Lincoln City - Lancaster County

PLANNING COMMISSION AGENDA

PLANNING COMMISSION

Cindy Ryman Yost: Chair
Cristy Joy: Vice Chair
Lorenzo Ball
Dick Campbell
Maribel Cruz
Gloria Eddins
Tracy Edgerton
Bailey Feit
Richard Rodenburg

PLANNING STAFF

David R. Cary: Director
Shelli Reid: Administrative Officer
Jennifer McDonald: Administrative Aide

December 6, 2023

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, December 6, 2023, at 1:00 p.m. in the City Council Chambers on the first floor of the County-City Building, 555 S. 10th St., Lincoln, Nebraska. For more information, call the Planning Department, (402) 441-7491.

****PLEASE NOTE: The Planning Commission action is final action on any item with a notation of *FINAL ACTION*. Any aggrieved person may appeal Final Action of the Planning Commission to the City Council or County Board by filing a Notice of Appeal with the City Clerk or County Clerk within 14 days following the action of the Planning Commission. The Planning Commission action on all other items is a recommendation to the City Council or County Board.**

AGENDA

WEDNESDAY, DECEMBER 6, 2023

Approval of minutes of the regular meeting held November 15, 2023.

1. CONSENT AGENDA
(Public Hearing and Administrative Action)

COMPREHENSIVE PLAN CONFORMANCE:

1.1 COMPREHENSIVE PLAN CONFORMANCE 23018, to review as to conformance with the 2050 Lincoln Lancaster County Comprehensive Plan, a request for a proposed conservation easement to preserve, protect and maintain garden space, on property generally located southwest of N 26th and U Street.
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Staff recommendation: In Conformance with the Comprehensive Plan
Staff Planner: Benjamin Callahan, 402-441-6360, bcallahan@lincoln.ne.gov

PERMITS:

1.2 SPECIAL PERMIT 23041, to allow for a garage to be reconstructed with setback waivers on property generally located at 527 N 31st Street. ***FINAL ACTION***
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Staff recommendation: Conditional Approval
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov

2. REQUESTS FOR DEFERRAL

3. ITEMS REMOVED FROM CONSENT AGENDA
(Public Hearing and Administrative Action)

4. PUBLIC HEARING AND ADMINISTRATIVE ACTION

COMPREHENSIVE PLAN AMENDMENT AND ASSOCIATED ITEMS:

4.1a COMPREHENSIVE PLAN AMENDMENT 23005, to amend the Lincoln-Lancaster County 2050 Comprehensive Plan to revise the Future Land Use Map from Industrial Use to Commercial Use, on property generally located at the northeast corner of NW 48th Street and Interstate 80.

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Staff recommendation: Approval
Staff Planner: Emma Martin, 402-441-6369, emartin@lincoln.ne.gov

4.1b COMPREHENSIVE PLAN CONFORMANCE 23019, to review as to conformance with the 2050 Lincoln-Lancaster County Comprehensive Plan, the NW 48th & W Vine Redevelopment Plan, and the Falcon Corner Redevelopment Project, to include a large retail building and accessory commercial uses, on property generally located at NW 48th Street and Interstate 80.

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Staff recommendation: In Conformance with the Comprehensive Plan
Staff Planner: Andrew Thierolf, 402-441-6371, athierolf@lincoln.ne.gov

4.1c ANNEXATION 23005, to annex property located at the northeast corner of NW 48th Street and Interstate 80 and southwest corner of NW 48th and W Vine St.

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Staff recommendation: Conditional Approval
Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov

4.1d CHANGE OF ZONE 23019, from AG (Agricultural District) to H-4 (Highway Commercial District), on property generally located at the northeast corner of NW 48th Street and Interstate 80.

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Staff recommendation: Conditional Approval
Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov

4.1e PRELIMINARY PLAT 23001, for a new Preliminary Plat to show 5 commercial lots and 3 outlots located at the northeast corner of NW 48th Street and Interstate 80. ***FINAL ACTION***

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Staff recommendation: Conditional Approval
Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov

4.2 COUNTY SPECIAL PERMIT 23042, for Personal Wireless Facilities to allow a 239' Self-support tower, on property generally located at 7459 W Roca Road. ***FINAL ACTION***

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Staff recommendation: Conditional Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov

4.3 MISCELLANEOUS 23007, revising the Funding Outlook to reflect partial recission of federal Coronavirus Response and Relief Act funds and add federal Carbon Reduction Program funds, revising the Fiscally Constrained Plan to update the cost for the Saltillo Road, 27th Street to 68th Street project under the Fiscally Constrained Rural Road & Bridge Capital Projects, add the Multimodal Transportation Center and Maintenance Facility projects under the Priority Transit Projects, add the B Street Bicycle Boulevard and Rock Island Trail Widening projects, include the Multimodal Transportation Center Active Transportation Enhancements under the Multimodal Transportation Center project, and update the cost for the Rock Island Trail Grade Separated Crossing at Old Cheney Road project.

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Staff recommendation: Approval
Staff Planner: Rachel Christopher, 402-441-7603, rchristopher@lincoln.ne.gov

4.4 COUNTY TEXT AMENDMENT 23012, to the Lancaster County Zoning Regulations and the Lancaster County Subdivision Regulations to require all new local streets in the county to be private roadways. This amendment also clarifies the required right-of-way width for major streets in the County along with several minor updates. This application is to amend Article 14 Community Unit Plan and Article 19 Board of Zoning Appeals of the Lancaster County Zoning Regulations. It also proposes to amend Chapter 2 Definitions, Chapter 4 Design Standards, Chapter 5 Minimum Improvements, and Chapter 7 Form of Preliminary Plat of the Lancaster County Subdivision Regulations.

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Staff recommendation: Approval
Staff Planner: Stephen Henrichsen, 402-441-6374, shenrichsen@lincoln.ne.gov

5. CONTINUED PUBLIC HEARING AND ADMINISTRATIVE ACTION

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AT THIS TIME, ANYONE WISHING TO SPEAK ON AN ITEM NOT ON THE AGENDA, MAY DO SO.

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Adjournment
PENDING LIST: No items

Planning Department Staff Contacts:

David Cary, *Director*	402-441-6364	dcary@lincoln.ne.gov
Stephen Henrichsen, *Development Review Manager*	402-441-6374	shenrichsen@lincoln.ne.gov
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Tom Cajka, *County Planner*	402-441-5662	tcajka@lincoln.ne.gov
Benjamin Callahan, *Planner*	402-441-6360	bcallahan@lincoln.ne.gov
Collin Christopher, *Planner*	402-441-6370	cchristopher@lincoln.ne.gov
Rachel Christopher, *Transportation Planner*	402-441-7603	rchristopher@lincoln.ne.gov
Arvind Gopalakrishnan, *Planner*	402-441-6361	agopalakrishnan@lincoln.ne.gov
Emma Martin, *Planner*	402-441-6369	emartin@lincoln.ne.gov
Stephanie Rouse, *Planner*	402-441-6373	srouse@lincoln.ne.gov
Andrew Thierolf, *Planner*	402-441-6371	athierolf@lincoln.ne.gov
George Wesselhoft, *Planner*	402-441-6366	gwesselhoft@lincoln.ne.gov
Brian Will, *Planner*	402-441-6362	bwill@lincoln.ne.gov

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The Planning Commission meeting which is broadcast live at 1:00 p.m. every other Wednesday will be available for viewing on LNK City TV at https://lnktv.lincoln.ne.gov/CablecastPublicSite/watch/3?channel=1

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The Planning Commission agenda may be accessed on the Internet at

https://app.lincoln.ne.gov/city/plan/boards/pc/pc.htm

MEETING RECORD

Advanced public notice of the Planning Commission meeting was posted on the County-City bulletin board and the Planning Department's website. In addition, a public notice was emailed to the Lincoln Journal Star for publication on Tuesday, November 7, 2023.

NAME OF GROUP:	PLANNING COMMISSION
DATE, TIME AND PLACE OF MEETING:	Wednesday, November 15, 2023, 1:00 p.m., Hearing Room 112, on the first floor of the County-City Building, 555 S. 10th Street, Lincoln, Nebraska.
MEMBERS AND OTHERS IN ATTENDANCE:	Lorenzo Ball, Dick Campbell, Bailey Feit, Christy Joy, Rich Rodenburg, and Cindy Ryman Yost; Maribel Cruz, Gloria Eddins, and Tracy Edgerton absent; David Cary, Steve Henrichsen, Shelli Reid, Jennifer McDonald, Andrew Thierolf, Ben Callahan, George Wesselhoft, and Tom Cajka of the Planning Department; media and other interested citizens.
STATED PURPOSE OF MEETING:	Regular Planning Commission Hearing

Chair Ryman Yost called the meeting to order and acknowledged the posting of the Open Meetings Act in the room.

Chair Ryman Yost requested a motion approving the minutes for the regular meeting held November 1, 2023.

Motion for approval of the minutes made by Campbell, seconded Joy.

Minutes approved 6-0: Ball, Campbell, Feit, Joy, Rodenburg, and Ryman Yost voting "yes"; Cruz, Eddins, and Edgerton absent.

Chair Ryman Yost asked the Clerk to call for the Consent Agenda Items.

Clerk stated that written communication on behalf of the applicant was received requesting item 1.4 – Use Permit 145C to be put on hold until further notice.

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION: **November 15, 2023**

Members present: Ball, Campbell, Feit, Joy, Rodenburg, and Ryman Yost. Cruz, Eddins, and Edgerton absent.

The Consent Agenda consisted of the following items: Comprehensive Plan Conformance 23016, Comprehensive Plan Conformance 23017, Text Amendment 23014, and County Waiver 23006.

There were no ex-parte communications disclosed.
There were no ex-parte communications disclosed relating to site visit.

Clerk asked if anyone wanted to speak on the consent items. There was one individual who wanted to testify on Comprehensive Plan Conformance 23016. Ryman Yost stated that this item will be pulled from the Consent Agenda and moved to public hearing.

Campbell moved approval of the Consent Agenda items, seconded by Joy.

Motion carried 6-0: Ball, Campbell, Feit, Joy, Rodenburg, and Ryman Yost voting "yes"; Cruz, Eddins, and Edgerton absent.

Note: This is **Final Action** on **Comprehensive Plan Conformance 23016, County Waiver 23006, Special Permit 23039, Special Permit 23040, and Special Permit 06022C** unless appealed by filing a Notice of Appeal with the **City Council or County Board** within **14 days**.

Chair Ryman Yost called for **Requests for Deferral.**

USE PERMIT 145C
PINE LAKE PLAZA USE PERMIT, TO REVISE THE LOT LAYOUT AND INCLUDE THE CONDITIONAL USE OF RETAIL SALES, AND SPECIAL PERMITS FOR A RESTAURANT AND THE SALE OF ALCOHOL FOR CONSUMPTION ON THE PREMISES IN CONJUNCTION WITH A RESTAURANT, ON PROPERTY GENERALLY LOCATED AT SOUTH 84TH STREET AND NEBRASKA PARKWAY.

Members present: Ball, Campbell, Feit, Joy, Rodenburg, and Ryman Yost. Cruz, Eddins, and Edgerton absent.

Staff Recommendation: Place on hold

Campbell moved to grant the request for Use Permit 145C to be placed on hold until further notice, seconded by Joy. Motion carried 6-0: Ball, Campbell, Feit, Joy, Rodenburg, and Ryman Yost voting "yes"; Cruz, Eddins, and Edgerton absent.

COMPREHENSIVE PLAN CONFORMANCE 23016
TO REVIEW AS TO CONFORMANCE WITH THE 2050 LINCOLN - LANCASTER COUNTY COMPREHENSIVE PLAN, ADDING A NEW FIRE ADMINISTRATION OFFICE PROJECT TO THE CITY OF LINCOLN'S CAPITAL IMPROVEMENT PROGRAM (CIP) FOR FY 2023/2024.

PUBLIC HEARING: **November 15, 2023**

Members present: Ball, Campbell, Feit, Joy, Rodenburg, and Ryman Yost. Cruz, Eddins, and Edgerton absent.

Staff Recommendation: In General Conformance of the Comprehensive Plan

There were no ex-parte communications disclosed.
There were no ex-parte communications disclosed relating to site visits.

Staff Presentation:
Andrew Thierolf, Planning Department, 555 S. 10th Street, Lincoln, NE came forward and stated that this application is an amendment for the CIP to move the Fire Administration office project to the Municipal Service Center (MSC). To add this to the CIP, there needs to be a finding of conformance from the Planning Commission. This project has already been approved to the budget.

Proponents:
Teri Pope Gonzalez, 349 S. 1st Street, Lincoln, NE came forward wanted to say thank you to the Planning Commissioners for taking care of the firemen.

Neutral:
No one came forward in neutral testimony.

Opposition:
No one came forward in opposition.

Campbell moved to close the public hearing, seconded by Joy.

Motion carried 6-0: Ball, Campbell, Feit, Joy, Rodenburg, and Ryman Yost voting "yes"; Cruz, Eddins, and Edgerton absent.

COMPREHENSIVE PLAN CONFORMANCE 23016
ACTION BY PLANNING COMMISSION **November 15, 2023**

Campbell moved to approve Comprehensive Plan Conformance 23016, seconded by Joy.

Motion carried 6-0: Ball, Campbell, Feit, Joy, Rodenburg, and Ryman Yost voting "yes"; Cruz, Eddins, and Edgerton absent.

CHANGE OF ZONE 23068
FROM R-2 (RESIDENTIAL DISTRICT) TO R-5 (RESIDENTIAL DISTRICT), ON PROPERTY GENERALLY LOCATED AT 4618 PIONEERS BOULEVARD
AND

SPECIAL PERMIT 23039
TO ALLOW FOR THE NEIGHBORWORKS COLLEGE VIEW BLOCK 47 CUP (COMMUNITY UNIT PLAN) FOR UP TO 31 DWELLING UNITS, WITH ASSOCIATED WAIVERS TO SETBACK REQUIREMENTS AND STORMWATER DETENTION, ON PROPERTY GENERALLY LOCATED AT 4618 PIONEERS BOULEVARD.
PUBLIC HEARING: **November 15, 2023**

Members present: Ball, Campbell, Feit, Joy, Rodenburg, and Ryman Yost. Cruz, Eddins, and Edgerton absent.

Staff Recommendation:	Change of Zone 23068	Approval
	Special Permit 23039	Conditional Approval

There were no ex-parte communications disclosed.
There were no ex-parte communications disclosed relating to site visits.

Staff Presentation:
Ben Callahan, Planning Department, 555 S. 10th Street, Lincoln, NE came forward and stated that this Change of Zone is associated with the Special Permit 23039. Callahan stated that there is a waiver to reduce the parking due to being one parking space short of the requirement and to add five units for affordable housing. This will allow more flexibility for being an infill project. Callahan also stated that the alley will be paved as it serves the multi-family building to the north. With this being an infill project, the Comprehensive Plan supports the project within the existing neighborhood. There are multiple zoning districts in the College View area with a mix of density.

Feit asked Callahan where the open space is located. Callahan stated that there is an open/green space between the two buildings.

Campbell asked if Community Crops were involved in this project. Callahan stated that there was a meeting last week and are in the process of moving to a new site.

Applicant:
Wayne Mortensen, NeighborWorks Lincoln, 2530 Q Street, Lincoln NE came forward and stated there is a lot of hope and excitement for this project. There is a large need for affordable housing in the community. Unfortunately, they are lacking the tools and direct subsidy available to do that. Mortensen stated that five units of affordable housing will remain affordable and be placed in a land trust so when it is sold, it will go towards a family in the same economic circumstance when bought. Mortensen stated that they are excited about this site and the project. Mortensen stated that there has been ongoing dialogue with the College View Neighborhood to ensure the neighbors are comfortable with what is going on in this area.

Aaron Bright, Olsson, 601 P Street, Suite 200, Lincoln, NE approached and stated that one of the conditions that was a struggle was the density and the minimum requirements with the

CUP. Bright stated that the property owner to the north agreed to sign the application, and this has allowed them to get over the 1-acre threshold for the CUP requirement. Bright stated that the south units are set up with an exterior porch that will extend along the property line on Pioneers. Bright stated that all the access will be off the back side of the property or from the alley. Bright stated that parking is not allowed in the alley.

Ryman Yost asked if any of the units are first floor accessible. Mortensen stated that everything on the first floor is designed for ADA access and because of the topography of the site, they were able to do three units.

Rodenburg asked what the nature of the green space will be. Mortensen stated that the promenade between the two homes to be desirable and excitable space to meet the neighbors. Mortensen also stated that there will be some benches and maybe some art. It is important to have an active recreational infrastructure. Bright stated that between the units is a space for a shared planter with some additional green space. Mortensen stated that there is a generous right away on 46th street to hang out or throw a ball around.

Proponents:
No one came forward in support of the application.

Neutral:
No one came forward in neutral testimony.

Opposition:
No one came forward in opposition.

Campbell moved to close the public hearing, seconded by Joy. Motion carried 6-0: Ball, Campbell, Feit, Joy, Rodenburg, and Ryman Yost voting "yes"; Cruz, Eddins, and Edgerton absent.

CHANGE OF ZONE 23068
ACTION BY PLANNING COMMISSION **November 15, 2023**

Campbell moved to approve Change of Zone 23068, seconded by Joy.

Campbell wants to applaud NeighborWorks for what they put together. Campbell was wondering about the community garden, and they were sensitive to help them relocate. Campbell stated that this is a win all around.

Ball applauds NeighborWorks. Ball stated that it is a plus that the community is getting the lot size to make this work and affordable housing.

Ryman Yost agrees with fellow commissioners and the creativity that went into this to utilize the best maximum density and affordable housing.

Motion carried 6-0: Ball, Campbell, Feit, Joy, Rodenburg, and Ryman Yost voting "yes"; Cruz, Eddins, and Edgerton absent.

SPECIAL PERMIT 23039
ACTION BY PLANNING COMMISSION **November 15, 2023**

Campbell moved to approve Special Permit 23039, seconded by Joy.

Motion carried 6-0: Ball, Campbell, Feit, Joy, Rodenburg, and Ryman Yost voting "yes"; Cruz, Eddins, and Edgerton absent.

SPECIAL PERMIT 23040
FOR THE OAKS COMMUNITY UNIT PLAN, TO ALLOW FOR 7 SINGLE-FAMILY DWELLING UNITS WITH ASSOCIATED WAIVERS, ON PROPERTY GENERALLY LOCATED AT S.138TH STREET AND PIONEERS BOULEVARD. THIS IS FINAL ACTION.
PUBLIC HEARING: **November 15, 2023**

Members present: Ball, Campbell, Cruz, Eddins, Edgerton, Feit, Joy, Rodenburg, and Ryman Yost. Cruz, Eddins, and Edgerton, absent.

Staff Recommendation: Conditional Approval

Clerk noted that this item is being recommended for approval as revised by staff memo dated November 15, 2023, which was provided to Planning Commission Members.

Feit disclosed ex-parte communications that she had a conversation with Geroge Wesselhoft. Feit stated that she had contacted Wesselhoft for clarification of the zoning of AG lots.

There were no ex-parte communications disclosed relating to site visits.

Staff Presentation:
George Wesselhoft, Planning Department, 555 S. 10th Street, Lincoln, NE came forward and stated that the location is on Pioneers Boulevard and 138th Street. This is the furthest extent of the three-mile jurisdiction. Wesselhoft stated that this request is for a Community Unit Plan (CUP) with a total of 7 acreage lots on 97.8 acres. Each lot will have its own well. As a general criteria, AG zoning allows one unit per 20 acres. There was a ground water well data analysis that was completed and concluded that there is a high propensity of ground water in this region of Lancaster County. This was reviewed by the Health Department and waived the test well requirement. Wesselhoft stated that the larger acreage lot has over 16,000 trees on the property. One of the key waivers is to defer pieces of information that is normally required with a Preliminary Plat (PP) or CUP to a future administrative amendment. This will be a conditional approval until they get a final platting of any of the lots. Wesselhoft noted that the

staff memo was to allow flexibility for the outlot and the existing house lot. Staff is supportive of the request to make amendments to the conditions.

Campbell asked Wesselhoft about this not having access to Pioneers Boulevard, but this will have access until further developed. Wesselhoft stated that access is there until the lots are plated. At that time, there will be a new street. The new lots will not be allowed new access points on Pioneers.

Rodenburg stated that one of the letters in opposition that was received stated that the area is on water restrictions. Wesselhoft stated that the Health Department had reviewed and done an extensive water study. Campbell stated that the letter in opposition is in rural water and would not affect the wells.

Applicant:

Mike Eckert, Civil Design Group, 8535 Executive Woods Drive, Suite 200, Lincoln, NE came forward and stated this is where the CUP makes a lot of value in taking all that density and moving it then getting the clustering bonus, wastewater system bonus and leaving an area for greenspace development.

Matt Kleinschmidt, 11401 Van Dorn Street, Walton, NE approached and stated that he has a passion for this property with its 16,000 oak trees planted so perfectly has a unique value to it. Kleinschmidt feels that he has been called to support this value and land. Kleinschmidt is creating a charitable foundation that will support the Lincoln Community by making it a park of some sort. The goal is to create actions moving forward to protect the trees and by removing the density from 87 acres.

Ryman Yost asked what the vision for future recreation would look like. Kleinschmidt stated that it is a vision of a park open to the public like Pioneers Park. Kleinschmidt's goal is to create a quiet peaceful place for people to go. Kleinschmidt stated that it is his intent to make open to the public. There are some natural green spaces that have the potential to create monuments or gathering spots and it is his intent to clear trees to create pathways. This will end up with a couple miles of walking trails for the public.

Eckert stated that there is enough ground water on the site. In the study, it showed that there is adequate water available.

Joy asked Eckert about the comment in one of the letters about the road conditions. Eckert stated that County Engineering will determine the road conditions.

Proponents:

No one came forward in support of the application.

Neutral:

No one came forward in neutral testimony.

Opposition:
No one came forward in opposition.

Campbell moved to close the public hearing Special Permit 23040, seconded by Joy. Motion carried 6-0: Ball, Campbell, Feit, Joy, Rodenburg, and Ryman Yost voting "yes"; Cruz, Eddins, and Edgerton absent.

SPECIAL PERMIT 23040
ACTION BY PLANNING COMMISSION **November 15, 2023**

Campbell moved to approve Special Permit 23040 with the conditions of the staff memo, seconded by Joy.

Campbell will be supporting this, and it is a great use for the property.

Feit stated that this space can be used as an educational space for young people and appreciates the willingness to conserve the trees.

Ryman Yost stated that this is an interesting project and a unique property. It will be fun to see how it develops.

Motion carried 6-0: Ball, Campbell, Feit, Joy, Rodenburg, and Ryman Yost voting "yes"; Cruz, Eddins, and Edgerton absent.

SPECIAL PERMIT 06022C
TO AMEND AND EXPAND THE LIMITS OF THE EXISTING SPECIAL PERMIT ALLOWING A GARDEN CENTER BY APPROXIMATELY 10.98 ACRES, ON PROPERTY GENERALLY LOCATED AT 10901 AND 10777 SOUTH 14TH STREET. THIS IS FINAL ACTION.
PUBLIC HEARING: **November 15, 2023**

Members present: Ball, Campbell, Feit, Joy, Rodenburg, and Ryman Yost. Cruz, Eddins, and Edgerton absent.

Staff Recommendation: Conditional Approval

Clerk noted that this item is being recommended for approval as revised by staff memo dated November 15, 2023, which was provided to Planning Commission Members.

There were no ex-parte communications disclosed.

Rodenburg disclosed ex-parte communications relating to a site visit. Rodenburg stated that he had been to the site previously before it was on the agenda and deferred. Rodenburg commented about the piece of equipment getting into the boulder weeds and that an

employee mentioned through conversation that they are hoping to acquire another parcel to spread out a little bit and make their lives easier.

Staff Presentation:
Ben Callahan, Planning Department, 555 S. 10th Street, Lincoln, NE came forward and stated that this is a request to amend the existing Special Permit. Callahan stated that it is now requesting to add 10 acres for additional bulk storage for the landscaping company. This property is currently outside of city limits and will remain outside of city limits. Callahan stated that this is extending the boundary only and not for building space. Callahan stated that the memo was revising the conditions as to how the driveways will relate to the plan. The north and south access will be allowed to remain with no changes required. The northern access will remain until the fill permit that is on the property is used or until January 2027.

Applicant:
Jeremy Williams, Design Associates of Lincoln, 1609 N Street, Lincoln, NE came forward and stated that Callahan presented what was requested.

Campbell asked if this area will be rocked like the existing areas. Williams stated it will be done similar to the area south of the area.

Proponents:
Adam Hintz, Friends of Wilderness Park, 1919 Prospect Street, Lincoln, NE came forward and stated that Friends of Wilderness Park is in support of this Special Permit. In 2015, there was a flood that created quite a bit of debris that floated into Wilderness Park. Hintz stated that the wetlands constructed east of 14th street created a lot of flood storage and habitat. Hintz stated his understanding is that extra flood storage is to be supplied.

John Hendricks, Outdoor Solutions, 10109 S. 14th Street, Roca, NE approached and stated that there is a plan to add another three-acre wetland to the northeast corner in the future.

Neutral:
No one came forward in neutral testimony.

Opposition:
No one came forward in opposition.

Campbell moved to close the public hearing, seconded by Joy.

Motion carried 6-0: Ball, Campbell, Feit, Joy, Rodenburg, and Ryman Yost voting “yes”; Cruz, Eddins, and Edgerton absent.

SPECIAL PERMIT 06022C
ACTION BY PLANNING COMMISSION **November 15, 2023**

Campbell moved to approve Special Permit 06022C, as amended, seconded by Joy.

Campbell stated that Outdoor Solutions has done a great job with this property. Campbell's company has great relations with Outdoor Solutions.

Steve Henrichsen approached and stated to commissioners that the approval is with the revised staff memo.

Ryman Yost stated that she is glad to see everyone working together and the work to ensure everything is good with Wilderness Park.

Motion carried 6-0: Ball, Campbell, Feit, Joy, Rodenburg, and Ryman Yost voting "yes"; Cruz, Eddins, and Edgerton absent.

Chair Ryman Yost asked if there was anyone wishing to speak on an item not on the agenda, may do so at this time.

Campbell moved to adjourn the Planning Commission meeting of November 15, 2023, seconded by Joy.

Motion carried 6-0: Ball, Campbell, Feit, Joy, Rodenburg, and Ryman Yost voting "yes"; Cruz, Eddins, and Edgerton absent.

There being no further business, the meeting was adjourned at 2:05 p.m.

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER	FINAL ACTION?	DEVELOPER/OWNER
Comprehensive Plan Conformance #23018	No	Hawley Hamlet, LLC & Neighborhoods Inc.
PLANNING COMMISSION HEARING DATE	**RELATED APPLICATIONS**	**PROPERTY ADDRESS/LOCATION**
December 6, 2023	None	Generally located southwest of N. 26th Street & U Street

RECOMMENDATION: IN CONFORMANCE WITH THE COMPREHENSIVE PLAN

BRIEF SUMMARY OF REQUEST

The purpose of this application is to find that the acquisition of a permanent conservation easement conforms to the 2050 Comprehensive Plan. The conservation easement is approximately 0.77 acres and includes seven properties, with six of the properties located within the existing Hawley Corners Community Unit Plan (CUP) generally located southwest of North 26th Street and U Street.



JUSTIFICATION FOR RECOMMENDATION

This conservation easement is for the purpose of protecting and preserving land within the CUP that will be designated for a neighborhood garden and includes one residential lot outside of the CUP. The easement will be located on seven separate parcels for the purpose of providing an urban garden and green space for residents.

APPLICATION CONTACT
Kent Seacrest, (402) 432-9600 or kent@sk-law.com

STAFF CONTACT
Ben Callahan, (402) 441-6360 or bcallahan@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The conservation easement is in conformance with the Comprehensive Plan and supports several goals and policies of the Plan. The Comprehensive Plan recommends continued efforts to increase local food production and designated community and urban gardens within new and existing neighborhoods. Additional goals include sustainable growth in and around city limits, including promoting green space in neighborhoods, protecting environmentally sensitive areas, and promoting home gardening and edible vegetation within the community.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

> Figure GF.b: 2050 - This site is shown as future urban residential on the 2050 Future Land Use Plan.
>
> Land Use Plan – Urban Residential. Residential uses in areas with varying densities ranging from more than fifteen dwelling units per acre to less than one dwelling per acre. All types of housing are appropriate here, from detached single family, duplex and missing middle, to higher density multi-family. Undeveloped areas shown as Urban Residential may also include neighborhood-scale commercial and other compatible uses that will be added to the map after approval of development plans.

Goals Section

G7: Environmental Stewardship and Sustainability

> PlanForward commits Lincoln and Lancaster County to a sustainable growth framework that will conserve and efficiently utilize our economic, social, and environmental resources so that the welfare of future generations is not compromised.

G8: Community Resiliency

> Lincoln and Lancaster County will be resilient to the climate hazards they will face.

Elements Section

E4: Environmental Resources

> Maintaining a balance between the natural and human built environment is always delicate. The policies of PlanForward should strive to incorporate such uses in the full range of urban and rural landscapes. As cities and villages expand, establishing corridors and districts of green should be part of the growth process. This often requires the advance delineation of these areas and the means for securing their ongoing protection and maintenance. Securing the long-term permanence of green space is a basic dilemma in natural resources planning. The use of "green space development incentives" (e.g., setting aside non-buildable areas, creating green space preserves, density bonuses) should be a primary consideration in implementing this plan.

Policies Section

p. 22 Local Food – Encourage opportunities to grow local food, as locally produced food can provide a secure source of nutritious food that has a reduced impact on the environment and increased benefit to the health of consumers.

Action Steps:

2. Continue to promote public-private partnerships that build stronger food networks and promote urban agriculture. An example of a successful partnership is the LPS Farm to School program.
3. Continue to provide the opportunity for Community Gardens to be developed on appropriate park property.
4. Promote urban gardens in all parts of the community, with focus on neighborhoods that lack convenient access to fresh foods.
6. Encourage home gardens and edible landscaping and consider amending ordinances that might inhibit gardening for personal food production.
8. Add 10 acers of community garden space on public land by 2030. Examples of public lands appropriate for community gardens include underutilized park areas, rights-of-way, and schools. Double the number of acres in Lancaster County.
11. Work with Lincoln Housing Authority and other partners to provide opportunities for community gardens that would allow home gardens for those in LHA dwellings.

CLIMATE ACTION PLAN SPECIFICATIONS:

p. 8 Strategic Vision – Lincoln will reduce net greenhouse gas emissions 80% by 2050 (relative to 2011 levels). This ambitious goal will serve as a guiding target for municipal operations, the Lincoln Electric System, local businesses and institutions, and our entire community in the years to come. Lincoln joins scores of cities across the country who have set a similar "80x50" goal to reduce emissions. A myriad of strategies in the plan speak to achieving this target, from increasing energy efficiency, generating more electricity from renewable energy, switching to electric vehicles and active commuting modes, and employing natural climate solutions.

p. 25 Key Initiative – Maximize Natural Climate Solutions

- Continue to support prairie restoration and protection of natural resources.

Continue to use a Rain-to-Recreation model to utilize floodplain for appropriate recreational activities.

ANALYSIS

1. This request is for a conservation easement covering approximately .77 acres of land generally located southwest of North 26th Street and U Street. This request, if approved would find the potential conservation easement to be in Conformance with the Comprehensive Plan.
2. The proposed conservation easement is located within the Hawley Corners Community Unit Plan (CUP) which was approved under Special Permit #22045 January 2023. This CUP allows for the development of 3 new single family dwellings in addition to the existing 3 residential dwelling units for a total of 6 dwelling units within the CUP boundary. The easement intends to provide protected and designated areas within this block for community gardening and green space. One property located at 605 N. 26th Street will be included in the easement but is not located within the existing CUP boundary.
3. The proposed conservation easement will protect the .77 acres on seven separate parcels all within the City of Lincoln. The City of Lincoln will not be part of this proposed easement as it will be held between the Hawley Hamlet LLC., and Neighborhoods, Inc. Often, conservation easements are acquired for protection of areas within the floodplain and held by the City. In this application, the easement will be held by a nonprofit organization and only reviewed by the City for compliance with the Comprehensive Plan. The conservation easement will serve as protection for the land to preserve its natural, scenic, and open condition by providing Garden Space uses while protecting air quality, water quality, and other natural resources. The easement details the future use of Outlot A for community garden bed space while the remaining area of the easement will be for garden space on several residential properties.
4. The Nebraska Conservation and Preservation Easement Act (Nebraska Revised Statute §§ 76-2,111 to 76-2,118) requires that the acquisition of conservation easements be referred to the local planning commission having jurisdiction over the properties prior to the acquisition. The Planning Commission must provide comments regarding the conformity of the proposed acquisition to comprehensive planning for the area. (NEB. REV. STAT. §76-2,112). This conservation easement agreement will be forwarded to the City Council for their review and action.
5. The proposed conservation easement is in compliance with the 2050 Comprehensive Plan, specifically by providing designated and protected space for the use of community gardening and green space. The Comprehensive Plan encourages the use of land and resources for urban gardening to increase local food production and availability for food source options in areas with limited access to convenient food options. The easement also aligns with goals of providing green space within new and existing neighborhoods as it will serve as a non-buildable area.
6. The Easement Agreement includes provisions prohibiting specific outdoor plantings within the Easement Area. A list of desired plantings is included within the agreement including both horticulture plants and native plants. The agreement also details the desired trees or bushes that should be planted in the front and side yards of designated lots within the Easement Area.

EXISTING LAND USE & ZONING: Single family residential & R-6 CUP

SURROUNDING LAND USE & ZONING

North:	Multifamily residential, vacant land	R-6, Residential
South:	Single family residential	R-6, Residential
East:	Single & multifamily residential	R-6, Residential
West:	Single family residential	R-6, Residential

APPLICATION HISTORY

Oct 2023 – The Planning Commission denied Special Permit #22045A to expand the Hawley Corners Community Unit Plan by .3 acres. This application was appealed and pending City Council action in December 2023.

Jan 2023 – The Planning Commission approved Special Permit #22045 creating the Hawley Corners Community Unit Plan totaling 1.04 acres and allowing up to 8 dwelling units.

APPROXIMATE LAND AREA: .77 acres, more or less

LEGAL DESCRIPTION: Lots 1-3 and Outlot A, Hawley Corners Addition, Lots B & C, Block 6, Schaefers & Cultra's Subdivision, South fifty feet of Lots 11-12, Hawley's Addition, and Lot C, Cultra's Subdivision all located in the SE 1/4 of section 24-10-06, Lincoln Lancaster County, Nebraska.

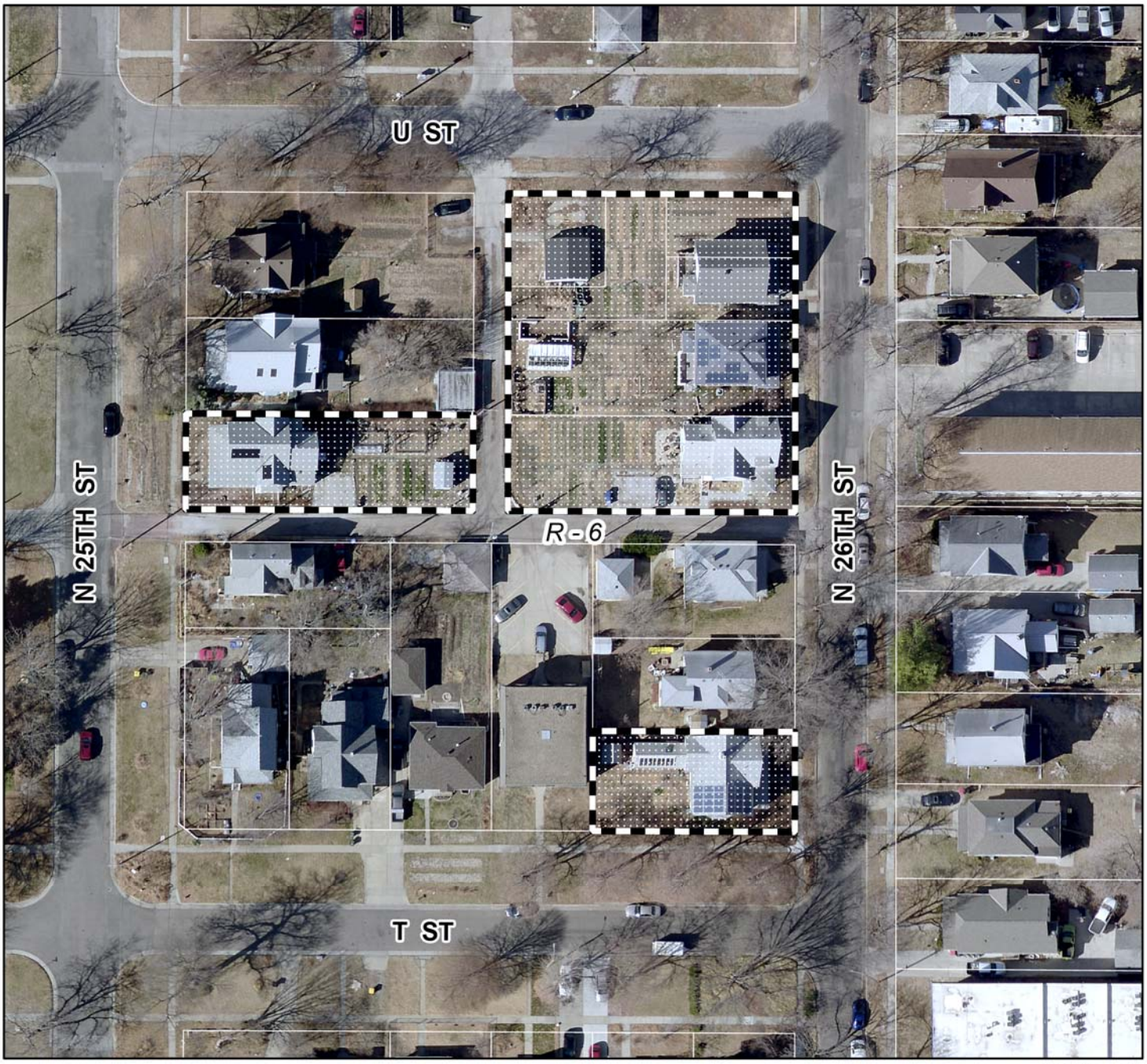
Prepared by Ben Callahan, Planner
(402) 441-6360 or bcallahan@lincoln.ne.gov

Date: November 22, 2023

Applicant: Hawley Hamlet, LLC
605 N. 26th Street
Lincoln, NE 68503
(402) 730-6675
walterinne@gmail.com

Contact: Kent Seacrest
1128 Lincoln Mall, Suite 105
Lincoln, NE 68508
(402) 432-9600
kent@sk-law.com

Owner: Hawley Hamlet, LLC & Neighborhoods Inc.
Dba NeighborWorks
605 N 26th Street & 2240 Q Street
Lincoln, NE 68503
(402) 730-6675
walterrinne@gmail.com



2020 aerial

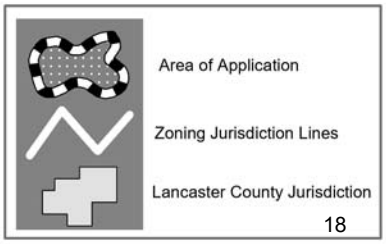
Comp Plan Conformance #: CPC23018
N 26th St & U St

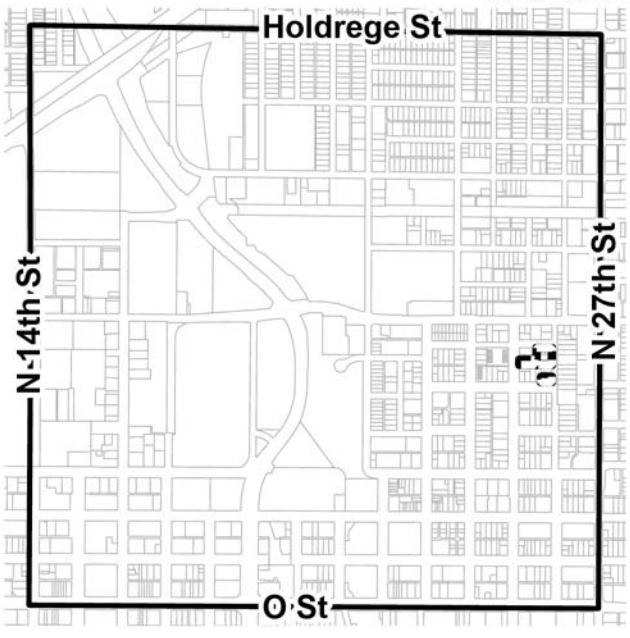


Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile:
Sec.24 T10N R06E





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File: D:_GIS\Projects\DevReview\AgendaDrawings\AgendaDrawings\AgendaDrawings_SDE.aprx (CPC23018)

SEACREST & KALKOWSKI, PC, LLO
KENT@SK-LAW.COM | DANAY@SK-LAW.COM

November 7, 2023

Mr. David Carey, Director
Lincoln Lancaster Planning Department
County-City Building
555 South 10th Street, Suite 213
Lincoln, NE 68508

RE: Hawley Hamlet Property Conservation Easement

Dear David:

Our law firm represents Hawley Hamlet, LLC, a Nebraska limited liability company ("**HH**"), who owns or will soon own the following real estate ("**Hawley Hamlet Property**"):

Lot C, Cultra's Subdivision, Lincoln, Lancaster County, Nebraska (note: sometimes referred to as Cultras Subdivision);

Lot B, Schaefers & Cultra's Subdivision of Lots 1, 2 and 3, Block 6, Hawley's Addition, Lincoln, Lancaster County, Nebraska;

Lot C, Schaefers & Cultra's Subdivision of Lots 1, 2 and 3, Block 6, Hawley's Addition, Lincoln, Lancaster County, Nebraska;

South Fifty feet of Lots 11 and 12, Block 6, Hawley's Addition, Lincoln, Lancaster County, Nebraska; and

Outlot A, Hawley Corners, Lincoln, Lancaster County, Nebraska.

