter referred to as the "Society" and the City of Lincoln, Nebraska, a municipal corporation, hereinafter referred to as the "City".

RECITALS

I.

The Society is the owner of approximately 160 acres of real property located generally in the vicinity of 84th and Havelock Avenue in the north half of Section 11, Township 10 North, Range 7 East, Lancaster County, Nebraska ("hereafter referred to as "Fairgrounds").

II.

The Society is requesting the City to annex a portion of the Fairgrounds comprising 25.75 acres, more or less, generally located at the southeast corner of 84th and Havelock Avenue and more particularly described on Attachment A-1.

III.

The Society is desirous of obtaining a Comprehensive Plan commercial designation on approximately 14.4 acres of land located on the northwest corner of the Fairgrounds as shown on Attachment A hereto ("NW Corner"). Thereafter Society desires to rezone the NW Corner to H-4 General Commercial District and to develop said NW Corner under a planned service commercial development special permit generally in accordance with the concept commercial development plan as shown on Attachment A. In that regard, the Society as the first step in this process has made application for a Comprehensive Plan Amendment designated as Comprehensive Plan Amendment No. 08014, hereinafter referred to as the "Comprehensive Plan Amendment."

IV.

The City is agreeable to proceeding with the annexation, Comprehensive Plan Amendment for the NW Corner and to thereafter support rezoning of the NW Corner and approval of the special permit planned service commercial development generally in accordance with the concept commercial development plan as described in Recital III above, subject to the terms and conditions of this Agreement.

V.

The City has adopted Ordinance No. 18113, hereinafter referred to as the "Impact Fee Ordinance" based upon an impact fee study prepared by Duncan Associates dated October 2002 that went into effect on June 2, 2003. This Impact Fee Ordinance enables the City to impose a proportional share of the cost of improvement to the water distribution, water system, wastewater system and arterial streets impact fee facility improvements necessitated by and attributable to new development.

VI.

The City Administration is willing to support annexation of the NW Corner and approve the change of zone as requested by Society, provided Society agrees (1) to pay or cause to be paid the City's Water System, Water Distribution, Wastewater System, and Arterial Street Impact Fees necessitated by and attributable to the proposed development of the NW Corner; and (2) consent to and abide by the City's Zoning Code (Title 27 of the LMC).

VII.

Pursuant to the Conditional Annexation and Zoning Agreement for Regent Heights 1st Addition and Northern Lights Addition ("Regents Heights Agreement"), the City and the developers of Regent Heights 1st Addition and Northern Lights Addition constructed certain sanitary sewer trunk lines (hereinafter "Sewer A" and "Sewer B") to sewer 254 acres of land within the preliminary plats of Regent Heights 1st Addition and Northern Lights Addition. Said Sewer A and Sewer B can also sewer 746 acres of land outside of the boundaries of the preliminary plats for regent Heights 1st Addition and Northern Lights Addition, including the Fairgrounds.

VIII.

In the Regent Heights Agreement, the City agreed to charge owners of land outside the boundaries of the preliminary plats for Regent Heights 1st Addition and Northern Lights Addition who benefit not from maintenance of Sewer A and Sewer B, but from the extension of Sewer A and Sewer B into an entirely new area, including the property on which the Fairgrounds is located, a fair share of the cost of Sewer A and Sewer B based upon a per-acre formula or some other fair share formula approved by the City.

IX.

The City is willing to annex a portion of the Fairgrounds as requested by the Agricultural Society, provided the Agricultural Society agrees to contribute \$40,443.20 as the Agricultural Society's fair share of the cost to construct Sewer A and Sewer B which sewers that portion of the Fairgrounds being annexed based upon a cost of \$1,570.00 per acre times the 25.76 acres being annexed.

NOW THEREFORE, in consideration of the above Recitals and the mutual promises contained herein, the Society and City agree as follows:

1. **City Approvals.** The City agrees to approve Society's request for annexation, Comprehensive Plan amendment, change of zone and special permit (City Approvals).
2. **Filling of the floodplain and floodprone area.** Development under the planned service commercial development proposed on the NW Corner of the Fairgrounds will require filling of the floodplain and floodprone areas of Stevens Creek. The NW Corner of this Fairgrounds is included within the "New Growth Areas" of the floodplain or floodprone areas within the zoning jurisdiction of the City and any filling of the floodplain or floodprone area on the Fairgrounds is subject to Chapter 27.53 of the Zoning Code "Flood Regulations for New Growth Areas." These flood regulations require no-net rise in the 100 year water surface elevation by utilizing compensatory storage to offset any fill placed in the floodplain or floodprone areas. Society acknowledges and agrees that prior to any filling of any floodplain or floodprone area of the Fairgrounds, the Society shall apply for and obtain a floodplain fill permit and demonstrate that the "Flood Regulations for New Growth Areas" are met.
3. **Green Space Reservation.** Approval of the proposed change of designation in the Comprehensive Plan from Public/Semi-Public and Green Space to Commercial and the associated change of zone to H-4 and development under a planned service commercial development special permit will eliminate 3.8 acres of land within the floodplain, presently serving as green space. In order to compensate for this loss of green space, the Society agrees to preserve approximately 7.6 acres of undeveloped land in the floodplain or floodway in open space uses, such as farming, ball fields, camping, pedestrian or horse trails or grass areas (which grass areas may be occasionally used as unpaved recreational vehicle or overflow parking for large events occurring at the Fairgrounds) representing a 2:1 ratio of preservation of space to the amount lost. The area to be reserved is shown on Attachment B. It is understood and agreed that said 7.6 acres reserved for open space may be relocated in the course of approval of the planned service commercial development special permit or amendments thereto. In order to ensure preservation of said 7.6 acres, the Society will dedicate or convey a conservation easement to the City over such land subject to the stipulations above. Any use of said 7.6 acres, as shown in Attachment B or as it may be configured from time to time, by others other than the Society shall be subject to approval by the Society's Board of Directors.
4. **Off Site Traffic Improvements.** The Society and the City agree that based upon the traffic study submitted by the Society which is attached hereto as Attachment C, the current use of the Fairgrounds and the planned service commercial development of the NW Corner as described above will require the following identified intersection improvements to the City's existing street system:

Havelock Avenue east of 84th Street –

- a) Construction of a 200-foot eastbound to southbound right turn lane at all driveway intersections;
- b) Construction to widen Havelock Avenue to provide for a center turn lane from 84th Street to a maximum of 150 feet east of the farthest east driveway;

84th and Havelock Avenue –

- c) Construction of a 250-foot northbound to eastbound right turn lane;
- d) Construction of additional storage at the existing 200-foot eastbound to southbound right turn lane to a length to be determined by the Department of Public Works and Utilities but not to exceed a total length of 350 feet;
- e) Construction of a 200-foot westbound to northbound right turn lane.

