

**Lincoln City Council - Lancaster County Board &
Special Concurrent Public Hearing
A G E N D A - TUESDAY, JUNE 15th, 4:00 P.M.**

- 1) CALL TO ORDER – COUNTY BOARD, STEVENS
- 2) CALL TO ORDER – CITY COUNCIL, CAMP
- 3) STEVENS CALLS FOR NOMINATION OF CHAIR FOR MEETING: NOMINATIONS CLOSED
- 4) ELECTION OF CHAIR - CITY CLERK: JOAN ROSS CALLS THE ROLL
COUNTY CLERK: BRUCE MEDCALF CALLS THE ROLL
- 5) DEB SCHORR, (ELECTED CHAIR) READS STATEMENT OF PROTOCOL
- 6) COUNTY CLERK: BRUCE MEDCALF CALLS THE ITEM ONE BY ONE
- 7) PUBLIC TESTIMONY
- 8) QUESTIONS FOR STAFF

– depending upon time, may take short break before voting session –

- 9) CALL FOR A MOTION FROM EACH GROUP
- 10) DISCUSSION OF MOTIONS BY CITY COUNCIL & COUNTY BOARD MEMBERS
- 11) CALL FOR A VOTE BY JOINT MEETING CHAIR
- 12) CITY CLERK: JOAN ROSS CALLS THE ROLL
COUNTY CLERK: BRUCE MEDCALF CALLS THE ROLL

PROCEED TO VOTE ON NEXT AMENDMENT, REPEAT 8 -11 TILL ALL
FOURTEEN AMENDMENTS ARE ACTED UPON

- 13) CALL TO RECESS - COUNTY BOARD, STEVENS
- 14) CALL TO RECESS - CITY COUNCIL, CAMP

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MINUTES
PUBLIC HEARING FOR THE LINCOLN-LANCASTER COUNTY
COMPREHENSIVE PLAN REVIEW
TUESDAY, JUNE 15, 2004
COUNTY BOARD/ CITY COUNCIL CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
4:00 P.M.

Present: Jon Camp, City Council; Jonathan Cook, City Council; Glenn Friendt, City Council; Annette McRoy, City Council; Patte Newman, City Council; Ken Svoboda, City Council; Terry Werner, City Council; Bernie Heier, County Commissioner; Deb Schorr, County Commissioner; Ray Stevens, County Commissioner; Bob Workman, County Commissioner; Joan Ross, City Clerk; Bruce Medcalf, County Clerk; Marvin Krout, Planning Director; Kent Morgan, Assistant Director of Planning Department; Stephen Henrichsen, Special Projects Manager in the Planning Department; Mike DeKalb, Planner; Duncan Ross, Planner; Allan Abbott, Director of Public Works & Utilities; Roger Figard; Public Works & Utilities; and Mike Brienzo; Public Works & Utilities.

Absent: Larry Hudkins, County Commissioner

The joint meeting of the Lancaster County Board and the Lincoln City Council was convened at 4:00 p.m.

I. COUNTY BOARD CHAIR CALLS LANCASTER COUNTY BOARD TO ORDER:

Ray Stevens, Chair of the County Board, made introductions and called the County Board to order.

II. CITY COUNCIL CHAIR CALLS CITY OF LINCOLN CITY COUNCIL TO ORDER:

Terry Werner, City Council Chair, made introductions and called the City Council to order.

III. NOMINATION AND ELECTION OF JOINT PUBLIC HEARING CHAIR:

MOTION: Commissioner Stevens asked for nominations for the office of Chairperson for the Joint Public Hearing. Council Member Cook moved to elect Commissioner Deb Schorr.

Seconded by Commissioner Workman & carried by the following vote: AYES: Cook, Friendt, Heier, Newman, Schorr, Stevens, Svoboda, Werner, Workman; NAYS: None; ABSENT: Camp, Hudkins, McRoy.

Madam Chair Schorr explained that the purpose of the hearing was to take testimony of the proposed Comprehensive Plan Amendments. She also briefly discussed the protocol and format of the hearing.

IV. PUBLIC TESTIMONY

COMP. PLAN AMENDMENT 02001A - AMENDING THE 2025 LINCOLN/LANCASTER COUNTY COMPREHENSIVE PLAN TO CHANGE APPROXIMATELY SIX ACRES OF PROPERTY FROM URBAN RESIDENTIAL TO COMMERCIAL, GENERALLY LOCATED AT 84TH STREET AND KARL RIDGE ROAD.

Mike Marsh, representing Realty Trust Group and this property, came forward to answer any questions of the Board and to reiterate that this application does have the approval of the planning staff and the unanimous approval of the Planning Commission. Commissioner Stevens asked if the property was within the City Limits. Mr. Marsh responded that it currently is not.