HH is working in cooperation with Neighborhoods, Inc., a Nebraska non-profit corporation, d/b/a NeighborWorks Lincoln (collectively "**NeighborWorks**"). NeighborWorks owns the real estate legally described as Lots 1, 2 and 3, Hawley Corners, Lincoln, Lancaster County, Nebraska ("**NeighborWorks Property**"). NeighborWorks has demolished the existing dwelling located upon the NeighborWorks Property and will be constructing three new residential dwellings on each of the three lots that are legally described as Lots 1, 2 and 3, Hawley Corners, Lincoln, Lancaster County, Nebraska.

The Hawley Hamlet Property and NeighborWorks Property are shown on Exhibit A.

1128 LINCOLN MALL, STE. 105; LINCOLN, NEBRASKA 68508 | PHONE 402.435.6000 | FAX 402.435.6100

HH and NeighborWorks as proposed Grantors have been working together to prepare the attached draft Conservation Easement to preserve, protect, and maintain as horticultural, garden and open space (collectively "**Garden Space**") certain portions of the Hawley Hamlet Property and NeighborWorks Property. The proposed Grantee of the Conservation Covenant is The Hawley Hamlet Neighborhood Garden, a Nebraska nonprofit corporation.

The Nebraska Conservation and Preservation Easement Act, Section 76-2,111 to 76-2,118, Neb. Rev. Stat., requires that Conservation Easements be first referred to the Planning Commission for review regarding conformity with the Comprehensive Plan. In turn the Nebraska Statutes requires City Council consideration to determine if the Conservation Easement is in the public interest and finding that the Conservation Easement is in conformance with the Comprehensive Plan.

A. Governmental Request

Ben Callahan with the Planning Department informs me that the request for City consideration of the Conservation Easement is considered a Comprehensive Plan Amendment request, which requires no application fee.

B. Neighborhood Review and Discussions

We will be inviting the surrounding neighborhood members to an Information Meeting on Thursday, November 30, 2023 at 5:30 PM regarding the Conservation Easement and the proposed Comprehensive Plan Amendment.

C. Submittal Materials

The following documents are submitted as part of this submittal:

A. A City Application Form for the requested Comprehensive Plan Amendment; and
B. Conservation Easement.

On behalf of HH, we look forward to working with the City, neighbors and other stakeholders as the process moves through the review and approval stages. Please call Tim Rinne, Kay Walters or me if you have any questions regarding the above requests or the documents enclosed herein.

Very truly yours,

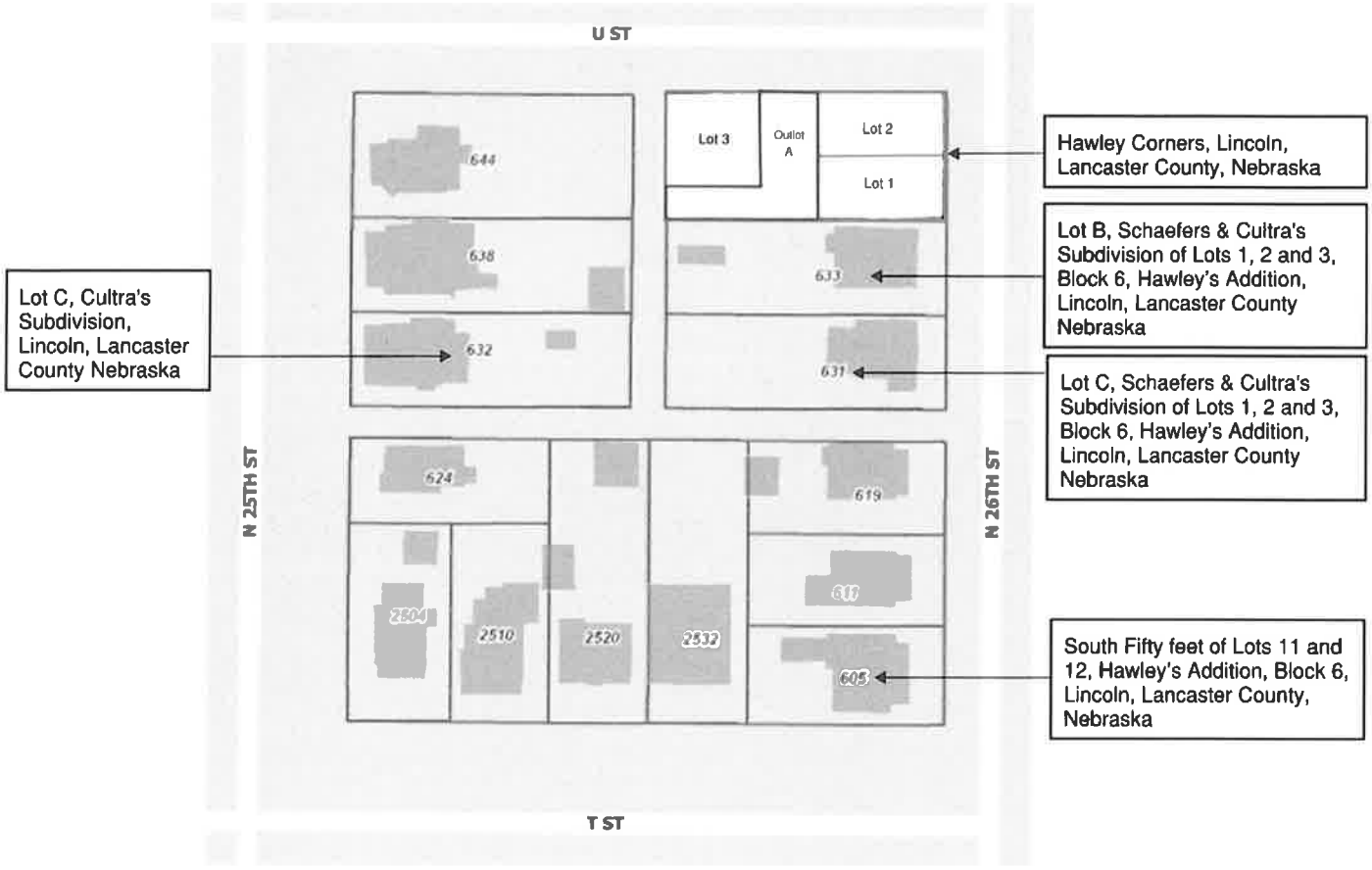
KENT SEACREST
For the Firm

Enclosures

cc (w/ encl.):
Tim Rinne, walterinne@gmail.com
Kay Walters, kaywalter19@gmail.com
Wayne Mortensen, wayne.mortensen@nwlincoln.org
Charlie Wesche, charlie.wesche@nwlincoln.org
Jocelyn Golden, Law Department, jgolden@lincoln.ne.gov
Benjamin Callahan, Planning Department, BCallahan@lincoln.ne.gov
Steve Henrichsen, Planning Department, shenrichsen@lincoln.ne.gov
Councilperson James Michael Bowers, JBowers@lincoln.ne.gov

Exhibit A

Properties



LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER	FINAL ACTION?	DEVELOPER/OWNER
Special Permit #23041	Yes	Mary-Claire Tran
PLANNING COMMISSION HEARING DATE	**RELATED APPLICATIONS**	**PROPERTY ADDRESS/LOCATION**
December 6, 2023	None	527 N. 31st Street

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a special permit to allow for the reconstruction of a nonstandard detached garage at 527 N. 31st Street. The existing garage is 10' by 17' and is nonstandard because it is setback less than 60 feet from the front lot line and located in the side yard and less than 10 feet from the alley. The proposed new garage will be 12' by 23' and will keep the same access from the alley behind the public sidewalk along N. 31st Street.



JUSTIFICATION FOR RECOMMENDATION

Due to the dilapidated condition of the garage at 527 N. 31st Street, the owner has applied for a demolition permit and is requesting approval of this special permit to rebuild a new 1 stall garage. This approval is justified in that it will allow replacement of an unsafe garage without negatively impacting the neighborhood.

APPLICATION CONTACT
Tom Do, (402) 560-7069 or
mssangdoe@yahoo.com

STAFF CONTACT
George Wesselhoft, (402) 441-6366 or
gwesselhoft@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Comprehensive Plan encourages maintaining appropriate density and a variety of housing types. This proposal permits the continued use of permitted accessory space within an established neighborhood.

WAIVERS

1. Waiver to 27.72.120 c-(1) to allow an accessory building less than sixty feet from the front lot line to extend into the required side yard setback (Recommend Approval).
2. Waiver to 27.72.120 c-(2)(iv) to allow an accessory building used as a garage and taking access from an alley to be located closer than ten feet to the alley line (Recommend Approval).

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

Figure GF.b: 2050 - This site is shown as future urban residential on the 2050 Future Land Use Plan.

Land Use Plan –Urban Residential. Residential uses in areas with varying densities ranging from more than fifteen dwelling units per acre to less than one dwelling per acre. All types of housing are appropriate here, from detached single family, duplex and missing middle, to higher density multi-family. Undeveloped areas shown as Urban Residential may also include neighborhood-scale commercial and other compatible uses that will be added to the map after approval of development plans.

Elements Section

E1: Complete Neighborhoods and Housing

Existing Neighborhoods
The diversity of architecture, housing types and sizes are central to what make existing neighborhoods great places to live. New construction should continue the architectural variety, but in a manner that is sensitive to the existing neighborhoods.

P2: Existing Neighborhoods - Continue our commitment to strong, diverse, and complete neighborhoods.

Action Steps

6. Promote the continued use of residential dwellings and all types of buildings, to maintain the character of neighborhoods and to preserve portions of our past. Building code requirements for the rehabilitation of existing buildings should protect the safety of building occupants, while recognizing the need for flexibility that comes with rehabilitating existing buildings.

ANALYSIS

1. This is an application for a special permit to allow for the reconstruction of a nonstandard garage. The existing garage which is in disrepair is 10' by 17'. The new garage would be slightly larger at 12' by 23' in size. This will allow for a 1-stall garage. The property is located at 527 N. 31st Street, across from Sacred Heart Catholic Church.
2. A nonstandard use is defined by LMC §27.02.150 as a lot or use that existed prior to the effective date of the zoning ordinance or due to a change in the zoning ordinance or district boundaries and no longer complies with the minimum requirements for the district in which it is located. The Lincoln Municipal Code (27.72.120) requires that an accessory building may, if located not less than 60 feet from the front lot line, extend into the required side yard though not closer to the side lot line, provided that such accessory building shall not be more than fifteen feet in height. In this case, the lot is only 50 feet deep so adherence to the 60-foot setback as such is not possible. The existing garage appears to have been built well before the existing zoning ordinance as the house was built in 1910, and 1949 Sanborn mapping shows both the house and accessory building. The zoning for the property is R-4 Residential which has a 5-foot side yard requirement. The existing garage is nonstandard because it was built less than the 5-foot side yard setback when less than 60 feet from the front lot line. Also, it is nonstandard because it takes access from the alley and is less than ten feet from the alley line.
3. The new garage will be setback 2 feet from the south lot line and 3 feet from the west lot line. These setbacks are slightly greater than the existing setbacks which are around 1 foot and 2 feet, respectively. The new setback from the front lot line will be 24 feet instead of the current 30-foot setback. The setback from the house for the new structure will be 9' 6".
4. The submitted information includes side view details of the garage which show that it will be a one-story structure with a 9' garage ceiling and a gable roof. This is comparable to the existing garage.
5. LMC §27.63.280 provides the following criteria shall be given specific consideration:

(a) Effects on adjacent property, traffic, city utility service needs;

There will be no significant impact. The approval would allow for the replacement of an existing 1-stall garage with a slightly larger new 1-stall garage.

(b) Density of land use zoning for the subject property and adjacent property;

There will be no significant impact as the property will continue as a single-family residential use. No increase in density of land use will occur.

(c) The degree of hardship upon the applicant which would be caused by failure to grant.

This special permit would allow for the reconstruction of an unsafe 1-stall garage. The lot size and ability to locate a new garage is so constraining that without the approval of this special permit the applicant could not readily replace the garage and still meet the current Zoning Regulations.

6. The special permit is warranted because: 1) the existing garage is in disrepair and cannot be reconstructed without this special permit approval; 2) the proposed new garage will only be slightly larger in size and will not encroach any closer to the side or rear lot line; 3) there will be no negative impact to the neighborhood; 4) the new garage will meet current building codes.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Single family dwelling & R-4, Residential

SURROUNDING LAND USE & ZONING

North:	Single Family Dwellings	R-4, Residential
South:	Single Family Dwellings	R-4, Residential
East:	Sacred Heart Catholic Church	R-4, Residential
West:	Single Family Dwellings	R-4, Residential

APPROXIMATE LAND AREA: 0.08 acres (3,350 square feet), more or less

LEGAL DESCRIPTION: The S. 67' of Lot 1, Block 17, Peck's Grove, Lincoln, Lancaster County, Nebraska.

Prepared by George Wesselhoft, Planner
(402) 441-6366 or gwesselhoft@lincoln.ne.gov

Date: November 16, 2023

Applicant: Mary-Claire Tran
527 N. 31st Street
Lincoln, NE 68503
sr.maryclairetran@gmail.com

Owner: Tom Do
6030 N. 15th Ct
Lincoln, NE 68521
(402) 560-7069
mssangdoe@yahoo.com

CONDITIONS OF APPROVAL – SPECIAL PERMIT #23041

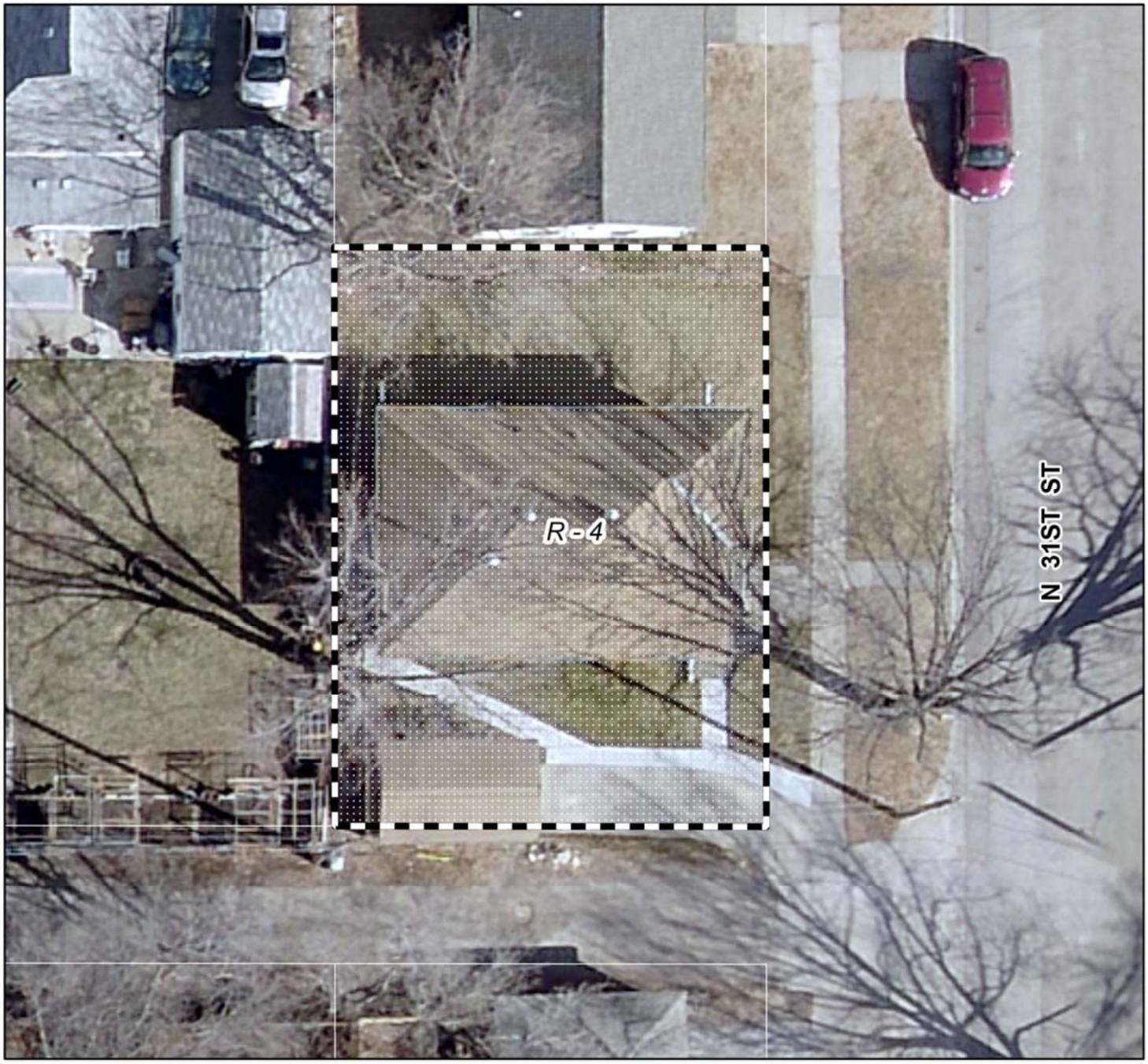
Per Section 27.63.280 this approval permits the reconstruction of a nonstandard garage in the side yard setback, 2 feet from the side lot line, where less than sixty feet from the front lot line and less than ten feet from the alley line.

Site Specific Conditions:

1. Before receiving building permits or before a final plat is approved the permittee shall cause to be prepared and submitted to the Planning Department a final plot plan including **2** copies.

Standard Conditions:

2. The following conditions are applicable to all requests:
   - 2.1 Before occupying the buildings all development and construction shall substantially comply with the approved plans.
   - 2.2 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.
   - 2.3 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
   - 2.4 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.



2020 aerial

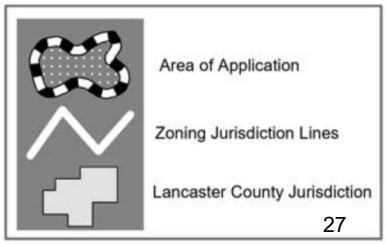
Special Permit #: SP23041
N 31st St & Vine St



Zoning:

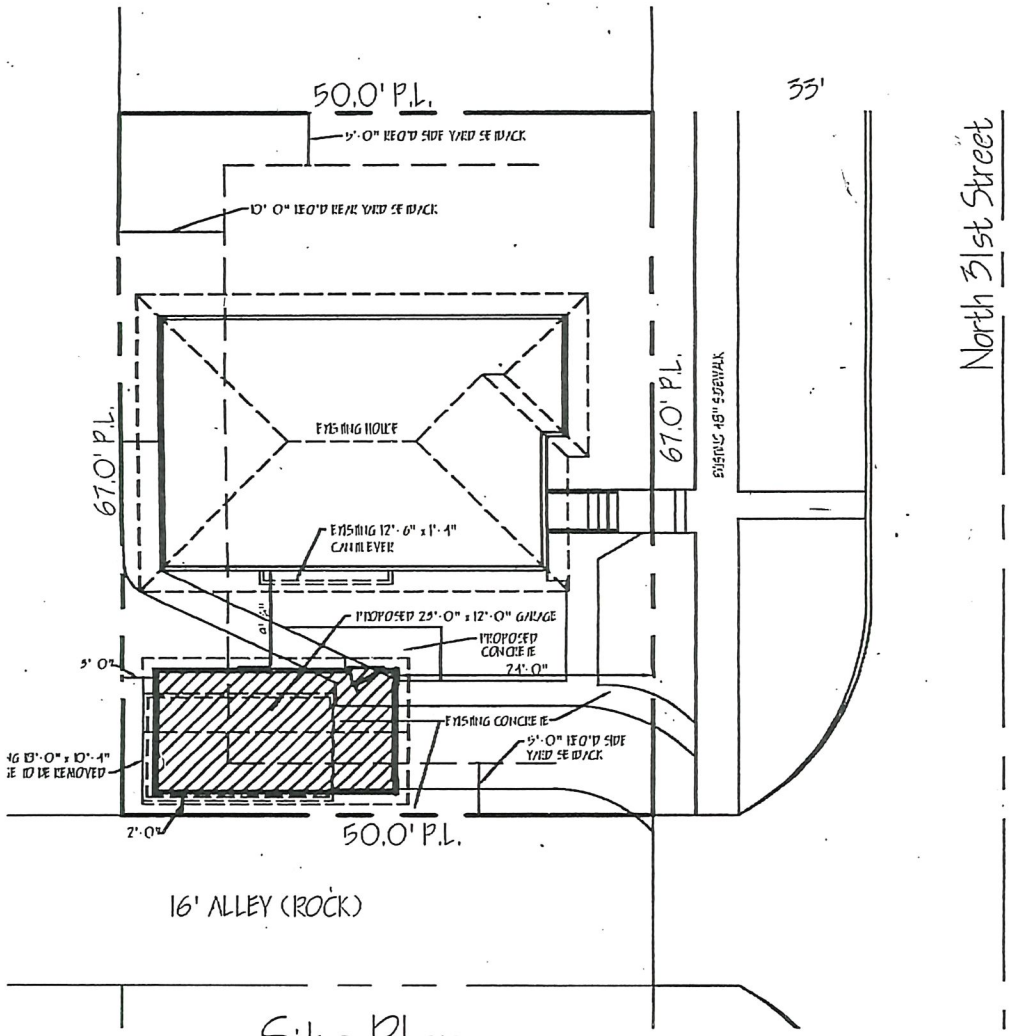
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile:
Sec.19 T10N R07E



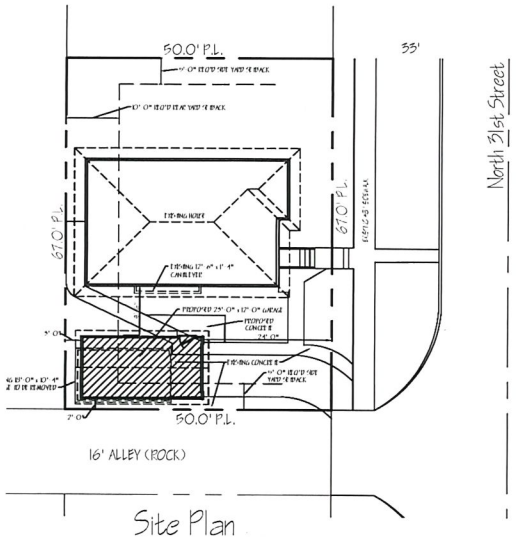


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File: D:_GIS\Projects\DevReview\AgendaDrawings\AgendaDrawings\AgendaDrawings_SDE.aprx (SP23041)



Site Plan

Scale: 1/16" = 1'-0"



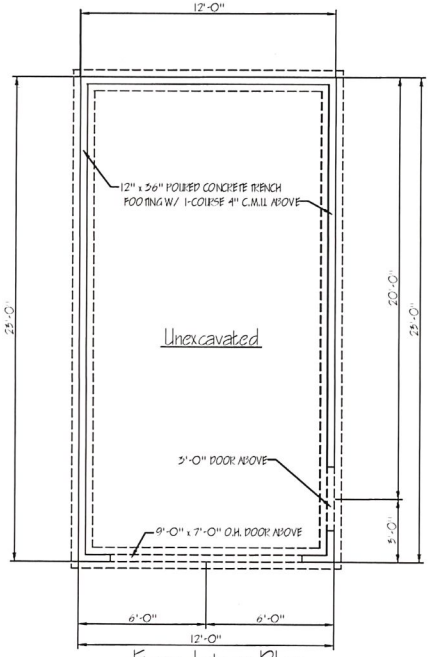
Site Plan
Scale: 1/16" = 1'-0"



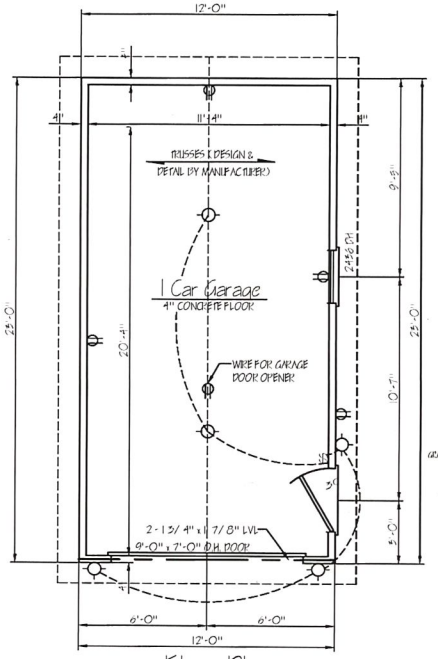
Legal Description

Lot 1, South 67', Block 17
Peck Grove
527 North 31st Street

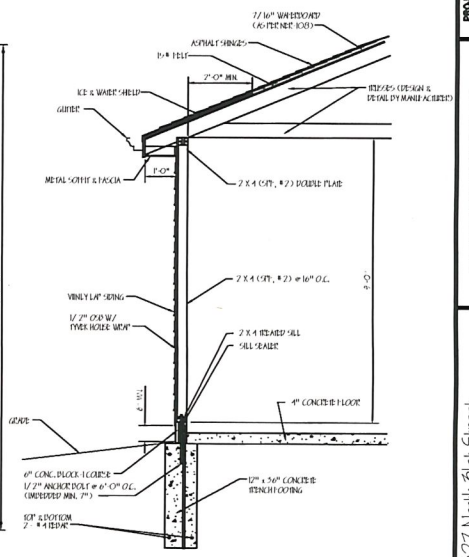
Zoning: R-4 (Residential District)



Foundation Plan
Scale: 1/4" = 1'-0"



Floor Plan
Scale: 1/4" = 1'-0"



Typical Wall Section
Scale: 3/8" = 1'-0"

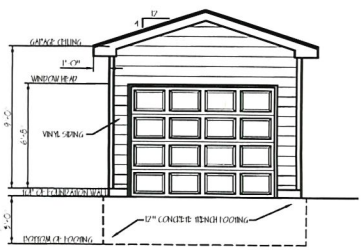
General Notes

1. ALL LUMBER TO BE SPF, #2 OR BETTER.
2. ALL EXTERIOR DOOR & WINDOW HEADERS TO BE 2 - 2 x 10 (HEMFIR, #2) W/ 1/2" PLYWOOD, UNLESS NOTED.
3. ICE AND WATER SHIELD SHALL EXTEND 24" PAST INTERIOR SIDE OF ALL EXTERIOR WALLS (SEE WALL SECTIONS FOR DETAILS).
4. ALL LUMBER RESTING ON CONCRETE TO BE TREATED.

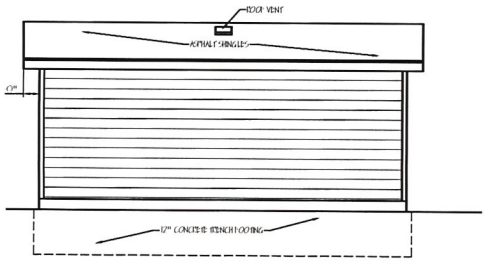
Jeld-Wen Single-Hung Vinyl Windows

FENESTRATION U-FACTORS FOR WINDOWS & DOORS SHALL BE AT LEAST 0.30.

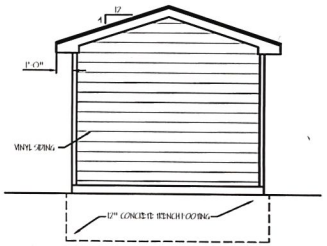
UNIT NO.	ROUGH OPENING
2436 DH	24" x 36"



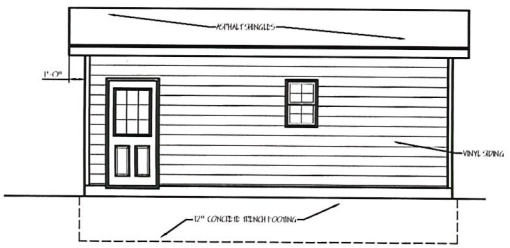
East Elevation
Scale: 3/16" = 1'-0"



South Elevation
Scale: 3/16" = 1'-0"



West Elevation
Scale: 3/16" = 1'-0"



North Elevation
Scale: 3/16" = 1'-0"

Garage = 276 sq. ft.

PROJECT NO.	25-24
SHEET	1 of
CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS AND BE RESPONSIBLE FOR THE SAME. DIMENSIONS SHALL TAKE PREFERENCE OVER SCALE.	
ADDRESS:	527 North 31st Street
CUSTOMER'S NAME:	Mary-Claire Trai
DRAWN BY:	DATE: 10/9/2025
BUILDER:	

10/30/2023

Dear plan Commission,

Demolish garage because it is deteriorating and getting worse and unsafe. Want to rebuilt a new 1-stall garage.

Thank you for your support.

Mary-Claire Tran



LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

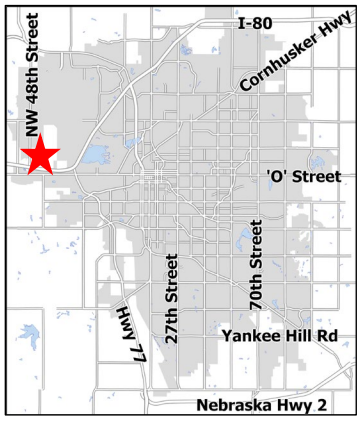
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER	FINAL ACTION?	DEVELOPER/OWNER
Comprehensive Plan Amendment 23005	No	FFF, LLC
PLANNING COMMISSION HEARING DATE	**RELATED APPLICATIONS**	**PROPERTY ADDRESS/LOCATION**
December 6, 2023	AN23005, CZ23019, PP23001, CPC23019	NW 48th Street & W Vine Street

RECOMMENDATION: APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request to revise the Future Land Use (FLU) map of the 2050 Lincoln/ Lancaster County Comprehensive Plan on the east side of NW 48th Street north of Interstate 80 (I-80) as part of the Falcon Corner commercial development. The proposed amendment changes the Future Land Use designation from industrial to commercial, on approximately 43 acres.



JUSTIFICATION FOR RECOMMENDATION

This area can be served by utilities and is currently part of an annexation application (AN23005) to bring all the property associated with this CPA into the City of Lincoln. The 2050 Comprehensive Plan shows future commercial use on three sides of the subject property (north, west, and south across I-80). The Future Land Use map update is appropriate for this area and aligns with the proposed development plans for the area. This property was available for industrial development for decades without any serious interest.

APPLICATION CONTACT
Tim Gergen, (402) 477-9291 or
tim.gergen@clarkenersen.com

STAFF CONTACT
Emma Martin, (402) 441-6369 or
emartin@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Comprehensive Plan allows for the Future Land Use map to be flexible and responsive to development needs and new information, and this change is consistent with the policies of the Comprehensive Plan. Specifically, the proposed development shown in associated application PP23001 meets goals, elements, and policies in the 2050 Comprehensive Plan surrounding commercial centers and design, commercial development, and economic growth.

COMPREHENSIVE PLAN SPECIFICATIONS:

Introduction Section: Growth Framework

Benefits of Well-Planned Growth

Predictable and efficient provision of new infrastructure. The City's policy of contiguous growth anchored by a gravity-flow wastewater system provides a cost-effective, predictable, and efficient way to construct and maintain urban infrastructure and services necessary to serve new growth areas.

Land Use Plan

Figure GF.b: 2050 - This site is shown as future Industrial on the 2050 Future Land Use Plan.

Land Use Plan – Industrial - areas where railroads, manufacturing, trucking and transportation facilities are the dominant land use, with some commercial activities.

Future Growth Tier Map

Figure GF.c: 2050 Priority Growth Areas - This site is shown as future Tier 1, Priority Aon the 2050 Future Land Use Plan.

Guidelines for Amending Priority Areas:

- Infrastructure should generally be provided in different directional growth areas, depending upon limited financial resources and if there is development interest in the area.
- The community should only approve development proposals that can be adequately served by initial urban improvements such as electricity, water, sewer, pedestrian facilities and roads, and by all urban improvements and services in the long term. Initially, roads may not be built to the full capacity; for example, rural asphalt roads may continue to be used for some period, or a two lane urban street may be built and later expanded to four lanes with turn lanes when conditions warrant. Public safety services and schools may be provided to an area by facilities that are more distant and new facilities phased in over time.
- Generally, adequate infrastructure improvements should be completed in all Priority A areas where there is development interest prior to beginning infrastructure in Priority B and C areas.

ANALYSIS

1. This is a request to update the Future Land Use Map (FLU) is associated with a proposed annexation, change of zone, and preliminary plat for property located northeast of the intersection of NW 48th Street and I-80. The site is approximately 43 acres and will include a change of zone from AG, Agricultural to H-4, General Commercial over approximately 15 acres.

2. This site is located within Tier 1, Priority A on the Growth Tier Map. Land that is designated Tier 1, Priority A is undeveloped land within the City limits, as well as areas that are not yet annexed but which have approved preliminary plans, or areas outside city limits that will have immediate infrastructure access upon annexation. The property being annexed will have an approved preliminary plat, and will have immediate infrastructure if annexed.

3. This Comprehensive Plan Amendment is to revise the FLU map designation from future Industrial to commercial. The subject property currently abuts AG, Agricultural to the north, east, and partially to the west.

It abuts H-4, General Commercial, to the south and R-3, Residential to the west. The 2050 Comprehensive Plan supports complete neighborhoods, or places where residents are able to get the goods and services to meet daily needs within 15 minutes of their residence. Complete neighborhoods include grocery stores and other commercial services, quality public schools, and a variety of housing options. This development will add to the completeness of the surrounding residential uses, and provide access to commercial services.

4. The proposed amendment is appropriate and compatible with the goals set forward in the Comprehensive Plan as it encourages locations being zoned for Commercial Use within Lancaster County to be located within the city limits of Lincoln. The related annexation (AN23005) and change of zone (CZ23019) will bring the site into Lincoln's city limits with appropriate zoning.

EXISTING LAND USE & ZONING: Agricultural Production AG, Agricultural

SURROUNDING LAND USE & ZONING

North:	Agricultural Production	AG, Agricultural
South:	Agricultural Production	AG, Agricultural; H-4, General Commercial District
East:	Agricultural Production	AG, Agricultural
West:	Educational Institutions & Agricultural Production	R-3, Residential; AG, Agricultural

APPROXIMATE LAND AREA: 43 acres more or less

PROPOSED AMENDMENT

Amend the 2050 Lincoln-Lancaster County Comprehensive Plan as follows:

1. Figure GF.b: 2050 Future Land Use: update as shown on the attached exhibit.

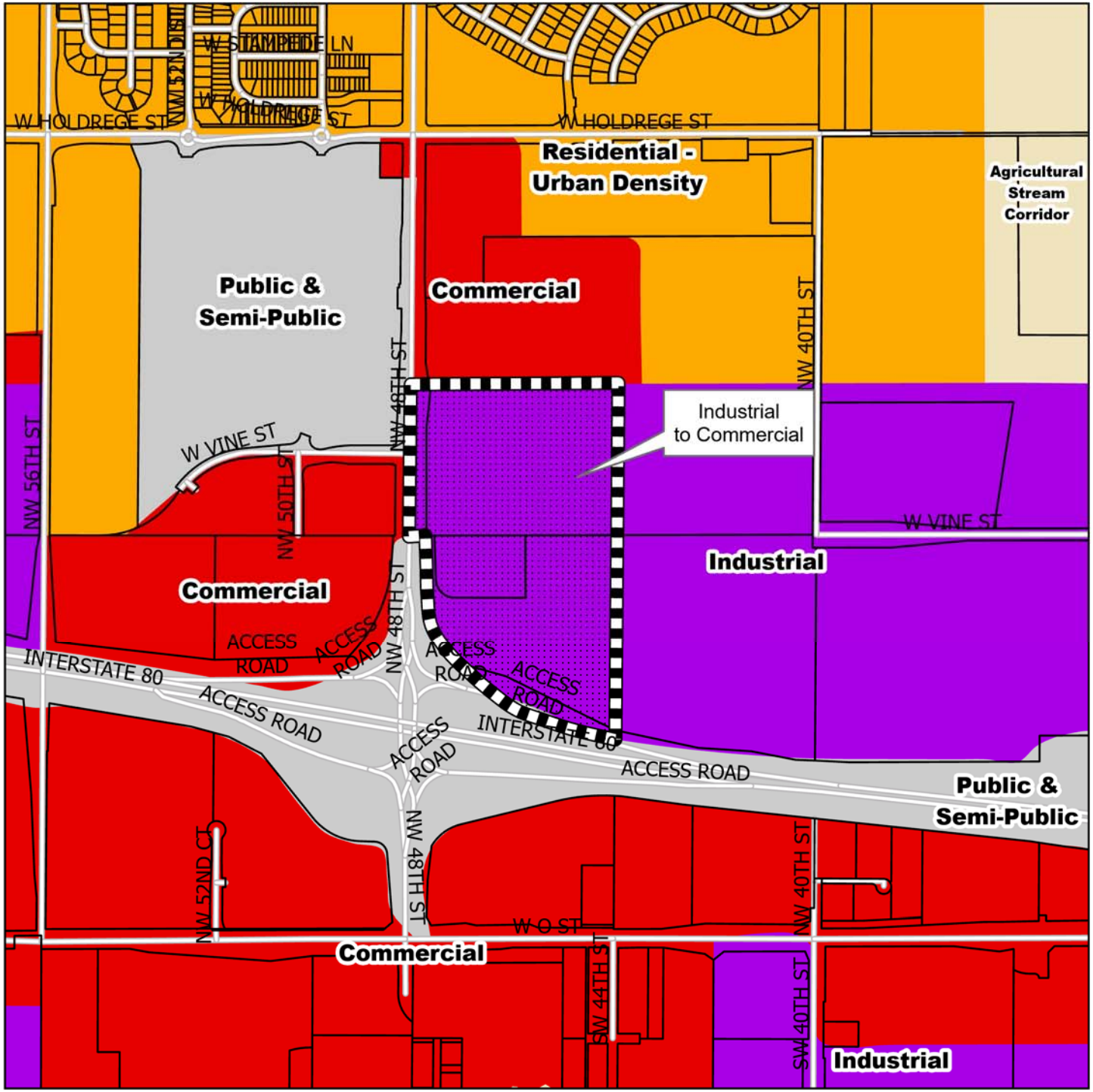
Prepared by

Emma Martin, Planner
(402) 441-6369 or emartin@lincoln.ne.gov

Date: Nov. 22, 2023

Applicant: Clark & Enersen
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Lincoln, NE 68508
Tim.gergen@clarkenersen.com

Contact: Tim Gergen
Clark & Enersen
1010 Lincoln Mall, Suite 200
Lincoln, NE 68508
Tim.gergen@clarkenersen.com



CPA # 23005
NW 48th St & Interstate 80

Proposed Future Land Use Changes

Legend

- Application Area(s)
- TaxParcel
- Agricultural
- Agricultural Stream Corridor
- Commercial
- Environmental Resources
- Green Space
- Industrial
- Light Indistrial
- Public/Semi-Public
- Residnetial - Low Density
- Residential - Urban Density
- Lakes & Streams

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LINCOLN - LANCASTER COUNTY
PLANNING DEPARTMENT
ITS Information Technology Services
555 South 10th Street
Lincoln, Nebraska 68508
Ph: 402.441.7491 Fax: 402.441.6377

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_GIS\Projects\DevReview \CompPlanAmendment.aprx

March 9, 2023

Mr. David Cary
Planning Department, City of Lincoln
County-City Building
555 So. 10th Street
Lincoln, NE 68508

RE: Falcon Corner, NE corner of the intersection of NW 48th Street and Interstate 80
Comprehensive Plan Amendment

Dear Mr. Cary:

Enclosed please find the following for the above-mentioned project:

1. Application fee; $440
2. Application
3. Future Land Use Exhibit

On behalf of the Owner/Developer, FFF LLC, 6333 Apples Way suite 115, Lincoln NE, 68516 we are requesting a Comprehensive Plan Amendment for the properties to be known as Falcon Corner located at the northeast corner of NW 48th Street and Interstate 80. The comprehensive plan amendment will be revising the future land use plan from industrial use to commercial use for these properties. This application is in conjunction with the annexation, change of zone and preliminary plat submittal for Falcon Corner.

Please contact me if you have any questions or require additional information.