In order to be fair, if the land to the north of Havelock Avenue, between 84th Street and Stevens Creek develops with land uses other than agricultural, the City intends to require any future developer to reimburse the Society fifty percent (50%) of the cost of the center turn lane in Havelock Avenue noted in subparagraph 4 b) above. Notwithstanding the foregoing, Society understands and agrees that the City cannot contract away any of its police powers and legislative discretion and thus the intent of the City to charge future developers 50% of the cost of the center turn lane in Havelock Avenue does not require the City Council for the City to adopt nor restrict the City Council from adopting ordinances affecting the City's ability to require future developers to make said reimbursement to the Society. Society further agrees that the City shall not be liable to Society in the event of any failure on the part of the City by negligence or otherwise to require said reimbursement to the Society.

The specific design requirements for the above street improvements are Site-Related Improvements and thus are not eligible for reimbursement as Arterial Street Impact Fee Facility Improvements as defined in Section 27.82.040 of the Lincoln Municipal Code. The Society agrees to pay or require its lessees, as part of the lease requirements, to pay the cost of Site-Related Improvements attributable to the uses proposed by the Society or each such lessee, and to pay impact fees or contributions in lieu of impact fees as provided in paragraph 8 below. Society understands and agrees that no building permit shall be issued in the planned service commercial development area unless the above-described improvements have been completed, or a bond, escrow or security agreement approved by the City Law Department has been furnished to the City in an amount sufficient to guarantee installation of the requirement improvements. Society further agrees not to change any use of the Fairgrounds which increases the A. M. or P. M. Peak Hour traffic generation from the Fairgrounds in excess of that identified in the traffic study (Attachment C) without submission of a revised traffic study and constructing any additional

transportation improvements identified in the revised traffic study to the satisfaction of the Director of Public Works and Utilities.

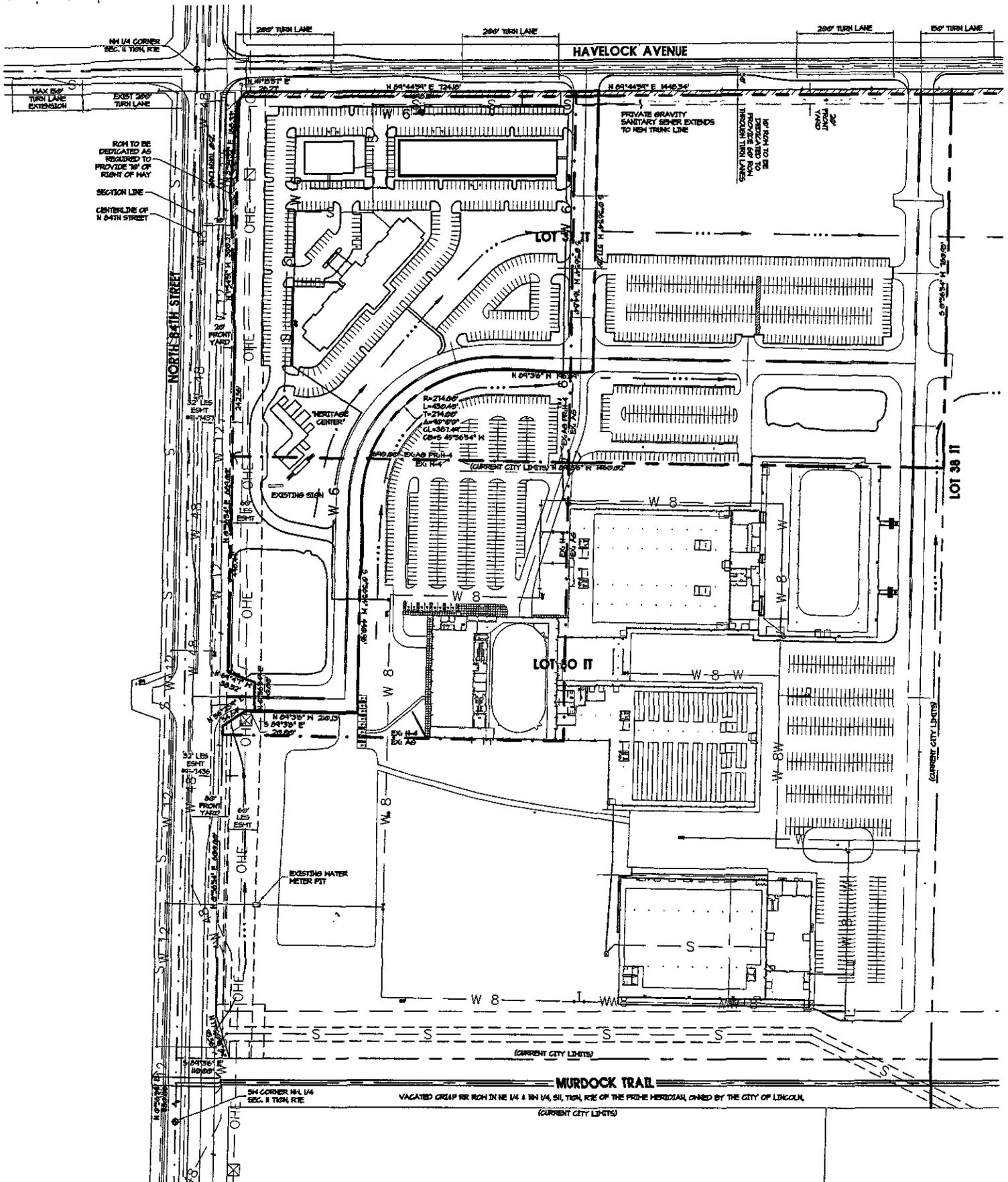
5. **Right-of-Way Dedication.** The Society agrees to dedicate to the City additional right-of-way along Havelock Avenue to provide 60 feet of right-of-way south of Havelock Avenue for a future four-lane street and to dedicate to the City additional right-of-way along north 84th Street to provide a total right-of-way width of 140 feet for a future six-lane road. In addition, the Society agrees to dedicate 10 feet of additional right-of-way at the location of all right hand turn lanes referenced in Section 4 above. It is recognized that this may require the dedication or conveyance of additional easements to the Lincoln Electric System (LES) for its existing 35kv and 115kv high voltage transmission lines and Society agrees to dedicate or provide such easements to LES. The parties agree that several options may exist regarding relocation of the LES transmission lines and in any event such cost of relocation shall be without cost to LES. All right-of-way dedication shall be completed prior to the issuance of building permits for the commercial uses. When requested by LES, the Society will provide a replacement easement.

