

City Council Introduction: **Monday**, November 4, 2002

City Council Public Hearing: **Monday**, November 18, 2002, at **1:30 p.m.**

Bill No. 02R-267

County Board Public Hearing: **Tuesday**, November 26, 2002, at **1:30 p.m.**

FACTSHEET

TITLE: COMPREHENSIVE PLAN AMENDMENT NO. 02002.11 (Proposal #11), requested by Brian D. Carstens and Associates on behalf of Krein Real Estate, to amend the 2025 Lincoln-Lancaster County Comprehensive Plan to change property from Public and Semi-Public to Commercial, generally located approximately one block southeast of So. 70th Street and "O" Street.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 10/16/02
Administrative Action: 10/16/02

RECOMMENDATION: Approval (9-0: Steward, Bills-Strand, Krieser, Larson, Carlson, Newman, Taylor, Duvall and Schwinn voting 'yes').

STAFF RECOMMENDATION: Approval.

FINDINGS OF FACT:

1. The staff recommendation to **approve** this comprehensive plan amendment request is based upon the "Status/Description" and "Comprehensive Plan Implications" as set forth in the staff report on p.2, concluding that the retention of the Public and Semi-Public use is not appropriate since this land is no longer in public ownership or use. While the commercial designation is appropriate, the specific land uses should be more transitional in nature, such as office uses, rather than more intensive retail or restaurant uses which could impact adjacent uses and have site specific traffic implications.
2. The minutes of the Planning Commission are found on p.3.
3. There was no testimony in opposition.
4. On October 16, 2002, the Planning Commission agreed with the staff recommendation and voted 9-0 to recommend **approval** (See Minutes, p.4).

FACTSHEET PREPARED BY: Jean L. Walker

DATE: October 29, 2002

REVIEWED BY: _____

DATE: October 29, 2002

REFERENCE NUMBER: FS\CC\2002\CPA.02002.11

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

Comprehensive Plan Amendment No. 02002 Proposal #11

Applicant	Location	Proposal
Brian Carstens for Krein Real Estate	Approximately one block southeast of S. 70 th and O Street	Change from Public and Semi Public to Commercial
Recommendation: Approval The retention of the Public and Semi Public use is not appropriate since this land is no longer in public ownership or use. While the commercial designation is appropriate, the specific land uses should be more transitional in nature, such as office uses, rather than more intensive retail or restaurant uses which could impact adjacent uses and have site specific traffic implications.		

Status/Description

This land is currently occupied by a historic older house and several trees. The property was once owned by the Veterans Medical Center but was sold to Krein Real Estate several years ago. The sale carried several stipulations regarding the use of the historic house on the property.

Public Works and Utilities notes: “Although this proposed commercial development does not appear to be a concern we do not know the specifics of this proposal. Access to this site will be restricted to right -in right-out as a result of its proximity to O Street.” For a small site, developed in office uses, this type of access is acceptable.

Comprehensive Plan Implications

The Comprehensive Plan states in the Community Facilities section on page F 131:

“The Veterans Medical Center at 600 South 70th Street was established in 1930. For over seven decades the handsome complex of Colonial style buildings has served veterans throughout the region. The buildings and grounds are eligible for listing on the National Register of Historic Places. The site is an important part of the history of Lincoln and Lancaster County.

The Veterans Center faces an uncertain future. If the federal government deems that its current hospital use is to be discontinued, then any redevelopment of the site (including the site of the existing residence on the grounds) should be done in a manner that respects the character of the historic property and adjacent neighborhood.”

Conclusion

Retention of the Public and Semi-Public designation is inappropriate for property privately owned and in which there are no plans for public acquisition. The commercial designation is appropriate, however, the future use of the site should be a less intensive and transitional commercial use, such as office uses. In addition, the design of the buildings and site should be done in a sensitive manner. This property is the site “of the existing residence on the grounds” that is referred to on page F 131 of the plan as noted above. Thus, any redevelopment of this small parcel should be done in a manner that respects the character of the historic property and the adjacent neighborhood.