Sincerely,

Tim Gergen

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

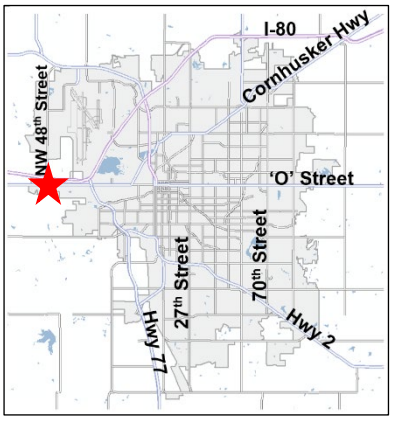
APPLICATION NUMBER	FINAL ACTION?	
Comprehensive Plan Conformance 23019 *NW 48th & W Vine Redevelopment Plan*	No	
PLANNING COMMISSION HEARING DATE	**RELATED APPLICATIONS**	**LOCATION**
December 6, 2023	AN23005, CZ23019, PP23001, CPA23005	NW 48th & W Vine

RECOMMENDATION: IN CONFORMANCE WITH THE COMPREHENSIVE PLAN

BRIEF SUMMARY OF REQUEST

Review as to conformance with the 2050 Lincoln-Lancaster County Comprehensive Plan, the Northwest 48th & West Vine Redevelopment Plan. The Plan includes approximately 503 acres and is generally located at NW 48th & W Vine Streets near the I-80 interchange. Included within the Plan is the Falcon Corner Project. The Project includes development of a large retail building and associated commercial uses.

The Redevelopment Plan is on file with the Urban Development Department and the Planning Department. The project documents can also be found online on the Planning Application Tracking System (PATS): CPC23019.



JUSTIFICATION FOR RECOMMENDATION

This Redevelopment Plan and Project is consistent with the Comprehensive Plan. The Redevelopment Plan includes a mix of commercial and residential uses that are located within the 2050 Growth Area and are generally consistent with the Future Land Use plan. The Project is a new commercial center that will be located within Lincoln city limits, outside of the floodplain, and is compatible with the surrounding uses.

APPLICATION CONTACT
Hallie Salem, (402) 441-7866 or hsalem@lincoln.ne.gov

STAFF CONTACT
Andrew Thierolf, (402) 441-6371 or athierolf@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

In addition to the items above, the Comprehensive Plan supports the creation of adequate sites with associated infrastructure to serve the community's economic development needs. This Redevelopment Plan and Project make it possible to use Tax Increment Financing (TIF) to add infrastructure that supports development in a growing area of Lincoln.

COMPREHENSIVE PLAN SPECIFICATIONS:

Introduction Section: Growth Framework

Figure GF.b: 2050 – The Redevelopment Plan area is shown as Industrial, Commercial, Residential, and Public on the 2050 Future Land Use Plan. The Redevelopment Project area is shown as Industrial on the Future Land Use Plan but a Comprehensive Plan Amendment is in process to change the site to Commercial.

Goals Section

G4: Economic Opportunity - Lincoln and Lancaster County will have high-quality jobs in an economic environment that supports business creation, innovation, and expansion.

It is important to have an economic environment that supports business creation, innovation, and expansion. Elements that contribute to a successful economic environment include:

- Skilled and educated workforce, including tradespeople
- Strong partnerships between educational institutions, major employers, and other workforce resources such as the American Job Center
- Site and infrastructure availability
- Clear and consistent regulations with a streamlined review process
- Financial incentives, such as Tax Increment Financing (TIF) and technical assistance with grant opportunities

Elements Section

E1: Complete Neighborhoods

Developing Neighborhoods
Developing neighborhoods should have a variety of housing types and sizes, plus commercial and employment opportunities. While Lincoln has some good examples of complete developing neighborhoods, the land development patterns in developing neighborhoods are typically kept separate and are accessible primarily by vehicles.

PlanForward recognizes the value of diversifying land uses in developing areas to achieve more integrated neighborhoods. Developing a pedestrian orientation of buildings and street networks that provide substantial connectivity is also a priority for developing areas. There are notable differences between some types of housing and traditional multiple-family residential developments. Typically, group living complexes such as assisted living facilities will have fewer occupants per unit and will generate less traffic than housing built for the general marketplace. Thus, a location that is deemed appropriate for group living may not be deemed appropriate for other types of higher density housing such as apartments or town homes.

In support of housing variety, the City should review existing zoning tools to encourage greater housing diversity and development of missing middle housing in developing neighborhoods. Examples include revisions to Community Unit Plan requirements or modifications to current residential zoning districts. Easy access to commercial areas, parks, schools, and other daily needs is also important and should be planned for early on in development neighborhoods.

E3: Business, Economy and Workforce

Commercial and Industrial Development

Lincoln remains the county's dominant home to both the commercial and industrial sectors of the local economy. Most of the recent growth in commercial and industrial space has occurred within the city limits of Lincoln, with other incorporated communities experiencing some growth as well. This clustering of commercial and industrial activity in the City of Lincoln has been completed in accordance with the goals of previous comprehensive plans, and PlanForward continues this development pattern.

Commercial and Industrial Centers in Lancaster County should be located:

- Within the City of Lincoln or incorporated villages.
- Outside of saline wetlands, signature habitat areas, native prairie and floodplain areas (except for areas of existing commercial and industrial zoning).
- Where urban services and infrastructure are available or planned for in the near term. In sites supported by adequate road capacity — commercial development should be linked to the implementation of the transportation plan.
- In areas compatible with existing or planned residential uses.
- In existing underdeveloped or redeveloping commercial and industrial areas in order to remove blighted conditions and to more efficiently utilize existing infrastructure.
- In areas accessible by various modes of transportation (i.e. automobile, bicycle, transit, and pedestrian).
- So that they enhance entryways or public way corridors, when developing adjacent to these corridors.
- In a manner that supports the creation and maintenance of green space as indicated in the environmental resources section of this Plan.

Policies Section

P12: Economic Growth - Promote and foster appropriate, balanced, and focused future economic growth that maintains the quality of life of the community.

It is expected that employment in Lancaster County will continue to grow across all sectors during the planning period, matching the slow and steady projected population growth discussed in the Growth Framework section of the plan. Community resources should be leveraged to maintain steady growth across all sectors of the economy.

Action Steps:

2. Locate all new commercial and industrial development within Lincoln or within the smaller incorporated communities in Lancaster County. Certain commercial uses that are compatible with agriculture and the rural environment, such as commercial wind and solar energy facilities, are allowed in rural areas of the county.

P15: Infrastructure and Economic Development – Seek to efficiently utilize investments in existing and future public infrastructure to advance economic development opportunities.

A key element to supporting future development in Lancaster County is ensuring that adequate sites are available with associated infrastructure.

Action Steps:

1. Continue to provide adequate sites with associated infrastructure to serve the community's economic development needs.

CLIMATE ACTION PLAN SPECIFICATIONS:

p. 14 Key Initiatives to Build a Decarbonized and Efficient Transportation Systems
Continue to encourage mixed-use development in the Comprehensive Plan.
Consider Transit Oriented Development policies in the update of the Comp Plan 2050.

p. 17 Align economic development goals with climate realities to ensure a thriving economy.

AFFORDABLE HOUSING COORDINATED ACTION PLAN SPECIFICATIONS:

p. 8 Over the next decade, Lincoln will need an additional 17,000 units to support projected population growth.

p. 9 Of the 17,000 additional units, 5,000 of those units will need to rent below $1,000 a month and almost 4,000 ownership options will need to be priced below $200,000.

p. 69 Lincoln's zoning code has areas that need to be examined to make the process clearer and more straight-forward, but the code also has a good amount of flexibility that supports many different approaches. Examples of this are occurring all over the city, including container housing and small lot, mixed-density subdivisions. Despite this, developers noted that they would go back to what they know best because it saved them time and lowered risk. The scale of innovative projects and other factors that add to housing cost must also be addressed to create more affordable units in addition to improving the code.

ANALYSIS

1. This is a request to review as to conformance with the 2050 Lincoln-Lancaster County Comprehensive Plan (PlanForward 2050), the Northwest 48th & West Vine Redevelopment Plan. The Redevelopment Plan area boundary is attached and includes approximately 503 acres. Potential land uses include Commercial, Residential, and Industrial.

2. Redevelopment activities are guided by the Nebraska Community Development Law (§ 18-2101, et. seq.) which requires that the governing body must first declare the project area substandard and blighted in order to prepare a redevelopment plan. In February 2008 the Redevelopment Area was determined as blighted and substandard (MISC07010).

3. The designation of blight and substandard for the redevelopment area, along with creation of this Redevelopment Plan, makes projects within the redevelopment area potentially eligible for Tax Increment Financing (TIF) that can be applied to public improvements.

4. The Redevelopment Area is mostly vacant/agriculture, with the exception of the new Lincoln Northwest High School on the west side of NW 48th Street. The lack of infrastructure elsewhere in the Redevelopment Area has made development difficult. W Vine Street is not constructed between NW 48th and NW 40th Streets, which has contributed to development and access challenges in that area. In addition, topography challenges in much of the redevelopment area means that significant grading must occur before development would be possible.

5. Potential redevelopment activities mentioned in the Redevelopment Plan include:
   a. Constructing streets (starting with W Vine Street), sidewalks, water, and sewer.
   b. Support for commercial and industrial redevelopment projects with activities such as grading and site preparation, environmental testing and remediation, and construction of complementary streets, sidewalks, trails and utilities.

6. The Redevelopment Plan uses PlanForward 2050 as a guide for potential redevelopment activities in the area. Concepts from PlanForward 2050 include the Developing Neighborhoods Guiding Principles (from Element 1) and the Commercial and Industrial Centers Guiding Principles (from Element 3).

7. The Redevelopment Plan is also consistent with the City's Climate Action Plan. The Climate Action Plan prioritizes the continuation of mixed-use development, the adoption of pedestrian-oriented development, and the adoption of transit-oriented development ("TOD") policies regarding the City's growth and redevelopment. The Climate Action Plan also emphasizes the alignment of economic development goals with climate realities, through the growth of climate smart businesses and the development of a climate-ready workforce. Thus, ideal Projects will provide for walkable, mixed-use housing options and/or will incorporate businesses, institutions, or public services which further the goals of climate-smart innovation and economic development.

8. The Redevelopment Plan is also consistent with the City's Affordable Housing Coordinated Action Plan. The Action Plan identifies strategies which could influence the future land use and zoning within redevelopment areas, such as increasing the percentage of land zoned for multi-family and missing middle housing, expanding the number for affordable units though the Low-Income Housing Tax Credits ("LIHTC") funding product, and encouraging infill redevelopment in existing neighborhoods. Projects formed by these strategies are more likely to increase the density of housing units and population within redevelopment areas. Effective redevelopment proposals will also aim to minimize any adverse effects on existing residents.

9. The Redevelopment Plan includes one defined project, the Falcon Corner Project. The Project Site covers approximately 15 acres on the east side of NW 48th Street.

10. The Project includes the construction of a large retail building with outdoor storage yard, along with associated commercial uses such as a gas station, car wash, and two restaurants.

11. The construction of W Vine Street between NW 48th and NW 40th Streets is a key element of the Project's utilization of TIF. The access provided by construction of W Vine Street will open the area for development and create the potential for further extension of W Vine Street improvements to serve additional development all the way to NW 27th Street, creating a new access point for the entire area east of NW 48th Street.

    The current Project is focused on W Vine between NW 48th and NW 40th Streets. Additional portions of W Vine and NW 40th Street are included within the Project Area in case additional TIF funds are generated with the Project.

12. The development of the Project Area presents a challenge, as there is a significant amount of grading which must be done to meet street grade standards, as well as provide sufficiently level sites for construction of the proposed buildings. However, meeting that challenge will provide opportunities to create additional land for redevelopment.

13. The intention is that this Project and the associated infrastructure improvements will support further development in the surrounding area, including additional residential development, to complement the new high school and contribute to the mix of uses along the NW 48th Street corridor.

14. The Project Site is currently shown as Industrial on the Future Land Use Map. A Comprehensive Plan amendment (CPA23005) is currently in process to change the area from Industrial to Commercial. The CPA23005 staff report includes an analysis of the proposed change.

15. The Project has several other associated applications (AN23005, CZ23019, PP23001). The staff report for the Preliminary Plat (PP23001) discusses details of site layout and development considerations.

16. The total construction costs for the proposed Falcon Corner Project are estimated to be $35 - $40 million, which includes approximately $3.6 million in public financing. The source of public funds for these improvements will be the tax increment generated from the private developments on the Project Site. Funding sources and uses will be negotiated and identified in the redevelopment agreement, subject to approval by the Mayor and the City Council.

EXISTING LAND USE & ZONING:

Vacant/Agriculture, School	R-3 Residential, AG Agriculture, H-4 General Commercial

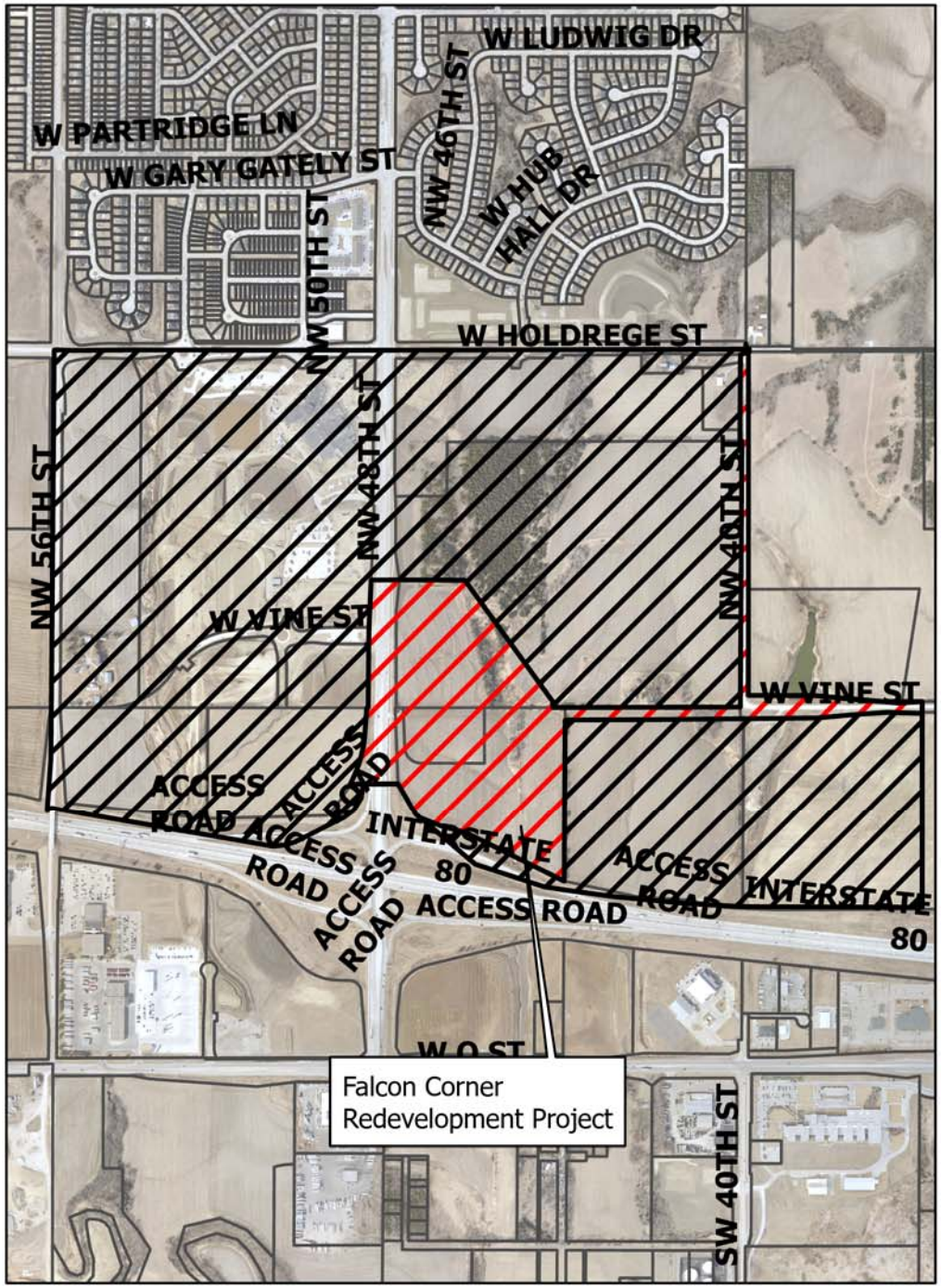
APPROXIMATE LAND AREA: 503 acres (Redevelopment Plan), 15 acres (Project Site)

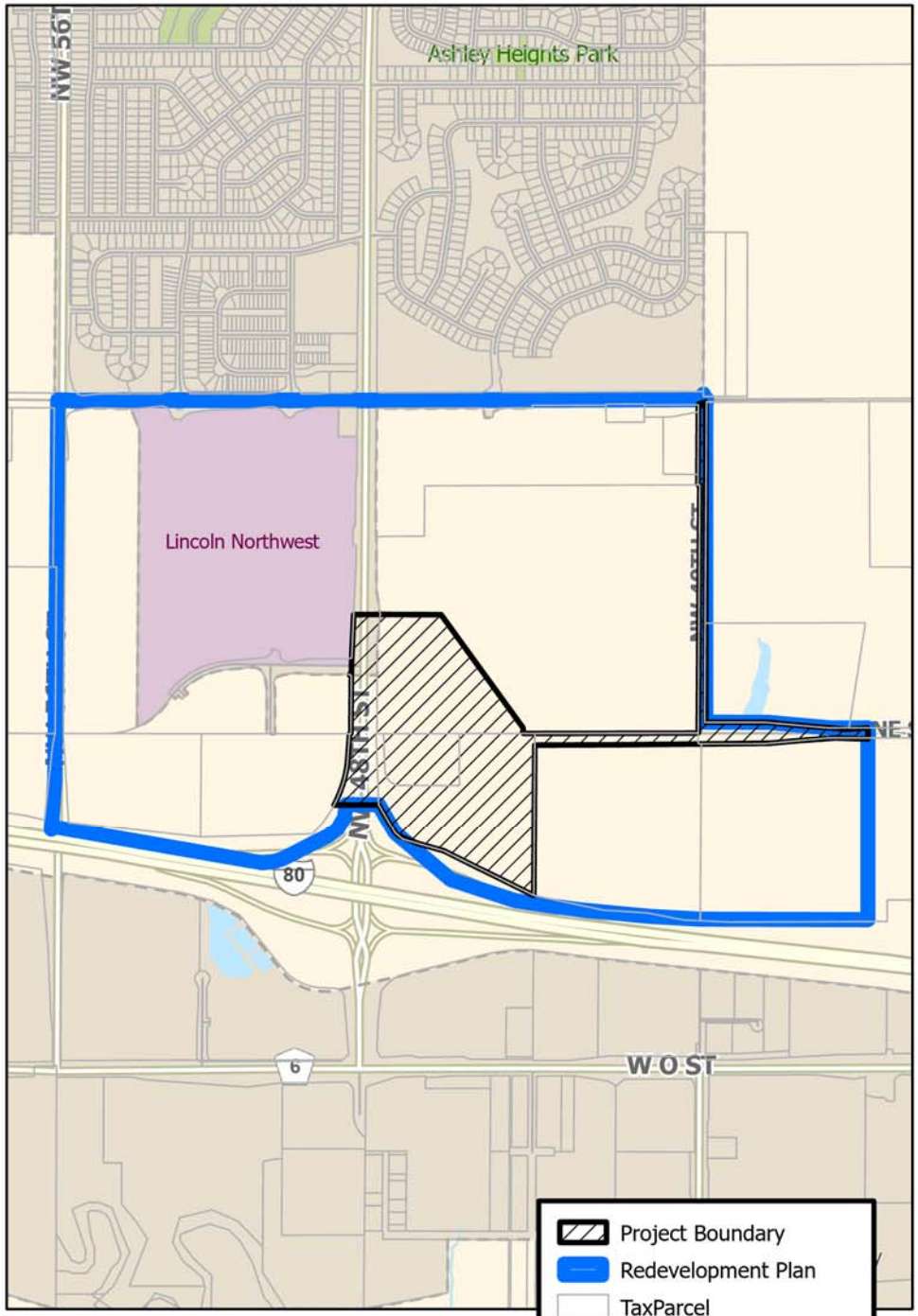
Prepared by Andrew Thierolf, AICP
November 27, 2023

Applicant: Peter Hind, Urban Development
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phind@lincoln.ne.gov

Contact: Hallie Salem
555 S. 10th Street
Lincoln, NE 68508
(402) 441-7866
hsalem@lincoln.ne.gov

Owner: FFF LLC
6333 Apples Way, Suite 115
Lincoln, NE 68516





2022 aerial

Comprehensive Plan Conformance #: CPC23019

New NW 48th & West Vine Redevelopment Plan along with the Falcon Corner Redevelopment Project

Project: ...GIS\Projects\DevReview\CPCRedevelopmentAreaDrawings.aprx
PDF: \Boards\PC\Internet\Out\

CITY OF LINCOLN NEBRASKA

URBAN DEVELOPMENT DEPARTMENT
555 South 10th Street, Suite 205 | Lincoln, NE 68508
402-441-7606 | lincolnne.gov

November 8, 2023

Andrew Thierolf, Planning Department
City of Lincoln-Lancaster County Planning Department
555 S. 10th Street, Suite 213
Lincoln, NE 68508

Dear Andrew:

Enclosed is a copy of the NW 48th and West Vine Redevelopment Plan, including the Falcon Corner Project. This redevelopment project proposes construction of West Vine Street east of NW 48th Street as well as preparing for the development of future commercial development in the Redevelopment Area.

Once submitted through Project Dox, please forward the proposed amendment to the Planning Commission for their consideration for Comprehensive Plan compliance at the December 6, 2023 public hearing. We request that the Redevelopment Plan also be scheduled at City Council for introduction on January 8, 2023 and public hearing on January 22, 2023.

If you have questions or need additional information, please contact me at 402-441-7857 or jhiatt@lincoln.ne.gov.

Sincerely,

Jennifer Hiatt

Jennifer Hiatt
Redevelopment Planner

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

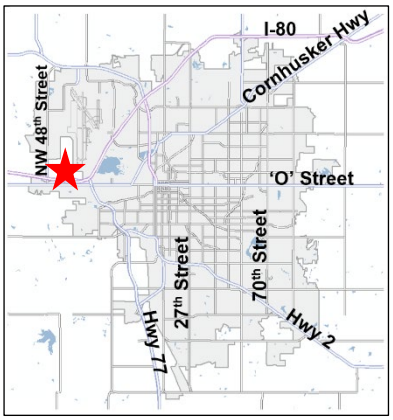
APPLICATION NUMBER	FINAL ACTION?	DEVELOPER/OWNER
Annexation #23005 Change of Zone #23019	No (all applications)	FFF, LLC
PLANNING COMMISSION HEARING DATE	**RELATED APPLICATIONS**	**PROPERTY ADDRESS/LOCATION**
December 6, 2023	PP23001, CPA23005, CPC23019	NW 48th St and Interstate 80

ANNEXATION RECOMMENDATION: CONDITIONAL APPROVAL
CHANGE OF ZONE RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a combined staff report for two related applications associated with the Falcon Corner Preliminary Plat, located northeast of the intersection of NW 48th Street and Interstate 80. The change of zone is from AG Agriculture to H-4 General Commercial over approximately 15 acres. The annexation is for approximately 52 acres.

The associated Preliminary Plat for Falcon corner proposes an overall site layout for the development. That plan shows 5 lots for commercial development.



JUSTIFICATION FOR RECOMMENDATION

This request for annexation and change of zone from AG to H-4 will be compatible with the existing surrounding zoning uses, including the H-4 to the south. The area will be contiguous with existing city limits with the proposed annexation on the west side of NW 48th Street and the south side of W Vine Street. City services, including sewer and water, are available for this site.

APPLICATION CONTACT
Tim Gergen, (402) 477-9291 or
tim.gergen@clarkenersen.com

STAFF CONTACT
Emma Martin, (402) 441-6369 or
emartin@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The 2050 Comprehensive Plan currently shows this location as Industrial on the Future Land Use Plan. The general area surrounding the application site is currently a mix of agriculture, residential, and commercial uses. The southern part of the application site is currently zoned H-4 General Commercial and the northern portion is zoned AG Agricultural. A Comprehensive Plan Amendment has been submitted to update the Future Land Use Map for this location to Commercial, as the site is abutting future Commercial to the north, west and to the south, across I-80. The annexation of this property is compatible with the 2050 Comprehensive Plan by encouraging commercial centers to develop within the city limits of Lincoln and other incorporated villages within Lancaster County. The change of zone and annexation encourage the goals of economic growth and development, as well as commercial development within Lincoln, espoused in the Comprehensive Plan. The proposed change of zone fits with the character of the existing uses and the proposed future uses of the surrounding land.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

Figure GF.b: 2050 - This site is shown as future industrial on the 2050 Future Land Use Plan.

Land Use Plan – Industrial – areas where railroads, manufacturing, trucking and transportation facilities are the dominant land use, with some commercial activities.

Figure GF.c - This site is shown in Tier 1, Priority A on the 2050 Priority Growth Area Map.

Fundamentals of Growth in Lancaster County

Multi-directional contiguous growth. Lincoln's future urban growth should generally occur in multiple directions around the existing city. Lincoln will continue to have managed and contiguous growth, including strengthening our Downtown core. Lincoln's sense of community has been based on incremental, compact growth built on the foundations of established neighborhoods. Future growth will continue this traditional pattern and be linked to both the level of demand in the market and to the orderly extension of public improvements and services.

Gravity flow wastewater. The City of Lincoln's wastewater collection system, in general, will continue to be a gravity flow system that is designed to use gravity as the main energy source to convey wastewater from the community to the water resource recovery facilities. This means that drainage basin boundaries are a primary guiding factor when determining availability of urban wastewater services and other infrastructure. This provides for contiguous growth, efficient long range planning, and cost-effective construction and management of the system.

Urban infrastructure availability. The City of Lincoln will provide water and wastewater service only to properties located within the corporate limits of the city.

Natural resource preservation. Natural and environmentally sensitive areas should be preserved within and between neighborhoods. Conservation areas and open lands should be used to define and connect different neighborhoods. The natural topography and features of the land should be preserved by new development to maintain the natural drainageways and minimize land disturbance.

One public school district. Lincoln Public Schools is the only public school district within the City of Lincoln, and the Lincoln Public School boundary will continue to expand as the city limits of Lincoln expand.

The City of Lincoln's present infrastructure investment should be maximized by planning for well-designed and appropriately-placed residential and commercial development in existing areas of the city with available capacity. This can be accomplished by redeveloping underutilized commercial centers into areas that include a mix of uses, and encouraging higher-density residential redevelopment in appropriate locations, including missing middle housing. New infrastructure investments to serve growth areas can be maximized by encouraging a higher density of both residential and commercial uses in these areas.

New commercial and industrial development should be located in Lincoln and other incorporated communities. Lincoln has ample land area and infrastructure availability for commercial and industrial development. The situation is similar in most incorporated communities in the county. Rural areas of the county do not have access to urban infrastructure, and commercial or industrial development can add significant traffic and maintenance responsibilities to county roads.

Concurrency

The key to a successful community is the concurrent development of infrastructure proportionate to the development and need of the community — a balance between the need for infrastructure and the need to conserve resources.

The Community in 2050

The following assumptions provide the framework for growth in the 2050 plan.

Lancaster County is projected to add approximately 53,000 households by 2050, with 48,000 of those new households in Lincoln (roughly 1,600 new households per year).

25 percent of all new dwelling units in Lincoln will be infill, meaning they will be located within the existing city. This equates to roughly 12,000 infill units over the next 30 years.

New growth areas will have an average gross residential density of 4.0 du/acre.

The population age 65 and above is projected to increase from 45,600 (14.2 percent of total) in 2020 to 74,900 (17 percent of total) in 2050.

Benefits of Well-Planned Growth

Continued investment within the city ensures that our existing neighborhoods and commercial areas remain vibrant and desirable locations. More "rooftops" near existing commercial areas help to support continued commercial investment.

Goals Section

G4: Economic Opportunity. Lincoln and Lancaster County will have high-quality jobs in an economic environment that supports business creation, innovation, and expansion. Quality-of-life attributes, such as diverse and accessible housing, good shopping, restaurants and entertainment, quality schools and healthcare, a sense of safety, and amenities such as parks and trails are important to ensuring that skilled individuals want to remain or relocate to our community.

Elements Section

E3: Business, Economy, and Workforce

Commercial and Industrial Development

Commercial and Industrial Centers in Lancaster County should be located:

- Within the City of Lincoln or incorporated villages.
- Outside of saline wetlands, signature habitat areas, native prairie and floodplain areas (except for areas of existing commercial and industrial zoning).
- Where urban services and infrastructure are available or planned for in the near term. In sites supported by adequate road capacity — commercial development should be linked to the implementation of the transportation plan.
- In areas compatible with existing or planned residential uses.
- In existing underdeveloped or redeveloping commercial and industrial areas in order to remove blighted conditions and to more efficiently utilize existing infrastructure.
- In areas accessible by various modes of transportation (i.e. automobile, bicycle, transit, and pedestrian).
- So that they enhance entryways or public way corridors, when developing adjacent to these corridors.
- In a manner that supports the creation and maintenance of green space as indicated in the environmental resources section of this Plan.

Policies Section

P12: Economic Growth - Promote and foster appropriate, balanced, and focused future economic growth that maintains the quality of life of the community.

Action Steps

1. Offer incentives for “primary” employers – that is, for companies where the majority of their business and sales come from outside Lancaster County.
2. Locate all new commercial and industrial development within Lincoln or within the smaller incorporated communities in Lancaster County. Certain commercial uses that are compatible with agriculture and the rural environment, such as commercial wind and solar energy facilities, are allowed in rural areas of the county.
3. Continue to coordinate the City’s economic development efforts with research and development functions of the University of Nebraska-Lincoln, including continued development of Innovation Campus. The success of the University’s research and development is important to the future of the city.
4. Continue to fund the Lincoln Partnership for Economic Development (LPED) and promote business retention, recruitment, and workforce development strategies and outcomes for the City of Lincoln through this public/private partnership.
5. Encourage public-private partnerships, strategic alliances, and collaborative efforts as a means to accomplish future economic objectives.
7. Focus primarily on retention and expansion of existing businesses; attracting new businesses should also be encouraged.

P13: Commercial and Industrial Centers - Support high-quality commercial and industrial centers located throughout the community.

Action Steps

1. Implement commercial center location and design principles as discussed in the Business & Economy element.
2. Discourage “four corner commercial development” – with commercial uses at all four corners of an intersection – in order to promote walkability and ease of movement within each commercial center.
3. Implement industrial center principles as discussed in the Business & Economy element.
4. Continue incentive-based programs promoting the installation of renewable energy systems. Incentives may include offering rebates on purchasing equipment, attractive net metering pricing, tax incentives, height allowances, setback, and area-based incentives, expedited permitting, and others.

P15: Infrastructure and Economic Development - Seek to efficiently utilize investments in existing and future public infrastructure to advance economic development opportunities.

Action Steps

1. Continue to provide adequate sites with associated infrastructure to serve the community’s economic development needs.
2. Continue the County’s support for road improvements that accommodate commercial and other development within the smaller incorporated areas.
4. Continue incentive-based (residential, commercial, or industrial) programs promoting the installation of renewable energy systems. Incentives may include offering rebates on purchasing equipment, attractive net metering pricing, tax incentives, height allowances, setback, and area-based incentives, expedited permitting, and others.

P80: Annexation - Annexation should be utilized to provide municipal services in a fair and efficient manner.

The City of Lincoln requires that properties receiving municipal services be located within city limits. City annexation should occur before any property is provided with water, sanitary sewer, or other potential City services. In most cases this also means that annexation must occur prior to a property receiving an urban zoning designation. The City routinely annexes land at the request of a developer or landowner as part of the regular development process. This allows properties to be supplied with City services when they are needed, and the City benefits from the property taxes, utilities, and other fees that City residents pay. Some properties along the City’s edge may not be interested in further development and thus will not request annexation. In some cases it is necessary for the City to initiate annexation of adjacent properties that are already developed and require a minimal public investment to

serve.

Action Steps

1. Regularly evaluate for potential annexation all property along the city's edge for which basic infrastructure is generally available or planned for in the near term. The City should annex land in Tier 1 Priorities A and B that is contiguous to city limits and generally urban in character. All land that is engulfed by the City should be annexed.
2. Provide advance notice to properties that may be subject to city-initiated annexation.
3. Properties within the Tier 1 Priority A growth area should be annexed upon approval of final plat.
4. Coordinate the provision of services for areas considered for annexation with the Capital Improvement Program.

UTILITIES & SERVICES

A. Sanitary Sewer: Sanitary sewer is available by way of a 12" sanitary sewer main that will be extended from the east of this project area.

B. Water: Water is available by way of connection to a 16" water main in NW 48th Street to serve this development.

C. Roads: The development expansion area includes additional streets in the interior of the proposed Preliminary Plat. W Vine Street will provide the connection from NW 48th Street and move through the development, and a network of internal private driveways will provide access from W Vine Street.

D. Parks and Trails: There is an existing trail along the east side of NW 48th Street, which borders the proposed development area.

E. Fire Protection: After annexation, fire protection will be provided by Lincoln Fire & Rescue (LFR). LFR Station 11 located at 4600 West Adams Street will serve this area.

ANALYSIS

1. This application is a request to annex approximately 43 acres, generally located at the northeast corner of NW 48th Street and Interstate 80; and a request to change the zone of the northern portion of the annexed property from AG Agricultural to H-4 Highway Commercial.
2. Associated with this annexation and change of zone is a Comprehensive Plan Amendment to revise the Future Land Use Plan, a Comprehensive Plan Conformance for a redevelopment plan and project, and a Preliminary Plat to show the future lot and street layout. The land use change is from Industrial to Commercial.
3. The annexation area includes approximately 43 acres covered by associated Preliminary Plat #23001 on the east side of NW 48th Street, with approximately 9 acres on the west side of NW 48th Street. The portion of right-of-way that is contiguous to the 43 acres was not enough to consider the property contiguous to the City of Lincoln. Therefore, to ensure the annexation meets city requirements, the western 9 acres and the NW 48th Street right-of-way were added to the annexation. The owner of the land to the west was notified. The lot on the west side of the street can be provided with urban utilities and services as well.
4. The proposed annexation area is located within Tier 1, Priority A of the Future Growth Tier Map in the 2050 Comprehensive Plan. Growth Tier 1 reflects the "Future Service Limit" where urban services and inclusion in the City limits is anticipated within the 30-year planning period, and includes three Priority Areas for phasing development. Tier 1, Priority A includes areas that are not yet annexed but have approved preliminary plans or areas outside city limits that will have immediate infrastructure access upon annexation.
5. While this area is designated for future industrial use by the 2050 Comprehensive Plan, the associated Comprehensive Plan Amendment, CPA23005, is to change the future industrial use to future commercial. H-4 Highway Commercial zoning is also an appropriate zoning designation based on the existing H-4 zoning within the southern portion of the annexation area. There are no adjacent residential uses.
6. With the change of zone from agricultural to commercial, traffic will increase. NW 48th Street is an improved street with four through lanes with two left turn lanes for a total of six lanes. The W Vine and NW 48th Street intersection will also be signalized.

7. A traffic study was submitted to address the increased traffic impact. LTU - Traffic Engineering has reviewed the provided traffic study and made note of comments that remain unaddressed from a previous review in November of 2022. LTU – Traffic Engineering has requested additional information for a detailed engineering review, and noted that prior to construction, detailed engineering plans and specifications shall be submitted for LTU approval.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Agricultural Production AG, Agricultural

SURROUNDING LAND USE & ZONING

North:	Agricultural Production	AG, Agricultural
South:	Agricultural Production	AG, Agricultural; H-4, General Commercial District
East:	Agricultural Production	AG, Agricultural
West:	Educational Institutions & Agricultural Production	R-3, Residential; AG, Agricultural

APPROXIMATE LAND AREA:

Annexation: 52 acres more or less

Change of Zone: 15 acres more or less

PROPOSED CITY COUNCIL DISTRICT ASSIGNMENT:

LEGAL DESCRIPTION:

Annexation: A portion of Lot 68, I.T., Lots 52, 64, and 65, I.T., located in the E 1/2 of Section 19-10-6, and Lot 77 IT, located in the NW 1/4 of Section 19-10-6 and adjacent right-of-way of NW 48th Street from the south lot line of Lot 77 to the north lot line of Lot 77 in Section 19-10-06, generally located at the northeast corner of NW 48th Street and Interstate 80.

Change of Zone: A portion of Lot 68, I.T., located in the NE 1/4 of Section 19-10-6, generally located at the northeast corner of NW 48th Street and Interstate 80.