6. **Commercial Area; Subject to Zoning; Off-Premise Signage.** The City and Society recognize that under Nebraska law the power of eminent domain is superior to the zoning power and that the City, under its zoning authority, is not permitted to prevent or place limitations upon a public use of the Fairgrounds, the furtherance of which the Society has been granted condemnation power by the State Legislature. Therefore, as an inducement for the City to approve the annexation, Comprehensive Plan Amendment and the future change of zone and special permit for the NW Corner, the Society agrees that, notwithstanding the fact that it is deemed to be a body corporate and politic and has the power of eminent domain as provided in *Neb. Rev. Stat. § 2-262 (Reissue 1997)*, the NW Corner shall be subject to the zoning regulations of the City of Lincoln otherwise applicable to the zoning district in which the Fairgrounds is placed. As a further inducement, the Society specifically agrees that the presently existing Lancaster Event Center sign on the Fairgrounds , a portion of which is used for off-premise advertising, will be the only off-premise sign located on the Fairgrounds .

7. **Society's Responsibilities; Contingent on City Approvals.** The Society's responsibilities under this agreement, including dedication of right-of-way, reservation of open space, and insuring the installation of off site traffic improvements, will be contingent upon the City approving the City Approvals.

8. **Impact Fees for Commercial Development.** Society agrees to pay or will require any lessee to pay the applicable Water Distribution, Water System, Wastewater, and Arterial Street Impact Fees or any other impact fees in place at time of building permit or construction activity for the proposed planned service commercial development of the NW Corner of the Fairgrounds.

9. **Easements for Future Sanitary Sewer and Trail.** Society agrees to promptly provide to the City temporary construction and permanent sanitary sewer easements for the construction of the Stevens Creek sanitary sewer trunk line at no cost and upon request of the City. In addition, the Society will provide a 20 foot trail easement generally west of Stevens Creek, in a location mutually agreeable to the City and the Society, upon request of the City.
10. **Future Arena & Facilities Coordination.** Intentionally Omitted.
11. **Water Main in Havelock Avenue.** If required by the City's Department of Public Works and Utilities to provide adequate water pressure, the Society shall be responsible at its own cost and expense for the construction of a 16-inch water main in Havelock Avenue. The main shall be built from 84th Street east to a connection point for Fairgrounds system as determined by Public Works and Utilities. Society acknowledges and agrees that since the 16-inch water main is not part of the City's current 1-6 Year Capital Improvement Program and is only needed by the Society and that City's water revenues and water system impact fees are not intended to be used by the City for the construction of said main or to reimburse Society for the cost of the 16-inch water main, the Society does hereby waive any right to reimbursement for the cost of the 16-inch water main.
12. **Sewer Main Extension.** The Agricultural Society understands and acknowledges that the portion of the Fairgrounds being annexed was made sewerable by the construction of Sewer A and Sewer B pursuant to the Regent Heights Agreement and that the Agricultural Society did not participate in, nor contribute the Agricultural Society's fair share of the cost of the construction of Sewer A and Sewer B to serve that portion of the Fairgrounds being annexed. The Agricultural Society desires the portion of the Fairgrounds being annexed to be connected to Sewer A and Sewer B and therefore agrees to pay at the time of annexation a connection fee of One Thousand Five Hundred Seventy and 00/100ths Dollars (\$1,570.00) per acre times 25.76 acres for a total connection fee of \$40,443.20.
13. **Binding Effect.** This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns and shall inure to and run with the Fairgrounds.
14. **Recordation.** This Agreement or a memorandum thereof shall be filed in the Office of the Register of Deeds of Lancaster County, Nebraska at the Society's cost and expense.



Design Associates
of Lincoln, Inc. 
ARCHITECTS • ENGINEERS • PLANNERS

PERSHING SQUARE 1609 "N" STREET LINCOLN NEBRASKA 68508
voice:402.474.3000 office@DAofLincoln.com fax:402.474.4045