COMPREHENSIVE PLAN AMENDMENT NO. 02002.11
PROPOSAL #11
Southeast of So. 70th and “O” Streets

COMPREHENSIVE PLAN AMENDMENT NO. 02002

14 LAND USE PROPOSALS.

PUBLIC HEARING BEFORE PLANNING COMMISSION:

October 16, 2002

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

Steve Henrichsen of Planning staff advised the Commission that these are the 14 land use proposals which came before the Planning Commission last April during the Comprehensive Plan update. The Planning Commission had recommended that these proposals be held over, and the City Council and County Board agreed. Proposal #1 requested by the School Sisters of Christ the King will not be heard today. The applicant previously requested that this proposal be deferred.

(Editorial Note: The Commission held public hearing on all 13 land use proposals before taking administrative action on any of them. Once the public hearing was closed, the Commission went back to Proposal #2 and voted on each proposal separately. For purposes of organization and clarity, the action taken by the Commission at the close of the public hearing is being inserted with the appropriate proposal within this minutes documents.)

COMPREHENSIVE PLAN AMENDMENT NO. 02002

PROPOSAL #11

PUBLIC HEARING BEFORE PLANNING COMMISSION:

October 16, 2002

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

Staff recommendation: Approval.

Proponents

1. **Brian Carstens** appeared on behalf of **Krein Real Estate** to answer any questions.

There were no questions.

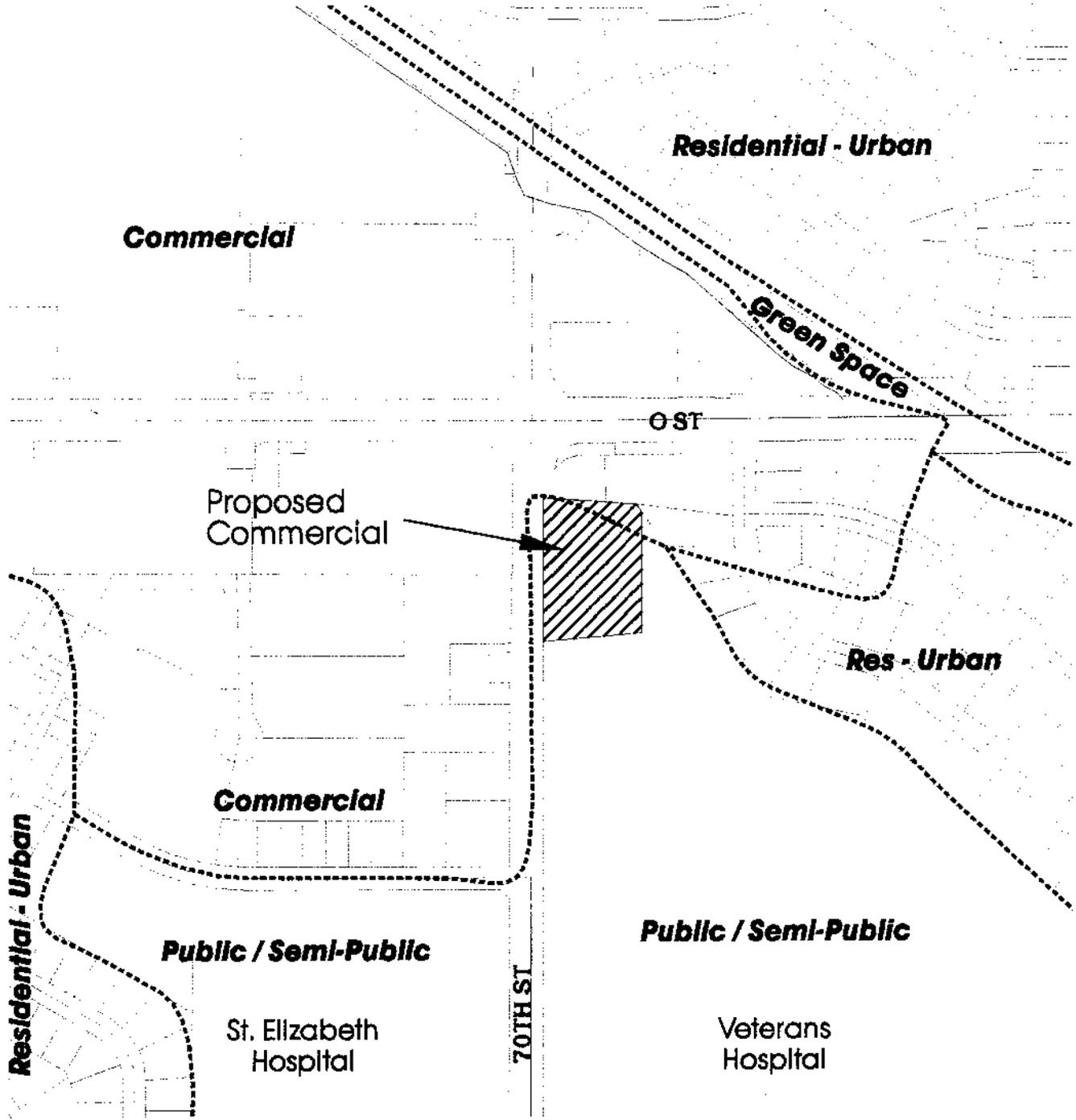
There was no testimony in opposition.