Prepared by Emma Martin
(402) 441-6369 or emartin@lincoln.ne.gov

Date: November 22, 2023

Applicant: Clark & Enersen
1010 Lincoln Mall, Suite 200
Lincoln, NE 68508
Tim.gergen@clarkenersen.com

Contact: Tim Gergen,
Clark & Enersen
1010 Lincoln Mall, Suite 200
Lincoln, NE 68508
Tim.gergen@clarkenersen.com

Owner: FFF, LLC
6333 Apples Way, Suite 115

Lincoln, NE 68516

Hellen Belle Kitzel Farms, LLC
ATTN: Larry Bowman
PO Box 187
Bruning, NE 68322

Ringneck Development LLC
2028 S 85 Avenue
Omaha, NE 68124

CONDITIONS OF APPROVAL – ANNEXATION #23005 & CHANGE OF ZONE #23019

1. Before the City Council approves the annexation and change of zone:

   1.1 The applicant signs an annexation and zoning agreement



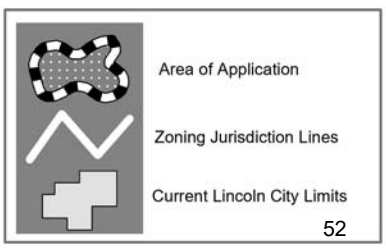
2020 aerial

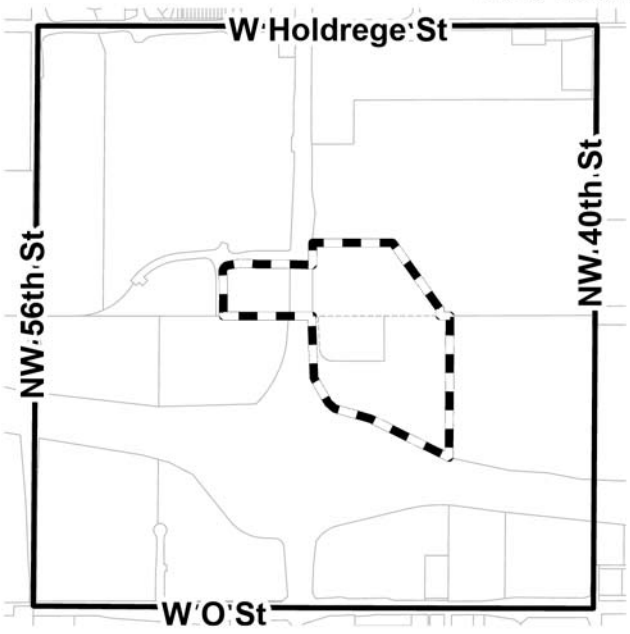
Annexation #: AN23005
Falcon Corner
NW 48th St & Interstate 80

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile:
Sec.19 T10N R06E





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2020 aerial

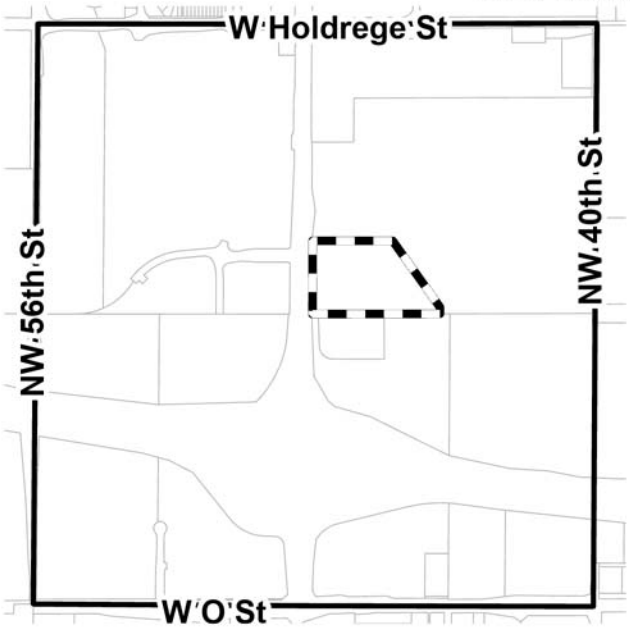
Change of Zone #: CZ23019 (AG to H-4)
Falcon Corner
NW 48th St & Interstate 80

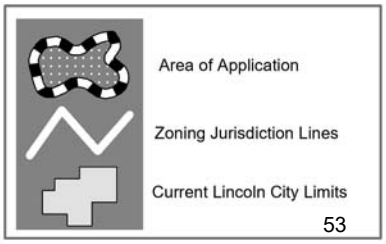


Zoning:

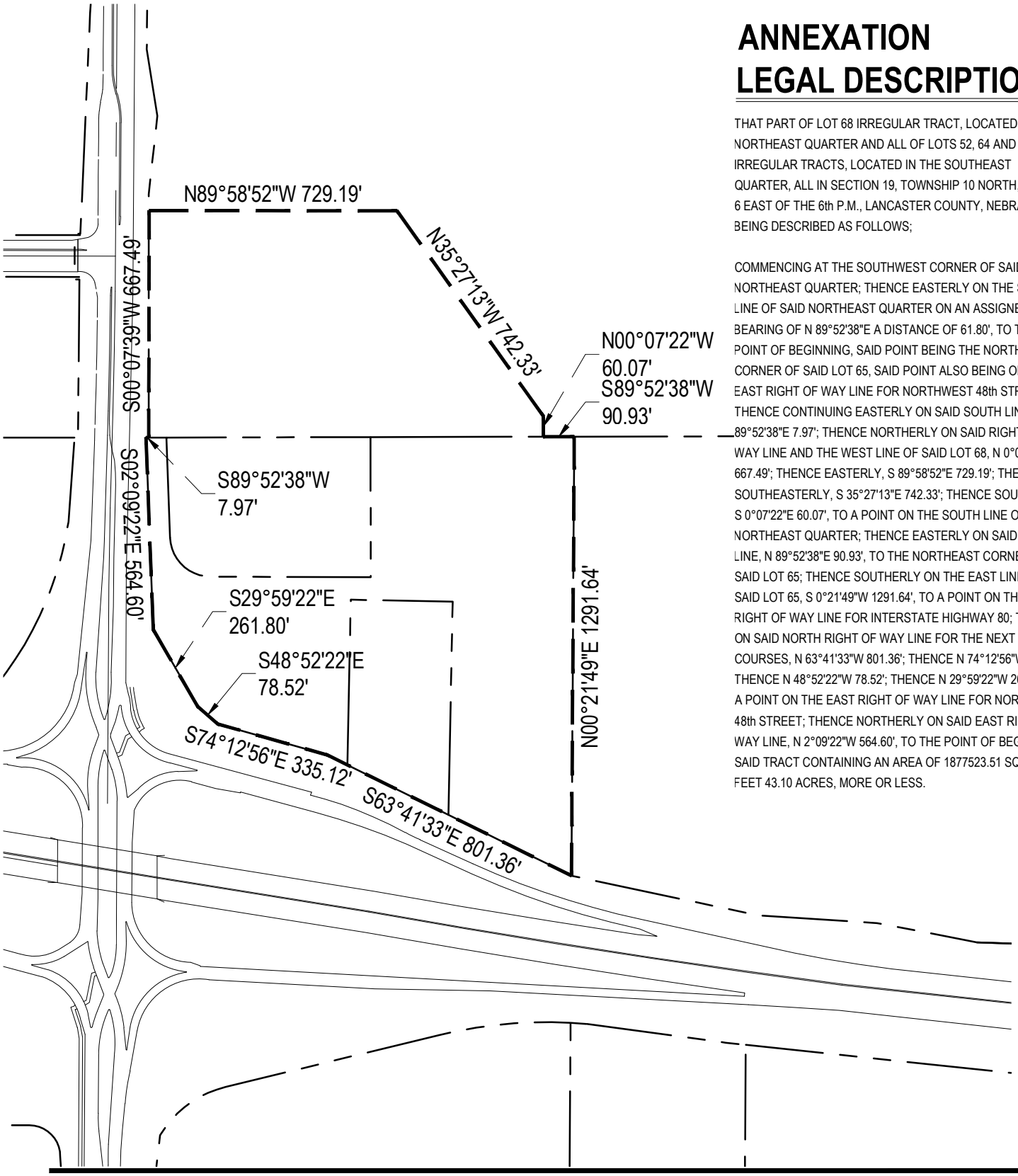
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile:
Sec.19 T10N R06E





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ANNEXATION LEGAL DESCRIPTION

THAT PART OF LOT 68 IRREGULAR TRACT, LOCATED IN THE NORTHEAST QUARTER AND ALL OF LOTS 52, 64 AND 65 IRREGULAR TRACTS, LOCATED IN THE SOUTHEAST QUARTER, ALL IN SECTION 19, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6th P.M., LANCASTER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE EASTERLY ON THE SOUTH LINE OF SAID NORTHEAST QUARTER ON AN ASSIGNED BEARING OF N 89°52'38"E A DISTANCE OF 61.80', TO THE POINT OF BEGINNING, SAID POINT BEING THE NORTHWEST CORNER OF SAID LOT 65, SAID POINT ALSO BEING ON THE EAST RIGHT OF WAY LINE FOR NORTHWEST 48th STREET; THENCE CONTINUING EASTERLY ON SAID SOUTH LINE, N 89°52'38"E 7.97'; THENCE NORTHERLY ON SAID RIGHT OF WAY LINE AND THE WEST LINE OF SAID LOT 68, N 0°07'39"E 667.49'; THENCE EASTERLY, S 89°58'52"E 729.19'; THENCE SOUTHEASTERLY, S 35°27'13"E 742.33'; THENCE SOUTHERLY, S 0°07'22"E 60.07', TO A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER; THENCE EASTERLY ON SAID SOUTH LINE, N 89°52'38"E 90.93', TO THE NORTHEAST CORNER OF SAID LOT 65; THENCE SOUTHERLY ON THE EAST LINE OF SAID LOT 65, S 0°21'49"W 1291.64', TO A POINT ON THE NORTH RIGHT OF WAY LINE FOR INTERSTATE HIGHWAY 80; THENCE ON SAID NORTH RIGHT OF WAY LINE FOR THE NEXT FOUR (4) COURSES, N 63°41'33"W 801.36'; THENCE N 74°12'56"W 335.12'; THENCE N 48°52'22"W 78.52'; THENCE N 29°59'22"W 261.80', TO A POINT ON THE EAST RIGHT OF WAY LINE FOR NORTHWEST 48th STREET; THENCE NORTHERLY ON SAID EAST RIGHT OF WAY LINE, N 2°09'22"W 564.60', TO THE POINT OF BEGINNING, SAID TRACT CONTAINING AN AREA OF 1877523.51 SQUARE FEET 43.10 ACRES, MORE OR LESS.

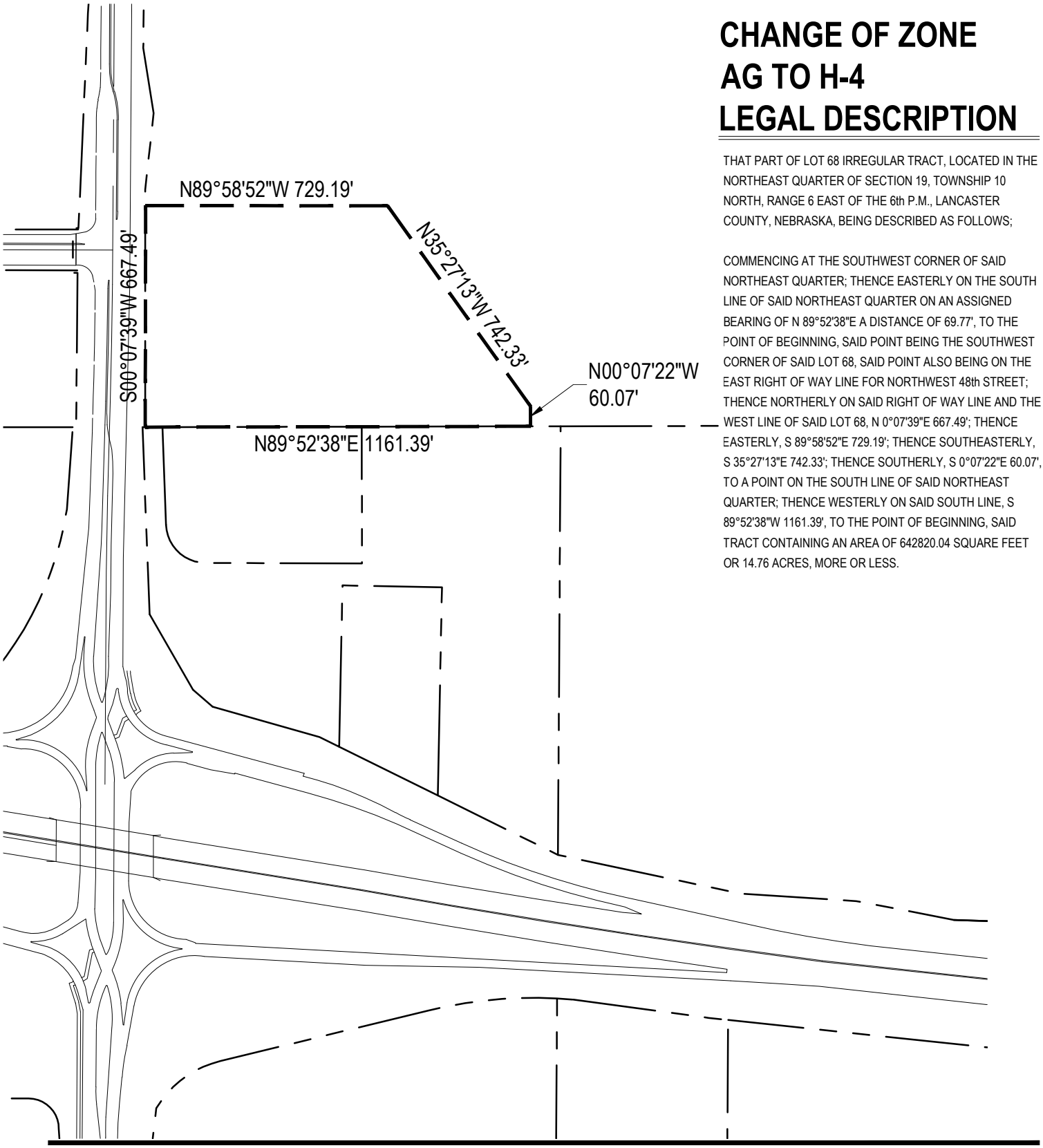
Falcon Corner
Lincoln, Nebraska
CE Project No.: 863-009-21

CLARK & ENERSEN
Architecture \ Engineering \ Interior Design \ Landscape Architecture \ Planning

1010 Lincoln Mall, Suite 200 Lincoln, NE 68508-2883
P: 402.477.9291 F: 402.477.6542
Kansas City, MO Fairway, KS Portland, OR Fort Collins, CO Omaha, NE clarkenersen.com

Annexation Exhibit
Date: Feb. 28, 2023

CHANGE OF ZONE
AG TO H-4
LEGAL DESCRIPTION



THAT PART OF LOT 68 IRREGULAR TRACT, LOCATED IN THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6th P.M., LANCASTER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE EASTERLY ON THE SOUTH LINE OF SAID NORTHEAST QUARTER ON AN ASSIGNED BEARING OF N 89°52'38"E A DISTANCE OF 69.77', TO THE POINT OF BEGINNING, SAID POINT BEING THE SOUTHWEST CORNER OF SAID LOT 68, SAID POINT ALSO BEING ON THE EAST RIGHT OF WAY LINE FOR NORTHWEST 48th STREET; THENCE NORTHERLY ON SAID RIGHT OF WAY LINE AND THE WEST LINE OF SAID LOT 68, N 0°07'39"E 667.49'; THENCE EASTERLY, S 89°58'52"E 729.19'; THENCE SOUTHEASTERLY, S 35°27'13"E 742.33'; THENCE SOUTHERLY, S 0°07'22"E 60.07', TO A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER; THENCE WESTERLY ON SAID SOUTH LINE, S 89°52'38"W 1161.39', TO THE POINT OF BEGINNING, SAID TRACT CONTAINING AN AREA OF 642820.04 SQUARE FEET OR 14.76 ACRES, MORE OR LESS.

Falcon Corner
Lincoln, Nebraska
CE Project No.: 863-009-21

CLARK & ENERSEN
Architecture \ Engineering \ Interior Design \ Landscape Architecture \ Planning

1010 Lincoln Mall, Suite 200 Lincoln, NE 68508-2883
P: 402.477.9291 F: 402.477.6542
Kansas City, MO Fairway, KS Portland, OR Fort Collins, CO Omaha, NE clarkenersen.com

Change of Zone Exhibit
Date: Feb. 28, 2023

February 28, 2023

Mr. David Cary
Planning Department, City of Lincoln
County-City Building
555 So. 10th Street
Lincoln, NE 68508

RE: Falcon Corner, NE corner of the intersection of NW 48th Street and Interstate 80
Annexation; Change of Zone from AG to H-4; Preliminary Plat

Dear Mr. Cary:

Enclosed please find the following for the above-mentioned project:

1. Application fee; $5,913 ($1,056 change of zone +$4,857 prelim plat)
2. Application
3. Preliminary Plat Site Plan
4. Preliminary Plat Grading & Drainage Plan
5. Preliminary Plat Street Profile

On behalf of the Owner/Developer, FFF LLC, 6333 Apples Way suite 115, Lincoln NE, 68516 we are requesting annexation and a preliminary plat for the property to be known as Falcon Corner located at the northeast corner of NW 48th Street and Interstate 80. A change of zone from AG Agricultural to H-4 Highway Commercial is being requested on the northern portion of the preliminary plat boundary. The majority of the preliminary plat is already zoned H-4 Highway Commercial.

The development is proposing 5 commercial lots and 3 outlots for stormwater purposes. The eastern commercial lot will have engineering data submitted with a future administrative amendment. The commercial lots will be served by public sanitary sewer and public water mains. The City is currently designing the trunk sanitary sewer that will bring the sanitary sewer to this development. A subsidized 12" public water main will be installed in Vine Street. Vine Street, a public collector road, will be extended to the eastern boundary of the preliminary plat.

Please contact me if you have any questions or require additional information.

Sincerely,

Tim Gergen

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

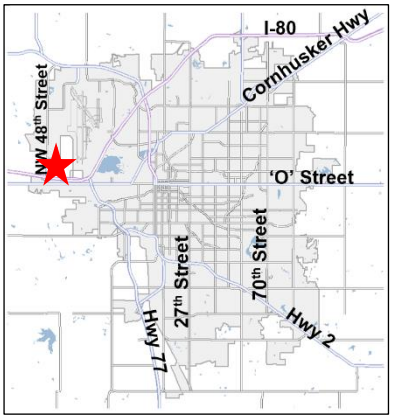
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER	FINAL ACTION?	DEVELOPER/OWNER
Preliminary Plat #23001	Yes	FFF, LLC
PLANNING COMMISSION HEARING DATE	**RELATED APPLICATIONS**	**PROPERTY ADDRESS/LOCATION**
December 6, 2023	AN#23005 CZ#23019 CPA#23005 CPC#23019	NW 48th Street and W. Vine Street.

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a preliminary plat to develop 5 commercial lots on 43 acres. The site plan identifies one lot of 16.8 acres and 4 smaller lots. The proposal extends W Vine Street east of NW 48th Street to adjacent properties to allow for future development in the area. The preliminary plat is associated with applications for annexation, change of zone from AG to H-4, a Comprehensive Plan Amendment to revise the Future Land Use Plan, and Comprehensive Plan Conformance for a redevelopment plan and project.



JUSTIFICATION FOR RECOMMENDATION

The preliminary plat as modified by the proposed conditions and waivers is in conformance with the Zoning Ordinance and subdivision regulations.

APPLICATION CONTACT
Tim Gergen, Clark & Enersen
402-477-9291 or
tim.gergen@clarkenersen.com

STAFF CONTACT
Tom Cajka, (402) 441-5662 or
tcajka@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

With the approval of the Comprehensive Plan Amendment and annexation, the development of the site will be within the City limits with urban services. It is designated for future commercial land uses on the Future Land Use Map. The preliminary plat and the development as a whole comply with the Zoning Ordinance and Comprehensive Plan.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Introduction Section: Growth Framework

Figure GF.b: 2050 - This area is shown as future Industrial and commercial on the 2050 Future Land Use Plan.

Land Use Plan – Industrial are areas where railroads, manufacturing, trucking and transportation facilities are the dominant land use, with some commercial activities.

Commercial areas are retail, office, service and residential mixed uses. Commercial uses may vary widely in their intensity of uses and impact. Individual areas designated as commercial in the land use plan may not be appropriate for every commercial zoning district.

Growth Tier
This site is in Tier 1 Priority A Growth Tier. Priority A of Tier 1 is comprised of undeveloped land within the City limits, as well as areas that are not yet annexed but which have approved preliminary plans such as preliminary plats, use permits, community unit plans, or planned unit developments, or areas outside city limits that will have immediate infrastructure access upon annexation.

Fundamentals of Growth in Lancaster County

The City of Lincoln's present infrastructure investment should be maximized by planning for well-designed and appropriately-placed residential and commercial development in existing areas of the city with available capacity. This can be accomplished by redeveloping underutilized commercial centers into areas that include a mix of uses, and encouraging higher-density residential redevelopment in appropriate locations, including missing middle housing. New infrastructure investments to serve growth areas can be maximized by encouraging a higher density of both residential and commercial uses in these areas.

New commercial and industrial development should be located in Lincoln and other incorporated communities. Lincoln has ample land area and infrastructure availability for commercial and industrial development. The situation is similar in most incorporated communities in the county. Rural areas of the county do not have access to urban infrastructure, and commercial or industrial development can add significant traffic and maintenance responsibilities to county roads.

Natural and environmentally sensitive areas should be preserved within and between neighborhoods. Conservation areas and open lands should be used to define and connect different neighborhoods. The natural topography and features of the land should be preserved by new development to maintain the natural drainageways and minimize land disturbance.

Goals Section

G3: High-Quality Workforce. Lincoln and Lancaster County will strive to remove barriers to economic stability and mobility in the community by supporting a skilled and educated workforce that is able to adapt to economic, technological, and cultural changes. A high-quality workforce benefits the entire community because it attracts quality employers and entrepreneurs, which helps to grow our population and tax base and facilitates quality of life investments across a variety of sectors, and it ensures that Lincoln and Lancaster County are well-positioned to compete in tomorrow's economy.

G4: Economic Opportunity. Lincoln and Lancaster County will have high-quality jobs in an economic environment that supports business creation, innovation, and expansion. Quality-of-life attributes, such as diverse and accessible housing, good shopping, restaurants and entertainment, quality schools and healthcare, a sense of safety, and amenities such as parks and trails are important to ensuring that skilled individuals want to remain or relocate to our community.

Elements Section

E3: Business, Economy, and Workforce

Commercial and Industrial Development

Commercial and Industrial Centers in Lancaster County should be located:

- Within the City of Lincoln or incorporated villages.
- Outside of saline wetlands, signature habitat areas, native prairie and floodplain areas (except for areas of existing commercial and industrial zoning).
- Where urban services and infrastructure are available or planned for in the near term. In sites supported by adequate road capacity — commercial development should be linked to the implementation of the transportation plan.
- In areas compatible with existing or planned residential uses.
- In existing underdeveloped or redeveloping commercial and industrial areas in order to remove blighted conditions and to more efficiently utilize existing infrastructure.
- In areas accessible by various modes of transportation (i.e. automobile, bicycle, transit, and pedestrian).
- So that they enhance entryways or public way corridors, when developing adjacent to these corridors.
- In a manner that supports the creation and maintenance of green space as indicated in the environmental resources section of this Plan.

Neighborhood Centers

Neighborhood Centers typically range in size from 50,000 to 250,000 square feet of commercial space. They provide services and retail goods oriented to the neighborhood level, with significant pedestrian orientation and access. Residential mixed use is encouraged. Neighborhood centers are a key element of the Complete Neighborhoods concept discussed in the associated Goal and Element.

These centers typically serve the neighborhood level. Neighborhood Centers should be located approximately ½ mile apart, depending upon their size, scale, function and the population of the surrounding area. Future Neighborhood Centers are typically not sited on the Future Land Use map in advance but are identified as development plans are approved.

Policies Section

P12: Economic Growth - Promote and foster appropriate, balanced, and focused future economic growth that maintains the quality of life of the community.

Action Steps

1. Offer incentives for “primary” employers – that is, for companies where the majority of their business and sales come from outside Lancaster County.
2. Locate all new commercial and industrial development within Lincoln or within the smaller incorporated communities in Lancaster County. Certain commercial uses that are compatible with agriculture and the rural environment, such as commercial wind and solar energy facilities, are allowed in rural areas of the county.
3. Continue to coordinate the City’s economic development efforts with research and development functions of the University of Nebraska-Lincoln, including continued development of Innovation Campus. The success of the University’s research and development is important to the future of the city.
4. Continue to fund the Lincoln Partnership for Economic Development (LPED) and promote business retention, recruitment, and workforce development strategies and outcomes for the City of Lincoln through this public/private partnership.
5. Encourage public-private partnerships, strategic alliances, and collaborative efforts as a means to accomplish future economic objectives.
7. Focus primarily on retention and expansion of existing businesses; attracting new businesses should also be encouraged.

P15: Infrastructure and Economic Development - Seek to efficiently utilize investments in existing and future public infrastructure to advance economic development opportunities.

Action Steps
1. Continue to provide adequate sites with associated infrastructure to serve the community's economic development needs.
2. Continue the County's support for road improvements that accommodate commercial and other development within the smaller incorporated areas.
4. Continue incentive-based (residential, commercial, or industrial) programs promoting the installation of renewable energy systems. Incentives may include offering rebates on purchasing equipment, attractive net metering pricing, tax incentives, height allowances, setback, and area-based incentives, expedited permitting, and others.

P17: Predictability - Strive for predictability for neighborhoods and developers.

Action Steps
1. Continue to make updates as needed to zoning and subdivision ordinances, along with design standards, to support economic development, complete neighborhoods, and other PlanForward initiatives.
2. Support timely and efficient implementation of the growth tiers framework through the Capitol Improvement Program and other coordinated infrastructure enhancements.

P18: Conservation Design - Promote conservation design principles with both new growth and redevelopment projects.

Action Steps
1. Encourage conservation design principles as part of the development process. Developments that incorporate conservation design principles should be eligible for greater densities, height, lot, and area adjustments. Examples of conservation design best practices include:
   a. Development setbacks beyond the minimum floodplain corridor in order to help preserve riparian habitat.
   b. Land area within new developments that is designated specifically for trees and/or prairie.
   c. Sustainable landscape design that includes native and drought-tolerant plantings, limited use of turf grass, rain gardens, bioswales, infiltration beds, and constructed wetlands.
   d. Cluster subdivision design that protects flood-prone areas by grouping new development in less-sensitive areas within a subdivision while maintaining a high overall building density.
   e. Dedication of a portion or all of a building's roof space as a green roof.
   f. Minimizing disturbance of the natural topography on a development site.
2. Incorporate conservation design principles into public projects and development projects utilizing public funds (such as TIF) as appropriate.
3. Incorporate conservation design into new subdivisions with the initial steps of completing an inventory of existing and future land uses, natural resource evaluation, and a build out map. Utilize goals of the Lincoln Climate Plan as a guide for developing conservation design recommendations.
4. Promote development of conservation design standards of new subdivisions that maximize open space conservation and interconnected network of such open spaces while being sensitive to overall building density.
5. Develop project approaches which view stormwater as an asset, by working with the natural topography and using wetlands, floodplains, and natural drainage corridors as natural ways to manage flood flows and stormwater runoff.

ANALYSIS

1. This application is for a preliminary plat for 5 commercial lots and 5 outlots northeast of NW 48th St. and Interstate 80. The site is approximately 14.76 acres. The commercial lots range in size from about 17 acres to 1 acre. The outlots are for minimum flood corridor, detention, drainage, and future development. Associated with this

preliminary plat is an annexation, change of zone from AG to H-4, Comprehensive Plan Amendment to revise the Future Land Use Plan, and Comprehensive Plan Conformance for a redevelopment plan and project. The change of zone is for a small area in the northern part of the development. The land use change is from industrial to commercial.

2. The development will be served by City water and sewer. There is a 16" water main in NW 48th St. to serve this development. The developer will construct a 12" water main in W. Vine St. to extend to the east end of the development. The developer is responsible for an 8" water main. The City shall be responsible for all costs attributable to oversizing the water line with pipe, valves, fitting and all other accessories to 12-inches.
3. A 12" sanitary sewer main will be extended from east of this project area. The developer is responsible for installing an 8" sanitary sewer line to serve the development. The City shall be responsible for all costs attributable to upsizing the sanitary sewer line.
4. All lots will take access to a public street. The public street, W. Vine St, will be the only access to NW 48th St. A right-turn lane from west bound W. Vine St to north bound NW 48th St. is required. There is a traffic signal at this location that will need to be modified for this development.
5. The Comprehensive Plan designates this site for future industrial use. The associated Comprehensive Plan Amendment is to change the land use plan from industrial to commercial.
6. Preliminary plats approve a general street layout, utilities, grading and drainage plan. The preliminary plat does not approve a specific maximum floor area or number of parking stalls. Development will follow the standard H-4 zoning for permitted uses, setbacks, building height, and minimum parking.
7. The approval of this preliminary plat, with the proposed conditions, is in conformance with the Comprehensive Plan and the Zoning Ordinance and will allow for additional commercial development.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Agriculture AG-Agriculture and H-4 General Commercial

SURROUNDING LAND USE & ZONING

North:	Farm ground	AG-Agriculture
South:	Interstate 80 and farm ground	H-4 General Commercial
East:	Farm ground	AG-Agriculture
West:	Farm ground	AG-Agriculture

APPROXIMATE LAND AREA: 43 acres, more or less

LEGAL DESCRIPTION: See attached

Prepared by Tom Cajka, Planner
(402) 441-5662 or tcajka@lincoln.ne.gov

Date: November 21, 2023

Applicant: Clark & Enersen
1010 Lincoln Mall, Suite 200
Lincoln, NE 68508

Contact: Tim Gergen, Clark & Enersen
1010 Lincoln Mall, Suite 200
Lincoln, NE 68508
402-477-9291
tim.gergen@clarkenersen.com

Owner: FFF, LLC
6333 Apples Way, Suite 115
Lincoln, NE 68516

https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/PP/23000/PP23001 Falcon Corner.tjc.docx

CONDITIONS OF APPROVAL – PRELIMINARY PLAT #23001

Site Specific Conditions:

1. The subdivider shall complete the following instructions and submits the documents and plans and 2 copies to the Planning Department office:

    1.1 Revise the preliminary plat to show:

        1.1.1 Remove the bold dash line in the center of the site plan.

        1.1.2 Identify the dashed line in Outlot C west of the minimum flood corridor easement.

        1.1.3 Add "flood" before "corridor" for the Minimum flood corridor easement.

        1.1.4 Make corrections per GIS Survey.

        1.1.5 Provide a 10' utility easement on the south lot line of Lot 5 and on the north lot line of Lots 3 and 4.

        1.1.6 Add 55' to the utility easement in Lot 1.

        1.1.7 Show a west bound right-turn lane from W. Vine St. to NW 48th St. and provide the required right-of-way to the satisfaction of Lincoln Transportation & Utilities.

        1.1.8 Submit a deviation request to LTU for deviation from minimum K value

2. The City Council approves associated request:

    2.1 Annexation #23005

    2.2 Change of Zone #23019

    2.3 Comprehensive Plan Amendment #23005

    2.4 Comprehensive Plan Conformance #23019

3. Final Plats will be approved by the Planning Director after:

    3.1 The required improvements are completed or a surety is posted to guarantee the completion of the public streets, sidewalks, sanitary sewer system, water system, drainage facilities, land preparation and grading, sediment and erosions control measures, storm water detention/retention facilities, drainageway improvements, street lights, landscaping screens, street trees, temporary turnaround and barricades, and street name signs. A cash contribution to the City in lieu of a bond, escrow, or security agreement may be furnished for sidewalks and street trees along major streets that have not been improved to an urban cross section. A cash contribution to the City in lieu of a bond, escrow, or security agreement may be furnished for street trees on a final plat with 10 or fewer lots.

    The subdivider has signed an agreement that binds the subdivider, its successors and assigns:

    to complete the street paving of public streets, and temporary turnarounds and barricades located at the temporary dead-end of the streets shown on the final plat within two (2) years following the approval of this final plat.

to complete the installation of sidewalks along both sides of streets and along as shown on the final plat within four (4) years following the approval of this final plat.

to complete the public water distribution system to serve this plat within two (2) years following the approval of this final plat.

to complete the public wastewater collection system to serve this plat within two (2) years following the approval of this final plat.

to complete the enclosed public drainage facilities shown on the approved drainage study to serve this plat within two (2) years following the approval of this final plat.

to complete land preparation including storm water detention/retention facilities and open drainageway improvements to serve this plat prior to the installation of utilities and improvements but not more than two (2) years following the approval of this final plat.

to complete the installation of public street lights along W. Vine St. within this plat within two (2) years following the approval of this final plat.

to complete the planting of the street tress along NW 48th St. as shown on the final plat within two (2) years following the approval of this final plat.

to complete the planting of the landscape screen within this plat within two (2) years following the approval of this final plat.

to complete the installation of the street name signs within two (2) years following the approval of this final plat.

to complete the installation of the permanent markers prior to construction on or conveyance of any lot in the plat.

to timely complete any other public or private improvement or facility required by Chapter 26.23 (Development Standards) of the Land Subdivision Ordinance which have not been waived but which inadvertently may have been omitted from the above list of required improvements.

to submit to the Director of Lincoln Transportation and Utilities a plan showing proposed measures to control sedimentation and erosion and the proposed method to temporarily stabilize all graded land for approval.

to comply with the provisions of the Land Preparation and Grading requirements of the Land Subdivision Ordinance.

to complete the public and private improvements shown on the preliminary plat and Community Unit Plan and Use Permit.

to keep taxes and special assessments on the outlots from becoming delinquent.

to maintain the outlots and private improvements in a condition as near as practical to the original construction on a permanent and continuous basis.

to maintain and supervise the private facilities which have common use or benefit in a condition as near as practical to the original construction on a permanent and continuous basis, and to recognize that there may be additional maintenance issues or costs associated with providing for the proper functioning of storm water detention/retention facilities as they were designed and constructed within the development and that these are the responsibility of the land subdivider.

to retain ownership of and the right of entry to the outlots in order to perform the above-described maintenance of the outlots and private improvements on a permanent and continuous basis. However, Subdivider(s) may be relieved and discharged of such maintenance obligations upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance subject to the following conditions:

(1) Subdivider shall not be relieved of Subdivider's maintenance obligation for each specific private improvement until a register professional engineer or nurseryman who supervised the installation of said private improvement has certified to the City that the improvement has been installed in accordance with approved plans.

(2) The maintenance agreements are incorporated into covenants and restrictions in deeds to the subdivided property and the documents creating the association and the restrictive covenants have been reviewed and approved by the City Attorney and filed of record with the Register of Deeds.

to relinquish the right of direct vehicular access from lot(s) to NW 48thStreet.

to inform all prospective purchasers and users of land located within the Airport Environs Noise District that the land is located within the Airport Environs Noise District, that the land is subject to an avigation and noise easement granted to Lincoln Airport Authority, and that the land is potentially subject to aircraft noise levels which may affect users of the property and interfere with its use.



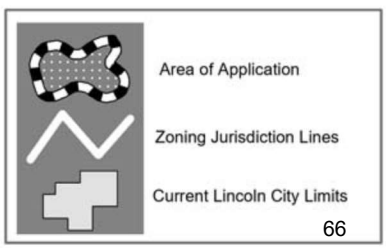
2020 aerial

Preliminary Plat #: PP23001
Falcon Corner
NW 48th St & Interstate 80

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile:
Sec.19 T10N R06E





PDF: F:\Boards\PC\Internet\out\ (PP23001)
File: D:_GIS\Projects\DevReview\AgendaDrawings\AgendaDrawings\AgendaDrawings_SDE.aprx (PP23001)

FALCON CORNER
PRELIMINARY PLAT

ENGINEER & PREPARER
CLARK & ENERSEN
1010 LINCOLN MALL
SUITE 200
LINCOLN, NE 68508

OLSSON
601 P STREET
SUITE 200
LINCOLN, NE 68508

DEVELOPER
FFF LLC
6333 APPLES WAY, SUITE 115
LINCOLN, NE 68516

OWNERS
LOTS 52, 64, AND 65
FFF LLC
6333 APPLES WAY, SUITE 115
LINCOLN, NE 68516

LOT 68
HELEN BELLE KITZEL FARMS LLC
PO BOX 187
BRUNING, NE 68322

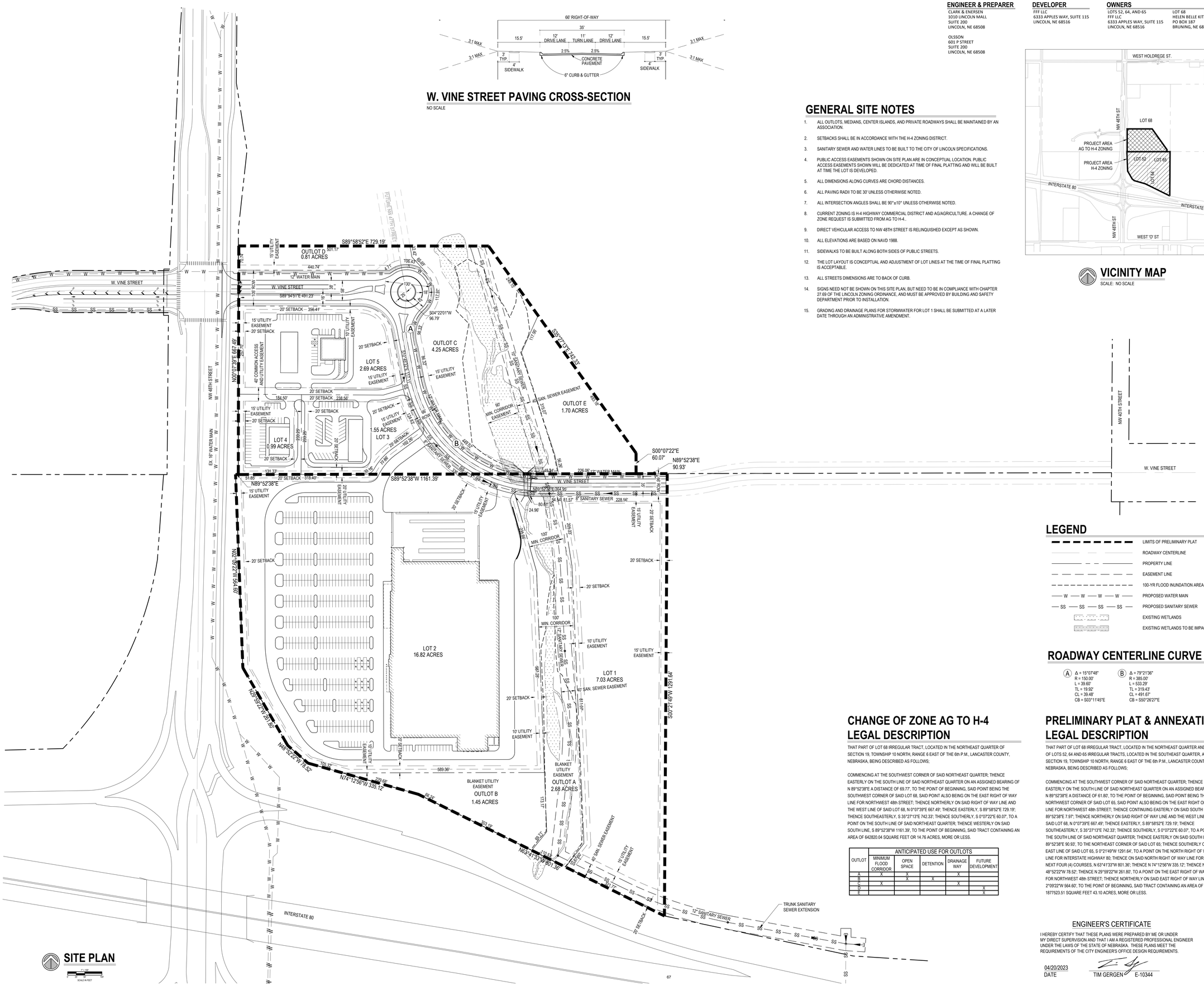


VICINITY MAP
SCALE: NO SCALE

W. VINE STREET PAVING CROSS-SECTION
NO SCALE

GENERAL SITE NOTES

1. ALL OUTLOTS, MEDIANS, CENTER ISLANDS, AND PRIVATE ROADWAYS SHALL BE MAINTAINED BY AN ASSOCIATION.
2. SETBACKS SHALL BE IN ACCORDANCE WITH THE H-4 ZONING DISTRICT.
3. SANITARY SEWER AND WATER LINES TO BE BUILT TO THE CITY OF LINCOLN SPECIFICATIONS.
4. PUBLIC ACCESS EASEMENTS SHOWN ON SITE PLAN ARE IN CONCEPTUAL LOCATION. PUBLIC ACCESS EASEMENTS SHOWN WILL BE DEDICATED AT TIME OF FINAL PLATTING AND WILL BE BUILT AT TIME THE LOT IS DEVELOPED.
5. ALL DIMENSIONS ALONG CURVES ARE CHORD DISTANCES.
6. ALL PAVING RADII TO BE 30' UNLESS OTHERWISE NOTED.
7. ALL INTERSECTION ANGLES SHALL BE 90°±10° UNLESS OTHERWISE NOTED.
8. CURRENT ZONING IS H-4 HIGHWAY COMMERCIAL DISTRICT AND AG/AGRICULTURE. A CHANGE OF ZONE REQUEST IS SUBMITTED FROM AG TO H-4..
9. DIRECT VEHICULAR ACCESS TO NW 48TH STREET IS RELINQUISHED EXCEPT AS SHOWN.
10. ALL ELEVATIONS ARE BASED ON NAVD 1988.
11. SIDEWALKS TO BE BUILT ALONG BOTH SIDES OF PUBLIC STREETS.
12. THE LOT LAYOUT IS CONCEPTUAL AND ADJUSTMENT OF LOT LINES AT THE TIME OF FINAL PLATTING IS ACCEPTABLE.
13. ALL STREETS DIMENSIONS ARE TO BACK OF CURB.
14. SIGNS NEED NOT BE SHOWN ON THIS SITE PLAN, BUT NEED TO BE IN COMPLIANCE WITH CHAPTER 27.69 OF THE LINCOLN ZONING ORDINANCE, AND MUST BE APPROVED BY BUILDING AND SAFETY DEPARTMENT PRIOR TO INSTALLATION.
15. GRADING AND DRAINAGE PLANS FOR STORMWATER FOR LOT 1 SHALL BE SUBMITTED AT A LATER DATE THROUGH AN ADMINISTRATIVE AMENDMENT.



SITE PLAN
SCALE IN FEET

LEGEND

- LIMITS OF PRELIMINARY PLAT
- ROADWAY CENTERLINE
- PROPERTY LINE
- EASEMENT LINE
- 100-YR FLOOD INUNDATION AREA
- PROPOSED WATER MAIN
- PROPOSED SANITARY SEWER
- EXISTING WETLANDS
- EXISTING WETLANDS TO BE IMPACTED

ROADWAY CENTERLINE CURVE DATA

(A) Δ = 15°07'48"
R = 150.00'
L = 39.60'
TL = 19.92'
CL = 39.48'
CB = S03°11'45"E

(B) Δ = 79°21'36"
R = 385.00'
L = 533.29'
TL = 319.43'
CL = 491.67'
CB = S50°26'27"E

CHANGE OF ZONE AG TO H-4 LEGAL DESCRIPTION

THAT PART OF LOT 68 IRREGULAR TRACT, LOCATED IN THE NORTHEAST QUARTER OF SECTION 19, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6th P.M., LANCASTER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE EASTERLY ON THE SOUTH LINE OF SAID NORTHEAST QUARTER ON AN ASSIGNED BEARING OF N 89°52'38"E A DISTANCE OF 69.77', TO THE POINT OF BEGINNING, SAID POINT BEING THE SOUTHWEST CORNER OF SAID LOT 68, SAID POINT ALSO BEING ON THE EAST RIGHT OF WAY LINE FOR NORTHWEST 48th STREET; THENCE NORTHERLY ON SAID RIGHT OF WAY LINE AND THE WEST LINE OF SAID LOT 68, N 0°07'39"E 667.49'; THENCE EASTERLY, S 89°58'52"E 729.19'; THENCE SOUTHEASTERLY, S 35°27'13"E 742.33'; THENCE SOUTHERLY, S 0°07'22"E 60.07', TO A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER; THENCE WESTERLY ON SAID SOUTH LINE, S 89°52'38"W 1161.39', TO THE POINT OF BEGINNING, SAID TRACT CONTAINING AN AREA OF 642820.04 SQUARE FEET OR 14.76 ACRES, MORE OR LESS.