ATTACHMENT A

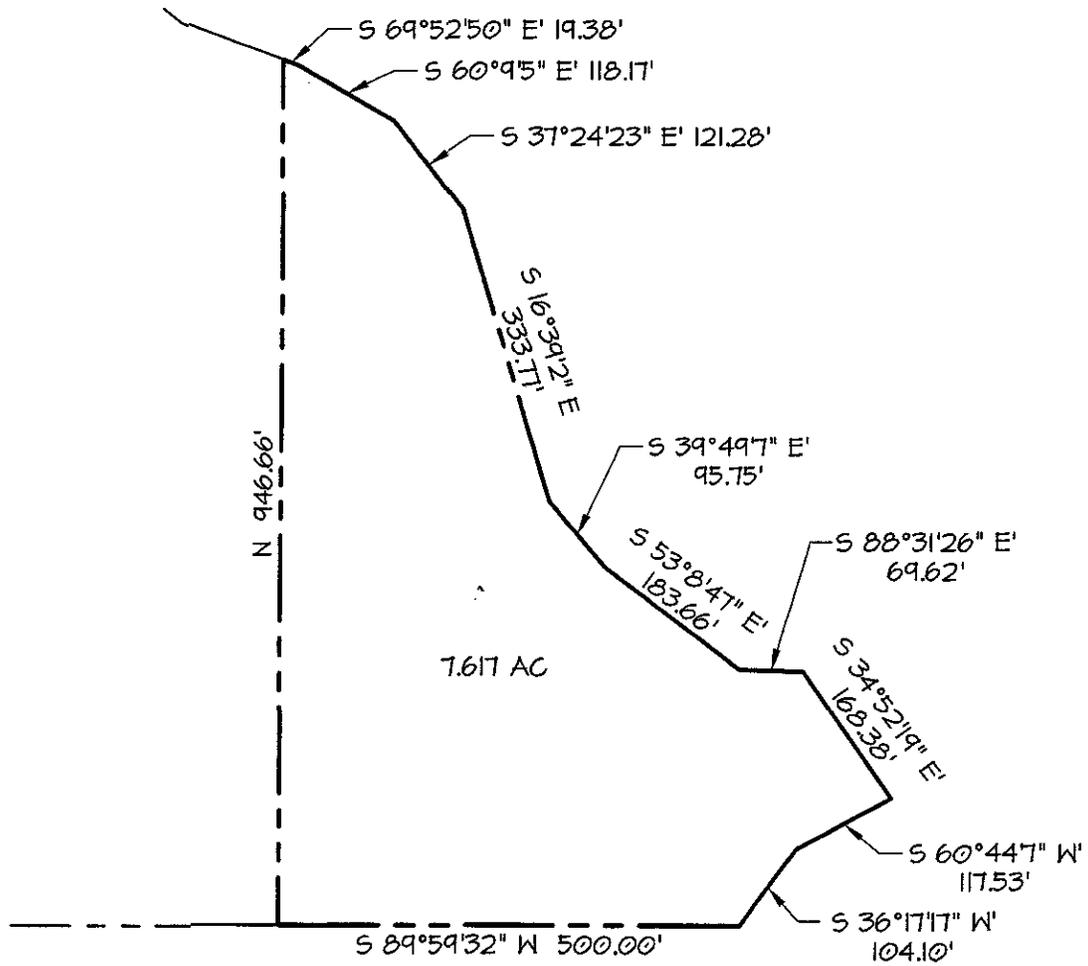
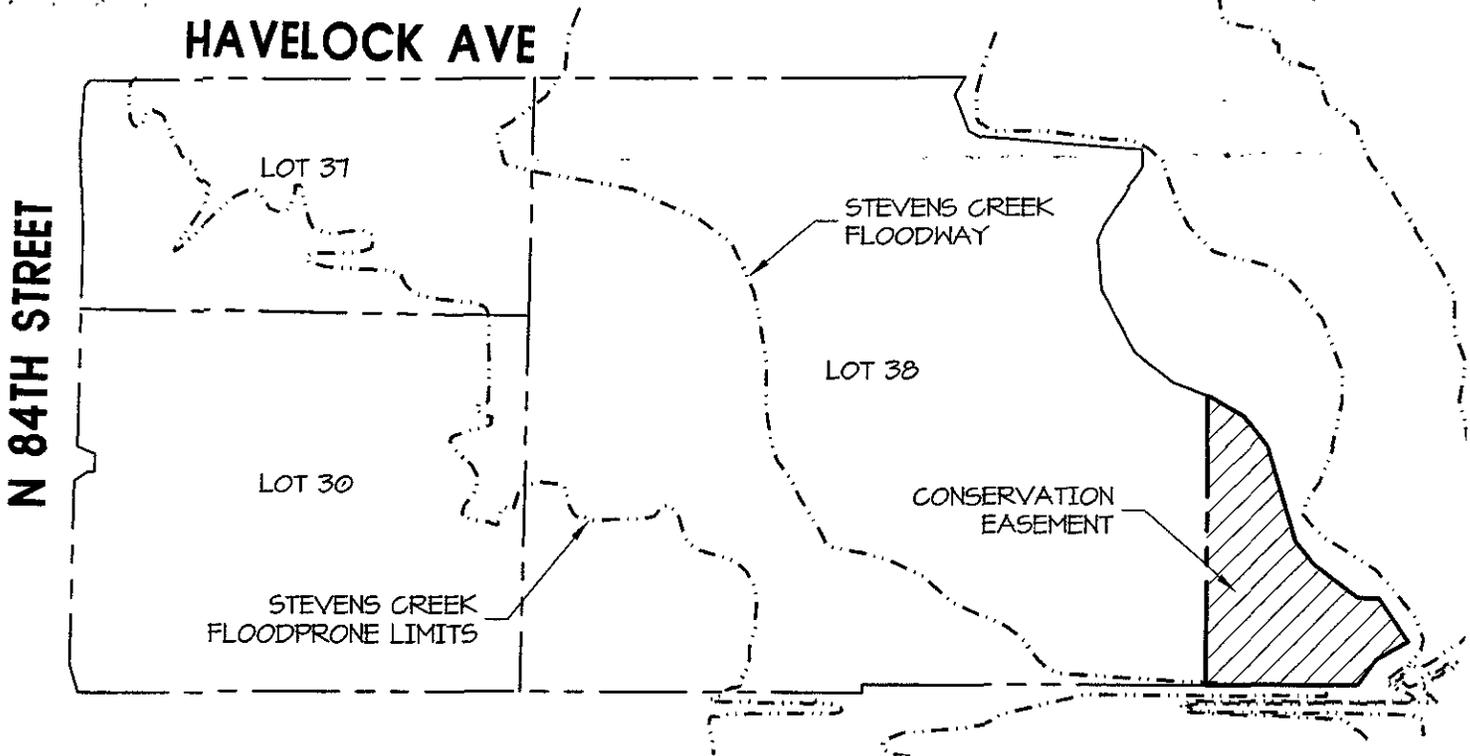
NO SCALE

09 JUL 2008

ATTACHMENT A-1

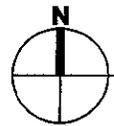
Lot 37, Irregular Tracts, and the West 1,441.22 feet of vacated Chicago, Rock Island and Pacific Railroad right-of-way, all located in the Northwest Quarter of Section 11, Township 10 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska.