Public hearing was closed.

COMPREHENSIVE PLAN AMENDMENT NO. 02002.11
ADMINISTRATIVE ACTION BY PLANNING COMMISSION:

October 16, 2002

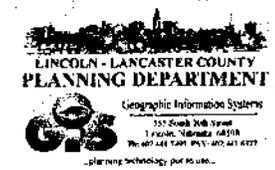
Bills-Strand moved approval, seconded by Taylor and carried 9-0: Steward, Bills-Strand, Krieser, Larson, Carlson, Newman, Taylor, Duvall and Schwinn voting 'yes'.



70th & O St

Comprehensive Plan Proposal # 11

-  Future Service Limit
-  Land Use Boundary
- Res** Land Use Category
-  From Public / Semi-Public to Commercial



Scale: 1 inch = 400 feet

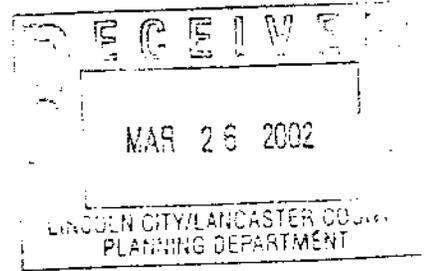
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BRIAN D. CARSTENS AND ASSOCIATES
LAND USE PLANNING RESIDENTIAL & COMMERCIAL DESIGN
601 Old Cheney Road, Suite C Lincoln, NE 68512 Phone: 402.434.2424

March 26, 2002

Ms. Kathleen A. Sellman, AICP
Director of Planning
City of Lincoln/ Lancaster County
555 South 10th Street
Lincoln, NE 68508



RE: COMPREHENSIVE PLAN - ADDITIONAL 'COMMERCIAL DESIGNATION'
SOUTHEAST CORNER OF SOUTH 70TH AND 'O' STREETS

Dear Ms. Sellman,

On behalf of Bill Krein, managing partner of Aspen, A Nebraska General Partnership, I am requesting the draft proposal of the 2025 Comprehensive Plan be revised to include an additional 'commercial' designation on the Southeast corner of South 70th and 'O' Streets, immediately South of the existing Lincoln Federal Savings Bank and Walgreen's. Please refer to attached map.

Aspen purchased this 'Federal Surplus' property in September of 1995. This property contains approximately 2.3 acres of land at the Northern edge of the Veterans Administration Hospital campus. As you may be aware, the existing structure (house) has been purchased and has had preliminary approval from the Nebraska State Historical Society to be relocated and be converted to a 'bed and breakfast' operation.

Aspen desires to eventually have this property 're-zoned' from it's existing 'P'- Public Use District to 'O-3'- Office Park District. We envision office type uses or a hotel that will be complementary to the existing 'V.A. Campus', while preserving the character of the historic property and the adjacent neighborhood. The 'O-3' zoning district will require the approval of a 'Use Permit', which will guarantee these goals are met.

Please feel free to contact Bill Krein or myself if you have any further questions or comments.