OUTLOT	ANTICIPATED USE FOR OUTLOTS				
	MINIMUM FLOOD CORRIDOR	OPEN SPACE	DETENTION	DRAINAGE WAY	FUTURE DEVELOPMENT
A	X	X		X	
B		X	X		
C	X			X	
D					X
E					X

PRELIMINARY PLAT & ANNEXATION LEGAL DESCRIPTION

THAT PART OF LOT 68 IRREGULAR TRACT, LOCATED IN THE NORTHEAST QUARTER AND ALL OF LOTS 52, 64 AND 65 IRREGULAR TRACTS, LOCATED IN THE SOUTHEAST QUARTER, ALL IN SECTION 19, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6th P.M., LANCASTER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE EASTERLY ON THE SOUTH LINE OF SAID NORTHEAST QUARTER ON AN ASSIGNED BEARING OF N 89°52'38"E A DISTANCE OF 61.80', TO THE POINT OF BEGINNING, SAID POINT BEING THE NORTHWEST CORNER OF SAID LOT 65, SAID POINT ALSO BEING ON THE EAST RIGHT OF WAY LINE FOR NORTHWEST 48th STREET; THENCE CONTINUING EASTERLY ON SAID SOUTH LINE, N 89°52'38"E 7.97'; THENCE NORTHERLY ON SAID RIGHT OF WAY LINE AND THE WEST LINE OF SAID LOT 68, N 0°07'39"E 667.49'; THENCE EASTERLY, S 89°58'52"E 729.19'; THENCE SOUTHEASTERLY, S 35°27'13"E 742.33'; THENCE SOUTHERLY, S 0°07'22"E 60.07', TO A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER; THENCE EASTERLY ON SAID SOUTH LINE, N 89°52'38"E 90.93', TO THE NORTHEAST CORNER OF SAID LOT 65; THENCE SOUTHERLY ON THE EAST LINE OF SAID LOT 65, S 0°21'49"W 1291.64', TO A POINT ON THE NORTH RIGHT OF WAY LINE FOR INTERSTATE HIGHWAY 80; THENCE ON SAID NORTH RIGHT OF WAY LINE FOR THE NEXT FOUR (4) COURSES, N 63°41'33"W 801.36'; THENCE N 74°12'56"W 335.12'; THENCE N 48°52'22"W 78.52'; THENCE N 29°99'22"W 261.80', TO A POINT ON THE EAST RIGHT OF WAY LINE FOR NORTHWEST 48th STREET; THENCE NORTHERLY ON SAID EAST RIGHT OF WAY LINE, N 2°09'22"W 564.60', TO THE POINT OF BEGINNING, SAID TRACT CONTAINING AN AREA OF 1877523.51 SQUARE FEET 43.10 ACRES, MORE OR LESS.

ENGINEER'S CERTIFICATE

I HEREBY CERTIFY THAT THESE PLANS WERE PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF NEBRASKA. THESE PLANS MEET THE REQUIREMENTS OF THE CITY ENGINEER'S OFFICE DESIGN REQUIREMENTS.

04/20/2023
DATE

TIM GERGEN E-10344

CLARK & ENERSEN

Architecture \ Engineering \ Interior Design \ Landscape Architecture \ Planning

clarkenersen.com

Lincoln, Nebraska
1010 Lincoln Mall, Suite 200
Lincoln, NE 68508-2883
P: 402.477.9291 F: 402.477.6542

Kansas City, Missouri
Fairway, Kansas
Portland, Oregon
Fort Collins, Colorado
Omaha, Nebraska
Charleston, South Carolina

Clark & Enersen, Inc.
Architecture Contact: Tim Ripp
Engineering Contact: TJ Schirmer
1010 Lincoln Mall, Suite 200
Lincoln, NE 68508
COA No. CA0029AE

Falcon Corner

NW 48th & Vine Street
Lincoln, Nebraska

CE No.: 863-009-21

April 20, 2023

TIMOTHY J. GERGEN E-10344 04-20-23 REGISTERED PROFESSIONAL ENGINEER STATE OF NEBRASKA

Site Plan
1 of 5

Plot Time Stamp: 4 / 21 / 2023 9:02:39 AM
File Location/Name: \\Corp-lin-srv-004\800-899\863-009-21 Apples Way, NW 48 W Holdrege\03) AutoCAD\Vine Prelim Plat\863009-Sheet 1.dwg

PRELIMINARY PLAT & ANNEXATION LEGAL DESCRIPTION

THAT PART OF LOT 68 IRREGULAR TRACT, LOCATED IN THE NORTHEAST QUARTER AND ALL OF LOTS 52, 64 AND 65 IRREGULAR TRACTS, LOCATED IN THE SOUTHEAST QUARTER, ALL IN SECTION 19, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE 6th P.M., LANCASTER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS;

COMMENCING AT THE SOUTHWEST CORNER OF SAID NORTHEAST QUARTER; THENCE EASTERLY ON THE SOUTH LINE OF SAID NORTHEAST QUARTER ON AN ASSIGNED BEARING OF N 89°52'38"E A DISTANCE OF 61.80', TO THE POINT OF BEGINNING, SAID POINT BEING THE NORTHWEST CORNER OF SAID LOT 65, SAID POINT ALSO BEING ON THE EAST RIGHT OF WAY LINE FOR NORTHWEST 48th STREET; THENCE CONTINUING EASTERLY ON SAID SOUTH LINE, N 89°52'38"E 7.97'; THENCE NORTHERLY ON SAID RIGHT OF WAY LINE AND THE WEST LINE OF SAID LOT 68, N 0°07'39"E 667.49'; THENCE EASTERLY, S 89°58'52"E 729.19'; THENCE SOUTHEASTERLY, S 35°27'13"E 742.33'; THENCE SOUTHERLY, S 0°07'22"E 60.07', TO A POINT ON THE SOUTH LINE OF SAID NORTHEAST QUARTER; THENCE EASTERLY ON SAID SOUTH LINE, N 89°52'38"E 90.93', TO THE NORTHEAST CORNER OF SAID LOT 65; THENCE SOUTHERLY ON THE EAST LINE OF SAID LOT 65, S 0°21'49"W 1291.64', TO A POINT ON THE NORTH RIGHT OF WAY LINE FOR INTERSTATE HIGHWAY 80; THENCE ON SAID NORTH RIGHT OF WAY LINE FOR THE NEXT FOUR (4) COURSES, N 63°41'33"W 801.36'; THENCE N 74°12'56"W 335.12'; THENCE N 48°52'22"W 78.52'; THENCE N 29°59'22"W 261.80', TO A POINT ON THE EAST RIGHT OF WAY LINE FOR NORTHWEST 48th STREET; THENCE NORTHERLY ON SAID EAST RIGHT OF WAY LINE, N 2°09'22"W 564.60', TO THE POINT OF BEGINNING, SAID TRACT CONTAINING AN AREA OF 1877523.51 SQUARE FEET 43.10 ACRES, MORE OR LESS.

February 28, 2023

Mr. David Cary
Planning Department, City of Lincoln
County-City Building
555 So. 10th Street
Lincoln, NE 68508

RE: Falcon Corner, NE corner of the intersection of NW 48th Street and Interstate 80
Annexation; Change of Zone from AG to H-4; Preliminary Plat

Dear Mr. Cary:

Enclosed please find the following for the above-mentioned project:

1. Application fee; $5,913 ($1,056 change of zone +$4,857 prelim plat)
2. Application
3. Preliminary Plat Site Plan
4. Preliminary Plat Grading & Drainage Plan
5. Preliminary Plat Street Profile

On behalf of the Owner/Developer, FFF LLC, 6333 Apples Way suite 115, Lincoln NE, 68516 we are requesting annexation and a preliminary plat for the property to be known as Falcon Corner located at the northeast corner of NW 48th Street and Interstate 80. A change of zone from AG Agricultural to H-4 Highway Commercial is being requested on the northern portion of the preliminary plat boundary. The majority of the preliminary plat is already zoned H-4 Highway Commercial.

The development is proposing 5 commercial lots and 3 outlots for stormwater purposes. The eastern commercial lot will have engineering data submitted with a future administrative amendment. The commercial lots will be served by public sanitary sewer and public water mains. The City is currently designing the trunk sanitary sewer that will bring the sanitary sewer to this development. A subsidized 12" public water main will be installed in Vine Street. Vine Street, a public collector road, will be extended to the eastern boundary of the preliminary plat.

Please contact me if you have any questions or require additional information.

Sincerely,

Tim Gergen

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

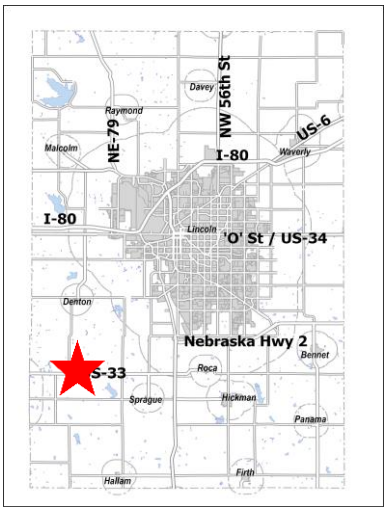
APPLICATION NUMBER	FINAL ACTION?	OWNER
Special Permit #23042	Yes	Hugh Sieck
PLANNING COMMISSION HEARING DATE	**RELATED APPLICATIONS**	**PROPERTY ADDRESS/LOCATION**
December 6, 2023	None	7459 W Roca Road, one-quarter mile west of the intersection of SW 72nd Street and W Roca Road

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

The applicant is seeking approval of an approximately 239'-tall lattice tower for wireless facilities to address inadequate coverage in this area for Verizon Wireless. The proposed site for the tower is located approximately one-quarter mile west of the intersection of W. Roca Road and Southwest 72nd Street on an approximately 149-acre tract of farm ground.

Wireless facilities are allowed in the AG zoning district per County Zoning Regulations Section 4.007. The provisions of the special permit Section 13.017 require review per the criteria of Article 10 Personal Wireless Telecommunication Facilities.



JUSTIFICATION FOR RECOMMENDATION

Verizon Wireless is seeking to enhance coverage to the Bluestem Lake and camping areas, the Highway 33 corridor east to Highway 77, and to the community of Martell. It is the intent of the Zoning Regulations to limit tower proliferation and encourage the most efficient use of existing facilities. For this reason, applicants are required to both demonstrate need, and demonstrate there are no other possibilities for collocation (towers, buildings, tall facilities, etc.) within a one-half mile radius as partial justification for a new tower.

There are no other towers or other facilities of sufficient height within a one-half mile radius that can accommodate collocation and serve this carrier's needs.

The applicant has satisfactorily addressed all the criteria of the Zoning Regulations. Lacking adequate collocation opportunities which address the carrier's needs, the applicant has demonstrated the need for a new personal wireless facility in this area.

APPLICATION CONTACT
Andrew Dewhirst, 208-938-8844 or
drew.dewhirst@powderriverdev.com

STAFF CONTACT
Brian Will, (402) 441-6362 or
bwill@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN
The Comprehensive Plan encourages an efficient and effective telecommunications network while minimizing the impact of such infrastructure. The Plan also calls for compatibility among land uses, screening where necessary, and adequate separation where possible. This proposal complies with those goals.

KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

P. 1.11 – The Lincoln Area Future Land Use Plan designates Agriculture land uses for this site.

P. 3.83 - Placemaking - Current Practice

The community values efficient and effective telecommunications while also desiring to minimize adverse impacts of this rapidly evolving infrastructure on our rural and urban environments. Capitol view corridors, historic landmarks and districts, environmentally sensitive areas, and predominantly residential neighborhoods are not preferred locations. Unobtrusive locations on public property; co-locations on existing towers, buildings, and structures; and commercial and industrial areas with minimal impact on residences are preferred. The City has adopted zoning provisions to state the community's preferences. Combined with guidance from the design review boards, community residents and the telecommunications industry can be well-served.

Information technology

Information technology is subject to rapid and dramatic change. The nature of the industry continues to push the limits of the technology. Various technologies converge to create new, integrated products and services. The concept of telecommuting portends a city where people may be able to work from most any site including their own home. In the economy of the future, information is likely to become the primary product. This product can be manufactured at sites other than traditional factories and offices.

Wireless telecommunication is part of a global information revolution. The need for additional infrastructure to support wireless facilities is expected to increase in response to rising consumer demand and new applications. The City and County understand the importance of these technologies to the world of tomorrow and support the development of the infrastructure needed to further their use. A full range of cellular and wireless services, provided by a variety of carriers, is available in the city and county. See the "Placemaking" chapter for information on how wireless facilities should be located.'

OVERVIEW

The applicant is seeking to site a 239'-tall lattice tower for wireless facilities to address inadequate coverage in this area for Verizon Wireless to provide enhanced service in the area. The proposed site is located west of the intersection of W. Roca Road and SW 72nd Street on agricultural land zoned AG.

Wireless facilities are allowed in the AG zoning district by special permit per the Lancaster County Zoning Regulations Section 4.007. The provisions of the special permit require review per the criteria of Article 10 for Personal Wireless Telecommunication Facilities. The review under that article is as follows.

ANALYSIS

Article 10, Section 10.010 Standards for Evaluation

Conformity with Comprehensive Plan.

1. The Comprehensive Plan encourages an efficient and effective telecommunications network while minimizing the impact of such infrastructure. The Plan also calls for compatibility among land uses, screening where necessary, and adequate separation where possible. The Comprehensive Plan designates agricultural land uses for this site. The predominant land uses are agriculture and residential. Residential areas generally are not preferred locations, but wireless facilities can be appropriate near residential areas provided care is taken in their design and siting. Typical strategies include camouflaged facilities, screening, low-profile antennas, or a limit on the height of the tower, or separation.

In this case, separation from surrounding residential uses is being used to mitigate impact. The nearest dwellings are approximately one-third mile away to the northwest and southeast.

Preference of site location in accordance with Section 10.008.

2. *There are three location preferences as follows:*

A. Preferred Location Sites:
(1) Publicly owned sites on which personal wireless facilities can be unobtrusively located with due regard to visibility, aesthetic issues, traffic flow, public safety, health and welfare. Such sites may include locating on existing buildings, co-locating on existing towers, screened roof-top mounts, water towers, billboards, electric substations, or other camouflaged sites, but shall not include new towers.

(2) Privately owned sites with existing structures on which personal wireless facilities can be unobtrusively located with due regard to visibility, aesthetic issues, traffic flow, public safety, health and welfare. Such sites may include locating on existing buildings, co-locating on existing towers, screened rooftop mounts, water towers, billboards, electric substations, or other camouflaged sites, but shall not include new towers.

(3) Publicly owned sites in which the facility is minimally obtrusive, has a minimal impact on the surrounding area, is an appropriate distance from residential land uses, has minimal impact on residential uses, with due regard being given to the scale of the facility and the surrounding area and the impact on the location.

(4) Sites in commercially or industrially zoned districts in which the facility is minimally obtrusive, has a minimal impact on the surrounding area, is an appropriate distance from residential land uses, has minimal impact on residential uses, with due regard being given to the scale of the facility and the surrounding area and the impact on the location.

B. Limited Preference Sites:
(1) Sites on other public property.

(2) Sites on other commercially or industrially zoned property.

C. Sensitive Location Sites. Sites located in areas with residential uses, environmentally sensitive areas, Capitol View Corridors, the Capitol Environs District, entryway corridors, downtown, landmarks or landmark districts, properties listed or eligible to be listed on the National Register of Historic Places, the Airport Environs, and other sensitive areas. The applications for personal wireless facilities which are located at sensitive sites will be required to demonstrate a technical need to locate a personal wireless facility at a sensitive site and that other reasonable alternatives do not exist for the facility at a location which is not a sensitive site.

This location is a sensitive site given the relative (for AG-zoned areas) proximity to dwellings, and the fact the site is not commercially zoned. Considered a sensitive site, the applicant is required to eliminate other all other potential preferred or limited preference sites within a one-half mile radius from consideration. Upon evaluation, there are no other facilities within one-half mile which are tall enough to meet the carrier's needs.

Compatibility with abutting property and land uses.

3. There are two dwellings in the immediate area. One is located approximately 1,500' to the northwest on the north side of W. Roca Road, and the other is approximately 1,400' to the southeast located on the east side of SW 72nd Street. Separation is used in the siting of the facility to help mitigate the impact of the facility on the area.

Uses which require a special permit may not be compatible land uses in every instance. The Planning Commission is allowed discretion with special permits to include measures to help mitigate the impact of those uses, such as separation, and to enhance overall compatibility. However, a nexus, or direct relationship, between the impact and the mitigation must exist.

Adverse impacts such as visual, environmental or noise impacts.

4. The most significant impact of a wireless facility at this location is visual. Separation is being employed as mitigation as well as a fence screen surrounding the ground equipment compound. There are no environmental effects such as noise or excessive light to note. The frequency of the broadcast signals and whether they interfere with any electromagnetic devices in the area is not reviewable by local governments per the Federal Communications Commission (FCC).

Screening potential of existing vegetation, structures and topographic features, and screening potential of proposed facilities, ground level equipment, buildings and tower base.

5. There is no regulatory screening requirement. However, an 8'-tall fence for both screening and security is proposed surrounding the ground lease area which screens the ground equipment from view from the adjacent roads.

Scale of facility in relation to surrounding land uses.

6. In the rural areas, tall facilities such as power transmission lines and broadcast towers appear intermittently throughout Lancaster County and are not unusual. Horizontal separation helps reduce the effect of scale differential and can serve to diminish the visual impact of the tower from adjacent uses.

Compatibility with Surrounding uses.

7. See item #3.

Impact on views/vistas and impact on landmark structures/districts, historically significant structures/districts, architecturally significant structures, landmark vistas or scenery and view corridors from visually obtrusive antennas and back-up equipment.

8. There are no historically significant structures, landmarks or vistas in the area impacted by the proposed tower.

Impact on natural resources, open spaces, recreational trails and other recreational resources.

9. The proposed facility is approximately 1.5 miles from the Bluestem Lake recreation area. At that distance the facility will be barely visible if at all. There are no other significant natural resources or recreation facilities nearby.

Color and finish.

10. The proposed facility is a self-support, lattice tower with a galvanized finish. Because the tower is more than 200' in height lighting is required by the Federal Aviation Administration (FAA). The required lighting consists of a white light during the day which changes to red after dark.

Ability to collocate.

11. The site plan shows the tower at 239' in height. At that height, the Zoning Regulations require the facility to accommodate two additional carriers for a total of three. The plans show the ability to accommodate four wireless carriers and microwave antennas.

Availability of suitable existing structures for antenna mounting.

12. The applicant is required to eliminate all other preferred or limited preference sites within one-half mile of the proposed site and demonstrate why they are not feasible per the Zoning Regulations. This would include any potential collocation sites that would accommodate this carrier's antennas. As noted previously, there are no other facilities in the area capable of accommodating collocation within one-half mile.

There is an existing tower approximately eight-tenths mile to the west on SW 86th Street. Even though the tower exceeds one-half mile, the applicant was asked to address its feasibility and eliminate it from consideration. The carrier did evaluate that tower and their RF engineer states that tower is too far west to achieve coverage objectives.

Evidence of good faith efforts, and demonstration that a preferred or limited preference site was not technically, legally, or economically feasible.

13. The subject location is considered a sensitive site due to proximity to residential uses and requires the applicant to eliminate preferred and limited preference sites in the area. The applicant did that and found only one tower nearby. Located approximately eight-tenths of a mile away, while not required the carrier evaluated the facility and determined it would not satisfy their needs.

14. This proposed facility meets the setbacks for the AG zoning district, provides the required fall zone separation (one-half the height of the tower from property lines), has received an FAA Determination of 'No Significant Impact', and is not located in or near any historic sites or facilities.

15. This facility can help enhance wireless coverage in this part of Lancaster County, parts of which are underserved. Subject to the recommended conditions of approval, this request complies with the Lancaster County Zoning Regulations and is consistent with the Comprehensive Plan.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Agriculture AG

SURROUNDING LAND USE & ZONING: Agriculture, Residential - AG

APPROXIMATE LAND AREA: Parent parcel – Approximately 148.95 acres
Lease area – 10,000 square feet (100' x 100')

LEGAL DESCRIPTION: Lot 20 I.T., located in the NE 1/4 of Section 23-8-5, -Lancaster County, Nebraska, generally located southeast of the intersection SW 72nd Street and W Roca Road.

Prepared by Brian Will,
November 21, 2023

Owner: Hugh Sieck III
4930 Thomasbrook Lane
Lincoln, NE 68516
hughsieck@hsphe.com
402-327-0936

Applicant: Tillman Infrastructure
c/o Casey Reeves
1955 Lakeway Drive, Suite #265B
Lewisville, TX 75057
720-229-6721

Contact: Andrew Dewhirst
408 South Eagle Road, Suite #200
Eagle, ID 83616
208-938-8844
Drew.dewhirst@powderriverdev.com

CONDITIONS OF APPROVAL – SPECIAL PERMIT #23042

Per Section 13.017 of the Lancaster County Zoning Regulations this approval permits a 239'- tall personal wireless facility capable of accommodating a minimum of three carriers.

Site Specific Conditions:

1. Before receiving building permits the permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including **2** copies with all required revisions and documents as listed below:

    1.1 Indicate the lease areas for ground equipment for a total of at least three carriers inside the 100' x 100' lease area on the applicable plan sheets (ZD-2 and 3).

    1.2 Indicate that the locations for the future carriers on the tower elevation on Sheet ZD-4 as 'Approximate CL of Proposed Verizon Antennas', or 'Approximate CL of Future Carrier'.

    1.3 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.

    1.4 Provide a surety in an amount sufficient to guarantee the removal of the facility to run for the life of the special permit to be held by Lancaster County.

Standard Conditions:

2. The following conditions are applicable to all requests:

    2.1 Before operation of the facility all development and construction shall substantially comply with the approved plans.

    2.2 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.

    2.3 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.

    2.4 The applicant shall sign and return the letter of acceptance to the County Clerk. This step should be completed within 60 days following the approval of the special permit. The Permittee shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds. Building permits will not be issued unless the letter of acceptance has been filed.



2020 aerial

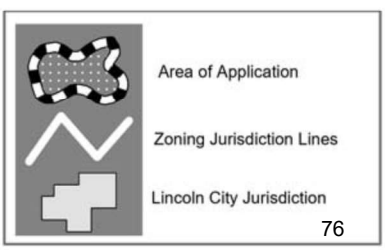
Special Permit #: SP23042
SW 72nd St & W Roca Rd

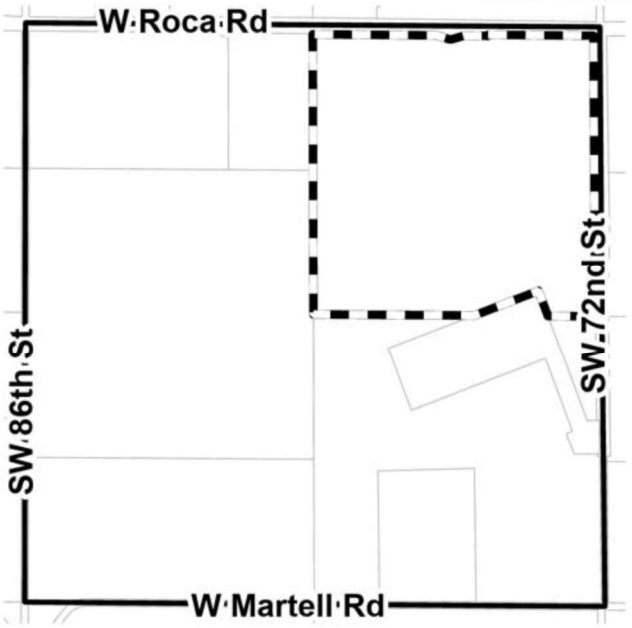


Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile:
Sec.23 T08N R05E





PDF: F:\Boards\PC\Internet\out\ (SP23042)
File: D:_GIS\Projects\DevReview\AgendaDrawings\AgendaDrawings\AgendaDrawings_SDE.aprx (SP23042)

TILLMAN INFRASTRUCTURE

TILLMAN INFRASTRUCTURE :

SITE NAME: LIN BLUESTEM

SITE#: TI-PP-20856

SITE ADDRESS:

7459 W ROCA RD
MARTELL, NE 68404

235' SELF SUPPORT TOWER - NEW SITE BUILD

SITE INFORMATION

PROPERTY OWNER:	HUGH H III SIECK 4930 THOMASBROOD LN. LINCOLN, NE 68516
SITE ADDRESS:	7459 W ROCA RD MARTELL, NE 68404
COUNTY:	LANCASTER
LATITUDE: LONGITUDE:	40.653011 -96.821556
GROUND ELEVATION:	1406' AMSL
OCCUPANCY TYPE:	UNMANNED
ZONING JURISDICTION: ZONING CODE:	LANCASTER COUNTY AG
ASSESSMENT CODE: GEO CODE:	----- ----
POWER PROVIDER: TELCO PROVIDER:	NORRIS PUBLIC POWER DISTRICT KINETIC BY WINDSTREAM

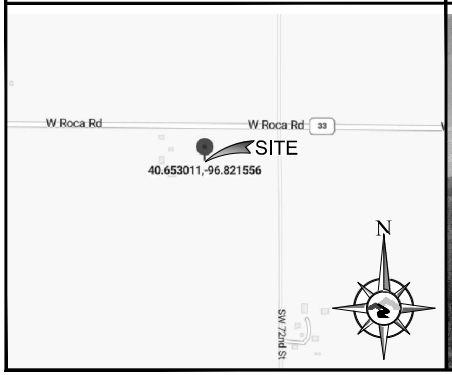
CONTACT INFORMATION

A&E SERVICES:
POWDER RIVER DEVELOPMENT SERVICES, LLC.
408 S. EAGLE ROAD, SUITE 200
EAGLE, ID 83616
CONTACT: SCOTT PINKHAM
PHONE: 845.505.0607
EMAIL: scott.pinkham@powderriverdev.com

SITE ACQUISITION:
POWDER RIVER DEVELOPMENT SERVICES, LLC.
408 S. EAGLE ROAD, SUITE 200
EAGLE, ID 83616
CONTACT: RYAN STREFF
PHONE: 507.227.0129
EMAIL: ryan.streff@powderriverdev.com

APPLICANT:
TILLMAN INFRASTRUCTURE
152 W. 57TH STREET
NEW YORK, NEW YORK 10019
PHONE: 212.706.1677

VICINITY MAP



SITE PHOTO



DRIVING DIRECTIONS

DIRECTIONS FROM LINCOLN AIRPORT:

DEPART AIRPORT HEAD NORTHWEST ON W ADAMS ST. TAKE THE RAMP ON THE LEFT FOR I-80 W / US-77 S. AT EXIT 397, HEAD ON THE RAMP RIGHT AND FOLLOW SIGNS FOR US-77 SOUTH. TAKE THE RAMP ON THE RIGHT FOR US-77 S / S 12TH ST. TAKE THE RAMP ON THE RIGHT FOR NE-33 / NE-55F SPUR AND HEAD TOWARD CRETE / ROCA. KEEP STRAIGHT TO GET ONTO NE-33 / ROCA RD. ARRIVE AT NE-33 / W ROCA RD ON THE LEFT.

APPLICABLE CODES

BUILDING CODE 2018 IBC
ELECTRICAL CODE 2017 NEC
MECHANICAL CODE 2018 IMC

DRAWING INDEX

SHEET NO.	DESCRIPTION
T-1	TITLE SHEET
LS1	TOPOGRAPHIC SURVEY (BY OTHERS)
ZD-1	OVERALL SITE PLAN
ZD-2	SITE PLAN
ZD-3	COMPOUND PLAN
ZD-4	ELEVATION

THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO CARRIER SERVICES IS STRICTLY PROHIBITED.

TILLMAN INFRASTRUCTURE
152 W. 57TH STREET
NEW YORK, NEW YORK 10019
PH: (212) 706-1677

POWDER RIVER
Development Services, LLC
408 S EAGLE RD, SUITE 200
EAGLE, ID 83616

COA #: CA2518

REVISIONS

REV	DATE	DESCRIPTION	INT
C	11/02/23	ISSUED FOR REVIEW 90%	BMW
B	10/17/23	ISSUED FOR REVIEW 90%	BMW
A	10/02/23	ISSUED FOR REVIEW 90%	BMW

PRELIMINARY
NOT FOR
CONSTRUCTION

THESE PLANS AND SPECIFICATIONS, AS INSTRUMENTS OF SERVICE, ARE AND SHALL REMAIN THE PROPERTY OF POWDER RIVER DEVELOPMENT SERVICES, LLC WHETHER THE PROJECTS FOR WHICH THEY ARE MADE ARE EXECUTED OR NOT. THESE DRAWINGS AND SPECIFICATIONS SHALL NOT BE USED BY ANY PERSON OR ENTITY ON OTHER PROJECTS WITHOUT PRIOR WRITTEN CONSENT OF THE ENGINEER.

SITE INFORMATION

TILLMAN INFRASTRUCTURE

SITE#: TI-PP-20856

SITE NAME: LIN BLUESTEM

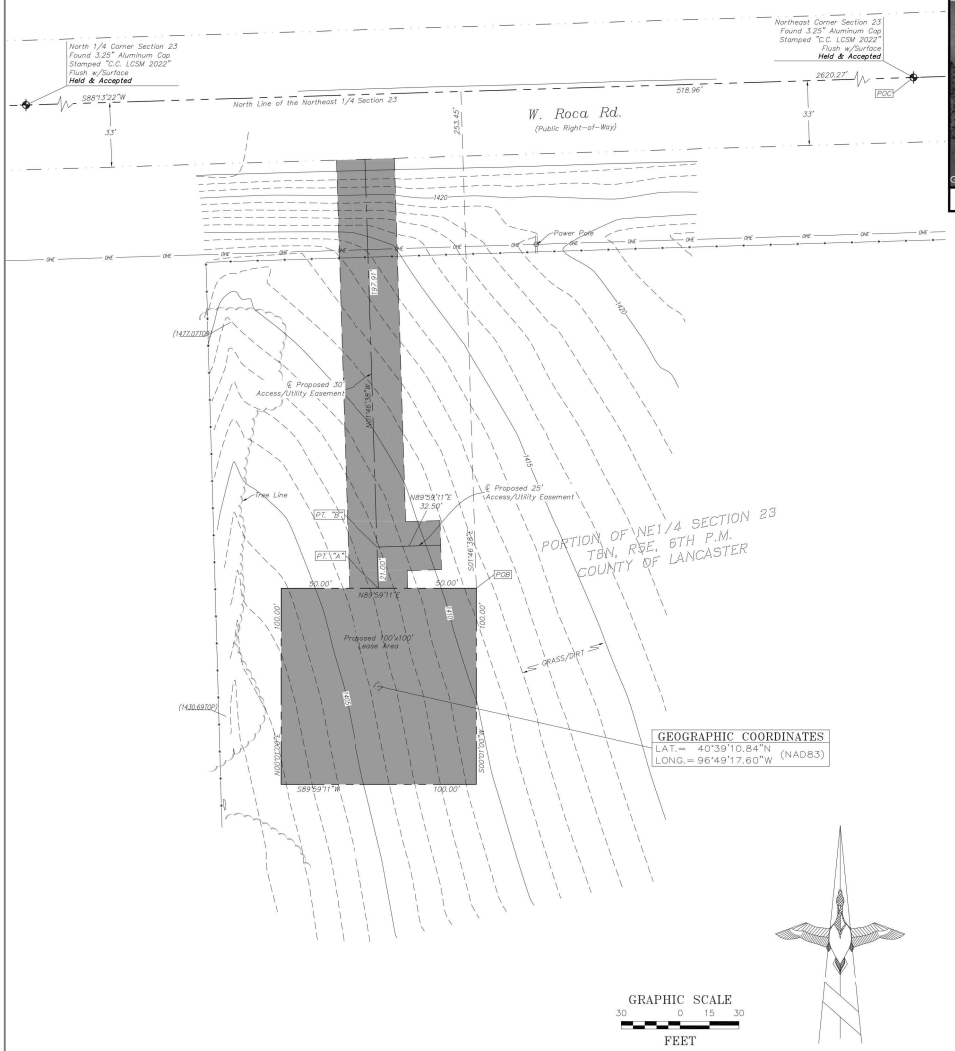
7459 W ROCA RD
MARTELL, NE 68404
40.653011°,-96.821556°

SHEET TITLE:

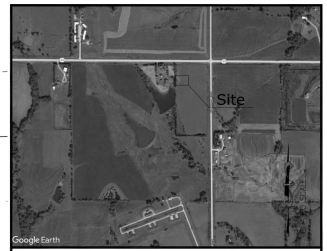
TITLE SHEET

SHEET NUMBER:

T-1



GRAPHIC SCALE
30 0 15 30
FEET



Vicinity Map - N.T.S.

Geographic Coordinates as Shown

1983 DATUM: LATITUDE 40°39'10.84"N LONGITUDE 96°49'17.60"W

Date of Survey

APRIL 5, 2023

Basis of Bearings

THE NABERASKA STATE PLANE COORDINATE SYSTEM (NAD83).

CLASSIFICATION	MINIMUM GEOMETRIC ACCURACY STANDARD
THIRD	5.0 cm + 1: 10,000

Bench Mark

NGS CONTROL POINT "K 438", ELEVATION = 1334.9 FEET (NAVD 88)

Lease Area/Access & Utility Easements

LEASE AREA

BEING A TELECOMMUNICATIONS LEASE PARCEL LYING WITHIN THE NORTHEAST 1/4 OF SECTION 23, TOWNSHIP 8 NORTH, RANGE 5 EAST OF THE 6TH P.M., COUNTY OF LANCASTER, STATE OF NEBRASKA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 23; THENCE ALONG THE NORTH LINE OF SAID NORTHEAST 1/4, S88°13'22"W, 518.96 FEET; THENCE DEPARTING SAID NORTH LINE, S01°46'38"E, 253.45 FEET TO THE POINT OF BEGINNING; THENCE S00°01'00"W, 100.00 FEET; THENCE S89°59'11"W, 100.00 FEET; THENCE N00°01'00"E, 100.00 FEET; THENCE N89°59'11"E, 50.00 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "A"; THENCE CONTINUING N89°59'11"E, 50.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 10,000 SQ. FT. OR 0.230 ACRES MORE OR LESS.

30' ACCESS/UTILITY EASEMENT

BEING A STRIP OF LAND 30.00 FEET IN WIDTH LYING WITHIN THE NORTHEAST 1/4 OF SECTION 23, TOWNSHIP 8 NORTH, RANGE 5 EAST OF THE 6TH P.M., COUNTY OF LANCASTER, STATE OF NEBRASKA, LYING 15.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT POINT "A" AS DESCRIBED ABOVE; THENCE N01°46'38"W, 21.00 FEET TO A POINT HEREINAFTER REFERRED TO AS POINT "B"; THENCE CONTINUING N01°46'38"W, 197.91 FEET TO THE SOUTHERLY RIGHT-OF-WAY OF WEST ROCA ROAD AND THE END OF SAID STRIP OF LAND.

EXCEPT ANY PORTION LYING WITHIN THE RIGHT-OF-WAY OF WEST ROCA ROAD.

25' ACCESS/UTILITY EASEMENT

BEING A STRIP OF LAND 25.00 FEET IN WIDTH LYING WITHIN THE NORTHEAST 1/4 OF SECTION 23, TOWNSHIP 8 NORTH, RANGE 5 EAST OF THE 6TH P.M., COUNTY OF LANCASTER, STATE OF NEBRASKA, LYING 12.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

BEGINNING AT POINT "B" AS DESCRIBED ABOVE; THENCE N89°59'11"E, 32.50 FEET TO THE END OF SAID STRIP OF LAND.

SIDELINES OF SAID STRIPS OF LAND ARE TO BE LENGTHENED AND/OR SHORTENED TO PREVENT GAPS AND/OR OVERLAPS.

Legend

CONCRETE PAVEMENT		NG	NATURAL GROUND
CONIFEROUS TREE		•	PARKING BOLLARD
#	DIAMETER	POB	POINT OF BEGINNING
DECIDUOUS TREE		POC	POINT OF COMMENCEMENT
EP	EDGE OF ASPHALT	OHE	OVERHEAD ELECTRIC LINE
FF	FINISHED FLOOR		POWER POLE
FS	FINISH SURFACE		PROPERTY LINE
FH	FIRE HYDRANT	R.O.W.	RIGHT OF WAY
FL	FLOW LINE		SEWER MANHOLE
	FOUND MONUMENT AS NOTED		SIGN POST
	FOUND SECTION MONUMENT		STREET LIGHT STANDARD
	GEOGRAPHIC LOCATION		TELEPHONE PEDESTAL
	GAS METER	TYP	TYPICAL
	IRRIGATION CONTROL VALVE		WATER METER
			WATER VALVE

Underground Utility Note:

BURIED UTILITIES AND/OR PIPELINES SHOWN HEREON ARE PER VISIBLE AND APPARENT SURFACE EVIDENCE, RECORD DRAWINGS OF THE CONSTRUCTED UTILITY LINES OBTAINED FROM RELIABLE AND RESPONSIBLE SOURCES NOT CONNECTED WITH ALTURA LAND CONSULTANTS, LLC. OR MARKINGS PROVIDED BY AN INDEPENDENT LOCATING CONTRACTOR. NO GUARANTEE OR WARRANTY, EITHER EXPRESSED OR IMPLIED, IS MADE AS TO THE ACCURACY OR THOROUGHNESS OF SUCH INFORMATION. IF MORE ACCURATE LOCATIONS OF UNDERGROUND UTILITIES OR PIPE LINES ARE REQUIRED, THE UTILITY OR PIPELINE WILL HAVE TO BE VERIFIED BY FIELD POTHOLING. ALTURA LAND CONSULTANTS, LLC AND THE SURVEYOR OF RECORD SHALL NOT BE HELD LIABLE FOR THE LOCATION OF OR THE FAILURE TO NOTE THE LOCATION OF NON-VISIBLE UTILITIES OR PIPELINES.

Title Report

PREPARED BY: WESTCOR LAND TITLE INSURANCE COMPANY
ORDER NO.: TIL-148560-C
DATED: FEBRUARY 27, 2023

Legal Description

LOT THIRTEEN (13) NKA LOT 20, IRREGULAR TRACTS IN THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 8 NORTH, RANGE 5, EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, ALSO BEING DESCRIBED AS THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 8 NORTH, RANGE 5, EAST OF THE 6TH P.M., LANCASTER COUNTY.

Assessor's Parcel No.

02-23-200-001-000

Title Schedule B Exceptions

NO EXCEPTION WITHIN THE TITLE REPORT

LINE LEGEND

- = SUBJECT PARCEL BOUNDARY LINES
- = SECTION LINES
- = ADJOINING PARCEL BOUNDARY LINES
- = EASEMENT LINES
- = RIGHT OF WAY LINES
- = FLOOD PLANE LINES
- = BARBED WIRE FENCE
- = CHAINLINK FENCE
- = UNDERGROUND ELECTRIC LINES
- = UNDERGROUND GAS LINES
- = OVERHEAD ELECTRIC LINES
- = UNDERGROUND SANITARY SEWER LINES
- = UNDERGROUND TELEPHONE LINES
- = UNDERGROUND WATER LINES

Certificate of Survey

THIS IS TO CERTIFY THAT THIS TOPOGRAPHIC MAP AND IMPROVEMENTS SHOWN ARE CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.

NEBRASKA REGISTERED LAND SURVEYOR LS-722 JESUS A. LUGO

4/25/23

JESUS A. LUGO, LS 722

THIS DOES NOT REPRESENT A MONUMENTED SURVEY.

REFERENCE IS MADE TO A COMMITMENT FOR TITLE INSURANCE, NUMBER TIL-148560-C, ISSUED BY WESTCOR LAND TITLE INSURANCE COMPANY, AND HAVING AN EFFECTIVE DATE OF FEBRUARY 27, 2023. THIS SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, OWNERSHIP TITLE EVIDENCE, OR ANY OTHER FACTS THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. THE LESSOR'S LEGAL DESCRIPTION AND RECORD BOUNDARY ARE SHOWN HEREON FOR REFERENCE ONLY.

THIS SURVEY DOES NOT CONSTITUTE A BOUNDARY SURVEY OF THE LESSOR'S PROPERTY.