ATTACHMENT A-1



Design Associates
 of Lincoln, Inc.
 ARCHITECTS • ENGINEERS • PLANNERS

PERSHING SQUARE 1609 "N" STREET LINCOLN NEBRASKA 68508
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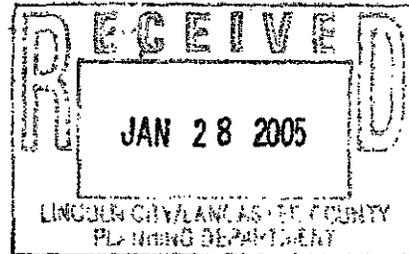


ATTACHMENT 'B'

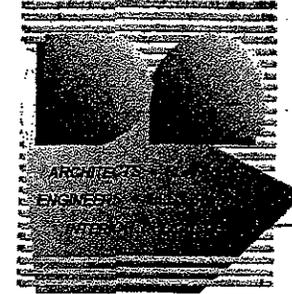
NO SCALE

13 JUN 2008

Amendment to Comprehensive Plan
Traffic Impact Analysis
Lancaster Event Center
84th and Havelock Avenue
Exhibit "C"
January 2005



ATTACHMENT C



**Design
Associates** of Lincoln, Inc.
Pershing Square
1609 'N' Street
Lincoln, NE 68508
Phone: (402) 474-3000 • Fax: (402) 474-4045

January 25, 2005

Traffic Impact Analysis
Lancaster Event Center- 84th and Havelock Avenue

Introduction

Lancaster Event Center (LEC) is located on approximately 167 acres of agricultural zoned property located at the southeast corner of the intersection of 84th and Havelock Avenue, as shown in Figure #1. The current LEC campus was constructed during 2000 by the Lancaster County Agricultural Society to provide Lancaster County residents and residents of surrounding counties and states, an updated venue for activities that had been sponsored by the Ag Society at its former facility located in Nebraska State Fair Park.

Prior to design of LEC, meetings and design forums were held with board members, members of the Ag Society and representatives from other interested user groups. Input from the Ag Society and user groups was utilized in the project design to ensure that user needs would be met. Those uses identified during the design meetings have been utilized in land use assumptions for existing and future buildings in this Analysis. The original master plan of LEC included a main arena, indoor arena, two pavilions, outdoor riding arena, parking pads for recreational vehicles and open areas for the carnival midway and parking. Since its inception, the master plan has evolved to include an additional pavilion, plaza buildings, specific areas for the midway and parking lots and an area located adjacent to the intersection 84th and Havelock Avenue for complimentary commercial uses. Although not shown on the plan, electrical services have been installed in the future plaza area to accommodate parking for 164 vendor/participant recreational vehicles. Access to LEC is limited to one driveway along 84th Street located at the existing median opening and three accesses along Havelock Avenue.

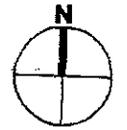
The objective of this Analysis is to identify events and attendance at LEC that will allow parking generation to be estimated at 'build-out', as well as to identify off-site improvements that may be warranted with completion of the commercial development.

Master Plan

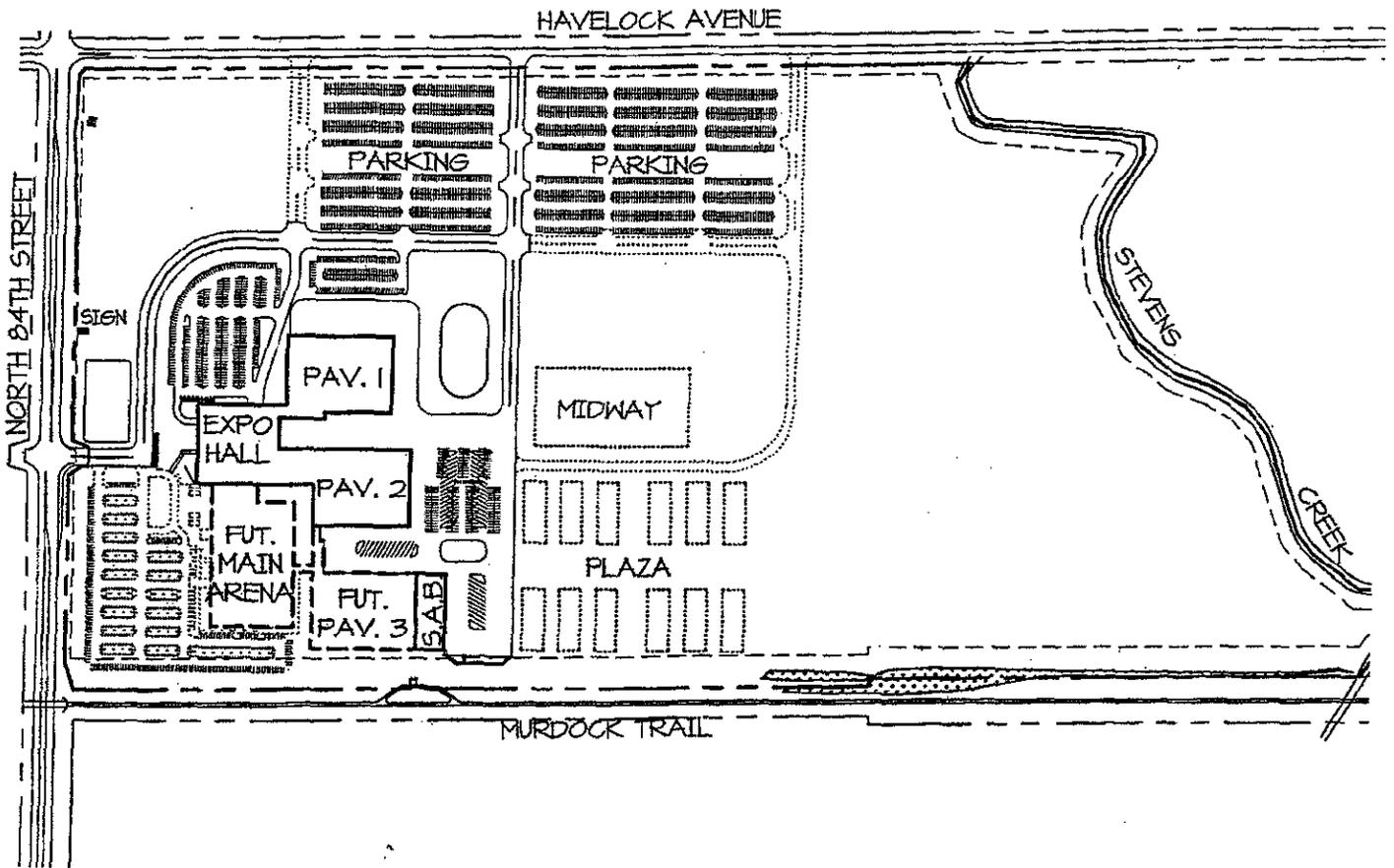
The following is offered as a summary of building areas for the existing Master Plan:

Main Arena-future	113,000 square feet
Exhibition Hall/Indoor Arena	65,950 square feet
Pavilion 1	80,850 square feet
Pavilion 2	85,600 square feet
Pavilion 3-future	160,000 square feet
Small animal exhibit building	22,050 square feet

The LEC Master Plan is shown in Figure 2.