Sincerely,

Brian D. Carstens

cc. Bill Krein, Aspen

ENCLOSURES: 8-1/2" x 11" map of proposed Comprehensive Plan Amendment

MAR 26 2002

LINCOLN CITY/LANCASTER COUNTY
PLANNING DEPARTMENT

C.L. 'O' STREET

LINCOLN FEDERAL

WALGREEN'S

HARRINGTON'S
REALTY

C.L. SOUTH 70TH STREET

33.0'

249.20'

30.36'

372.95'

311.73'

EXISTING
BUILDING

261.47'

AREA OF REQUESTED
COMPREHENSIVE
PLAN AMENDMENT

Proposed Comprehensive Amendment 02002

The Public Works Department has completed review of the proposed Comprehensive Plan Amendments. Please be reminded that these proposed land use amendments do not contain the necessary specifics to identify improvements to the transportation network. We have addressed each of the proposed amendments separately, however, the following comments would also apply to the individual analyses:



GENERAL COMMENTS:

- a. For future arterial street projects (2 lanes + 1 center turn lane and 4 lanes + 1 center turn lane), the right-of-way is generally 120' in width, while arterial street projects which are 6 lanes + 1 center turn lane have a right-of-way width of 140'. Projects occurring at the intersection of two arterial streets will warrant the further dedication of public right-of-way up to 130' in width for a distance of approximately 700' in all directions as measured from centerline.
- b. All full access points shall be located only at the quarter mile and half mile points. All other access locations to major streets shall be relinquished and established on side streets.
- c. As a minimum, the construction of a 2 lane + 1 center turn lane suburban roadway cross section shall be a condition of the annexation/off-site improvement agreement.
- d. Approval of proposals regarding low density residential developments should not be approved until acreage standards are developed

AMENDMENTS:

1. *4100 SW 56th Street* - Under the current Comp Plan the area is shown outside the service limit. This proposal would amend the service limits to include this property. We would also need to address the transportation network in this area as the current Comp Plan does not show any roadway improvements adjacent to the site.

TIER II

- 2a. *UNL Downtown Campus Area* - This area is in the service limit of the current Comp. Plan. The intricacies of the UNL Master Plan have been reviewed and addressed in conjunction with the Antelope Valley Project.
- 2b. *UNL East Campus Area* - This area is in the service limit of the current Comp. Plan. The intricacies of the UNL Master Plan are reviewed when

roadway/utility projects are scheduled in the area.

3. *South 82nd & Roca Road* - Under the current Comp Plan the area is shown outside the service limit. As previously stated, acreage standards have not yet been developed for Low Density Residential development. We will also need to address the transportation network in this area as the current Comp Plan does not show any roadway improvements adjacent to the site.

OUTSIDE TIER III

4. *112th & Old Cheney Rd.* - Under the current Comp Plan the area is shown outside the service limit. As previously stated, acreage standards have not yet been developed for Low Density Residential development. We will also need to address the transportation network in this area as the current Comp Plan does not show any roadway improvements adjacent to the site.

TIER II

5. *112th & Pine Lake Rd.* - Under the current Comp Plan the area is shown outside the service limit. As previously stated, acreage standards have not yet been developed for Low Density Residential development. We will need to address the transportation network in this area as the current Comp Plan does not show any roadway improvements adjacent to the site.

TIER II

6. *SW 70th & W. Van Dorn Streets* - The area shown is outside the service limit. As previously stated, acreage standards have not yet been developed for Low Density Residential development. We will need to address the transportation network in this area as the current Comp Plan does not show any roadway improvements adjacent to the site.

TIER II

7. *N. 84th Street & Waverly Rd.* - Under the current Comp Plan the area shown is outside the service limit. As previously stated, acreage standards have not yet been developed for Low Density Residential development. We will need to address the transportation network in this area as the current Comp Plan does not show any roadway improvements adjacent to the site.

TIER III

8. *Hwy. 6 & N. 162nd Street* - Under the current Comp Plan the area shown is outside the service limit. The specifics of this proposed Industrial development have not yet been identified. We will need to address the transportation network in this area as the current Comp Plan does not show any roadway improvements adjacent to the site. Access to Hwy. 6 is some what restricted due to the at-grade rail crossing located on the south side of the development.

OUTSIDE TIER III

9. *N. 84th Street & Havelock Ave.* - Under the current Comp. Plan the area is in the service limit. This proposed commercial development is located adjacent to the Lancaster County Events Center. Access to 84th Street would be restricted to right-in right-out unless a public access easement would be granted by the county. Access to Havelock Ave. should be reviewed and if possible, be combined with the event center. The proposal does not conform with Land Use Plan as identified in the Comp Plan.