PROJECT INFORMATION:

TI-OPP 20856A

7459 W. ROCA RD.
MARTELL, NE.
COUNTY OF LANCASTER

CURRENT ISSUE DATE:

4/25/23

ISSUED FOR:

DESIGN

REV:	DATE:	DESCRIPTION:	BY:
0	4/10/23	SUBMITTAL	JT
1	4/17/23	ADDED TITLE REPORT	JT

PLAN PREPARED BY:

ALTURA LAND CONSULTANTS
6950 S. Tucson Way, Unit C
Centennial, CO. 80112
Phone: (720) 488-1303

LICENSURE:

DRAWN BY:	CHK.:	APV.:
JT	JAL	JAL

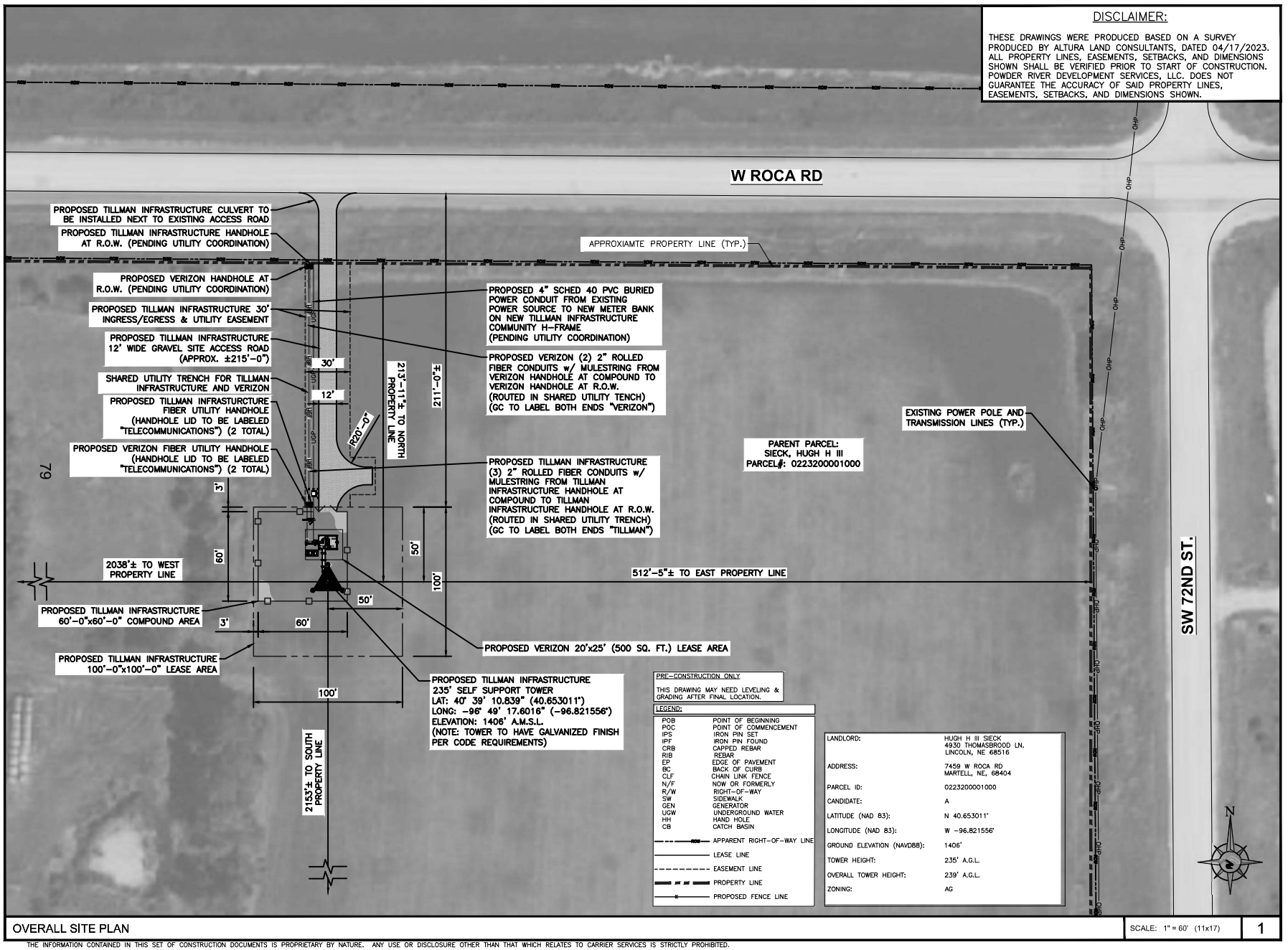
PROJECT MANAGER/ARCHITECT:

POWDER RIVER
Development Services, LLC
www.powderriverdev.com

SHEET TITLE:

TOPOGRAPHIC SURVEY

SHEET NUMBER:	REVISION:
LS1	1
SHEET 1 OF 1 SHEETS	23032



DISCLAIMER:

THESE DRAWINGS WERE PRODUCED BASED ON A SURVEY PRODUCED BY ALTURA LAND CONSULTANTS, DATED 04/17/2023. ALL PROPERTY LINES, EASEMENTS, SETBACKS, AND DIMENSIONS SHOWN SHALL BE VERIFIED PRIOR TO START OF CONSTRUCTION. POWDER RIVER DEVELOPMENT SERVICES, LLC. DOES NOT GUARANTEE THE ACCURACY OF SAID PROPERTY LINES, EASEMENTS, SETBACKS, AND DIMENSIONS SHOWN.

PRE-CONSTRUCTION ONLY

THIS DRAWING MAY NEED LEVELING & GRADING AFTER FINAL LOCATION.

LEGEND:

POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
IPS	IRON PIN SET
IPF	IRON PIN FOUND
CRB	CAPPED REBAR
RIB	REBAR
EP	EDGE OF PAVEMENT
BC	BACK OF CURB
CLF	CHAIN LINK FENCE
N/F	NOW OR FORMERLY
R/W	RIGHT-OF-WAY
SW	SIDEWALK
GEN	GENERATOR
UGW	UNDERGROUND WATER
HH	HAND HOLE
CB	CATCH BASIN
	APPARENT RIGHT-OF-WAY LINE
	LEASE LINE
	EASEMENT LINE
	PROPERTY LINE
	PROPOSED FENCE LINE

LANDLORD:	HUGH H III SIECK 4930 THOMASBROOD LN. LINCOLN, NE 68516
ADDRESS:	7459 W ROCA RD MARTELL, NE, 68404
PARCEL ID:	0223200001000
CANDIDATE:	A
LATITUDE (NAD 83):	N 40.653011°
LONGITUDE (NAD 83):	W -96.821556°
GROUND ELEVATION (NAVD88):	1406'
TOWER HEIGHT:	235' A.G.L.
OVERALL TOWER HEIGHT:	239' A.G.L.
ZONING:	AG

OVERALL SITE PLAN | SCALE: 1" = 60' (11x17) | 1

THE INFORMATION CONTAINED IN THIS SET OF CONSTRUCTION DOCUMENTS IS PROPRIETARY BY NATURE. ANY USE OR DISCLOSURE OTHER THAN THAT WHICH RELATES TO CARRIER SERVICES IS STRICTLY PROHIBITED.

TILLMAN INFRASTRUCTURE
152 W. 57TH STREET
NEW YORK, NEW YORK 10019
PH: (212) 706-1677

POWDER RIVER
Development Services, LLC
408 S EAGLE RD, SUITE 200
EAGLE, ID 83616

COA #: CA2518

REVISIONS

REV	DATE	DESCRIPTION	INT
C	11/02/23	ISSUED FOR REVIEW 90%	BMW
B	10/17/23	ISSUED FOR REVIEW 90%	BMW
A	10/02/23	ISSUED FOR REVIEW 90%	BMW

PRELIMINARY
NOT FOR
CONSTRUCTION

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SITE INFORMATION

TILLMAN INFRASTRUCTURE

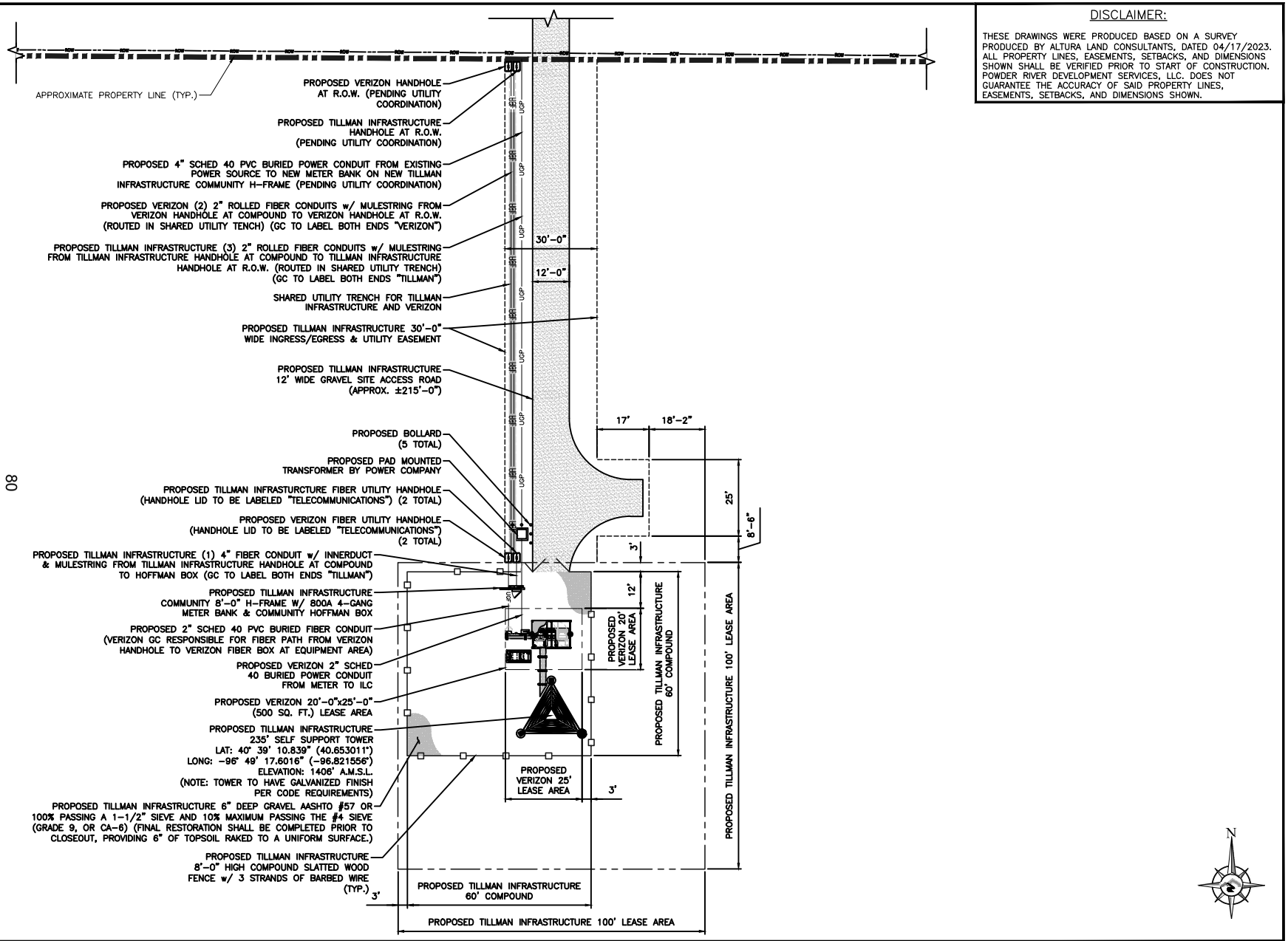
SITE#: TI-PP-20856

SITE NAME: LIN BLUESTEM

7459 W ROCA RD
MARTELL, NE 68404
40.653011°,-96.821556°

SHEET TITLE:
OVERALL
SITE PLAN

SHEET NUMBER:
ZD-1



80

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SITE PLAN

SCALE: 1" = 30' (11x17)

1

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TILLMAN INFRASTRUCTURE

152 W. 57TH STREET
NEW YORK, NEW YORK 10019
PH: (212) 706-1677

POWDER RIVER
Development Services, LLC

408 S EAGLE RD, SUITE 200
EAGLE, ID 83616

COA #: CA2518

REVISIONS

REV	DATE	DESCRIPTION	INT
C	11/02/23	ISSUED FOR REVIEW 90%	BMW
B	10/17/23	ISSUED FOR REVIEW 90%	BMW
A	10/02/23	ISSUED FOR REVIEW 90%	BMW

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SITE#: TI-PP-20856

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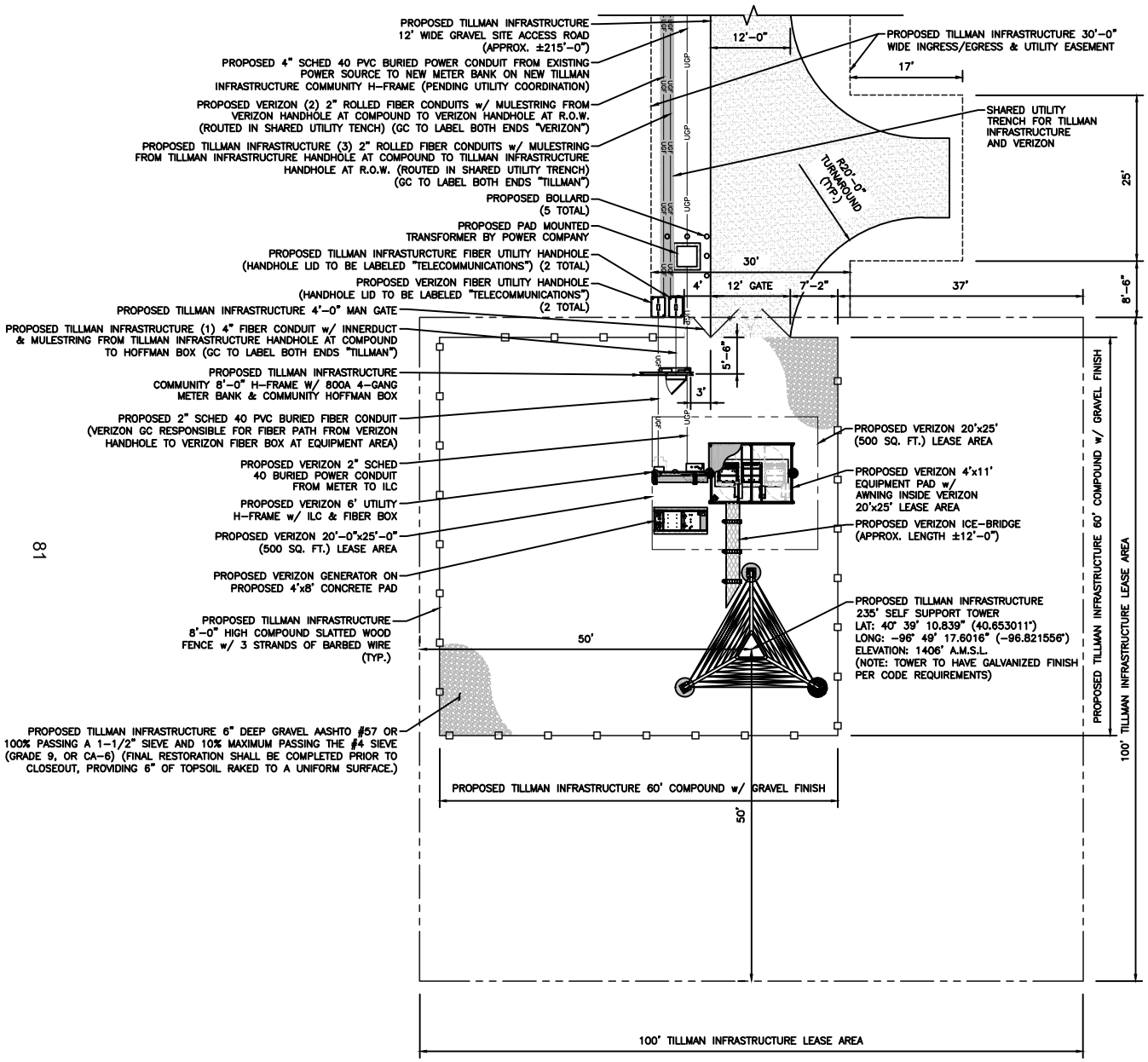
7459 W ROCA RD
MARTELL, NE 68404
40.653011°,-96.821556°

SHEET TITLE:

SITE PLAN

SHEET NUMBER:

ZD-2



81

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COMPOUND PLAN

SCALE: 1/16" = 1'-0" (11x17)

1

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SITE#: TI-PP-20856

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7459 W ROCA RD
MARTELL, NE 68404
40.653011°,-96.821556°

SHEET TITLE:

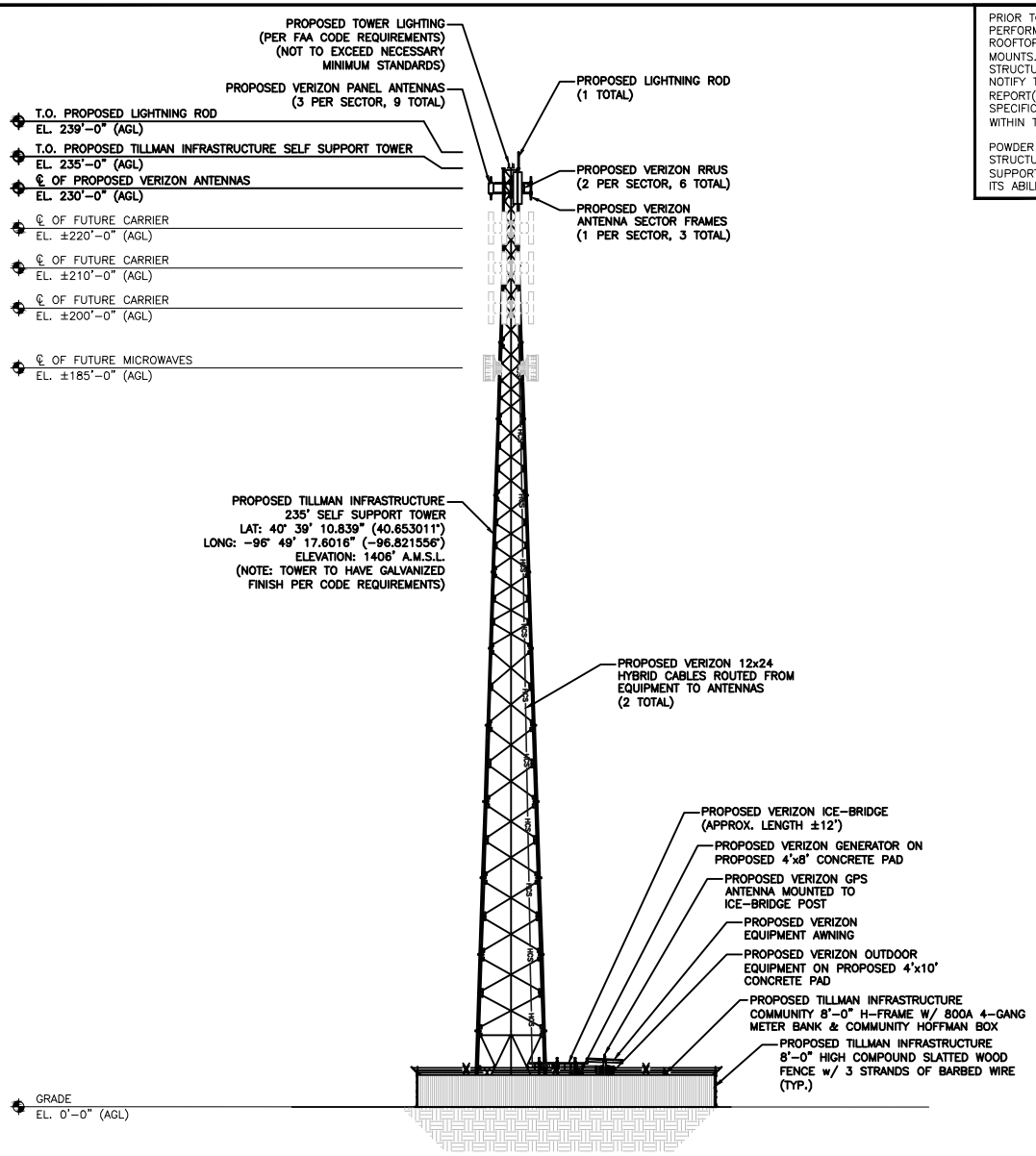
COMPOUND PLAN

SHEET NUMBER:

ZD-3

TOWER LIGHTING NOTE:

PLEASE SEE "THE DETERMINATION OF NO HAZARD TO AIR NAVIGATION" ISSUED BY THE FAA, THAT IS PROVIDED WITH THIS APPLICATION FOR A SPECIAL PERMIT. THE DETERMINATION INCLUDED A CONDITION OF APPROVAL THAT "THE STRUCTURE IS TO BE MARKED/LIGHTED IN ACCORDANCE WITH FAA ADVISORY CIRCULAR 70/7460-1 , OBSTRUCTION MARKING AND LIGHTING, A MED-DUAL SYSTEM-CHAPTERS 4,8(M-DUAL),&15"



PRIOR TO CONSTRUCTION, STRUCTURAL ANALYSIS SHALL BE PERFORMED FOR ALL NEW AND EXISTING SUPPORTING TOWERS, ROOFTOPS, FLAG POLES, LIGHT POLES AND ASSOCIATED EQUIPMENT MOUNTS. CONTRACTOR SHALL REVIEW THE SIGNED/SEALED STRUCTURAL ANALYSIS REPORTS PRIOR TO CONSTRUCTION AND SHALL NOTIFY THE ENGINEER OF ANY DISCREPANCIES LISTED WITHIN THE REPORT(S). ALL CONSTRUCTION, MODIFICATIONS AND/OR REPLACEMENT SPECIFICATIONS SHALL BE FULLY IMPLEMENTED EXACTLY AS NOTED WITHIN THE STRUCTURAL ANALYSES REPORTS/LETTERS.

POWDER RIVER DEVELOPMENT SERVICES, LLC HAS NOT PERFORMED STRUCTURAL ANALYSIS FOR THE NEW EQUIPMENT MOUNTS, NOR THE SUPPORTING STRUCTURE(S), AND ASSUMES NO RESPONSIBILITY FOR ITS ABILITY TO SUPPORT THE PROPOSED MODIFICATIONS.

PROPOSED SELF SUPPORT TOWER ELEVATION

SCALE: 1" = 30' (11x17)

1

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82

TILLMAN INFRASTRUCTURE
152 W. 57TH STREET
NEW YORK, NEW YORK 10019
PH: (212) 706-1677

POWDER RIVER
Development Services, LLC
408 S EAGLE RD, SUITE 200
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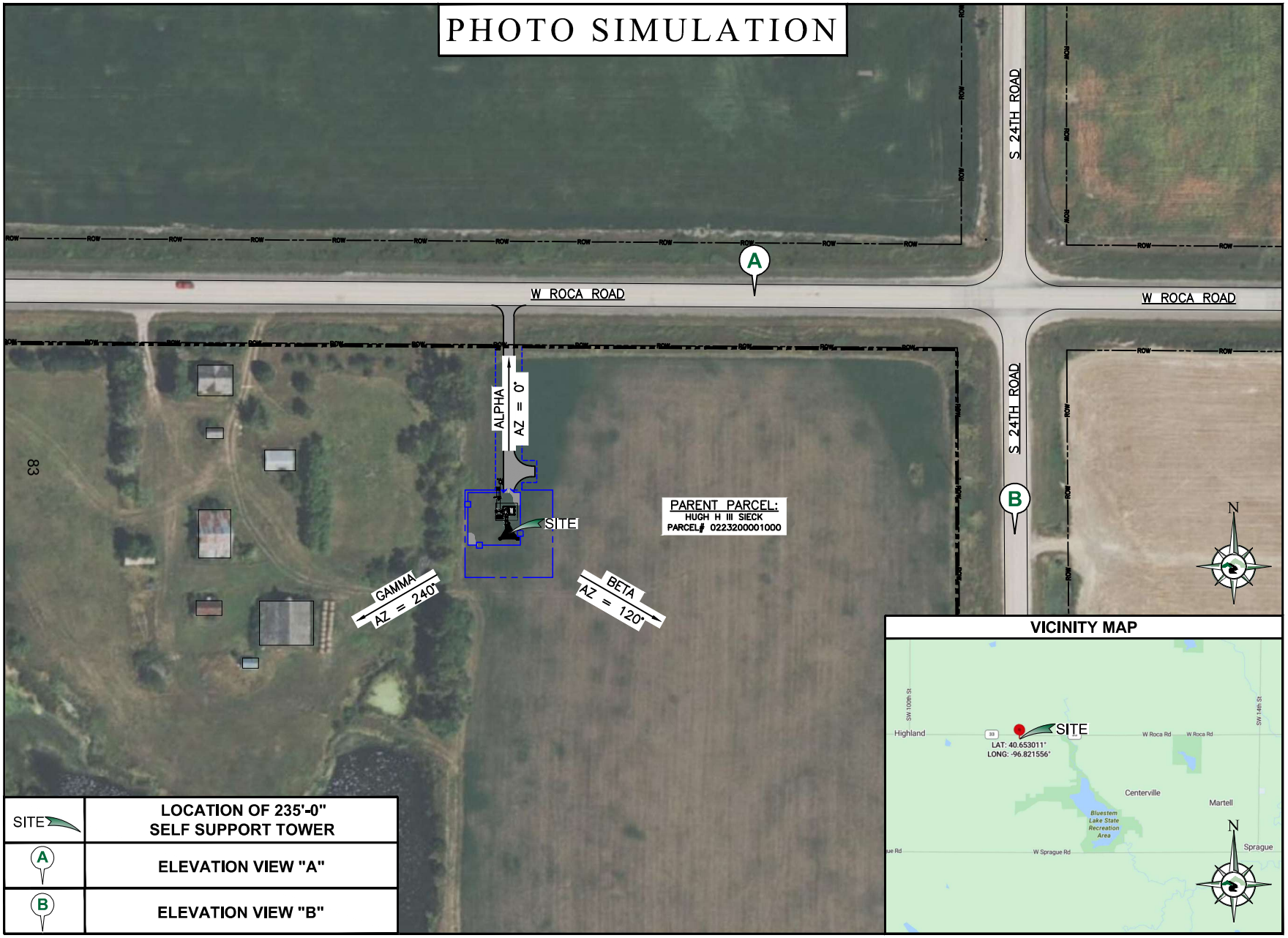
SHEET TITLE:

ELEVATION

SHEET NUMBER:

ZD-4

PHOTO SIMULATION



SITE	LOCATION OF 235'-0" SELF SUPPORT TOWER
A	ELEVATION VIEW "A"
B	ELEVATION VIEW "B"

VICINITY MAP

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PH: (212) 706-1677

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POWDER RIVER
Development Services, LLC

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REVIEWED BY: SP

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SITE INFORMATION
TILLMAN INFRASTRUCTURE
SITE#: TI-OPP 20856A
SITE NAME: LIN 86TH & HWY 33
VERIZON
SITE NAME:LIN BLUESTEM
LOCATION ID: ----
FUZE ID: 16965507
7459 W ROCA RD
MARTELL, NE 68404 68404

SHEET TITLE:
OVERALL SITE PLAN

SHEET NUMBER:
PS-1



AFTER INSTALLMENT | SCALE: N.T.S. | 2



BEFORE INSTALLMENT | SCALE: N.T.S. | 1

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NEW YORK, NEW YORK 10019
PH: (212) 706-1677

verizon

POWDER RIVER Development Services, LLC

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SITE NAME: LIN 86TH & HWY 33

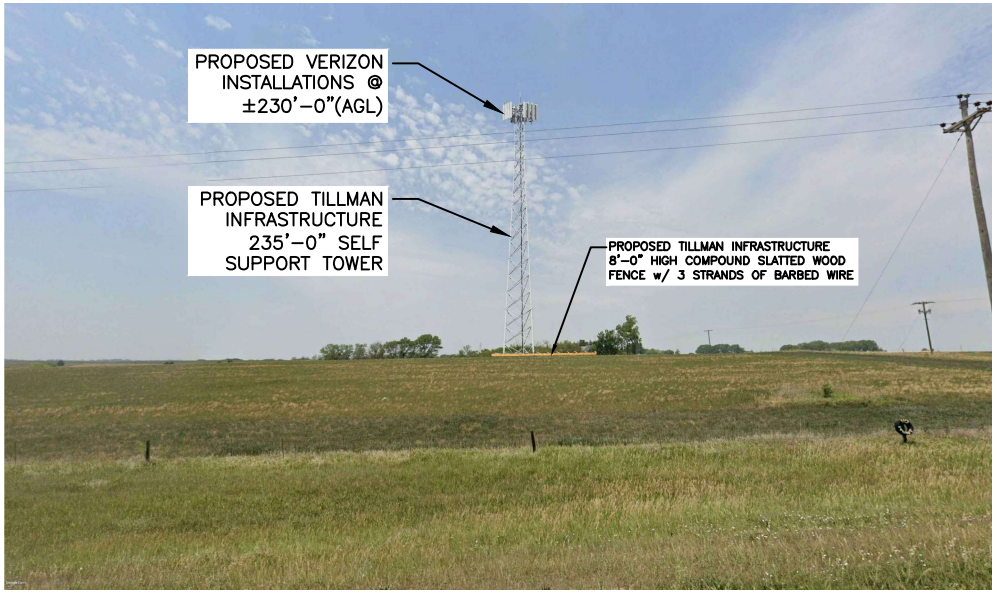
VERIZON
SITE NAME:LIN BLUESTEM
LOCATION ID: ----
FUZE ID: 16965507
7459 W ROCA RD
MARTELL, NE 68404 68404

SHEET TITLE:

ELEVATION VIEW "A"

SHEET NUMBER:

PS-2



AFTER INSTALLMENT | SCALE: N.T.S. | 2



BEFORE INSTALLMENT | SCALE: N.T.S. | 1

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POWDER RIVER
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SITE NAME: LIN 86TH & HWY 33
VERIZON
SITE NAME:LIN BLUESTEM
LOCATION ID: ----
FUZE ID: 16965507
7459 W ROCA RD
MARTELL, NE 68404 68404

SHEET TITLE:

ELEVATION VIEW "B"

SHEET NUMBER:

PS-3



WEST | SCALE: N.T.S. | 4



SOUTH | SCALE: N.T.S. | 2



EAST | SCALE: N.T.S. | 3



NORTH | SCALE: N.T.S. | 1

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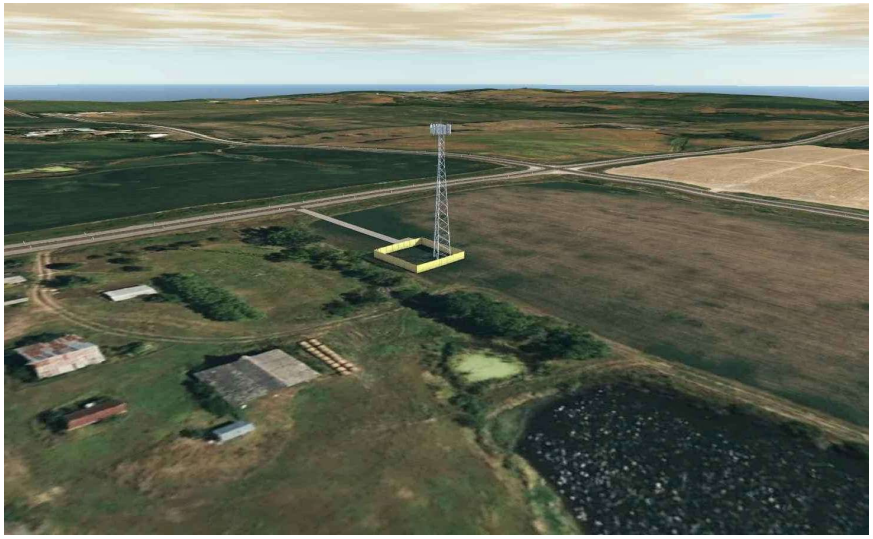
TILLMAN INFRASTRUCTURE
SITE#: TI-OPP 20856A
SITE NAME: LIN 86TH & HWY 33
VERIZON
SITE NAME:LIN BLUESTEM
LOCATION ID: ----
FUZE ID: 16965507
7459 W ROCA RD
MARTELL, NE 68404 68404

SHEET TITLE:

AERIAL VIEWS

SHEET NUMBER:

PS-4



SOUTH WEST | SCALE: N.T.S. | 4



SOUTH EAST | SCALE: N.T.S. | 2



NORTH WEST | SCALE: N.T.S. | 3



NORTH EAST | SCALE: N.T.S. | 1

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TILLMAN INFRASTRUCTURE
152 W. 57TH STREET
NEW YORK, NEW YORK 10019
PH: (212) 706-1677

verizon

POWDER RIVER
Development Services, LLC

REVISIONS

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SITE INFORMATION

TILLMAN INFRASTRUCTURE
SITE#: TI-OPP 20856A
SITE NAME: LIN 86TH & HWY 33
VERIZON
SITE NAME:LIN BLUESTEM
LOCATION ID: ----
FUZE ID: 16965507
7459 W ROCA RD
MARTELL, NE 68404 68404

SHEET TITLE:

AERIAL VIEWS

SHEET NUMBER:

PS-5

Powder River Development Services, LLC
408 South Eagle Road, Suite 200
Eagle, ID 83616
(208) 938-8844 office
(208) 938-8855 fax
www.powderriverdev.com

November 7th, 2023

Brian Will, Planner
Lancaster County, Nebraska
555 S. 10th St., Ste. 213
Lincoln, NE 68508
(402) 873-9548

Subject: Special Permit Request – proposed 239' Self-Support Communications Tower

Address: 7459 W Roca Rd, Martell, NE 68404

Dear Mr. Will and Members of the Lancaster County Planning Commission,

Powder River Development Services is representing Tillman Infrastructure in their request to be considered for the construction of a new, collocatable, cell tower at the address referenced above.

Scope of Work
Development of new 239' Self-Support tower with a 100' x 100' fenced compound area. The proposed development would be in compliance with all applicable setback and code regulations and requirements.

Submittal Documents:

- Completed Application Form, signed by the Property Owner
- Photo Simulations
- Professional Engineer Letter
- Fall Zone Letter from a Professional Engineer
- Written technical Evidence from a Radio Frequency Engineer that there are no existing towers within a half mile that work from a technical standpoint
- Narrative Response to Article 10 of the Lancaster County Zoning Code
- Drawings of the proposed tower with all required information
- Tillman Maintenance Schedule
- Aeronautical Study No. 2023-ACE-7291-OE, provided from the FAA, and the associated the FAA's "Advisory Circular"
- Phase I Environmental Site Assessment Report of the subject property

If there are any questions or additional information needed, please do not hesitate to let me know. I may be reached by phone at **(208) 938-8844** and email at drew.dewhirst@powderriverdev.com.

Respectfully,

Andrew Dewhirst

Member
Powder River Development Services, LLC

ARTICLE 10 PERSONAL WIRELESS TELECOMMUNICATIONS FACILITIES

(Resolution No. RR-00-19, February 22, 2000)

Contents:

10.01. Purpose
10.02. Definitions
10.03. Permits Required
10.08. Location Preferences
10.09. Application Requirements
10.10. Standards for Evaluation
10.11. Design Criteria for Personal Wireless Service Facilities
10.12. General Requirements
10.13. Non-use; Abandonment
10.14. Zoning districts allowed
10.15. Permitted Special Use: Personal Wireless Services Facilities

10.01. Purpose (Included for Reference)

These regulations are adopted to protect the public health, safety and welfare, and to minimize visual impact, while furthering the development of enhanced telecommunications services in the County. These regulations are designed to comply with the Telecommunications Act of 1996 and any other applicable laws. The provisions of this Article are not intended to and shall not be interpreted to prohibit or to have the effect of prohibiting personal wireless services. This Article shall not be applied in such a manner as to unreasonably discriminate between providers of functionally equivalent personal wireless services.

10.02. Definitions (Included for Reference)

For the purpose of this Article, the following terms shall have the meaning ascribed to them below:

Abandonment, in the case of a co-located or non co-located facility, shall mean: (a) failure to start operations within 180 days of completion of the structure, or (b) to cease operation for a period of 180 or more consecutive days. In the event that factors beyond a provider's control postpone the start or cause the temporary cessation of operations of a co-located or non co-located facility, the time limitations specified herein shall be extended to such period of delay.

Administrative permit shall mean a process and recommendation by the Planning Director as described in this Article.

Antenna shall mean any exterior apparatus designed for telephonic, radio, data, Internet, or video communications through the sending and/or receiving of electromagnetic waves, and includes equipment attached to a tower or building for the purpose of providing personal wireless services, including unlicensed wireless telecommunications services, wireless telecommunications services utilizing frequencies authorized by the Federal Communications Commission for "cellular", "enhanced specialized mobile radio", "specialized mobile radio" and "personal communications services", telecommunications services, and its attendant base station.

Antenna support structure shall mean any pole, telescoping mast, tower, tripod, or other structure which supports a device used in the transmitting or receiving of radio frequency signals.

Array shall mean a set of antennas for one carrier or service that are placed on a structure at a given height and spaced so as to avoid interference.

Camouflage describes a personal wireless service facility that is disguised, hidden, or integrated with an existing structure or a personal wireless service facility that is placed within an existing or proposed structure so as to be effectively hidden from view.

Co-location shall mean the location of antenna or an array of antennas on a personal wireless facility or antenna support structure by more than one personal wireless service provider.

Design shall mean the appearance of personal wireless service facilities, including such features as their materials, colors, texture, scale, and shape.

EIA shall mean the Electronics Industry Association.

Equipment enclosure shall mean a structure, shelter, cabinet, or vault used to house

and protect the electronic equipment necessary for processing wireless communication signals and associated equipment. Associated equipment may include air conditioning, backup power supplies and emergency generators.

FAA shall mean the Federal Aviation Administration.

FCC shall mean the Federal Communications Commission.

Fall zone shall mean the area on the ground within a prescribed radius from the base of a personal wireless service facility within which there is a potential hazard from falling debris or collapsing material.

Governing authority shall mean the County Board of the County of Lancaster.

Height shall mean the vertical distance above grade to the highest point of the antenna support structure, including the lightning rod and antenna.

Modification shall mean the changing of any portion of a personal wireless service facility from its description in a previously approved permit. Examples include, but are not limited to, changes in design, height, number or location of antennas.

Mount shall mean the structure or surface upon which personal wireless service facilities are mounted. There are three types of mounts:

1. Building mounted – a personal wireless service facility affixed to the roof or side of a building;
2. Ground mounted – a personal wireless service facility fixed to the ground such as a tower; and
3. Structure mounted – a personal wireless service facility fixed to a structure other than a building, such as light standards, utility poles, and bridges.

Partial abandonment in the case of a facility shall mean to cease use of a portion of the antenna structure for 180 or more consecutive days.

Personal wireless service, personal wireless service facilities, personal wireless facilities, and facilities used in this Article shall be defined in the same manner as in Chapter 47, United States Code, Section 332 (c)(7)©, as they may be amended now or in the future and includes facilities for the transmission and reception of radio or microwave signals used for communication, cellular phone, personal communications services, enhanced specialized mobile radio, and any other wireless services licensed by the FCC and unlicensed wireless services.

Provider shall mean every corporation, company, association, joint stock company, firm, partnership, limited liability company, other entity and individual which provides personal wireless service over personal wireless service facilities.

Screening shall mean materials which effectively hide personal wireless facilities from view, or landscaping in accordance with design standards recommended by the Planning Department.

Security barrier shall mean a wall, fence, or berm that has the purpose of sealing a personal wireless service facility from unauthorized entry or trespass.

Site shall mean a tract or parcel of land that contains personal wireless service facilities including any antenna, support structure, building, accessory buildings, and parking and may include other uses associated with and ancillary to personal wireless services.

Special permit shall mean a process and approval as currently described in ARTICLE 13 of the Lancaster County Zoning Regulations, or as otherwise set forth in County regulations.

Tower shall mean any structure that is designed, constructed or used for the primary purpose of supporting one or more antennas, including self-supporting lattice towers, guyed towers, or monopole towers. The term encompasses personal

wireless service facilities including microwave towers, common-carrier towers, cellular telephone towers or personal communicallltions services towers, alternative tower structures, and the like.

Unlicensed wireless services shall mean commercial mobile services that operate on public frequencies and do not need a FCC license. (Resolution No. R-15-0005; January 13, 2015)

10.03. Permits Required (Included for Reference)

a. No person shall locate an antenna or tower or alter an existing personal wireless services facility for personal wireless services facility upon any lot or parcel except as provided in this Article.

b. Maintenance or repair of a personal wireless service facility and related equipment, excluding structural work or changes in height, dimensions, towers, or buildings, is excluded from the requirement to obtain an administrative or special permit. However, building permits may still be required.

c. Installation of personal wireless service facilities requires either an administrative permit issued by the Planning Director or review of a special permit by the Planning Commission and approval by the County Board; except co- location on existing wireless facilities previously authorized by either an administrative permit or special permit.

Within 45 days of receiving a complete application, the Planning Director shall act on the request for an administrative permit, or shall refer the application to the Historic Preservation Commission, Nebraska Capitol Environs Commission as required by Chapter 27.56.090 of the Lincoln Municipal Code, and/or Planning Commission for public hearing.

If a request for an administrative permit is not acted upon within 45 days, or recommends denial, or the conditions imposed thereon are unacceptable to the applicant, then the applicant may, by written notice to the Planning Director, convert the request for an administrative permit to an application for a special permit. Moreover, an applicant may, in lieu of and without first seeking an administrative permit hereunder, request a special permit for its proposed facility.

1. Administrative Permit: In any zoning district, the Planning Director may issue an administrative permit approving an application to replace an existing tower or to locate a camouflaged facility or rooftop facility, if the application does not exceed the permitted height in the district or the height as allowed by special permit, and will have minimal adverse effect on the surrounding property, entryway corridors to the City, Capitol Environs District, Capitol View Corridors as described in Section 27.56.017 of the Lincoln Municipal Code, landmarks or landmark districts designated in accordance with Chapter 27.57, or properties listed or eligible to be listed on the National Register of Historic Places.
2. Special Permit: All towers and additions to existing facilities not issued or eligible for an administrative permit and all requests for a special permit shall be reviewed and evaluated for issuance of a special permit, according to the procedure established in ARTICLE 13 of the Lancaster County Zoning Regulations.