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County Clerk read the above resolution, introduced by Jonathan Cook. Commissioner Stevens moved to direct the County Attorney to prepare a resolution approving Comprehensive Plan Amendment 02001A.

Seconded by Commissioner Workman & carried by the following vote:

AYES: Heier, Schorr, Stevens, Workman; NAYS: None; ABSENT: Hudkins.
(R-04-0066)

Council Member Werner moved for approval of 04R-128.

Seconded by Friendt & carried by the following vote: AYES: Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None; ABSENT: Camp.
(A-82808)

COMP. PLAN AMENDMENT 04003 - AMENDING THE 2025 LINCOLN/LANCASTER COUNTY COMPREHENSIVE PLAN TO INCLUDE THE 2003 LINCOLN PUBLIC SCHOOLS COMPREHENSIVE DISTRICT MASTER PLAN AS AN APPROVED COMPONENT OF THE COMPREHENSIVE PLAN.

Steve Henrichsen, Planning Department, came forward for Scott Wiesekamp with Lincoln Public Schools who was unable to attend the meeting at the last minute. He stated that both the staff and Planning Commission recommended approval of this application.

County Clerk read the above resolution, introduced by Jonathan Cook. Council Member Werner moved for approval of 04R-129.

Seconded by Council Member Friendt & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None. (A-82809)

Commissioner Stevens moved to direct the County Attorney to prepare a resolution approving Comprehensive Plan Amendment 04003.

Seconded by Commissioner Workman & carried by the following vote: AYES: Heier, Schorr, Stevens, Workman; NAYS: None; ABSENT: Hudkins.
(R-04-0067)

COMP. PLAN AMENDMENT 04004 - AMENDING THE 2025 LINCOLN/LANCASTER COUNTY COMPREHENSIVE PLAN TO UPDATE AND AMEND THE TRAILS AND BICYCLE FACILITIES MAP BY REMOVING THE PROPOSED TRAIL ALONG SUN VALLEY BLVD. FROM NORTH P STREET TO CHARLESTON STREET, ADDING A FUTURE TRAIL SEGMENT CROSSING HIGHWAY 77 ALONG PIONEERS BLVD., MAKING SEVERAL REVISIONS TO TRAILS PLAN, AND UPDATING THE MAP TO INDICATE COMPLETED PROJECTS.

Mike Brienzo, Public Works and Utilities Department, came forward for approval and to answer questions of the Board. He stated that the amendment is to update the plan and to indicate the projects that have been completed and to make several adjustments to the plan map. One adjustment is to move the trail from NW 48th Street to NW 56th Street. The second adjustment would be from A Street to Van Dorn Street, which would be along SW 40th Street which would extend a trail along A Street to complete a connection. Another trail segment along Sun Valley Boulevard will be removed. Also a piece that they are asking to be added is along Pioneer Boulevard from Folsom to Jamaica Trail which will include an overpass on Highway 77. This will go along with the plans with the State to put an interchange in and add a pedestrian facility to the overpass that will accommodate their ability to build the project. Commissioner Stevens asked questions regarding plans for completing the connections of the bike trails around the Highway 77 Upgrade Project. Mr. Brienzo stated that there are two proposals in the plan now that will do so.

County Clerk read the above resolution, introduced by Jonathan Cook. Council Member Werner moved for approval of 04R-130.

Seconded by Council Member Friendt & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None. (A-82810)

Commissioner Stevens moved to direct the County Attorney to prepare a resolution approving Comprehensive Plan Amendment 04004.

Seconded by Commissioner Workman & carried by the following vote: AYES: Heier, Schorr, Stevens, Workman; NAYS: None; ABSENT: Hudkins.
(R-04-0068)

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COMP. PLAN AMENDMENT 04005 - AMENDING THE 2025 LINCOLN/LANCASTER COUNTY COMPREHENSIVE PLAN TO UPDATE AND AMEND THE LINCOLN AREA STREET AND ROADWAY IMPROVEMENT MAP AND RELATED TEXT, BY ADDING A HIGHWAY 2 CORRIDOR STUDY FROM 9TH STREET TO 66TH STREET AND HIGHWAY 2, ADDING AN AREA STUDY IN THE VICINITY OF 98TH STREET AND HIGHWAY 2, AND UPDATING THE 2025 STREET AND ROADWAY IMPROVEMENT MAP REGARDING VARIOUS COMPLETED PROJECTS.

Mike Brienzo, Public Works and Utilities Department, came forward to note the Amendment is to update the map to indicate the completed projects by removing the proposals and add two studies to the plan. One plan is the Highway 2 Study from a corridor extended from 9th and 10th of Van Dorn to the 66th Street intersection, instead of the 56th street intersection. The second study is from 98th to 91st Street to review the roadway connections in that growth area to make sure we have adequate connections to the commercial area as well as to the Village of Cheney.