10. *N. 84th Street & Adams Street* - Under the current Comp Plan the area is in the service limit. This proposed commercial development is located on the North Forty Golf Course. Access to 84th Street would be prohibited, while access to Adams Street would be restricted to right-in right-out. Due to right-of-way constraints and current land uses west of 84th Street, it may not be feasible to improve Adams Street to a width greater than 3 lanes, however this does not preclude some additional intersection improvements on Adams Street at 84th Street. Possible funding for Adams Street, 70th to 84th Streets starting in 2008. The proposal does not conform with Land Use Plan as identified in the Comp Plan.



11. *70th & O Street* - Obviously this location is in the service limits. Although this proposed commercial development does not appear to be a concern we do not know the specifics of this proposal. Access to this site will be restricted to right-in right-out as a result of its proximity to O Street. The proposal does not conform with Land Use Plan as identified in the Comp Plan.

12. *27th/Yankee Hill & 40th/Rokeby Rd.* - Under the current Comp Plan the area is in the service limit. We currently do not know the specifics of this proposed commercial development. It appears that the major entrance to the shopping center along 40th Street is located at the half mile point. The future roadway network in this area is identified in the current Comp Plan. The proposal does not conform with Land Use Plan as identified in the Comp Plan.

TIER I, PRIORITY A

13. *NW 48th & Holdrege Streets* - Under the current Comp Plan the area is in the service limit. We currently do not know the specifics of this proposed commercial development. The future roadway network in this area is identified in the current Comp Plan. Access to NW 48th Street needs to be addressed. The proposal does not conform with Land Use Plan as identified in the Comp Plan.

TIER I, PRIORITY B

14. *SW 56th & West O Streets* - Under the current Comp Plan the area is in the service limit. We currently do not know the specifics of this proposed industrial development. Access to SW 56th and also West O Streets Street needs to be addressed. Currently SW 40th Street from "O" to "A" Streets is being studied to determine the impacts of closing SW 40th Street at BNSF railroad tracks, which



MEMORANDUM

Date: August 15, 2002
To: Mike DeKalb
From: Nicole Fleck-Tooze
Subject: *Comprehensive Plan Amendment Nos. 02001 & 02002*
2025 Comprehensive Plan Land Use Proposals
E-3 Addition to 2025 Comprehensive Plan
cc: Allan Abbott, Ben Higgins, Devin Biesecker
Duncan Ross

Amendment No. 02001

The E-3 Urban Growth Zone will be part of our next Watershed Master Plan for the Stevens Creek basin. Proposals A and B are in the uppermost part of the basin outside of the floodplain, but will need to be considered for future stormwater runoff relative to both quantity and quality of water. Stevens Creek in general will be challenging for watershed planning both from the perspective of completing a master plan in advance of development as well as projecting effects on the watershed from future urban growth beyond the 25 year planning period. We will take into consideration any existing land use designations and will also need to project beyond the planning period to accommodate future urban growth in our model.



Amendment No. 02002

Proposals 1-3, 7, 10, 11, 13.

No Comment.

Proposal 4.

There is a pond proposed in this area based upon the Stevens Creek Watershed Plan. We understand that the Lower Platte South NRD is providing comments related to this issue.

Proposal 5.

There are some wetlands in this area identified on the National Wetlands Inventory. There may also be some unmapped floodplain associated with the tributaries. While the existing Green Space designation is most compatible with these elements, without a layout it is difficult to determine whether the area could accommodate residential development without impacts.

INTER-DEPARTMENT MEMORANDUM

DATE: August 14, 2002

TO: Mike DeKalb, Planning Department

FROM: Mark Bauer, Public Works & Utilities - Wastewater

SUBJECT: Comp. Plan Amendment # 02002

COPIES: Allan Abbott, Steve Masters, Gary Brandt

Proposal 1

This area lies within the Haines Branch drainage basin (SW-2 sub-basin). Sewer service to this area, or any area within this basin that is west of the current service area around the State Regional Center, will require the construction of a new trunk sewer system from the Salt Creek trunk sewer near South 3rd and Van Dorn. The distance from this location to the proposed area is approximately 4 miles. The existing Haines Branch sewer system was originally designed to serve only the current service area. Proposed development in the south, southwest and west tributaries of Salt Creek will all use the future capacity of the Salt Valley Relief Sewer. The proposal area is beyond the 25-year planning period.