Any decision to deny a special permit under this Article shall be made in writing and shall state the specific reasons for the denial. Any recommendation to deny, by the Planning Commission will be forwarded to the County Board for a hearing. Any denial by the County Board shall be deemed a final administrative decision, subject to judicial review and appeal. (Resolution No. R-15-0005; January 13, 2015)

10.08. Location Preferences

Personal wireless facilities shall be located and designed to minimize any significant adverse effect on the abutting property. Sites shall be placed in locations where the existing topography, vegetation, buildings, or other structures provide the greatest amount of screening. The locational preferences for siting new personal wireless service facilities are listed below:

a. Preferred Location Sites:

1. Publicly owned sites on which personal wireless facilities can be unobtrusively located with due regard to visibility, aesthetic issues, traffic flow, public safety, health and welfare. Such site may include locating on existing buildings, co-locating on existing towers, screened roof-top mounts, water towers, billboards, electric substations, or other camouflaged sites, but shall not include new towers.
2. Privately owned sites with existing structures on which personal wireless facilities can be unobtrusively located with due regard to visibility, aesthetic issues, traffic flow, public safety, health and welfare. Such sites may include locating on

existing towers, screened roof-top mounts, water towers, billboards, electric substations, or other camouflaged sites, but shall not include new towers.

3. Publicly owned which the facility is minimally obtrusive, has a minimal impact on the surrounding area, is an appropriate distance from residential uses, has minimal impact on residential uses, with due regard being given to the scale of the facility and the surrounding area and the impact on the location.
4. Sites in commercially or industrially zoned districts in which the facility is minimally obtrusive, has a minimal impact on the surrounding area, is an appropriate distance from residential land uses, has minimal impact on residential uses, with due regard being given to the scale of the facility and the surrounding area and the impact on the location.

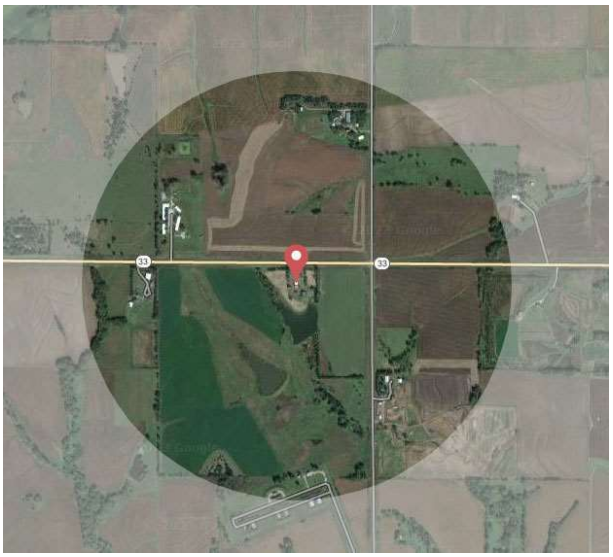
b. Limited Preference Sites, in order of priority:

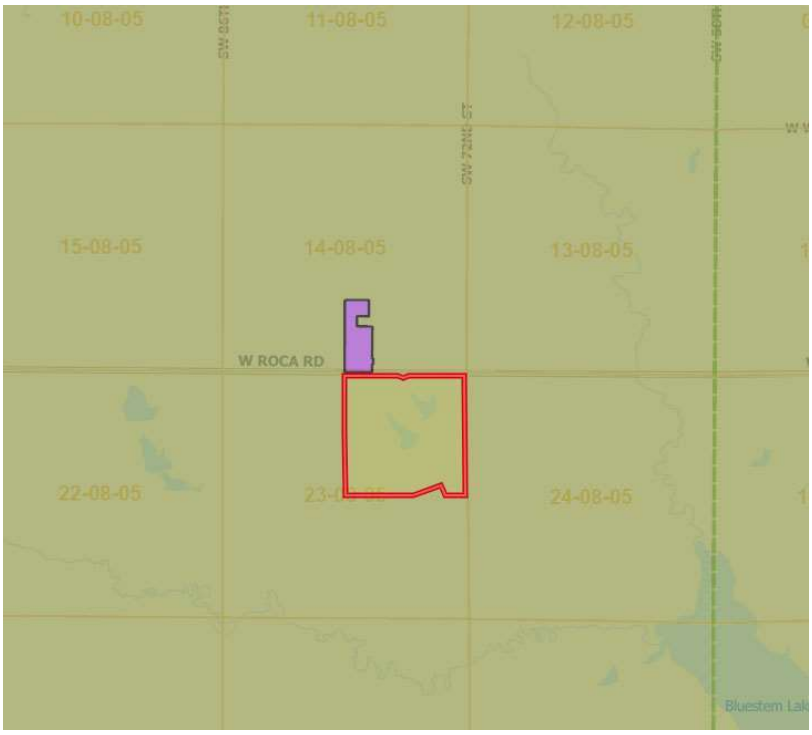
1. Sites on other public property.
2. Sites on other commercially or industrially zoned property.
3. Screened antennas on multi-family residential structures exceeding thirty feet (30) in height.
4. Camouflaged structures with minimal impact on residential land uses.

c. Sensitive Location Sites. Sites located in areas with residential uses, environmentally sensitive areas, Capitol View Corridors, the Capitol Environs District, entryway corridors, downtown, landmarks or landmark districts, properties listed or eligible to be listed on the National Register of Historic Places, the Airport Environs, and other sensitive areas.

The applications for personal wireless facilities which are located at sensitive sites will be required to demonstrate a technical need to locate a personal wireless facility at a sensitive site and that other reasonable alternatives do not exist for the facility at a location which is not a sensitive site.

- **Applicant Response:** **There are no publicly owned existing structures, towers or buildings or other usable antenna support structures within a half mile radius of the proposed tower. There are also no commercially or industrially zoned properties in the surrounding area. The map below shows all surrounding properties are either Agricultural or Agricultural Residential. See map (to the right) from TowerSource, which is the wireless industry's largest and most comprehensive tower database.**





Applicant Response (continued from 10.08)

- **The proposed tower is not located in a sensitive area. The vast majority of the properties in the surrounding area are both zoned and used for Agricultural purposes.**

10.09. Application Requirements

a. Pre-Application Conference and Fees. Prior to the acceptance of an application by the County, applicants shall participate in a pre-application conference for the purposes of discussing application requirements, specifics of the site, plans for current and future facilities, and establishing the application fee. The purpose of establishing the application fee is to ensure the recovery of County costs and expenses associated with the review of the application including, but not limited to, actual costs of County staff time and resources as well as any outside consultation expenses which the County reasonably determines are necessary to adequately review and analyze the application; (Resolution R-06-0103; September 23, 2006)

b. Applications for either an administrative permit or a special permit for a personal wireless facility shall be filed with the Planning Director and shall include the following:

1. Provide copies of any environmental documents required by any federal agency.

Applicant Response: Please find attached a copy of Aeronautical Study No. 2023-ACE-7291-OE, provided from the FAA, which states the proposed tower "would not be a hazard to air navigation" and also requires the tower be lighted for safety purposes. We included the FAA's "Advisory Circular" which provides additional detail on lighting requirements. Also please find attached a Phase I Environmental Site Assessment Report performed TriLeaf Corporation.

2. Provide a description of the anticipated maintenance and monitoring program for the antennae and back up equipment, including frequency of maintenance services.

Applicant Response: This will be an unmanned facility. However, routine maintenance will occur, by both the Tower Owner, Tillman Infrastructure, and the tenants on the tower (i.e., the cell phone companies). For Tillman, please see attached "Tillman Ground Maintenance Schedule" that addresses tower and compound maintenance. The carriers will typically visit the site once a month for routine maintenance, or as required if there are any problems.

3. A statement indicating proposed measures designed to minimize potentially adverse visual effects on adjacent properties with consideration given to design, unobtrusiveness, minimum height necessary to accommodate antenna, avoidance of artificial light and coloring provisions;

Applicant Response: The proposed height of 235' is the minimum height required to meet the desired coverage objectives (better described in the RF letter). With regard to minimizing adverse visual effects, the options are limited to camouflage a 235' tower in a predominately Agricultural area, however, as required by code the base of the tower is screened with a wooden fence. Please see photo simulations.

4. A description of the security barrier surrounding the base of the tower and accessory equipment. The description should include the method of fencing, finished color and, if applicable, the method of camouflage and illumination. Access shall be through a locked gate. The tower shall either have no climbing devices attached to the lower twenty feet of the tower or shall be fitted with anti-climbing devices.

Applicant Response: The proposed tower will be completely fenced by an 8' wood slatted fence with access provided through a locked gate. There will be no climbing devices attached to the lower twenty feet of the tower.

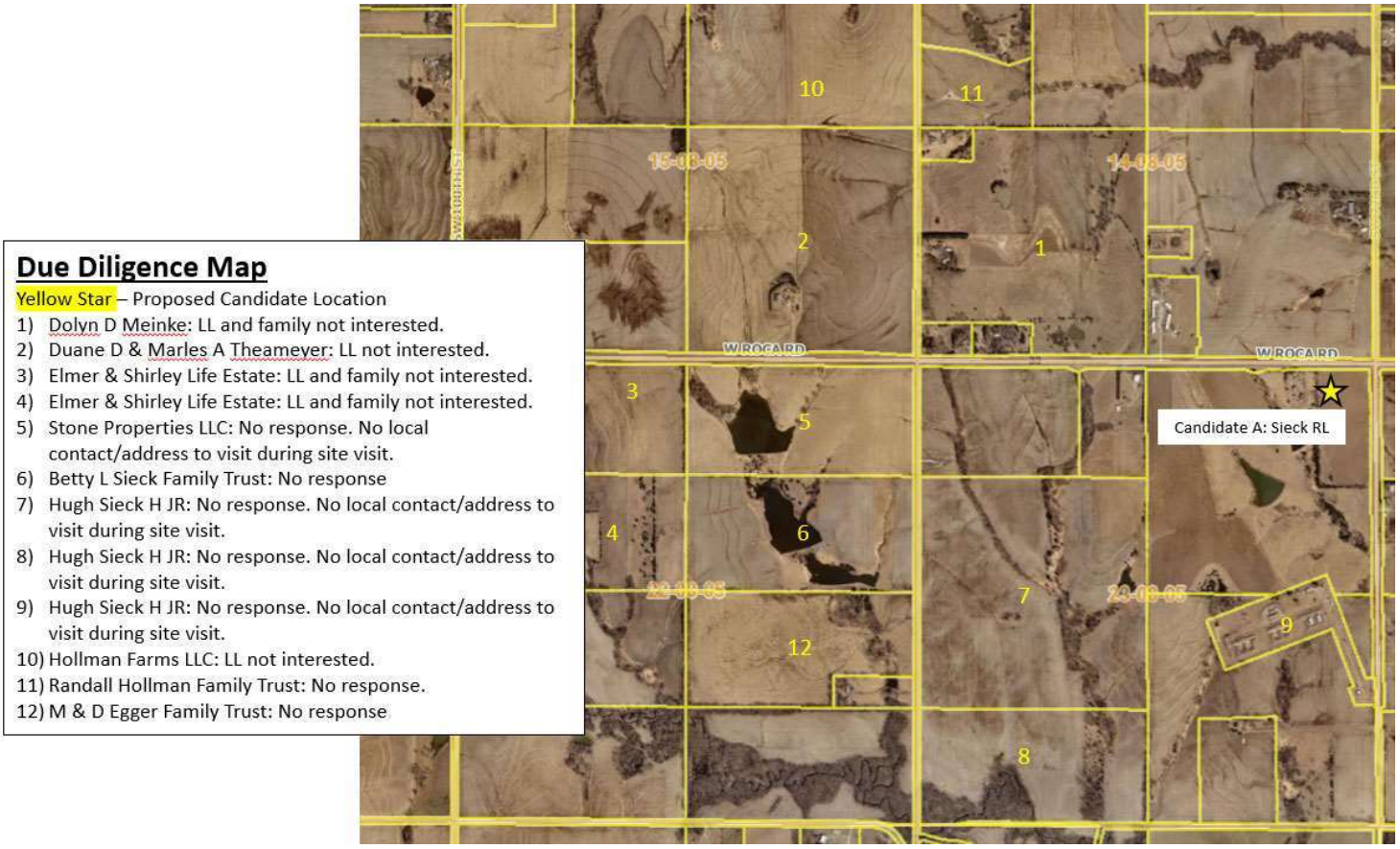
5. statement identifying which location preference, identified in Section 10.008, the proposed facility is meeting. If the proposed location is not a preferred site location, describe:

Applicant Response: As stated in 10.008 There are no publicly owned existing structures, towers or buildings or other usable antenna support structures within a half mile radius of the proposed tower. There are also no commercially or industrially zoned properties in the surrounding area.

c. Whether any preferred location sites are located within the service area of the proposed personal wireless facility;

Applicant Response: **The closest existing personal wireless facility is approximately .8 miles to the west of the proposed facility. As stated in the letter from RF Engineering, Chad Loecker, this existing tower does "not provide the necessary ground elevation, tower height, nor geographic location to achieve" the desired conditions which include the "targeted areas included for improvement" which include Bluestem Lake Recreation and Camping areas, Highway 33 east to Highway 77, and the community of Martell. Existing service in these areas is both coverage and capacity challenged, and the LIN Bluestem site location will provide needed improvements."**

i. What good faith efforts and measures were taken to secure each of these preferred location sites and why such efforts were unsuccessful;



Applicant Response: **The only co-locatable existing structure, located .8 miles to the west of the proposed facility, as discussed in the prior section, does not work for technical reasons. There were 12 other property Owners contacted that either did not respond to our inquiries or did respond and confirmed they were not interested.**

ii. Demonstrate why each such site was not technologically, legally or economically feasible;

Applicant Response: **As stated in the letter from RF Engineering, Chad Loecker, the existing tower does "not provide the necessary ground elevation, tower height, nor geographic location to achieve" the desired conditions.**

iii. How and why the proposed site is required to meet service demands for the geographic service area and citywide network; and

Applicant Response: **As stated in the letter from RF Engineering, Chad Loecker, the desired areas for geographic services include the "Bluestem Lake Recreation and Camping areas, Highway 33 east to Highway 77, and the community of Martell. Existing service in these areas is both coverage and capacity challenged, and the LIN Bluestem site location will provide needed improvements."**

iv. The distance between the proposed facility and the nearest residential unit and residentially zoned properties.

Applicant Response: **The nearest properties zoned "Residential" are approximately three miles to the East in the town of Sprague. The nearest property that includes the term "Residential" in the Zoning District name, is approximately .3 of a mile to the north and west; that property is zoned "Agricultural Residential." The closest Residential unit is a House/farmstead 1430' to the Southeast. This is measured from the base of the proposed tower.**

6. A plot plan of the lot and the proposed uses drawn to an accurate scale and showing all pertinent information. The application material shall provide sufficient information, as determined by the Planning Director, to allow a complete review of the proposal. The application material shall also include sufficient detail to indicate compliance with design

standards. Failure to provide adequate information may result in the rejection of the application.

Applicant Response: **Please see attached drawings and photo simulations, which provide all required information.**

10.10. Standards for Evaluation

a. The Planning Commission may recommend, by special permit, subject to approval of the governing authority, a personal wireless facility in any zoning district after review and consideration of all of the following:

1. Conformity with Comprehensive Plan.

Applicant Response: **Having a modern and robust, 5G enabled wireless network, for future carriers, conforms with multiple sections of the Lincoln-Lancaster Comprehensive Plan. Towers are the vertical backbone of these networks. A connected community with access to modern 5G technology will benefit the citizens of Lancaster County that are within relatively close proximity to the proposed Tower.**

2. Preference of site location in accordance with ARTICLE 10.008.

Applicant Response: **We have provided a response to this in Section 10.008.**

3. Compatibility with abutting property and surrounding land uses.

Applicant Response: **The proposed Tower is an unmanned facility that will generate very little traffic and have virtually no impact on surrounding land uses, other than the positive impacts of the improved coverage. The only potential impacts on surrounding property owners will be the visual impacts of seeing a tower.**

4. Adverse impacts such as the visual, environmental or noise impacts;

Applicant Response: **There will be no negative environmental impacts based on the construction of the proposed tower. The proposed tower, when built, will be unmanned and generate little traffic, and will otherwise sit in silent operation. Visually, in a rural Environment such as this, it is a challenge to camouflage a tower of this size. The landscape is relatively flat, wide open, and does not have a lot of structures.**

5. Screening potential of existing vegetation, structures and topographic features, and screening potential of proposed facilities, ground level equipment, buildings and tower base.

Applicant Response: **The base of the tower will be surrounded by a wood slatted fence, which will screen ground equipment at the base of the tower, from public view.**

6. Scale of facility in relation to surrounding land uses.

Applicant Response: **The tower will be taller than most surrounding structures. However, it will not be unique in its verticality across the landscape, as other utilities such as power poles, transmission lines, and grain silos, along with the occasional cell phone tower, are all part of the modern rural landscape.**

7. Compatibility with surrounding uses.

Applicant Response: **Answered above.**

8. Impact on views/vistas.

Applicant Response: **Please see answer above to the question of scale in relation to surrounding land uses.**

9. Impact on landmark structures/districts, historically significant structures/ districts, architecturally significant structures, landmark vistas or scenery and view corridors from visually obtrusive antennas and back-up equipment.

Applicant Response: **We are not aware that the proposed tower will have any negative impacts on landmark structures/districts, historically significant structures/ districts, architecturally significant structures, landmark vistas or scenery and view corridors.**

10. Impact on natural resources, open spaces, recreational trails, and other recreational resources.

11. **Applicant Response:** **We do not anticipate the proposed tower having any impact on natural resources, open spaces, recreational trails, and other recreational resources.**

12. Color and finish.

Applicant Response: **The Tower will have a silver galvanized finish.**

13. Ability to co-locate.

Applicant Response: **As depicted on page ZD-4, the proposed Tower will be able to structurally accommodate a total of four cell phone carriers.**

14. Availability of suitable existing structures for antenna mounting.

b. An application to construct new facilities may be denied if the applicant has not shown by substantial evidence that it has made a good faith effort to mount the facilities on an existing structure and/or tower;

c. Locations in sensitive location sites shall be considered only if the applicant:

1. Provides evidence showing what good faith efforts and measures were taken to secure a preferred location site or limited preference site within one-half mile of the proposed facility; and

2. Demonstrates with engineering evidence why each such preferred location site or limited preference site was not technologically, legally or economically feasible.

d. Personal wireless facilities approved by special permit may be allowed to exceed the height of the district in which they are located.

Applicant Response: As addressed earlier in this section, the closest existing personal wireless facility is approximately .8 miles to the west of the proposed facility. As stated in the letter from RF Engineering, Chad Loecker, the existing tower does "not provide the necessary ground elevation, tower height, nor geographic location to achieve" the desired coverage objectives. This was the only existing structure in the area and was ruled out for technical reasons. We have provided all other property Owners we reach out to.

10.11. Design Criteria for Personal Wireless Service Facilities

a. Equipment Structures used primarily for personal wireless service facilities: Ground level equipment, buildings, and the tower base shall be screened from public view. The standards for the equipment buildings are as follows:

1. The maximum floor area is 450 square feet and the maximum height is twelve feet. The Planning Commission may increase the maximum area to accommodate co-location.

2. Ground level buildings shall be screened from view by landscape plantings, fencing, or other appropriate means, as specified herein or in the Design Standards for Zoning.

3. Equipment buildings mounted on a roof shall have a color, and texture similar to the exterior building walls.

4. Equipment buildings which are located in residential zones shall be designed so as to conform in appearance with residential structures.

5. Equipment buildings, antenna, and related equipment shall occupy no more than twenty-five percent (25%) of the total roof area of a building, which may vary in the County's sole discretion if co-location and an adequate penthouse type structure are used.

6. All base equipment and structures shall be located no closer to the property line than the minimum setback for the zone in which it is located.

Applicant Response: The proposed Tower Location far exceeds the setback requirements for the Agricultural district: 512' from the East property line; 2,135' from the South property line; 2,038 to the West property line; and 211' from the North property line.

b. Security Fencing: A well-constructed fence not less than six feet in height from the finished grade shall be provided around each personal wireless service facility. Access to the tower shall be through a locked gate. Screening shall be in conformance with design standards.

c. **Applicant Response: The proposed tower will be completely fenced by an 8' wood slatted fence with access provided through a locked gate.**

d. Color\Finish\Lights: The tower shall have a galvanized finish. It shall not be painted in alternate bands of distinctive orange and white colors or equipped with lights unless specifically required for safety reasons by a governmental agency having jurisdiction thereof. If so required, such lights shall not exceed the necessary minimum standards therefor. The color, finish and lighting of the facility shall be specified at the time of application review. No signals, lights, or signs shall be permitted on towers unless required by the FCC or the FAA. Options on lighting shall be indicated on the application.

Applicant Response: As required by code the tower shall have a galvanized finish. The tower will not be painted. The tower will be lighted, as required by the FAA. The lighting shall not exceed the necessary minimum standards. Please see Aeronautical Study No. 2023-ACE-7291-OE, provided from the FAA, which states the proposed tower "would not be a hazard to air navigation" and also requires the tower be lighted for safety purposes. We included the FAA's "Advisory Circular" which provides additional detail on lighting requirements.

e. Antenna Accommodations. In order to reduce the number of antenna support structures needed in the County in the future, any new proposed support structure shall be designed to accommodate antenna for at least one additional

provider. Area shall be reserved for other providers' equipment near the base of the applicant's tower, unless co- location is shown to be infeasible. The site plan for towers in excess of 100 feet in height must propose space for two comparable providers, while the site plan for towers up to 100 feet in height must propose space for one comparable provider, unless co-location is shown to be infeasible.

Applicant Response: As depicted on page ZD-4, the proposed Tower will be able to structurally accommodate a total of four cell phone carriers.

f. Antenna Criteria: Antenna on or above a structure shall be subject to the following:

1. The proposal shall demonstrate that the antenna and support structure are safe and the surrounding areas will not be negatively affected by support structure failure, falling ice, or other debris. All support structures shall be fitted with anti-climbing devices as required in Section 10.009(b)(3).

Applicant Response: Please see letter from PE Anthony Tombo, a Nebraska licensed Engineer, that states that the proposed tower will be "will be designed and analyzed in accordance with IBC, ASCE 7, ANSI/TIA 222-H and all other applicable local and national codes/standards applicable to the proposed tower and foundation. In addition, please find the attached Fall Zone letter from PE Robert Beacom, a Nebraska licensed Engineer. Mr. Beacom works for Sabre Industries, who will manufacture the proposed Tower.

2. Antenna attached to the wall of an existing building shall be mounted in a configuration as flush to the wall as technically possible and shall not project above the wall on which it is attached, unless adequately screened.

Applicant Response: This section of the code is not applicable to the proposed tower.

3. The antenna shall be architecturally compatible with the building and /or wall on which it is mounted, and designed and located so as to minimize any adverse aesthetic impact. The antenna shall be constructed, painted, or fully screened to match as closely as possible the color and texture of the building and wall on which it is mounted.

Applicant Response: This section of the code is not applicable to the proposed tower.

4. The antenna may be attached to an existing conforming mechanical equipment enclosure which projects above the roof of the building, but may not project any higher than that allowed in the applicable zoning district.

Applicant Response: This section of the code is not applicable to the proposed tower.

5. If an accessory equipment shelter is present, it must blend with the surrounding buildings in architectural character and color.

Applicant Response: This section of the code is not applicable to the proposed tower.

6. Roof mounted antenna and related base stations shall be completely screened from view by materials that are consistent and compatible with the design, color, and materials of the building.

Applicant Response: This section of the code is not applicable to the proposed tower.

7. Rooftop mounts and related base stations shall be screened and integrated with the design of the building.

Applicant Response: This section of the code is not applicable to the proposed tower.

8. Antenna attached to the roof of a building, an existing tower, a water tank, or a similar structure must be either:

i. Omnidirectional or whip antenna no more than seven inches in diameter; or

ii. Panel antenna no more than two feet wide and eight feet long.

Applicant Response: This section of the code is not applicable to the proposed tower.

9. Antenna, antenna arrays, and support structures shall not extend more than the permitted height in the applicable zoning district. The antenna, antenna array, and their support structure shall be mounted so as to blend with the structure to which the antenna is attached. The antenna and its support structure shall be designed to withstand a wind force of 100 miles per hour without the use of supporting guy wires. The antenna, antenna array, and their support structure shall be a color that blends with the structure on which they are mounted.

Applicant Response: This section of the code is not applicable to the proposed tower.

Free-standing roof-top antenna support structures: The roof-top structure must be architecturally and visually (color, size, bulk) compatible with surrounding existing buildings, structures, vegetation, and/or uses. Such facilities will be considered architecturally and visually compatible if they are camouflaged to disguise the facility.

Applicant Response: This section of the code is not applicable to the proposed tower.

Site location and development shall preserve the pre-existing character of the site as much as possible. Existing vegetation should be preserved or improved, and disturbance of the existing topography of the site should be minimized,

unless such disturbance would result in less visual impact of the site on the surrounding area. The effectiveness of visual mitigation techniques must be evaluated by the County, in the County's sole discretion.

g. Fall Zone. Towers and other camouflaged support structures shall be set back a distance no less than half than the height of the structure. The County Board may grant a reduction in the required fall zone when it finds that such reduction will not adversely impact adjacent properties, and is consistent with the intent of this Article to promote the public health, safety and welfare. However in no instance shall the setback be less than that required by the underlying zoning district.

Applicant Response: As previously stated, we exceed these setback requirements: 512' from the East property line; 2,135' from the South property line; 2,038 to the West property line; and 211' from the North property line. In addition, please find the attached Fall Zone letter from PE Robert Beacom, a Nebraska licensed Engineer. Mr. Beacom works for Sabre Industries, who will manufacture the proposed Tower.

10.12. General Requirements

The personal wireless service provider shall comply at all times with the current applicable FCC and FAA standards and regulations, and any of those of other agencies of the federal government with authority to regulate towers and antennas.

a. Building Codes; Safety Standards. To ensure the structural integrity of towers, the owner of a tower shall ensure that it is maintained in compliance with standards contained in applicable County building codes and the applicable standards for towers that are published by the Electronic Industries Association ("EIA"), as amended from time to time. If, upon inspection, the County concludes that a tower fails to comply with such codes and standards, then upon notice being provided to the owner of the tower, the owner shall have thirty (30) days to bring the tower into compliance with such standards. If the owner fails to bring its tower into compliance within thirty (30) days, the County may remove the tower at the owner's expense.

Applicant Response: Please see letter from PE Anthony Tombo, a Nebraska licensed Engineer, that states that the proposed tower will be "will be designed and analyzed in accordance with IBC, ASCE 7, ANSI/TIA 222-H and all other applicable local and national codes/standards applicable to the proposed tower and foundation."

b. Structural Design. Towers shall be constructed to the EIA Standards, which may be amended from time to time, and all applicable construction/building codes. Further, any improvements and/or additions to existing towers shall comply with the requirements of this Article and shall require submission of site plans sealed and verified by a professional engineer which demonstrate compliance with the EIA Standards and all other good industry practices. The plans shall be submitted and reviewed at the time building permits are requested.

Applicant Response: We will fully comply with this requirement at the time we submit for a Building Permit.

c. Required Parking. Parking shall be required as per ARTICLE 13 of the Zoning Regulations and the specific requirements of the zoning district of which the tower is located.

Applicant Response: While there is no dedicated parking for this unmanned facility, there is sufficient room at the site for vehicles to pull in and turn around and park while providing maintenance to the tower and its associated equipment.

d. Tower Separation. An applicant will be required to demonstrate why it is necessary from a technical standpoint to have a tower within one-half (½) mile of a tower whether it is owned or utilized by applicant or another provider.

e. **Applicant Response: There are no towers within one-half mile of the proposed tower.**

f. Surety and Indemnity Requirements.

1. Prior to issuance of a building permit, the applicant shall post a surety, approved by the County Attorney, with the County in the minimum amount necessary, as determined by the County to guarantee the future removal of the facilities. The surety may not be revoked or terminated during the life of the permit. The County may use the surety for any expenses it incurs in removing any of the provider's facilities.
2. A provider shall at its sole cost and expense, indemnify and hold harmless the County, its officers, officials, boards, commissions, agents, representatives, and employees against any and all claims, suits, losses, expenses, causes of actions, proceedings, and judgments for damage arising out of, resulting from, or alleged to arise out of or resulting from the construction, operation, repair, maintenance or removal of the provider's facilities. Indemnified expenses shall include, but not be limited to, all out-of-pocket expenses, such as costs of suits and defense and reasonable attorney fees, and shall also include the reasonable value of any services rendered by the County Attorney's office and any employees of the County and any consultants retained by the County.

Applicant Response: Tillman will comply with these requirements.

Safety Inspection Requirements. The facility operator shall conduct safety inspections in accordance with the EIA and FCC Standards and within 60 days of the inspection, file a report with the Department of Building and Safety. (Resolution No. R-15-0005; January 13, 2015)

Applicant Response: Tillman will comply with these requirements.

10.13. Non-use; Abandonment (Included for Reference)

Abandonment: No less than thirty (30) days prior to the date that a personal wireless service provider plans to abandon, partially abandon or discontinue operation of a facility, the provider must notify the County by certified U.S. mail of the proposed date of abandonment, partial abandonment or discontinuation of operation. In the event that a provider fails to give notice, the facility shall be considered abandoned upon the County's discovery of discontinuation of operation for more than 90 and 180 days, as the case may be, on all or part of such facility.

a. Upon such abandonment, the provider shall have sixty (60) days or such additional period of time determined in the reasonable discretion of the County within which to:
   1. Reactivate the use of the facility or transfer the facility to another provider who makes actual use of the facility; or
   2. Dismantle and remove facility. If the facility or portion thereof is not removed within the sixty (60) days time period or additional period of time allowed by the County, the County may remove such tower or portion thereof or antenna at the provider's expense. If there are two or more providers co-locating on a facility, then this provision shall not become effective until all providers cease using the facility or until a portion of the antenna support structure is no longer used.

   At the earlier of sixty (60) days from the date of abandonment without reactivation or upon completion of dismantling and removal, County approval for the facility or a portion thereof shall automatically expire.

b. If ownership of a facility is transferred from one provider to another, the previous provider and the new provider shall be required to notify the County of the change of ownership within thirty days of the change of ownership or transfer of the facility. The new provider shall be required to make amendments to the application that is on file with the County, in order to provide current information. The new provider shall also provide a surety in accordance with section 10.012 (e)(1).

10.14. Zoning districts allowed (Included for Reference)

Personal wireless services facilities may be allowed by administrative or special permit in any zoning district.

10.15. Permitted Special Use: Personal Wireless Services Facilities (Included for Reference)

Personal wireless services facilities may be allowed by administrative or special permit in any zoning district in conformance with the provisions of ARTICLE 10. (Resolution No. R-15-0005; January 13, 2015, Resolution R-00-19, February 22, 2000)

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER	FINAL ACTION?	DEVELOPER/OWNER
Miscellaneous #23007	No	N/A
PLANNING COMMISSION HEARING DATE	**RELATED APPLICATIONS**	**PROPERTY ADDRESS/LOCATION**
December 6, 2023	None	Multiple

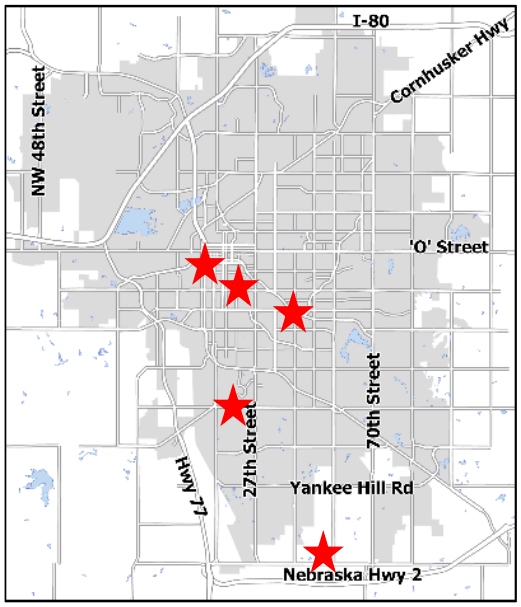
RECOMMENDATION: APPROVAL

BRIEF SUMMARY OF REQUEST

The Lincoln Metropolitan Planning Organization (MPO) in coordination with Lancaster County Engineering, the Lincoln-Lancaster County Planning Department, Lincoln Parks and Recreation, and Lincoln Transportation and Utilities – StarTran are requesting an amendment to the 2050 Long Range Transportation Plan (LRTP).

The changes would 1) reflect partial recission of the MPO's federal Coronavirus Response and Relief Act funds, 2) reflect new MPO federal Carbon Reduction Program (CRP) funds, 3) update project costs for the Saltillo Road improvement and Rock Island Trail Grade Separated Crossing at Old Cheney road projects, 4) and add project listings for the Multimodal Transportation Center, StarTran Maintenance Facility, Rock Island Trail Widening, and B Street Bicycle Boulevard.

Several of the above-referenced projects are proposed to be funded with CRP (Rock Island Trail crossing at Old Cheney Road, Rock Island trail widening, and active transportation enhancements to the Multimodal Center).



JUSTIFICATION FOR RECOMMENDATION

The LRTP states that funding not explicitly accounted for in the revenue forecasts will need to be monitored and accounted for as new funding sources become available. CRP funds were not accounted for in the original revenue projections. Project cost estimates in the LRTP are updated as necessary to conform with cost increases in the MPO Transportation Improvement Program (TIP).

Alternative modes of transportation including bicycle, pedestrian and transit are supported in the LRTP as part of the overall transportation system to support travel choices, health, and quality of life. The proposed projects are also supported in the Lincoln Bike Plan and StarTran Transit Development Plan.

APPLICATION CONTACTS

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Carla Cosier, Assistant Director of Transit
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ccosier@lincoln.ne.gov

STAFF CONTACT

Rachel Christopher, Planner
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COMPATIBILITY WITH THE LONG RANGE TRANSPORTATION PLAN

Page 2-8 Mobility and System Reliability Goal – An efficient, reliable, and well-connected transportation system that leverages innovation and technology for moving people and freight.

P. 2-9 Livability and Travel Choice Goal - A multimodal system that provides travel options to support a more compact, livable urban environment.

P. 2-12 Environmental Sustainability Goal - A transportation system that enhances the natural, cultural, and built environment.

P. 2-14 Transportation Equity Goal - Transportation investments developed through an inclusive process that promotes equitable outcomes.

P. 4-41 Active Transportation - Supporting active modes of transportation, such as walking and bicycling, is a crucial characteristic of a multimodal transportation system—improved public health and quality of life can be linked to communities that have enabled safe, comfortable, and convenient active transportation. The City of Lincoln and Lancaster County have taken strides in recent years to enhance the regional active transportation network with the completion of the Lincoln MPO Bicycle and Pedestrian Capital Plan (2013), followed by the Lincoln Bike Plan (2019), and ongoing implementation of project, program, and policy recommendations from each.

P. 4-43 Trails and On-Street Bicycle Facilities - The backbone of the regional bicycle network is an extensive trail system, composed of both commuter trails and recreational trails, totaling 255 miles. Approximately 145 additional miles of on-street bike routes and lanes provide connections within the City of Lincoln.

P. 4-46 - The Lincoln Bike Plan provides a comprehensive set of infrastructure recommendations for enhancing the comfort and convenience of the on-street bicycle system for less-confident bicyclists, including new designated facilities, intersection improvements, and wayfinding.

> (NOTE: The B Street Bicycle Boulevard and Rock Island Trail Undercrossing at Old Cheney Road appear in the recommended network of the Lincoln Bike Plan and in Figure 7: Bike Network Projects).

Page 5-31 Transit - Providing efficient transit services throughout the city requires careful consideration of the number of routes, the frequency of service, and the hours of service. The Transit Development Plan (TDP) adopted in 2016 and [updated 2022] provides the framework for monitoring and modifying transit services in response to changes in development patterns and user needs.

> (NOTE: The Key Findings of the TDP state, "The planned Multi Modal Transit Center would replace the on-street facility adjacent to the Gold's Building in downtown Lincoln and provide enhanced passenger amenities, additional layover space for operators, and accommodate potential expansion of the StarTran system.")

Page 6-25 Future Funding Considerations

> The following sections describe future funding considerations that are not explicitly accounted for in the 2050 LRTP revenue forecasts. These considerations should be monitored regularly to optimize funding opportunities for transportation.
>
> The revenue sources included in the LRTP revenue forecasts for 2022–2050 represent funding that can reasonably be expected based on historic funding levels. In addition to these regular and ongoing funding sources, the Lincoln MPO and its member agencies should continue to pursue other transportation funds, including competitive grants… In addition, there are a variety of federal and non-profit grant programs such as Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grants that should be pursued to supplement the transportation funding for the Lincoln MPO.

ANALYSIS

1. Federal Transportation Planning Process

   Federal regulations require that the region's metropolitan transportation planning process include the cooperative development of the Long Range Transportation Plan (LRTP). This transportation plan must cover no less than a 20-year planning horizon, will include both long-range and short-range strategies/actions that provide for the development of an integrated multimodal system to facilitate the safe and efficient movement of people and goods in addressing current and future transportation demand, and must be updated, at a minimum, every five years.

2. Lincoln Metropolitan Planning Organization (MPO)

   The City of Lincoln, as the designated MPO, is responsible for conducting the metropolitan transportation planning process pursuant to federal requirements and assigning work as necessary to carry out this process. There are five primary participant groups in the MPO planning and decision-making process. These include: 1) the MPO Officials Committee comprised of the Mayor and the chairs and vice chairs of the City Council and County Board, plus the Nebraska Department of Transportation Director, 2) MPO Technical Advisory Committee, 3) Lincoln-Lancaster County Planning Commission, 4) various Citizen Task Forces and Advisory Committees, and 5) MPO staff.

3. Long Range Transportation Plan (LRTP)

   In December 2021, the Lincoln MPO Officials Committee adopted the current Lincoln MPO LRTP, 2050 Long Range Transportation Plan. The development of the LRTP was a collaborative effort using input provided from state and local governments, agencies, citizens, committees, and staff that focuses on promoting an integrated multi-modal transportation network. The LRTP guides investment in the Lincoln metropolitan area's transportation system for the next 20+ years based upon the region's future transportation goals and objectives and allocates projected revenue to transportation programs and projects consistent with the Lincoln MPO's goals. The LRTP also is the basis for the development of the short-range Transportation Improvement Program (TIP) — a set of transportation improvement projects that the MPO expects to implement during the next four years. The 2050 LRTP was developed in coordination with PlanForward, the Lincoln-Lancaster County Comprehensive Plan. The LRTP is embedded into the Comprehensive Plan as the Transportation Element.

4. Long Range Transportation Plan (LRTP) Amendment

   In accordance with the amendment process outlined in the 2050 LRTP, page 8-35, "Changes to the Fiscally Constrained Plan are to be made by a formal plan amendment through the MPO planning process". The request to move the N. 14th Street project from the Illustrative Plan to the Fiscally Constrained Plan therefore requires review by the MPO Technical Committee and the Planning Commission. Formal approval of the amendment will be requested of the MPO Officials Committee on December 8, 2023.

5. Applicant Request

   This application is to amend the 2050 LRTP to add and revise several projects and reflect changes to transportation funding. The details of the proposed amendment appear below.

   <u>Coronavirus Response and Relief Act Funds</u>
   Lincoln MPO was previously the recipient of approximately $2.3 million in Coronavirus Response and Relief Supplemental Appropriations Act (CRRSAA) funds. The debt ceiling agreement approved by Congress and signed by the President in June 2023 rescinded the MPO's remaining unobligated funds. Approximately $1.4 million of the MPO's Coronavirus funds were able to be obligated. The remainder was rescinded. Projects that were going to use the CRRSAA funds have been re-programmed to use Surface Transportation Block Grant (STBG) funds instead. The Funding Outlook chapter of the LRTP would be revised to show the reduction.

   <u>Saltillo Road, S. 27th Street to S. 68th Street</u>
   This Lancaster County project appears in the Fiscally Constrained Rural Road & Bridge Capital Projects table as a committed project. The cost estimate was increased with the FY 2024-2027 TIP and must be reflected in the LRTP to maintain consistency between the two documents. The cost increased from $8,774,400 to $12,479,400 due to changes to the anticipated intersection improvements at 54th and 56th Streets and inflation. This project uses Highway Safety Improvement Program (HSIP) funds through NDOT.

Multimodal Transportation Center

In 2022, LTU-StarTran was awarded a federal Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grant for a multimodal transportation center. This project was added to the MPO Transportation Improvement Program (TIP) in January 2023. The LRTP would be amended to ensure the project is listed properly in the Priority Transit Projects and update associated text. The project cost shown is inclusive of related active transportation enhancements that are proposed to be funded using federal Carbon Reduction Program (CRP) funds (discussed in more detail below).

StarTran Maintenance Facility

LTU-StarTran is planning for a new bus maintenance and storage facility including purchase of land and construction. This project would potentially be funded through a future federal discretionary grant. The project already appears in the TIP. Based on a comment from the Federal Transit Administration, the project would be added to the Priority Transit Projects.