Council Member Newman asked when the decision was made to have a 4 plus 1 south of Adams street and a 2 plus 1 north of Adams street because she understood it all to be 2 plus 1. Mr. Brienzo stated that it must have been a misunderstanding due to the black and white map, because the colored map does indicate the change in color.

Council Member Cook asked about the study of Highway 2 and why the Planning Commission made the decision to extend to the 66th Street intersection instead of the 56th Street intersection. Mr. Brienzo said that there was testimonies asking for that to be extended and he didn't think that it would change much of what they do because the 66th intersection is not considered to be a major intersection. He also said that it could be useful in the future and that this area is not seen as a problem. Mr. Cook asked if they could make the map more clear to read. As an example, he said that the map should indicate what exactly happened to the six lanes that vanished from the map. Mr. Brienzo said that they can indicate that on the map and will do so.

Council Member Camp asked he would envision that they would follow the infrastructure financing approach so that we could offset them, that 2 plus 1, and take advantage of future savings for the citizens of the City and the County. Mr. Brienzo said that they do not have the details of that in place with the County but they are working on those and they do envision that any improvements that they make within the County in the future that they will work with the County Engineer to be able to accommodate a four lane system as needed.

Alan Abbot, Public Works and Utilities, came forward to help answer questions. He also stated that the portion of 98th Street from "O" Street South, or immediately south of O Street between O Street and A Street where there is no 98th Street at this point in time, they are working with the County Engineer and have begun preliminary surveys and have the plans laid out for exactly what Mr. Camp said for the offset of a roadway that would be constructed in accordance with what the SRT Committee has done.

Commissioner Stevens stated that perhaps the study should incorporate all the way to Rokeby Road since that will be a major connector to the intersection of the East and South bypass. Also it will be an opportunity for the City and the County to get ahead of the plan so that we do not have the breakups to Highway 2 that we currently have now.

Mr. Brienzo commented that this is an expressway that we do have control over and the State has controlled access through that corridor. They are indicating in the plan that they are planning on maintaining a preservation of that corridor of how it exists today. Currently they decided at this time that this corridor would not need a six lane facility, but if this corridor intensifies any more, then they probably will get there. But they will address that during the next plan update, which is every five years when they are required to do a major review of the plan.

Mark Hunzeker, came forward on behalf of Apple's Way LLC and Uno's Properties, stated that the owners own 62 acres of land which is sometimes referred to ShopKo site. This is the one stretch of Highway 2 that has residential development on both sides and doesn't have any real good access points onto Highway 2. He stated that the property his client owns has two access points and they have been contemplating development of that site either residentially or commercially regardless

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of the land use in a way that would try to consolidate those two access points into one which would put an access roughly half way between the Old Cheney intersection and 70th street. He hopes that by doing so that would afford residents of County Meadows and whatever development occurs on his clients property, safe access onto Highway 2. He also stated that he does agree that if you are going to be studying Highway 2 all the way from Van Dorn to 56th Street that it would be simple to extend it a little bit.

County Clerk read the above resolution, introduced by Jonathan Cook. Council Member Werner moved for approval of 04R-131.

Seconded by Council Member Friendt & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None. (A-82811)

Commissioner Stevens moved to direct the County Attorney to prepare a resolution approving Comprehensive Plan Amendment 04005.

Seconded by Commissioner Workman & carried by the following vote: AYES: Heier, Schorr, Stevens, Workman; NAYS: None; ABSENT: Hudkins. (R-04-0069)

COMP. PLAN AMENDMENT 04006 - AMENDING THE 2025 LINCOLN/LANCASTER COUNTY COMPREHENSIVE PLAN TO UPDATE AND AMEND THE FUTURE ROAD IMPROVEMENTS IN THE COUNTY MAP BY INDICATING COMPLETED PAVING PROJECTS AND ADDING SEVERAL ROADS AS POTENTIAL PAVING PROJECTS THROUGHOUT THE COUNTY.

Mike Brienzo, Public Works and Utilities Department, came forward to state that this proposal is to update the map to indicate the completed projects by the County Engineer and to add four new projects to address site specific needs. The first project is on Bluff Road which is a secondary access to Malcolm Public School. The second is to Waverly Road to function to serve an industrial area around Waverly, which is in the Waverly Plan. The third is to Panama Road which is to extend access to a State Recreational project in the Stage Coach State Recreational Area. The fourth is to Princeton Road which is a secondary access to Norris High School.

Commissioner Stevens asked why the County Engineers road plan is part of the comprehensive plan. Mr. Brienzo stated that there are several reasons for it. One is that the Lincoln NPO area covers the entire County, which requires a planning tool. Also the County is directed to be reviewed in relationship with the County Plan, so they are corrected to have it.