NO SCALE



DESIGN ASSOCIATES OF LINCOLN, INC

PERSHING SQUARE
1608 "N" STREET
LINCOLN NEBRASKA 68508
voice: 402/474-3000
fax: 402/474-4045
desassoc@nebraska.com

MASTER PLAN

FIGURE 2

Commercial Development

The Lancaster County Agricultural Society has made application to the City of Lincoln requesting an amendment to the Comprehensive Plan for the purpose of amending the Plan to allow complementary commercial land uses at the southeast corner of the intersection 84th and Havelock Avenue. The land uses included with the application included retail, restaurant and motel. The site plan for the proposed commercial development is shown in Figure 3. The plan includes the following land uses:

- Retail- 44,000 square feet
- Restaurant/drive-through- 8,000 square feet
- Motel- 75 rooms

Limits of Evaluation

The area of influence of this Analysis includes 84th Street between Cornhusker Highway and Holdrege Street and 70th Street between Cornhusker Highway and Havelock Avenue, including the following intersections:

- 70th and Cornhusker Highway
- 70th and Havelock Avenue
- 84th and Cornhusker Highway
- 84th and Havelock Avenue
- 84th and LEC driveway
- 84th and Adams Street
- 84th and Holdrege Street
- LEC driveway 1 (west) and Havelock Avenue
- LEC driveway 2 (center) and Havelock Avenue

Existing Street System

84th Street, adjacent to the west limit of LEC, is a four-lane median divided urban arterial with median openings and left turn lanes at the evaluated intersections and the LEC driveway. Havelock Avenue, adjacent to the north limits of LEC, is a two-lane urban section between 70th and 74th Streets and rural section between 74th and Stevens Creek. Havelock east of Stevens Creek is a rural gravel section. The existing arterial street system and evaluated intersections are schematically shown in Figure 4.

Future Street System

Improvements to the adjacent arterial street system, as identified in the Lincoln/Lancaster County Comprehensive Plan for the Year 2025, include widening of 84th Street from four to six through lanes and extension of paving in Havelock Avenue to provide two through lanes and center left turn lane from Stevens Creek to 98th Street.

Parking- Master Plan

LEC is designed with parking located west of the Main Arena, north of the Exhibition Hall/Indoor Arena, north of Pavilion 1 and vendor/patron parking east of Pavilions 2 and 3. Additional parking is available between the main east/west driveway and Havelock Avenue. Shuttle vehicles are provided for patrons during peak usage of LEC. The following is a summary of available parking:

Lot 1, west of the Main Arena-	625 stalls
Lot 2, north of the Exhibition Hall-	350 stalls
Lot 3, north of Pavilion 1-	123 stalls
Lot 4, east of Pavilions 2 and 3-	194 stalls
Lot 5, north of main driveway-	348 stalls
Lot 6, north of main driveway-	480 stalls
Lot 7, south of Havelock Avenue-	406 stalls
Lot 8, south of Havelock Avenue-	560 stalls
Total Parking	3,086 stalls*

* Exclusive of parking allocated for recreational vehicles and other open space where over-flow parking is available.

Parking Demand- Master Plan

Parking generation for LEC is estimated by event based upon the peak hour of each event and average duration of patrons by event. These estimated demands have been extended to reflect the theoretical capacity of the parking supply at 85% of the actual available parking for patrons.

Parking demand = (Peak hour of generator) x (duration of stay) / (theoretical capacity)

Lancaster County Fair:	Parking demand	= (450 trips/hour) x (4 hours) / (0.85) = 1,530 stalls
Sports show:	Parking demand	= (375 trips/hour) x (3 hours) / (0.85) = 1,323 stalls
Horse exposition:	Parking demand	= (375 trips/hour) x (4 hours) / (0.85) = 1,765 stalls
Home show:	Parking demand	= (225 trips/hour) x (4 hours) / (0.85) = 1,059 stalls
Main Arena-special event:	Parking demand	= (2,000 trips/hour) x (1 hour) / (0.85) = 2,353 stalls

Comparison of peak parking demand for the Main Arena to available on-site parking stalls shows a surplus of 733 stalls.

Intersection Operation-Existing Conditions

This Analysis assumes buildout of LEC commercial in the current year. Intersection traffic volumes utilized in this Analysis are the most current available from the city of Lincoln, including traffic projections for the commercial development proposed at the southeast corner of 84th and Adams Street. Existing intersection geometry is shown in Figure 5. These volumes for the AM and PM peak hours are shown in Figures 6 and 7, respectively.

Intersection capacity in the Analysis is based upon Planning Applications and is intended for use in sizing intersection geometrics and/or identifying intersection general capacity. Intersection capacity is based upon the sum of critical lane volumes. The criteria utilized to determine intersection capacity is as follows:

Sum of Critical Movements	Capacity Level
0 to 1,200	Under
1,201 to 1,400	Near
> 1,400	Over