Proposal 2a and 2b

Modification of the land use designations for the UN-L campuses should not have an impact on the wastewater system. Any changes in use or density that might affect system capacity will have to be addressed on a case-by-case basis.

Proposal 3

This area lies within the Hickman Branch drainage basin of Salt Creek. It is beyond the Tier 3 area, and beyond the planning period for wastewater improvements. Wastewater has no long-range plans to provide service to this basin.

Proposal 4

This area is within the E-4 sub-basin of Stevens Creek. Future wastewater service to this area would require extension of a Stevens Creek trunk sewer and treatment facility improvements that are beyond the 25-year planning period.

Proposal 5

This area is within the E-5 sub-basin of Stevens Creek. Future wastewater service to this area would require extension of a Stevens Creek trunk sewer and treatment facility improvements that are beyond the 25-year planning period.

Proposal 6

This area is within the SW-2 sub-basin of Haines Branch. Future wastewater service to this area would require extension of a Haines Branch trunk sewer that is beyond the 25-year

planning period. Comments similar to Proposal 1.

Proposal 7

This area is within the N-6 sub-basin of the northeast Salt Creek area. Wastewater service to this area would require the construction of a new Little Salt Creek trunk sewer system, west from the Northeast treatment facility, to eventually serve each of the "N" sub-basins. This area is beyond the 50-year planning period.

Proposal 8

This area is well beyond even the Tier 3 planning area. It is unlikely that this location could ever be served by Lincoln's wastewater system, and would more likely be served by Waverly.

Proposal 9

This area could probably be served by the Regent Heights/Northern Lights trunk sewer, it appears to be within the service area for this main. A detailed survey and grading plan may be necessary to determine which areas can be served by a gravity sewer.

Proposal 10

This location is also within the service area of the Regent Heights/Northern Lights trunk sewer. It can be served by the existing sewer to the south that crosses 84th St.



Proposal 11

This location can be served by an existing sewer in 70th St. on the south side of "O" St.

Proposal 12

This square mile section lies primarily within the S-2 sub-basin, although a portion of the northwest corner of the property is within the S-1 sub-basin, and can be served by extension of existing sewers on the opposite corner of S. 27th and Yankee Hill. The remainder of the property will require the extension of the Upper Salt Creek trunk sewer, which is identified as project # 6e in the proposed 2002-2008 CIP.

Proposal 13

This area is close to the ridge line between the Oak Creek and Middle creek basins (NW-1 and NW-2 sub-basins). The NW-2 area can be served by the Oak Creek sewer system, by extending existing sewers in the Ashley Heights development to the north. The NW-1 area will require future extension of the West "O" trunk sewer system to the west and the north in order to provide sewer service.

Proposal 14

This location is also within the NW-1 sub-basin. Sewer service to this area will require the extension of the West "O" trunk sewer, which currently terminates at SW 40th St. Project # 12a in the proposed 2002-2008 CIP will extend this sewer to approximately SW 48th St.

Memo

To: Mike DeKalb - Planning
From: Nick McElvain - LWS
Date: August 13, 2002
Subject: Comp Plan Amendment 02002

LWS has the following comments on the proposed amendments as follows:

1. Water Service to 4100 S.W. 56th Street. - To serve this property with water, approximately 3.5 miles of 16" main or larger would be required. Estimated cost of \$1.75 million. Without other customers connected, stagnant water would be a serious operational problem. This proposal is beyond proposed 25 year LWS service area.
2. Modify land use on UNL campuses - This proposal would have no affect on LWS. LWS would like to request that UNL include master metering of Downtown Campus.
3. S. 82nd & Roca Road - This proposal is beyond proposed 25 year LWS service area.
4. S 112th & Old Cheney Road - This proposal is beyond proposed 25 year LWS service area.
5. S. 112th & Pine Lake Road - This proposal is beyond proposed 25 year LWS service area.
6. S. W. 70th & W. Van Dorn - This proposal is beyond proposed 25 year LWS service area.
7. N. 84th & Waverly Road - This proposal is beyond proposed 25 year LWS service area.
8. Hwy 6 & 162nd Street - This proposal is beyond proposed 25 year LWS service area. You may wish to contact Waverly to see if they plan to extend their utilities that far.
9. 84th & Havelock - This area is already served by LWS. Adjacent mains in Havelock Ave should be extended by this developer.
10. N 84th & Adams - LWS mains are available west of 80th in Adams, and at Leighton near 84th. Adjacent mains in Adams and possibly 84th should be extended by this developer.
11. 70th & "O" - Adjacent mains are available.
12. 27th & Yankee Hill to 40th & Rokeby Road - This area has been designated by LWS's Master Plan to be served by the Southeast Pressure District. No adjacent mains are available. A 30 main needs to be constructed in Yankee Hill from 56th to 27th This is a future CIP project. Adjacent 24 and 16 inch mains should be extended by this developer.
13. N. W. 48th & W. Holdrege - An adjacent 16 inch main is in the current CIP and is proposed for construction early in 2003. This developer will be required to pay a connection fee proportional to their frontage on the new main.