County Clerk read the above resolution, introduced by Jonathan Cook. Commissioner Workman moved to direct the County Attorney to prepare a resolution approving Comprehensive Plan Amendment 04006.

Seconded by Commissioner Heier & carried by the following vote: AYES: Heier, Schorr, Stevens, Workman; NAYS: None; ABSENT: Hudkins. (R-04-0070)

Council Member Werner moved for approval of 04R-132.

Seconded by Council Member Friendt & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None. (A-82812)

COMP. PLAN AMENDMENT 04009 - AMENDING THE 2025 LINCOLN/LANCASTER COUNTY COMPREHENSIVE PLAN TO CHANGE APPROXIMATELY 124 ACRES OF PROPERTY FROM AGRICULTURE, GREEN SPACE AND ENVIRONMENTAL RESOURCES TO LOW DENSITY RESIDENTIAL, GENERALLY LOCATED SOUTH OF CROOKED CREEK GOLF COURSE, NORTH OF A STREET, WEST OF 134TH STREET AND EAST OF STEVENS CREEK.

Peter Katt, on behalf of the property owner, Steve Champoux, of Principal and Prairie Homes, he came forward and further explained a map that he made available to each board member and stated that it is quite possible that he might be premature on this comprehensive plan amendment. He said that this project has been through the planning process for six years, and about two years ago he removed it from a comprehensive plan amendment that had been proposed on the previous

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comprehensive plan on the basis that there were suppose to be some updates to the County Comprehensive Plan. Then two years ago he removed it from the pending list because the County was working on a process for points that would be awarded to identify those properties that would be attractive for acreage development for the County, and he anticipated that the County points process would be further along and they would have it available to apply to this today but it's still not quite there. He also said that this property is on the outside of the beltway and its advantageous for acreage development because it's close to the city and close to trails, and his client indicated that 134th Street would be paved all the way to the project and all the way to the County maintenance shed as a part of the approval. The environmental resource area, the Stevens Creek Water Shed Easements, that the NRD is trying to acquire, would be contributed at no charge to the NRD as a part of this process. Also, there is excellent water quality and quantity and they are within a rural water district. Also the adjoining property is a golf course which all of the density of that area was scrapped off of the golf course and put into their little area of 42 lots that they own and he feels that it should be AGR shown on the map. His client is continuing to invest money into this and would like some idea that others view this as a quite appropriate location for acreage development and that is what they are anticipating or expect with an indication of the change in the comprehensive plan. He also stated that this is also located within the Waverly School district, which they have been very supportive to their district in the past because they have been losing tax base to the annexations of the city.

Commissioner Heier stated that in the past, around 10 years ago, this property had been approved at one time. He also asked what happened to the property in the meantime? Mr. Katt stated that in the 1970's the property was approved for one acre lots in the County and there was a preliminary plat approved that allowed that density to be developed. However the preliminary plat expired, which made the development rights also expire and then the zoning reverted back to AG, which is currently is today. Commissioner Heier asked Mr. Katt if he and his client were aware that there is a plan for along the beltway along Stevens Creek to build a ballfield. Commissioner Heier also said that the neighbor across the road from the property is aware of it and was shown the plans. Mr. Katt said that his client was not contacted regarding any ballfield plans. Commissioner Heier also clarified that the County Board has never asked anyone to place any subject property on pending, and they would have acted on anything that came before them. He also stated that they do not have a point system and are not approving or disapproving anything on the point system. He said there don't have a bill through, except now a bill through is called a Community Unit Plan. Mr. Katt said that their expectations on the site have always been to cluster the units on smaller lots, put in a community unit waste water system, and to preserve the greatest amount of the green space in that area. He said that he feels what his client is seeking approval for would satisfy the Community Unit Plan requires for cluster development in the County.

Commissioner Stevens asked if this property is around 124 acres. Mr. Katt said yes. Commissioner Stevens also wanted to know what the density of the area is. Mr. Katt stated that there is around 3 dwelling units to an acre. Commissioner Stevens asked if they were asking to reclassify the whole area as low density residential, even that was formally considered open space environmental resources. Mr. Katt stated that is what his application indicated, but they never asked for the designation of green space or open space in the comprehensive plan, but that is what was imposed upon it.

Mike DeKalb, Planning Department, came forward to answer questions of the Council. Council Member Cook stated that he thought there was a mistake in the staff report fax sheet which states that the staff recommends approval. Mr. DeKalb said that he was correct. The staff recommended denial at the Planning Commission. The vote was 6 to 0. Council Member Werner asked if this development would be required to follow the new flood plain standards. Mr. DeKalb answered yes. Mr. Werner asked about the environmental resource area that the client is willing to donate. Mr. Werner asked he to explain exactly what this is

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verses the green space area. Mr. DeKalb stated that the environmental resource area in the comprehensive plan basically mirrors the existing 100 year flood plain and tree resources. The green space is intended to reflect a buffer next to the trail and next to the environmental resources that they anticipated that would be used for expanded open space.