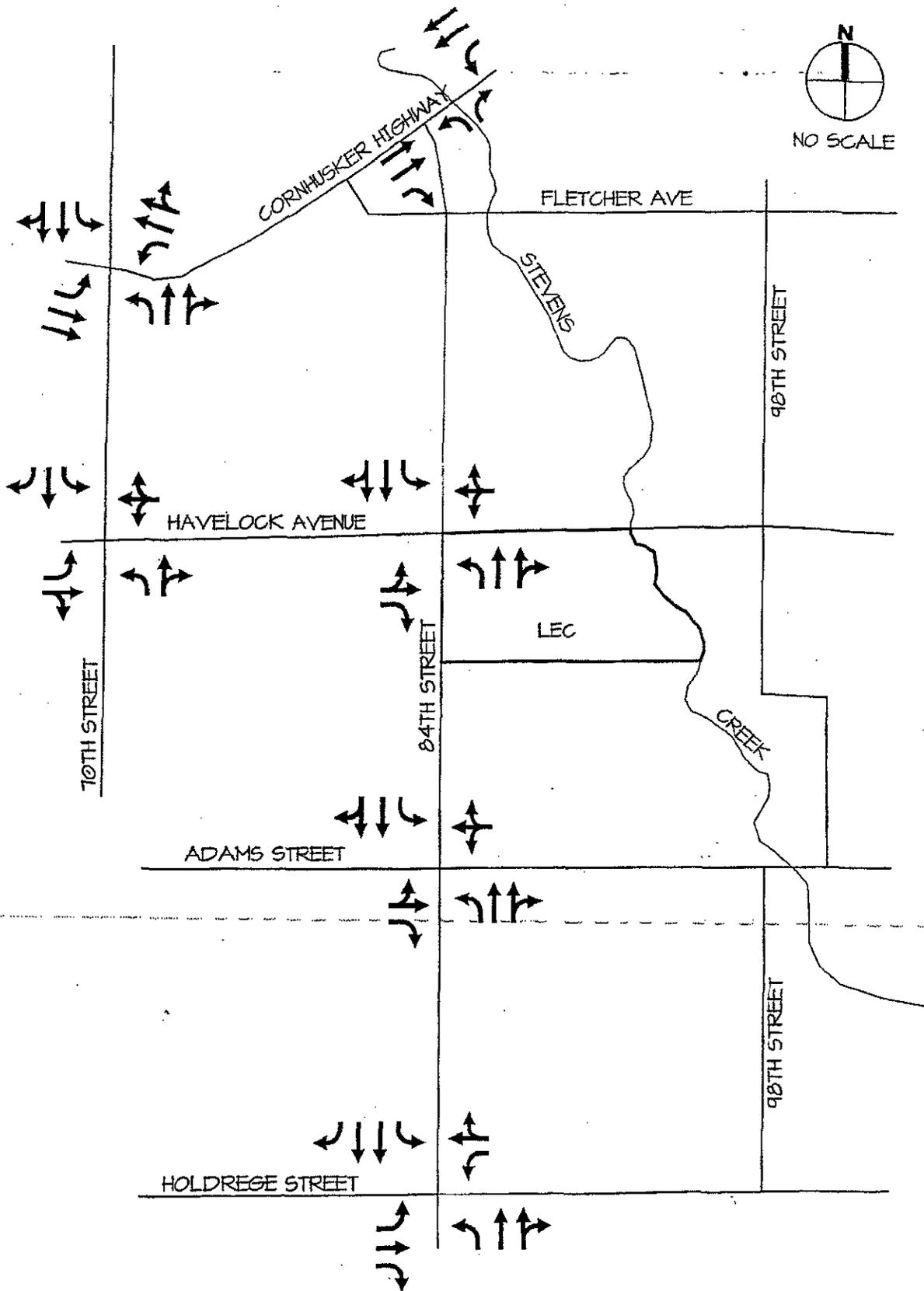
Table 1- summarizes the existing Critical Lane Volumes for the A.M. and P.M. peak hours at the evaluated intersections.

Table 1-Intersection Capacity existing conditions

Existing Conditions Intersection	AM Peak		PM Peak	
	CLV	Capacity	CLV	Capacity
70 th and Cornhusker Highway	621	Under	658	Under
70 th and Havelock Avenue	1,621	Over	1,715	Over
84 th and Cornhusker Highway	637	Under	879	Under
84 th and Havelock Avenue	707	Under	772	Under
84 th and LEC driveway	519	Under	598	Under
84 th and Adams Street	879	Under	1114	Under
84 th and Holdrege Street	977	Under	992	Under

Trip Generation

The estimated trips generated by the LEC commercial uses for the A.M. and P.M. peak hours are based upon trip generation rates published by the Institute of Transportation Engineers in the 7th Addition of the Trip Generation Manual. A 'mixed-use' reduction factor of 15% has been used to adjust the generated trips to account for commercial trips generated by events occurring at LEC. A reduction for 'Pass-by trips' has been used to adjust for destination trips that are currently on the adjacent street system. Table 2 summarizes land uses, buildable areas and trip generation assumptions. Table 3 summarizes 'generated trips', 'mixed-use' and 'pass-by' reductions, 'new trips' and 'driveway volumes'.



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EXISTING INTERSECTION GEOMETRY

FIGURE 5

Table 2- Trip Generation assumptions

AM Peak Hour			Trip Distribution		Mixed Use Factor		Pass-by Factor	
Land Use	Area	Trip Rate	Entering	Exiting	Entering	Exiting	Entering	Exiting
Specialty Retail	44000	6.84	0.48	0.52	0.15	0.15	0.25	0.25
Restaurant w/drive-through	8000	54.81	0.51	0.49	0.15	0.15	0.40	0.40
Motel	75	0.44	0.39	0.61	0.15	0.15	0.25	0.25

PM Peak Hour			Trip Distribution		Mixed Use Factor		Pass-by Factor	
Land Use	Area	Trip Rate	Entering	Exiting	Entering	Exiting	Entering	Exiting
Specialty Retail	44000	5.02	0.56	0.44	0.15	0.15	0.25	0.25
Restaurant w/drive-through	8000	46.68	0.52	0.48	0.15	0.15	0.40	0.40
Motel	75	0.56	0.54	0.46	0.15	0.15	0.25	0.25

Table 3- Trip Generation Volumes

AM Peak Hour		Trip Generation		Net Driveway Volumes		New Network Trips	
Generation Volumes	Land Use	Entering	Exiting	Entering	Exiting	Entering	Exiting
	Specialty Retail	145	157	124	134	93	101
	Restaurant	224	215	191	183	115	110
	Motel	13	21	12	18	9	14
	Total	382	393	327	335	217	225

PM Peak Hour		Trip Generation		Net Driveway Volumes		New Network Trips	
Generation Volumes	Land Use	Entering	Exiting	Entering	Exiting	Entering	Exiting
	Specialty Retail	124	98	106	84	79	57
	Restaurant w/drive-through	195	180	166	153	99	86
	Motel	23	20	20	17	15	12
	Total	342	298	292	254	193	155

Trip Distribution

The estimated new network trips generated by the LEC commercial development are the net trips after reducing the generated trips by the number of pass-by trips. The new network trips were assigned to the adjacent arterial street system based upon Traffic Zones and populations from the current Comprehensive Plan for year 2001 within a three mile radius of LEC and an assumed demand from the community of Waverly. Figure 8 shows the area of influence new network trips. Trip distribution is shown in percentage of new network trips at the evaluated intersections in Figure 9. New trips for the AM and PM peak hours are shown in Figures 10 and 11.