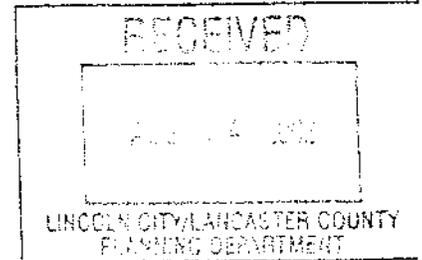
RURAL WATER DISTRICT NO. 1

LANCASTER COUNTY, NEBRASKA

P.O. BOX 98 • 310 FIR STREET

BENNET, NEBRASKA 68317

PHONE 782-3495



August 9, 2002

Mike DeKalb
Linc.-Lanc. Planning Dept.
555 S. 10th Street
Lincoln, NE 68508

Mike,

At the present time it is uncertain what implications the proposed changes Amendment number 02002 we will have with our water district. If the designated areas experience growth it is possible our existing lines will reach their capacity. At that time an assessment will be made to determine which lines will need to be increased.

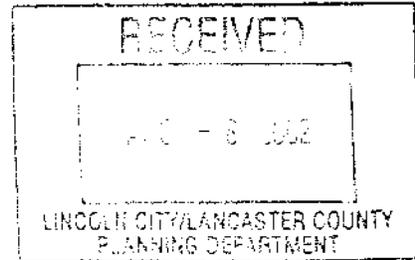
Sincerely,

A handwritten signature in cursive script, appearing to read "Ken Halvorsen".

Kenneth Halvorsen
District Manager
L.R.W.D. #1

LFR MEMO

TO: Mike DeKalb
FROM: DC John Huff *JA*
DATE: August 8, 2002
SUBJECT: Comp Plan Amendments 2002
COPIES TO: file



I have reviewed the proposed comprehensive Plan Amendments No 02002 2025 Comprehensive Plan Land Use Proposals.

 Current facilities and resources are not adequate to support the needs for all of these proposed annexations, and will require additional facilities, units, and personnel as detailed below:

1. The department currently has proposed a new facility near south 56 & Pine Lake Rd. If built and staffed, this facility will adequately serve this proposal.
2. Current facilities and staff are adequate.
3. Current and proposed facilities are not within an acceptable distance to this proposed area, and may require additional resources added to the department, including a new facility and personnel.
4. Current and proposed facilities are not within an acceptable distance to this proposed area, and may require additional resources added to the department, including a new facility and personnel.
5. Current and proposed facilities are not within an acceptable distance to this proposed area, and may require additional resources added to the department, including a new facility and personnel.
6. Current and proposed facilities are not within an acceptable distance to this proposed area, and may require additional resources added to the department, including a new facility and personnel.
7. Current and proposed facilities are not within an acceptable distance to this proposed area, and may require additional resources added to the department, including a new facility and personnel.

8. Current and proposed facilities are not within an acceptable distance to this proposed area, and may require additional resources added to the department, including a new facility and personnel.
9. Current facilities and staff are adequate.
10. Current facilities and staff are adequate.
-  11. Current facilities and staff are adequate.
12. Current and proposed facilities are not within an acceptable distance to this proposed area, and may require additional resources added to the department, including a new facility and personnel.
13. The department currently has proposed relocating fire station 11 at 3400 West Luke. If built and staffed, this facility will adequately serve this proposal.
14. Current and proposed facilities are not within an acceptable distance to this proposed area, and may require additional resources added to the department, including a new facility and personnel.