Commissioner Workman asked why staff has recommended denial on this. Mr. DeKalb stated that there is a long history with this property after the preliminary plat expired over 10 years ago. He said that there has been many requests for a community plans and change of zones, which one was denied. The staff review at this time is asking if it does rise to the level that relative to other acreage lands within the 3 miles of the city of Lincoln, or along East "O" Street, as being predesignated for acreage development at one dwelling unit per three acres, and the staff reviews feel that the road doesn't have the capability at this time and 134th Street isn't planned for improvement and the land area around it is either bypass, green space, golf course, or large lot parcels. They didn't find that it rose to unique circumstances of being significantly different then the rest of the land that would merit standing as being pre-approved as being shown as full acreage development.

Mr. Workman asked that even if this application were to be denied as part of the comprehensive plan that this applicant can still ask for a change of zone in the future. Mr. DeKalb stated that they could.

Mr. Stevens asked Mr. Katt how many dwelling units they would envision at this property if it was change per his client's desires. Mr. Katt stated that the previous plan that had been submitted showed 41 units on one side of the track. Mr. Stevens asked if 134th Street is paved. Mr. Katt said that it is paved up to the Trail and the proposal is to pave it up to the corner A Street, paid for by the developer if this plan is approved. Mr. Katt stated that this is a broad project plan and the specifications would be dictated by the change of zone applications and as well as the Community Unit Plan that would be brought forward as a part of it.

Mr. Heier asked since they have dual jurisdictions what would they do if one body votes for and one body votes against. Marvin Krout, Planning Department, came forward to answer Mr. Heier question. Mr. Krout stated that he thought that they would want to have one map and in some manner by using an asterisk they would indicate on the land use map that there is a difference of opinion of the appropriate density.

Mr. DeKalb came forward to try and answer Mr. Heier questions regarding dual jurisdiction. He also stated that what they have done before on split jurisdiction applications is that they have to have approval by both parities, and then for calculating density he stated that the County side the AGR reviews one dwelling unit per three acres, and the City side reviews the city design standards which is 0.27 dwelling units per acre.

Council Member Werner asks if they the City Council Board has to have a total fo 5 votes to override the decision of the Planning Commission. Which was said to be correct. Chair Schorr stated that the County Board has no such requirement.

County Clerk read the above resolution, introduced by Jonathan Cook. Commissioner Heier moved to direct the County Attorney to prepare a resolution approving Comprehensive Plan Amendment 04009.

Seconded by Commissioner Stevens & **LOST** by the following vote:
AYES: Heier, Stevens; NAYS: Schorr, Workman; ABSENT: Hudkins.
(R-04-0071)

Council Member Werner moved for approval of 04R-133.

Seconded by Council Member Svoboda & **LOST** by the following vote: AYES: Camp, Friendt, Svoboda; NAYS: Cook, McRoy, Newman, Werner.
(38-4478)

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COMP. PLAN AMENDMENT 04011 - AMENDING THE 2025 LINCOLN/LANCASTER COUNTY COMPREHENSIVE PLAN AND THE SOUTHEAST LINCOLN/HIGHWAY 2 SUBAREA PLAN TO CHANGE APPROXIMATELY 10 ACRES OF PROPERTY FROM URBAN RESIDENTIAL TO COMMERCIAL, AND APPROXIMATELY 60 ACRES OF PROPERTY FROM LOW DENSITY RESIDENTIAL TO URBAN RESIDENTIAL, GENERALLY LOCATED ON THE SOUTH SIDE OF HIGHWAY 2, FROM 75TH STREET TO 84TH STREET, NORTH OF AMBER HILL ROAD.

Peter Katt, on behalf of the applicant, came forward and indicated on a map where the St. Elizabeth parcel is located and showed the 10 acres of property that is Urban Residential Density that they are requesting to be changed to a commercial designation, and he showed the 60 acres of property that they are requesting to change to from Low Density Residential to Urban Residential. Mr. Katt stated that the challenge in this site will be blending this Urban Density Proposal in amongst the existing residential development. He also stated that the recommendation by staff and by the Planning Commission was to approve the change to residential development or urban density and they recommended against the change to commercial density.

Council Member Werner asked how many total acres there are. Mr. Katt said that there are around 62 total acres. Council Member Werner also asked if the neighbors are in favor of the town homes? Mr. Katt stated that some of the neighbors had some concerns regarding traffic. They neighbors are worried that there might be more generated traffic in their area.

Mr. Katt stated that they would like to have the area as commercial density, however, if the planning commission recommends urban density they are fine with that recommendation.