Pass-by trips for each of the AM and PM peak hours were calculated using the pass-by factors of each land use and the percentage of entering volumes at the intersection of 84th and Havelock Avenue. Pass-by trips and volume adjustments are shown in Figures 12 and 13. Driveway volumes and net volume changes at the intersection of 84th and Havelock Avenue are shown in Figures 14 and 15. Figure 16 is a summary of new and pass-by trips by approach as a percentage of total trips.

Intersection Operation-Buildout

Figures 17 and 18 show intersection volumes upon buildout of the LEC commercial development for the AM and PM peak hours. Table 4 summarizes Critical Lane Volumes at buildout.

Table 4-Intersection Capacity Buildout

Buildout Conditions	AM Peak		PM Peak	
	CLV	Capacity	CLV	Capacity
70 th and Cornhusker Highway	622	Under	658	Under
70 th and Havelock Avenue	1,763	Over	1,784	Over
84 th and Cornhusker Highway	649	Under	889	Under
84 th and Havelock Avenue	809	Under	831	Under
84 th and LEC driveway	692	Under	734	Under
84 th and Adams Street	955	Under	1,194	Under
84 th and Holdrege Street	1,013	Under	1,022	Under

Comparison of Critical Lane Volumes

Table 5 is a comparison of the Critical Lane Volumes identified in Tables 1 and 4 shows the following 'net change' in Critical Lane Volumes resultant from the LEC commercial development.

Table- 5- Critical Lane Volume- Net Change

Intersection	AM Peak	PM Peak
70 th and Cornhusker Highway	+1	+0
70 th and Havelock Avenue	+142	+69
84 th and Cornhusker Highway	+12	+10
84 th and Havelock Avenue	+102	+59
84 th and LEC driveway	+173	+136
84 th and Adams Street	+76	+80
84 th and Holdrege Street	+36	+30

Intersection and Site Access Analysis

Review of the evaluated intersections shows only minimal increases in Critical Lane Volumes at buildout are expected within the area of influence, except at the intersections of:

- 70th and Havelock Avenue
- 84th and Havelock Avenue
- 84th and LEC driveway
- 84th and Adams Street

Potential mitigation improvements and comparison of Buildout Critical Lane Volumes to Base Year for each intersection are follows:

	Critical Lane Volume		Change from Base Year Geometrics	
	AM Peak	PM Peak	AM Peak	PM Peak
70 th and Havelock Avenue:				
Base Year	1621	1715	NA	NA
Buildout w/Potential Improvements				
1) Construct NB right turn lane	1621	1784	0	+69
2) Construct WB right turn lane	1687	1734	+66	+19
3) Construct WB left turn lane	1738	1720	+117	+5
Construct 1 and 2	1545	1734	-76	+19
Construct 1 and 3	1596	1720	-25	+5
Construct 2 and 3	1686	1705	+65	-10
Construct 1, 2 and 3	1544	1705	-77	-5

	Critical Lane Volume		Change from Base Year Geometrics	
	AM Peak	PM Peak	AM Peak	PM Peak
84 th and Havelock Avenue:				
Base Year	809	831	NA	NA
Buildout w/Potential Improvements				
1) Construct WB right turn lane	792	831	-17	0

	Critical Lane Volume		Change from Base Year Geometrics	
	AM Peak	PM Peak	AM Peak	PM Peak
84 th and LEC driveway:				
Base Year	692	734	NA	NA
Buildout w/Potential Improvements				
No changes in geometrics reviewed	-	-	-	-

	Critical Lane Volume		Change from Base Year Geometrics	
	AM Peak	PM Peak	AM Peak	PM Peak
84 th and Adams Street:				
Base Year	955	1194	NA	NA
Buildout w/Potential Improvements				
1) Construct SB right turn lane	955	1146	0	-48

Recommendations

Based upon the potential improvements identified above, the following improvements to the existing street system are recommended in conjunction with development of the LEC commercial development:

70th and Havelock Avenue is *currently is operating over its design capacity*. Potential improvements to this intersection include construction of a northbound to eastbound right turn lane and construction of westbound left and right turn lanes. These improvements are warranted at this time, prior to development of the LEC commercial center. However, the following improvements are recommended to reduce this intersection's critical lane volume to pre-LEC levels:

- Construction of a northbound to eastbound right turn lane; and
- Construction of a westbound to southbound left turn lane.

These improvements will provide a net reduction in critical lane volumes upon buildout of the LEC commercial development.

84th and Havelock Avenue will be affected on the north, south and west approaches. Review of existing conditions reveals that increases in turn lane storage lengths are warranted for the following movements:

- Increase the Northbound to Westbound left turn lane length from 200' to 350'
- Increase the Eastbound to Southbound right turn lane length from 200' to 275'

The additional LEC trips will warrant the following improvement:

- Increase the Northbound to Westbound left turn length from 350' to 375'

84th and LEC driveway will be affected with increases in turning maneuvers on the north, south and east approaches. These increases can be accommodated with the existing intersection geometrics. No changes are recommended.

84th and Adams Street will be affected on the north, south and west approaches. Review of existing conditions reveals that increases in turn lane storage lengths are warranted for the following movements:

- Increase the Northbound to Westbound left turn lane length from 200' to 275'
- Increase the Eastbound to Southbound right turn lane length from 200' to 275'

The additional LEC trips will warrant the following intersection improvement:

- Construction of a southbound to westbound right turn lane 150' in length.

LEC site access

- LEC driveway #1 will be affected with an increase in eastbound to southbound right turns. The expected right turn volume will warrant construction of an Eastbound to Southbound right turn lane in Havelock Avenue a minimum of 150' in length.

- The internal north/south roadway will require removal of a portion of the existing median to allow northbound to westbound left turns into the commercial development to accommodate the demand from entering vehicles from the LEC access at 84th Street.

Figure 19 is a summary of recommended intersection and on-site improvements associated with the proposed commercial development.