Dick Bergt, 7600 South 75th Street, came forward as a representative of his neighborhood committee called the Acreage Committee. His committee was formed from volunteer neighbors which represent three acreage subdivisions which are Portsche Heights, Clarendon Hills, and Amber Hill Estates. He stated that he e-mailed a letter to the Council Members and to the County Commissioners yesterday stating the concerns of the committee. He said that his committee represents 75 acreage homeowners. Their main concern is to preserve the rural natural of their existing acreage community. He went over their specific agreements and their concerns. The letter Mr. Bergt submitted is on file in the City Clerk's Office.

Susan Kirkpatrick, came forward as part of the Acreage Committee. She came forward to comment on the previous discussion regarding the road being paved on 134th Street. She feels that the fact that the Portsche Heights is not included in pink on the map is inappropriate. She asked the Board to really look at the perimeter roads and the things that the applicant is suggesting that they will pave as a part of the proposal and take that into consideration.

Duncan Ross, Planning Department, came forward to answer questions of that Board. Council Member Cook asked Mr. Ross if they were to designate a portion of this as commercial as recommended by the applicant what does that mean. Does that mean that they can not only have the area as office space, but they could have it be a variety of other things as long as it fits within the designation of the Comprehensive Plan. Mr. Ross said that is correct, but they do have a subarea plan that goes into a little more detail on what type of commercial uses could be designated. So they could designate the commercial area as office only.

Steve Henrichsen, Planning Department, came forward to answer questions of the Board. Council Member Cook said that there are transitional areas on the map, and he wanted to know what the area indicates as far as any conformance issues and what would or wouldn't be acceptable there. Mr. Henrichsen stated that the transitional area noted that they could also use retail uses, but should exclude retail uses that might have 24 hour operations, which means an area with gas pumps, a drive thru, and so forth.

Commissioner Workman asked Duncan Ross what they could do today to alleviate the fears of the residents of having to pave the street in front of their houses. Mr. Ross said that he thinks that the comprehensive plan and the amendment that staff has written, that Planning Commission has approved, gives some guidance about the type of road network that would be necessary to adequately serve the urban

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residential area. He feels that they have provided that guidance and they are not binding on that in the Comprehensive Plan Amendment. Also, the City and the County are working on further those details before the applicant does submit anything.

Roger Figard, Public Works and Utilities, came forward to help answer Mr. Workman's questions. Mr. Figard stated that we would be recommending that they would need to be approved to those standards and then a negotiation would continue on what the developer could afford to do. Council Member Werner stated that the matter is what needs to be done to properly do this and not on what would be afforded.

Commissioner Stevens said that this is not currently within the city, and he didn't know if annexation by the City would be necessary for this to be developed to urban residential standards. Duncan Ross answered that it would be required to be annexed. Roger Figard stated that their understandings were that the applicant would be requesting city services and be annexed.

Council Member Werner discussed making a motion to split the resolution and start out by approving the urban residential and he thought the resolution that they have before them reflects the Planning Commission action. Duncan Ross answered that the overhead that the Board has as an exhibit reflects the Planning Commissions action and the Planning Staff's recommendation which is just for the 60 acres of low density residential to urban residential.

County Clerk read the above resolution, introduced by Jonathan Cook. Council Member Friendt moved for approval of 04R-134.

Seconded by Council Member Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None. (A-82813)

Commissioner Heier moved to direct the County Attorney to prepare a resolution approving Comprehensive Plan Amendment 04011.

Seconded by Commissioner Workman & carried by the following vote: AYES: Heier, Schorr, Workman; NAYS: Stevens; ABSENT: Hudkins. (R-04-0072)

COMP. PLAN AMENDMENT 04012 - AMENDING THE 2025 LINCOLN/LANCASTER COUNTY COMPREHENSIVE PLAN TO CHANGE APPROXIMATELY 200 ACRES OF PROPERTY FROM INDUSTRIAL AND COMMUNITY CENTER COMMERCIAL TO NEIGHBORHOOD CENTER COMMERCIAL, GENERALLY LOCATED NORTHEAST OF NORTH 84TH STREET AND ADAMS STREET.

Peter Katt, on behalf of Prairie Homes, came forward and showed a map showing the property that is subject to the comprehensive zoning change request. He stated that there are two properties owned by Prairie Homes that they have under contract. At the time the application was filed, one property has elected not to go forward with the sale of their property, but they do still have interest in the changes into the comprehensive plan. He also stated that the Planning Commission did recommend unanimous approval.

Commissioner Stevens asked staff if there is a recommendation from the County Engineer on the County Roads. Steve Henrichsen, Planning Department, answered that he doesn't recall the County Engineer having any specific concerns with this project. He also stated that 84th Street is inside the city limits, and Adams Street would be annexed prior to any Urban Development.

County Clerk read the above resolution, introduced by Jonathan Cook. Council Member Werner moved for approval of 04R-135.

Seconded by Council Member Svoboda & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None. (A-82814)

Commissioner Stevens moved to direct the County Attorney to prepare a resolution approving Comprehensive Plan Amendment 04012.

Seconded by Commissioner Workman & carried by the following vote: AYES: Heier, Schorr, Stevens, Workman; NAYS: None; ABSENT: Hudkins. (R-04-0073)

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COMP. PLAN AMENDMENT 04013 - AMENDING THE 2025 LINCOLN/LANCASTER COUNTY COMPREHENSIVE PLAN TO CHANGE APPROXIMATELY 160 ACRES OF PROPERTY FROM PRIORITY B OF TIER I TO PRIORITY A OF TIER I, GENERALLY LOCATED BETWEEN N.W. 12TH STREET AND N.W. 20TH STREET, FROM HIGHWAY 34 TO ALVO ROAD.

Peter Katt, on behalf of Prairie Homes, came forward and showed on a map where Priority A and Priority B properties are located on the map. He stated that he feels that in order to serve both properties, the same infrastructure needs to be brought in. This is one of the spots that they think that they will be able to take advantage of and put in some additional opportunities for urban residential development and to take advantage of the infrastructure investments that the City of Lincoln will be making in this area.

County Clerk read the above resolution, introduced by Jonathan Cook. Council Member Svoboda moved for approval of 04R-136.

Seconded by Council Member Werner & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None. (A-82815)

Commissioner Heier moved to direct the County Attorney to prepare a resolution approving Comprehensive Plan Amendment 04013.

Seconded by Commissioner Workman & carried by the following vote: AYES: Heier, Schorr, Stevens, Workman; NAYS: None; ABSENT: Hudkins. (R-04-0074)

COMP. PLAN AMENDMENT 04015 - AMENDING THE 2025 LINCOLN/LANCASTER COUNTY COMPREHENSIVE PLAN TO CHANGE APPROXIMATELY 760 ACRES OF PROPERTY FROM PRIORITY B OF TIER I TO PRIORITY A OF TIER I, GENERALLY LOCATED EAST OF S. 70TH STREET ALONG YANKEE HILL ROAD.

Mark Hunzeker, appearing on behalf of the Hansen Family which owns property at the southeast corner of 70th and Yankee Hill Road, he came forward and stated that the property is proposed to be designated Priority A of Tier One. This property does fit the Tier One A criteria of the Comprehensive Plan, as the staff has pointed out in their report, and they agree with that.

Council Member Cook asked questions regarding where the property was located on the map that Mr. Hunzeker was showing the Board. Mr. Hunzeker stated that the portion with the diagonal lines is owned by the Hansen family, and the other area is within the broader area that's being recommended. So it is a much larger area than just the property owned by the Hanson family that is being brought into Tier One A and there are some additional infrastructure improvements that will be required over time to serve the outer reaches of that area, but they think that the Hanson property will be able to be served very quickly. Council Member Cook asked if the Planning Commission has approved this. Duncan Ross, Planning Department, came forward to stated that the Planning Commission has approved this plan. He stated that they applied the same criteria to the Hanson property and they found that the larger area also met that criteria, and so they felt that it was also necessary to bring that in at this time.

Commissioner Stevens asked if this is included within the City limits. Duncan Ross stated that it is located outside of City limits.

County Clerk read the above resolution, introduced by Jonathan Cook. Council Member Cook moved for approval of 04R-137 with the Amendment on Page 1, Line 15, after the word "south" insert the words and north.

Seconded by Council Member Friendt & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None. (A-82816)

Commissioner Workman moved to direct the County Attorney to prepare a resolution approving Comprehensive Plan Amendment 04015.

Seconded by Commissioner Heier & carried by the following vote: AYES: Heier, Schorr, Stevens, Workman; NAYS: None; ABSENT: Hudkins. (R-04-0075)

City of Lincoln, Nebraska

98816 -- REDFIELD & COMPANY, INC., OMAHA

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COMP. PLAN AMENDMENT 04016 - AMENDING THE 2025 LINCOLN/LANCASTER COUNTY COMPREHENSIVE PLAN TO IDENTIFY A NORTHWEST TIER STUDY OF LAND IN TIER III OF THE URBAN GROWTH TIERS, GENERALLY LOCATED FROM N.W. 27TH STREET NORTH OF HIGHWAY 34 TO WEST O STREET, WEST OF NORTHWEST 56TH STREET.

Mark Hunzeker, appearing on behalf of Larry Coffee, he came forward and stated that this application was originally made for a smaller area, and when the staff reviewed it they decided that they wanted to study a larger area and they concur with that. He also stated that they think that studying this area is important to maximize the investment that they have already got in sewer and in water and in the states paving in that area.

Commissioner Stevens asked Mr. Hunzeker to identify the area on the map of where the study will be of. Mr. Hunzeker showed him the area on the map.

County Clerk read the above resolution, introduced by Jonathan Cook. Council Member Werner moved for approval of 04R-138.

Seconded by Council Member Friendt & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None. (A-82817)

Commissioner Workman moved to direct the County Attorney to prepare a resolution approving Comprehensive Plan Amendment 04016.

Seconded by Commissioner Heier & carried by the following vote: AYES: Heier, Schorr, Stevens, Workman; NAYS: None; ABSENT: Hudkins. (R-04-0076)

COMP. PLAN AMENDMENT 04018 - AMENDING THE 2025 LINCOLN/LANCASTER COUNTY COMPREHENSIVE PLAN TO AMEND THE SOUTHEAST LINCOLN/HIGHWAY 2 SUBAREA PLAN TO SHOW BOTH A TEMPORARY AND PERMANENT ACCESS TO CHENEY FROM 91ST STREET SOUTH OF HIGHWAY 2, AND THE CLOSING OF YANKEE HILL ROAD WEST OF 91ST STREET.

Steve Henrichsen, Planning Department, came forward stating that technically the City of Lincoln is the applicant on this Comprehensive Plan Amendment. He stated that this plan is to help clarify the road access points into Cheney as a result of the improvement of Yankee Hill Road and 91st Street in the future.

Gale Hanshaw, President of The Cheney Community Improvement Program, came forward to state that they are in support of what is being proposed and they are not really sure after looking at the map he received from planning if the proposed roadway been negotiated with the land owner or is it yet to be done. Steve Henrichsen stated that at this point it has not been negotiated with the land owner yet. Mr. Hanshaw mentioned that they have been trying to a long time to get some guidance on where they could put a "Welcome to Cheney" sign. He said that he feels like no one will give him an answer and he first questioned this about four years ago.

Commissioner Heier asked if he has any Ag Land available to put the sign on. Mr. Hanshaw said that he wasn't sure.

County Clerk read the above resolution, introduced by Jonathan Cook. Council Member Werner moved for approval of 04R-139.

Seconded by Council Member Friendt & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None. (A-82818)

Commissioner Stevens moved to direct the County Attorney to prepare a resolution approving Comprehensive Plan Amendment 04018.

Seconded by Commissioner Workman & carried by the following vote: AYES: Heier, Schorr, Stevens, Workman; NAYS: None; ABSENT: Hudkins. (R-04-0077)

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COMP. PLAN AMENDMENT 04019 - AMENDING THE 2025 LINCOLN/LANCASTER COUNTY COMPREHENSIVE PLAN TO ADD TEXT AND A MAP ON CAPITOL VIEW CORRIDORS; AND TO ADD TEXT ON URBAN DESIGN, PUBLIC ART, AND THE URBAN DESIGN COMMITTEE.

Marvin Krout, Planning Department, stated this application from staff is a request to emphasize an area that was previously in the comprehensive plan. Also he stated that some of the wording that dealt with public art and Urban Design was removed from this version of this comprehensive plan but the planning staff feels that these particular items are important and they deal with the preserving, protecting, and enhancing of the identify of the City from a visual appearance standpoint, which they feel is very important to economic development.

County Clerk read the above resolution, introduced by Jonathan Cook. Council Member Werner moved for approval of 04R-140.

Seconded by Council Member Newman & carried by the following vote: AYES: Camp, Cook, Friendt, McRoy, Newman, Svoboda, Werner; NAYS: None. (A-82819)

Commissioner Stevens moved to direct the County Attorney to prepare a resolution approving Comprehensive Plan Amendment 04019.

Seconded by Commissioner Schorr & carried by the following vote: AYES: Heier, Schorr, Stevens, Workman; NAYS: None; ABSENT: Hudkins. (R-04-0078)

ADJOURNMENT 6:55 P.M.

STEVENS Moved to adjourn the Lancaster County Board of Commissioners of the Joint Public Hearing meeting of June 15, 2004.

Seconded by Commissioner Workman & carried by the following vote: AYES: Heier, Schorr, Stevens, Workman; NAYS: None; ABSENT: Hudkins.

WERNER Moved to adjourn the Lincoln City Council of the Joint Public Hearing meeting of June 15, 2004.

Seconded by Friendt & carried by the following vote: AYES: Camp, Cook, Friendt, Heier, Hudkins, McRoy, Newman, Schorr, Stevens, Svoboda, Werner; NAYS: None.

So ordered.



Joan E. Ross, CMC, City Clerk



Jamie Rae Neddenriep, Senior Office Assistant