B Street Bicycle Boulevard

The B Street Bicycle Boulevard involves signage and pavement markings on A and B Streets from 11th to 27th Streets. The project will use federal Transportation Alternatives Program (TAP) and Community Development Block Grant (CDBG) funds. The project was added to the TIP in March 2023 and is identified in the Lincoln Bike Plan. The project would be added as project listing in the LRTP to ensure compliance with federal requirements.

Carbon Reduction Program Funds

The Carbon Reduction Program (CRP) is a new federal funding source through the national Bipartisan Infrastructure Law (BIL). The Lincoln MPO will receive approximately $4.4 million in CRP funds over five years during federal fiscal years 2022 through 2026. CRP funds are intended to reduce transportation CO_2 emissions. A 20% local match is required for any CRP funds spent.

The details of CRP funding were not known when the 2050 LRTP was adopted and did not include them in the funding projections. The anticipated CRP funding would be added to the Funding Outlook with the assumption that they will continue through the 2050 planning horizon. An associated TIP amendment being processed concurrently with this LRTP amendment will program the initial funds towards several projects. The projects proposed for CRP funding are:

- **Rock Island Trail Undercrossing at Old Cheney Road** – This project already appears in the LRTP in the Priority Trails Projects table as a committed project and is identified in the Lincoln Bike Plan. Local funding was initially planned for the project in coordination with the roads project at S. 14th Street, Old Cheney Road and Warlick Boulevard. CRP funding is now proposed. The project would involve a grade separated crossing of the trail underneath Old Cheney Road east of S. 16th Street. The project cost in the LRTP would be updated using the most recent estimate.

- **Rock Island Trail Widening** – This project would widen the trail from 8 feet to 11 feet between A Street and Nebraska Parkway and replace a pedestrian/bicycle bridge over Garfield Street.

- **Active Transportation Enhancements for the Multimodal Transportation Center** – This project would include improvements in and around the future multimodal center such as bike parking, a scooter and bike share station, enhanced sidewalks and lighting, sidepath connections, improved crossings of 9th and 10th Streets, and shower and locker facilities for bike commuters. These enhancements will facilitate travel to and from the Multimodal Center.

6. LRTP Revisions for the Proposed Amendment

Coronavirus Response and Relief Act Funds

- Revise text on Page 6-4 and update Table 6.3 (Urban Roads Program Funding) to reflect recission of funds.

Saltillo Road, S. 27th Street to S. 68th Street

- Revise Table 7.5 (Fiscally Constrained Rural Road & Bridge Capital Projects) to show updated cost estimate for Project ID 92, Saltillo Road.

Multimodal Transportation Center

- Add project to Table 7.8 (Priority Transit Projects) and update the text to reflect the federal RAISE grant award for this project. Proposed active transportation enhancements to be funded with CRP are included in the total project cost.

StarTran Maintenance Facility

- Add project to Table 7.8 (Priority Transit Projects).

B Street Bike Boulevard

- Add project to new Table 7.12 and Figure 7.6 (Other On-Street Bike Projects).

Carbon Reduction Program Funds

- Add new section describing CRP funds on Page 6-13.
- Revise Table 6.6 (Trails, Bicycle and Pedestrian Program Funds), Table 6.7 (Total Revenue Forecasts), and Table 6.8 (Funding Commitments and Restrictions) to account for added CRP funds.
- Revise Table 7.1 (Resource Allocation) according to the revisions adding CRP funds in Chapter 6. The CRP funds were distributed according to the same ratios currently in the LRTP for the Multimodal Program project types except Transit since no transit projects are proposed for CRP funds.
- Add text under the Trail Rehabilitation section to note that the Rock Island Trail Widening project would be funded with CRP and listed as separate project.
- Revise Table 7.9 (Priority Trails Projects) to show updated cost estimate for Project ID T-67, Rock Island.
- Add Rock Island Trail Widening project to new Table 7.10 and Figure 7.5 (Trail Widening Projects).

This amendment will update any associated tables and figures linked to the 2050 Comprehensive Plan.

7. This request has been documented and completed through the amendment process outlined in the 2050 Long Range Transportation Plan and is recommended for approval.

PROJECT REVIEW AND COMMENTS:

In accordance with the NDOT Operating Manual for Metropolitan Planning Organization Transportation Planning, the public involvement procedure and reviewing body necessary for an LRTP amendment and an LRTP administrative modification should be determined at the MPO level. The MPO may set multiple thresholds as long as the first level meets the minimum threshold outlined above. If the MPO chooses to have multiple thresholds/levels of public involvement for an LRTP amendment, then the procedure must be clearly outlined in the MPO Public Involvement Plan and the MPO LRTP. Amendment procedures must be documented in the LRTP, TIP, and Public Participation Plan.

The Lincoln MPO Public Participation Plan indicates that the Lincoln MPO will strive to provide a public comment period of at least 30 calendar days prior to adoption of an LRTP amendment. The comment period begins upon the posting of an LRTP amendment under consideration, at least 7 days prior to MPO Technical Committee review and continues through the MPO Officials Committee review and adoption.

The schedule for review and action by the MPO Technical Committee and MPO Officials Committee on the proposed amendment to the 2050 LRTP is as follows:

- November 2, 2023 at 10:30 a.m. MPO Technical Committee meeting
- December 8, 2023 at 2:30 p.m. MPO Officials Committee meeting

These MPO meetings are open meetings and will include time for public comment. The MPO Officials Committee will consider all comments received at its December 8, 2023 meeting.

APPLICATION HISTORY

November 15, 2021	The Bipartisan Infrastructure Law (BIL) (federal transportation bill), also known as the Infrastructure, Investment and Jobs Act (IIJA), was signed into law. The BIL established the Carbon Reduction Program (CRP), which provides funds for projects designed to reduce transportation emissions.

December 15, 2021 The Lincoln MPO adopted the 2050 LRTP.

Prepared by

_____

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Date: November 20, 2023

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https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/MISC/23000/MISC23007 LRTP Amendment - CRP Funds, StarTran and Bike Projects.rkc.docx

6. Funding Outlook

The transportation revenues expected over the 29-year time horizon of the LRTP will not be enough to cover the cost of the transportation needs in Lincoln and Lancaster County. Careful consideration of investment strategies is needed, along with an understanding of the associated tradeoffs. This chapter presents an overview of the revenue forecasts, describes the resource allocation process, and establishes a strategy to maintain the transportation system and to make the system function as efficiently as possible, given funding limitations.

Revenue Forecasts

Various revenue sources will be used to fund transportation projects and programs, including federal, state, local, and private resources. The following sections describe the funding sources expected to be used to implement the LRTP recommendations.

NDOT Highways Program

Funding available for NDOT's Highways Program within the Lincoln MPA is described below and detailed in **Table 6.1**.

Federal Funds

NDOT's Highways Program is funded in part by federal funds, including Surface Transportation Block Grant Program (STBG), National Highway Performance Program (NHPP), and Highway Safety Improvement Program (HSIP) funds. An estimated $419.7 million of federal funds can be expected through 2050 for the State's program.

State Funds

State funds are used for preliminary engineering and as a local match for federal funding sources used for NDOT's Highways Program. An estimated $128.5 million of state funds are anticipated through 2050, primarily for asset preservation, with an infusion in 2026 specifically for the West Beltway project.

Build Nebraska Act

In 2011, the Nebraska Legislature approved, and the Governor signed, the Build Nebraska Act, which approved the use of ¼ cent of the statewide sales tax on roadway projects. A portion of this additional revenue goes to local communities (15 percent); the State uses the remainder of the revenue (85 percent) on the State Highway system. The State uses this funding source to pay for about 80 percent of the South Beltway project costs.

Table 6.1 NDOT Highways Program Funding ($M)

Fiscal Year	Federal Funds	State Funds	Total
2022	$8.21	$2.06	$10.27
2023	$8.35	$2.09	$10.44
2024	$123.74	$16.09	$139.83
2025	$8.64	$2.16	$10.80
2026	$8.78	$40.40	$49.18
2027	$8.93	$2.24	$11.17
2028	$9.08	$2.28	$11.36
2029	$9.24	$2.31	$11.55
2030	$9.40	$2.35	$11.75
2031	$9.56	$2.39	$11.95
2032	$9.72	$2.43	$12.15
2033	$9.88	$2.48	$12.36
2034	$10.05	$2.52	$12.57
2035	$10.22	$2.56	$12.78
2036	$10.40	$2.60	$13.00
2037	$10.57	$2.65	$13.22
2038	$10.75	$2.69	$13.44
2039	$10.93	$2.74	$13.67
2040	$11.12	$2.79	$13.91
2041	$11.31	$2.83	$14.14
2042	$11.50	$2.88	$14.38
2043	$11.70	$2.93	$14.63

Fiscal Year	Federal Funds	State Funds	Total
2044	$11.90	$2.98	$14.88
2045	$12.10	$3.03	$15.13
2046	$12.30	$3.08	$15.38
2047	$12.51	$3.14	$15.65
2048	$12.73	$3.19	$15.92
2049	$12.94	$3.24	$16.18
2050	$13.16	$3.30	$16.46
TOTAL	**$419.72**	**$128.45**	**$548.16**

Rural Roads Program

The Rural Roads Program covers areas of Lancaster County outside the Lincoln city limits. Federal, state and local funding sources available for the Rural Roads Program are described below and detailed in **Table 6.2**.

Surface Transportation Block Grant Program

A federal funding source designated by formula for urbanized areas with a population of more than 200,000, the STBG provides resources for eligible transportation projects. Based on historic STBG funding levels and growth over time, the STBG revenue forecasts begin at $5.8 million in 2022 and are projected to increase 3.0 percent annually. An estimated $264 million in STBG funds can be reasonably expected through 2050. These funds can be used anywhere within the Lincoln MPA (Lancaster County).

As described in the Flexible Funds, the 2050 LRTP recommends a 70 percent (Lincoln)/ 30 percent (Lancaster County) split of STBG funds. As described in the Funding Strategy, the 2050 LRTP recommends a 70 percent (Lincoln)/ 30 percent (Lancaster County) split of STBG funds. This equates to approximately $79 million of STBG funds for the Rural Roads Program through 2050.

Highway Safety Improvement Program

The HSIP is a core federal-aid program with the purpose of reducing traffic fatalities and serious injuries on public roads, including non-State-owned roads. Lancaster County will receive approximately $1 million of HSIP funding in 2022, requiring a 10 percent local match. With a projected annual growth rate of 1.7 percent, an estimated $37 million of HSIP funds can be expected for the Rural Roads Program through 2050.

Build Nebraska Act

Highway Allocation Funds include Lancaster County's portion of the Build Nebraska Act sales tax revenue through 2050. The dedication of a ¼ cent of the statewide sales tax on roadway projects will sunset in Fiscal Year 2033. If not reinstated, Lancaster County's Highway Allocation Funding would be reduced to $305 million (compared to $313 million).

Highway Allocation Funds

A state funding formula allocates state fuel tax collections to Lancaster County. Lancaster County uses these funds for operations & maintenance. An estimated $9.1 million in annual state fuel tax funds are anticipated, with a modest 1.2 percent annual growth matching the population growth projections. The result is an estimated $313 million in Highway Allocation Funds for the Rural Roads Program through 2050.

Federal Funds Purchase Program

Nebraska Legislative Bill (LB98) established the Federal Funds Purchase Program (FFPP) to provide a way for NDOT to purchase the federal funds used by local agencies in exchange for state cash. State dollars allow local agencies to tailor projects to better meet their needs. Lancaster County uses these funds for bridges (33 percent) and highways (67 percent). An estimated $460,000 in annual FFPP funds are anticipated, with a 1.7 percent annual growth, resulting in $17 million for the Rural Roads Program through 2050.

General Revenues (Lancaster County)

Property tax, sales tax, and other sources make up the general fund, which is used for general operating functions of Lancaster County. This local funding source is used for transportation uses within the Rural Roads Program, including road and bridges, pavement maintenance & pipes, and operations & maintenance. Based on historic general fund transfers to the Rural Roads Program, an estimated $11.3 million is anticipated in 2022; with an assumed 1.2 percent annual growth, in line with anticipated population growth. The County's general revenues are estimated to contribute approximately $388 million in Rural Roads Program funding through 2050. These funds are used as the local match (25 percent) for the County's portion of the Highway Allocation Funds.

Keno Funds

Lancaster County uses a portion of the Keno lottery funds for land acquisition and preservation for the East Beltway corridor. Current Keno funding levels for the East Beltway corridor preservation are estimated at $1 million per year over the first 20 years of the plan, resulting in an estimated $20 million of Keno funds for East Beltway corridor preservation through 2050.

Table 6.2 Rural Roads Program Funding ($M)

Fiscal Year	Federal Revenue		State Revenue		Local Revenue		Total
	STBG	HSIP	Highway Allocation	FFPP	General Revenues	Keno	
2022	$1.75	$1.00	$9.10	$0.46	$11.28	$1.00	$24.59
2023	$1.80	$1.02	$9.21	$0.47	$11.41	$1.00	$24.91
2024	$1.86	$1.03	$9.32	$0.48	$11.55	$1.00	$25.24
2025	$1.91	$1.05	$9.43	$0.48	$11.69	$1.00	$25.56
2026	$1.97	$1.07	$9.54	$0.49	$11.83	$1.00	$25.90
2027	$2.03	$1.09	$9.66	$0.50	$11.97	$1.00	$26.25
2028	$2.09	$1.11	$9.78	$0.51	$12.11	$1.00	$26.60
2029	$2.15	$1.13	$9.89	$0.52	$12.26	$1.00	$26.95
2030	$2.22	$1.14	$10.01	$0.53	$12.40	$1.00	$27.30
2031	$2.28	$1.16	$10.13	$0.54	$12.55	$1.00	$27.66
2032	$2.35	$1.18	$10.25	$0.54	$12.70	$1.00	$28.02
2033	$2.42	$1.20	$10.38	$0.55	$12.86	$1.00	$28.41
2034	$2.49	$1.22	$10.50	$0.56	$13.01	$1.00	$28.78
2035	$2.57	$1.25	$10.63	$0.57	$13.17	$1.00	$29.19
2036	$2.65	$1.27	$10.75	$0.58	$13.32	$1.00	$29.57
2037	$2.72	$1.29	$10.88	$0.59	$13.48	$1.00	$29.96
2038	$2.81	$1.31	$11.01	$0.60	$13.65	$1.00	$30.38
2039	$2.89	$1.33	$11.15	$0.61	$13.81	$1.00	$30.79
2040	$2.98	$1.35	$11.28	$0.62	$13.98	$1.00	$31.21

Fiscal Year	Federal Revenue		State Revenue		Local Revenue		Total
	STBG	HSIP	Highway Allocation	FFPP	General Revenues	Keno	
2041	$3.07	$1.38	$11.41	$0.63	$14.14	$1.00	$31.63
2042	$3.16	$1.40	$11.55	$0.64	$14.31		$31.06
2043	$3.25	$1.42	$11.69	$0.66	$14.48		$31.50
2044	$3.35	$1.45	$11.83	$0.67	$14.66		$31.96
2045	$3.45	$1.47	$11.97	$0.68	$14.83		$32.40
2046	$3.56	$1.50	$12.12	$0.69	$15.01		$32.88
2047	$3.66	$1.52	$12.26	$0.70	$15.19		$33.33
2048	$3.77	$1.55	$12.41	$0.71	$15.37		$33.81
2049	$3.89	$1.58	$12.56	$0.73	$15.56		$34.32
2050	$4.00	$1.60	$12.71	$0.74	$15.75		$34.80
TOTAL	**$79.09**	**$37.09**	**$313.42**	**$17.06**	**$388.33**	**$20.00**	**$854.99**

Urban Roads Program

The Urban Roads Program covers areas of the Lincoln MPA within the urbanized area of Lincoln. Federal, state and local funding sources available for the Urban Roads Program are described below and detailed in **Table 6.3**.

Surface Transportation Block Grant Program

As described in Rural Roads Program, STBG is a federal funding source that can be used for various eligible transportation projects. Based on the recommended 70 percent (Lincoln)/ 30 percent (Lancaster County) split of STBG funds, the Urban Roads Program can expect approximately $184 million of STBG funds through 2050.

Highway Safety Improvement Program

The HSIP is a core federal-aid program with the purpose to reduce traffic fatalities and serious injuries on public roads, including non-State-owned roads. Based on historic HSIP funding levels, the HSIP revenue forecasts begin at $700,000 in 2022, and this funding requires a 10 percent local match. With a projected annual growth rate of 1.7 percent, an estimated $26 million of HSIP funds can be expected for the Urban Roads Program through 2050.

Coronavirus Response and Relief Supplemental Appropriations Act, 2021

This federal appropriations act, commonly referred to as the COVID-19 Relief Bill, infused formula distributed federal funding into local communities to address needs and funding shortfalls associated with COVID-19. The Lincoln MPO received a one-time $2.5 million allocation (reduced to $1.4 million due to partial rescission by the national debt ceiling bill passed in 2023) that will be used for specific system preservation projects.

Highway Allocation Funds

A state funding formula allocates state fuel tax collections to the City of Lincoln. This amount is distributed independently of the fuel tax allocation to the Rural Roads Program. These funds are designated for

Build Nebraska Act

The Highway Allocation Funds include Lincoln's portion of the Build Nebraska Act sales tax revenue through 2050. The dedication of a ¼ cent of the statewide sales tax on roadway projects will sunset in Fiscal Year 2033. If not reinstated, Lincoln's Highway Allocation Funding would be reduced to $934 million (compared to $956 million).

projects throughout the City to rehabilitate, construct, and improve streets, intersections, interchanges, sidewalks, bikeways and trails, safety projects, ITS infrastructure, and landscaping. These funds are also used in the study, design, and acquisition of easements or ROW to support public projects. An estimated $27.8 million in annual state fuel tax funds are anticipated, with a modest 1.2 percent annual growth matching the population growth projections. The result is an estimated $956 million in Highway Allocation Funds through 2050.

Highway Allocation Bonds

The City of Lincoln issued general obligation highway allocation bonds in the early 2000s, and again in 2021. The revenue forecasts anticipate an additional bond issuance in 2022. The two recent bond issuances will provide a total of $25.26 million in funding in years 2022–2024. The bonds are used to fund preservation ($15.26 million) and growth projects ($10 million). Annual payment on these bonds is paid with the Highway Allocation Funds. Payment of the two older bonds will be complete in 2023 and 2027, and payment of the two recent bonds will be complete in 2036 and 2037. These bond payments are removed from the available Highway Allocation Funds in 2022–2037 (as shown in **Table 6.3**).

Beginning in 2038, the full allotment of Highway Allocation Funds will be available to the Urban Roads Program. The expected Highway Allocation funding through 2050 (net of the bond funding and payments) is estimated to be $932 million.

Federal Funds Purchase Program

The FFPP allows NDOT to purchase the federal funds used by local agencies in exchange for state cash. State dollars allow local agencies to tailor projects to better



meet their needs. Lincoln uses the funds exclusively for bridge projects. An estimated $280,000 in annual FFPP funds are anticipated, with a 1.7 percent annual growth, resulting in $10.5 million for the Urban Roads Program through 2050.



City Wheel Tax

The City Wheel Tax is a revenue source generated by a City tax on all vehicles registered within corporate limits. Wheel Tax revenues must be applied to specific uses:

- **Residential Rehabilitation Fund:** A portion of the Wheel Tax (14.86 percent) is dedicated to rehabilitating existing residential streets.
- **Construction Fund:** A portion of the Wheel Tax (35.14 percent) is dedicated to funding the design, construction, and ROW acquisition of streets, roads, alleys, or public ways.
- **Residual Fund:** The remaining portion of the Wheel Tax can be used for general street improvements in the City of Lincoln. Uses include arterial rehabilitation, street maintenance operations, new construction projects, and debt service.

The history of increases in the Wheel Tax generally supports the equivalent of a $5 increase every five years. Such a regular increase in the Wheel Tax is assumed in the revenue forecasts. A modest growth in this funding source is also assumed to generally match the growth in the number of registered vehicles at 1.5 percent annually. The City Wheel Tax is estimated to contribute approximately $810 million in transportation funding through 2050.

Lincoln on the Move

Lincoln on the Move (LOTM) is a six-year initiative to improve the City's streets through a ¼ cent sales tax. Revenues from the sales tax, which was approved by voters in 2019, must be applied to specific uses:

- **Existing Arterial and Neighborhood Streets:** The largest portion of the sales tax (73.5 percent) is dedicated to rehabilitating existing arterial and neighborhood streets.
- **Growth Projects:** A portion of the sales tax (25 percent) is dedicated to funding the design, construction, and ROW acquisition of streets that support community growth.
- **RTSD:** A small portion of the sales tax (1.5 percent) is dedicated to joint projects with the Railroad Transportation Safety District.

The revenue forecasts include $13 million annually of LOTM sales tax funding in years 2022 through 2025, totaling $52 million in the first four years of the plan.

Arterial Street Impact Fees

A local funding source, impact fees are dedicated to new water, wastewater, parks, trails, and arterial streets infrastructure. The City levies an impact fee charge against new development to generate revenue to support specific public projects. A one-time, up-front charge paid by new construction only, impact fees can generally be used on public projects within the district in which it is collected. Arterial Street Impact Fees currently generate approximately $4.2 million annually and are projected to increase 1.2 percent annually, which is in line with overall population growth, resulting in an estimated $140 million in impact fee revenues for arterial streets over the life of the plan.

General Revenues (Lincoln)

Property tax, sales tax, and other sources make up the general fund, which is used for general operating functions of City departments. This local funding source represents pay-as-you-go contributions from the general fund for capital projects with or without other funding sources. General funds are used for transportation uses including the Urban Roads Program, transit operations, sidewalk and trail rehabilitation. Based on historic general fund transfers to the Urban Roads Program, an estimated $2.36 million is anticipated in 2022; with an assumed 3 percent annual growth to account for economic growth in Lincoln. The City's general revenues are estimated to contribute approximately $123 million in road program funding through 2050.



Table 6.3 Urban Roads Program Funding ($M)

Fiscal Year	Federal Revenue			State Revenue		Local Revenue				Total
	STBG	HSIP	COVID	Highway Allocation (Plus Bonds, Less Bond Payment)	FFPP	Wheel Tax	LOTM	Impact Fees	General Revenues	
2022	$4.08	$0.70		$30.32	$0.28	$19.16	$13.00	$4.20	$2.36	$74.10
2023	$4.20	$0.71	$1.44~~2.51~~	$29.63	$0.29	$19.45	$13.00	$4.20	$2.46	$76.45
2024	$4.33	$0.72		$29.98	$0.29	$19.74	$13.00	$4.20	$2.56	$74.84
2025	$4.46	$0.74		$24.96	$0.30	$20.04	$13.00	$4.20	$2.67	$70.36
2026	$4.59	$0.75		$25.31	$0.30	$21.60		$4.25	$2.78	$59.59
2027	$4.73	$0.76		$25.66	$0.31	$21.93		$4.30	$2.90	$60.58
2028	$4.87	$0.77		$27.84	$0.31	$22.26		$4.35	$3.01	$63.42
2029	$5.02	$0.79		$28.20	$0.32	$22.59		$4.41	$3.13	$64.45
2030	$5.17	$0.80		$28.56	$0.33	$22.93		$4.46	$3.26	$65.50
2031	$5.32	$0.81		$28.93	$0.33	$24.64		$4.51	$3.38	$67.93
2032	$5.48	$0.83		$29.30	$0.34	$25.01		$4.57	$3.52	$69.04
2033	$5.65	$0.84		$29.67	$0.34	$25.39		$4.62	$3.65	$70.17
2034	$5.82	$0.86		$30.05	$0.35	$25.77		$4.68	$3.79	$71.31
2035	$5.99	$0.87		$30.44	$0.35	$26.15		$4.73	$3.93	$72.48
2036	$6.17	$0.89		$30.83	$0.36	$28.02		$4.79	$4.08	$75.14
2037	$6.36	$0.90		$32.42	$0.37	$28.44		$4.85	$4.23	$77.56
2038	$6.55	$0.92		$33.61	$0.37	$28.87		$4.90	$4.39	$79.61
2039	$6.75	$0.93		$34.01	$0.38	$29.30		$4.96	$4.55	$80.88
2040	$6.95	$0.95		$34.42	$0.38	$29.74		$5.02	$4.72	$82.18
2041	$7.16	$0.96		$34.83	$0.39	$31.77		$5.08	$4.89	$85.09
2042	$7.37	$0.98		$35.25	$0.40	$32.25		$5.14	$5.07	$86.46
2043	$7.59	$1.00		$35.68	$0.40	$32.73		$5.21	$5.25	$87.86
2044	$7.82	$1.01		$36.10	$0.41	$33.22		$5.27	$5.44	$89.28
2045	$8.05	$1.03		$36.54	$0.42	$33.72		$5.33	$5.63	$90.72
2046	$8.30	$1.05		$36.97	$0.43	$35.93		$5.40	$5.83	$93.91
2047	$8.54	$1.07		$37.42	$0.43	$36.47		$5.46	$6.04	$95.43
2048	$8.80	$1.09		$37.87	$0.44	$37.02		$5.53	$6.25	$96.99
2049	$9.07	$1.10		$38.32	$0.45	$37.58		$5.59	$6.46	$98.57
2050	$9.34	$1.12		$38.78	$0.46	$38.14		$5.66	$6.69	$100.18
TOTAL	**$184.54**	**$25.96**	**$2.51**	**$931.91**	**$10.53**	**$809.85**	**$52.00**	**$139.87**	**$122.94**	**$2,280.11**

Rail Crossing Program

Federal, state, and local revenues are available to improve railroad crossings throughout the region, as described below and detailed in **Table 6.4**.

Rail Hazard Elimination

This federal funding source (a subset of the STBG) provides resources for safety improvements on public roads, railroad crossings, public transportation facilities, bicycle and pedestrian pathways, and trails. Rail Hazard Elimination funding varies greatly year to year; the forecasts represent average anticipated revenues. A higher amount is expected in the first seven years of the plan, specifically for the 33rd and Cornhusker project. The annual revenue forecasts drop off starting in 2029. Growth in this funding source is assumed to be 1.7 percent per year. An estimated $37 million in Rail Hazard Elimination funds will be available to improve railroad crossings over the 29-year time horizon of the LRTP.

State Train Mile Tax

The state tax on rail traffic passing through the State is used for constructing, rehabilitating, relocating, or modifying railroad grade separation facilities. This funding is competitive statewide, and the RTSD often leverages their funds to pay the local share for qualifying projects. State Train Mile Tax funding is highly variable year to year; the forecast revenues represent an average over time. A higher amount is expected in the first seven years of the plan, specifically for the 33rd and Cornhusker project. The annual revenue forecasts drop off starting in 2029. Growth in this funding source is assumed to align with projected freight growth of 1.2 percent per year. An estimated $9 million in State Train Mile Tax will be available to improve railroad crossings over the 29-year time horizon of the LRTP.

Table 6.4 Rail Crossing Program Funds ($M)

Fiscal Year	Rail Hazard Elimination	State Train Mile Tax	RTSD	Total
2022	$2.72	$0.68	$4.62	$8.02
2023	$2.77	$0.69	$4.74	$8.20
2024	$2.81	$0.70	$4.86	$8.37
2025	$2.86	$0.70	$4.98	$8.54
2026	$2.91	$0.71	$5.10	$8.72
2027	$2.96	$0.72	$5.23	$8.91
2028	$3.01	$0.73	$5.36	$9.10
2029	$0.64	$0.16	$5.49	$6.29
2030	$0.65	$0.16	$5.63	$6.44
2031	$0.66	$0.16	$5.77	$6.59
2032	$0.67	$0.17	$5.91	$6.75
2033	$0.68	$0.17	$6.06	$6.91
2034	$0.70	$0.17	$6.21	$7.08
2035	$0.71	$0.17	$6.37	$7.25
2036	$0.72	$0.17	$6.52	$7.41
2037	$0.73	$0.18	$6.69	$7.60
2038	$0.74	$0.18	$6.85	$7.77
2039	$0.76	$0.18	$7.02	$7.96
2040	$0.77	$0.18	$7.20	$8.15
2041	$0.78	$0.18	$7.38	$8.34
2042	$0.80	$0.19	$7.56	$8.55
2043	$0.81	$0.19	$7.75	$8.75
2044	$0.82	$0.19	$7.94	$8.95
2045	$0.84	$0.19	$8.14	$9.17
2046	$0.85	$0.20	$8.34	$9.39
2047	$0.87	$0.20	$8.55	$9.62
2048	$0.88	$0.20	$8.76	$9.84
2049	$0.90	$0.20	$8.98	$10.08
2050	$0.91	$0.21	$9.21	$10.33
TOTAL	**$36.94**	**$8.94**	**$193.22**	**$239.10**

Railroad Transportation Safety District

This local funding source is generated by a countywide public entity, the RTSD, which has taxing authority to levy a property tax. RTSD funds are designed for projects throughout the City and County to eliminate automobile and railroad conflicts. This funding source is a countywide levy, and a portion of these revenues is projected to be used to help fund qualifying projects in the urban transportation program. RTSD annual revenues are estimated at $4.52 million for capital projects and $0.10 million for operations & maintenance, with annual growth rates of 2.5 percent and 2.0 percent, respectively, resulting in an estimated $189 million in capital funds and $4 million in operations & maintenance funds through 2050.

Transit Program

The transit funding sources are described below, with **Table 6.5** detailing the estimated year-by-year revenue forecasts.

Federal Transit Administration Funds (5307, 5309, 5337, 5339)

The FTA provides resources for transit operations and capital expenditures. A local match of 20 percent is generally required to qualify for this funding. Currently, StarTran receives approximately $4 million in FTA funding (5307, 5309, 5337, and 5339 funds) for transit capital and operations. It is assumed that these federal funding sources will continue to be available and will grow at a rate of 1.7 percent annually, consistent with historic growth in federal funding. A total of approximately $148 million in FTA funding for StarTran is expected through 2050.

FTA 5310 Funds

The Section 5310 Enhanced Mobility program provides an annual apportionment to be used within the Lincoln urban area. In 2013, the Governor of Nebraska named NDOT as the Designated Recipient to administer the Section 5310 program in the Lincoln MPO urban area. NDOT receives and reviews the applications for the Section 5310 program, and the Lincoln MPO annually amends the TIP to include the awarded projects. Currently, funding levels are approximately $236,000 per year. It is assumed that this FTA funding source will continue to be available and will grow at a rate of 1.7 percent annually for a total of nearly $9 million through 2050. These funds require a local match of 20 percent for capital projects and 50 percent for operating assistance. Typically, 5310 applicants are hospitals, non-profit organizations, and City departments such as Aging Partners and Parks and Recreation. The local match for these federal funds come from sources outside the transportation revenues identified in the LRTP.

FTA 5311 Funds

The FTA 5311 Formula Grants for Rural Areas provides capital, planning, and operating assistance to support public transportation in rural areas. Currently, funding levels are approximately $86,000 per year. It is assumed that this FTA funding source will continue to be available and will grow at a rate of 1.7 percent annually for a total of approximately $3 million through 2050. These funds require a local match of 20 percent for capital projects and 50 percent for operating assistance. Lancaster County is the typical applicant of 5311 funds, and the local match comes from sources outside the transportation revenues identified in the LRTP.



State Transit Funds

State revenues include any State subsidy received in aid of public transit operations and capital expenditures. Currently, funding levels are roughly $1.3 million per year. It is assumed that this State funding source will continue to be available and will grow at a rate of 3 percent annually for a total of nearly $59 million through 2050.

Fares, Advertising, and UNL Contract

These funds include fare revenue from use of the transit system based on current and projected ridership. The fare revenues are expected to grow based on growth in the community and on expected fare increases. Advertising and miscellaneous funding are expected to continue based on historical trends. Combined, a 4.7 percent annual increase is anticipated. The contract with the University of Nebraska provides funding to the transit system to provide transit service between the City Campus and East Campus using student fees. In total, these funding sources are forecast to contribute approximately $196 million in transit funding over the life of the plan.

General Revenues (Lincoln)

The City's general fund provides resources for general operating functions of City departments. A portion of the general fund has historically been allocated to support StarTran operations. The level of general revenues allocated to transit is assumed to remain consistent with historic levels and to grow at 3 percent per year. In total, an estimated $339 million in general funds will be available for transit through 2050.



Table 6.5 Transit Program Funds ($M)

Fiscal Year	Federal Revenue			State Revenue	Local Revenue		Total
	FTA Funds (5307, 5309, 5337, 5339)	FTA Funds (5310)	FTA Funds (5311)	State Transit Funds	Fares, Advertising, UNL Contract	General Revenues	
2022	$4.00	$0.24	$0.09	$1.30	$3.30	$7.50	$16.42
2023	$4.07	$0.24	$0.09	$1.34	$3.46	$7.73	$16.91
2024	$4.14	$0.24	$0.09	$1.38	$3.62	$7.96	$17.42
2025	$4.21	$0.25	$0.09	$1.42	$3.79	$8.20	$17.95
2026	$4.28	$0.25	$0.09	$1.46	$3.97	$8.44	$18.49
2027	$4.35	$0.26	$0.09	$1.51	$4.15	$8.69	$19.06
2028	$4.43	$0.26	$0.10	$1.55	$4.35	$8.96	$19.64
2029	$4.50	$0.27	$0.10	$1.60	$4.55	$9.22	$20.24
2030	$4.58	$0.27	$0.10	$1.65	$4.77	$9.50	$20.86
2031	$4.66	$0.28	$0.10	$1.70	$4.99	$9.79	$21.50
2032	$4.73	$0.28	$0.10	$1.75	$5.22	$10.08	$22.17
2033	$4.81	$0.28	$0.10	$1.80	$5.47	$10.38	$22.85
2034	$4.90	$0.29	$0.11	$1.85	$5.73	$10.69	$23.56
2035	$4.98	$0.29	$0.11	$1.91	$6.00	$11.01	$24.30
2036	$5.06	$0.30	$0.11	$1.97	$6.28	$11.34	$25.06
2037	$5.15	$0.30	$0.11	$2.03	$6.57	$11.68	$25.85
2038	$5.24	$0.31	$0.11	$2.09	$6.88	$12.04	$26.66
2039	$5.33	$0.31	$0.11	$2.15	$7.20	$12.40	$27.51
2040	$5.42	$0.32	$0.12	$2.21	$7.54	$12.77	$28.38
2041	$5.51	$0.33	$0.12	$2.28	$7.90	$13.15	$29.28
2042	$5.60	$0.33	$0.12	$2.35	$8.27	$13.55	$30.22
2043	$5.70	$0.34	$0.12	$2.42	$8.66	$13.95	$31.19
2044	$5.80	$0.34	$0.12	$2.49	$9.06	$14.37	$32.19
2045	$5.89	$0.35	$0.13	$2.57	$9.49	$14.80	$33.23
2046	$5.99	$0.35	$0.13	$2.64	$9.94	$15.25	$34.30
2047	$6.10	$0.36	$0.13	$2.72	$10.40	$15.70	$35.42
2048	$6.20	$0.37	$0.13	$2.80	$10.89	$16.17	$36.57
2049	$6.31	$0.37	$0.14	$2.89	$11.40	$16.66	$37.77
2050	$6.41	$0.38	$0.14	$2.97	$11.94	$17.16	$39.00
TOTAL	**$148.34**	**$8.76**	**$3.19**	**$58.78**	**$195.78**	**$339.14**	**$754.00**

Trails, Bicycle, and Pedestrian Program

The Trails, Bicycle, and Pedestrian Program funding sources are described below, with **Table 6.6** detailing the estimated year-by-year revenue forecasts.

Transportation Alternatives Set Aside

This federal funding source provides resources for transportation-related activities designed to strengthen the cultural, aesthetic, and environmental aspects of the transportation system. A 20 percent local match is typically required. The City of Lincoln receives approximately $390,000 per year. This funding source is expected to continue to be available for trails and other bicycle and pedestrian projects and is assumed to grow at 1.7 percent annually, consistent with the historic federal funding growth rate. Approximately $14 million in funding can reasonably be expected through 2050.

Carbon Reduction Program

This federal funding source provides resources for transportation-related activities designed to designed to reduce transportation emissions, defined as carbon dioxide (CO_2) emissions from on-road highway sources. A 20 percent local match is typically required. The City of Lincoln receives approximately $840,000 per year. This funding source is expected to continue to be available and is assumed to grow at 1.7 percent annually, consistent with the historic federal funding growth rate. Approximately $31 million in funding can reasonably be expected through 2050.

Lower Platte South Natural Resources District

These funds include a state subsidy received through the Lower Platte South National Resources District (NRD) to aid the construction of the local multiuse trail system related to the regional drainage system and natural areas. A 20 percent local match is typically required. The City of Lincoln's trail system regularly benefits from approximately $100,000 annually through the NRD's trails program. It is assumed that this source of funds will continue to be available and will grow at a 2.5 percent annual rate for a total of nearly $4.2 million in funding through 2050.

Trail Impact Fees

This local funding source is dedicated for trails. The City levies an impact fee charge against new development to generate revenue to support specific public projects. Impact fees, a one-time, up-front charge paid by new construction only, can generally be used on public projects within the district in which it is collected. The Trails Impact Fee generates approximately $70,000 annually and is projected to increase at 1.2 percent annually, which is in line with overall population growth. The result is an estimated $2.3 million in Trail Impact Fee revenues for trails over the life of the plan. These funds are frequently used as local match for Transportation Alternatives Set Aside.

Private Contributions

The City of Lincoln's Trails Program has historically received periodic private donations for construction of the local trail system. Based on historic contributions averaged over time, an estimated $6.9 million in private donations can reasonably be expected to support the trails program.

Keno Funds

The City of Lincoln uses a portion of the Keno lottery funds to rehabilitate local trails. Current Keno funding levels for the Trails Program are roughly $200,000 per year. With an annual growth rate of 1.2 percent (matching the overall population growth), an estimated $6.9 million in Keno funds will be available through 2050.

General Revenues (Lincoln)

The City's general fund provides resources for general operating functions of City departments. A portion of the general fund has historically been allocated to support trail rehabilitation and sidewalk rehabilitation. The level of general revenues allocated to trail rehabilitation is assumed to remain consistent with historic levels and to grow at 3 percent per year. In total, an estimated $4.5 million in general funds will be available for trail rehabilitation through 2050. The revenue forecasts also assume $1 million per year general fund transfer for sidewalk rehabilitation, resulting in $29 million in available funding for sidewalk rehabilitation.

Table 6.6 Trails, Bicycle and Pedestrian Program Funds ($M)

Fiscal Year	Transportation Alternatives	Carbon Reduction Program	Lower Platte NRD	Impact Fees	Private Contributions	Keno	General Revenues – Trail Rehab	General Revenues – Sidewalk Rehab	Total
2022	$0.39	$0.84	$0.10	$0.07	$0.20	$0.20	$0.10	$1.00	$2.90
2023	$0.40	$0.85	$0.10	$0.07	$0.20	$0.20	$0.10	$1.00	$2.92
2024	$0.40	$0.87	$0.11	$0.07	$0.20	$0.20	$0.11	$1.00	$2.96
2025	$0.41	$0.88	$0.11	$0.07	$0.21	$0.21	$0.11	$1.00	$3.00
2026	$0.42	$0.90	$0.11	$0.07	$0.21	$0.21	$0.11	$1.00	$3.03
2027	$0.42	$0.91	$0.11	$0.07	$0.21	$0.21	$0.12	$1.00	$3.05
2028	$0.43	$0.93	$0.12	$0.07	$0.21	$0.21	$0.12	$1.00	$3.09
2029	$0.44	$0.95	$0.12	$0.07	$0.22	$0.22	$0.12	$1.00	$3.14
2030	$0.45	$0.96	$0.12	$0.07	$0.22	$0.22	$0.13	$1.00	$3.17
2031	$0.45	$0.98	$0.12	$0.08	$0.22	$0.22	$0.13	$1.00	$3.20
2032	$0.46	$0.99	$0.13	$0.08	$0.23	$0.23	$0.13	$1.00	$3.25
2033	$0.47	$1.01	$0.13	$0.08	$0.23	$0.23	$0.14	$1.00	$3.29
2034	$0.48	$1.03	$0.13	$0.08	$0.23	$0.23	$0.14	$1.00	$3.32
2035	$0.49	$1.05	$0.14	$0.08	$0.23	$0.23	$0.15	$1.00	$3.37
2036	$0.49	$1.06	$0.14	$0.08	$0.24	$0.24	$0.15	$1.00	$3.40
2037	$0.50	$1.08	$0.14	$0.08	$0.24	$0.24	$0.16	$1.00	$3.44
2038	$0.51	$1.10	$0.15	$0.08	$0.24	$0.24	$0.16	$1.00	$3.48
2039	$0.52	$1.12	$0.15	$0.08	$0.24	$0.24	$0.17	$1.00	$3.52
2040	$0.53	$1.14	$0.16	$0.08	$0.25	$0.25	$0.17	$1.00	$3.58
2041	$0.54	$1.16	$0.16	$0.08	$0.25	$0.25	$0.18	$1.00	$3.62
2042	$0.55	$1.18	$0.16	$0.09	$0.25	$0.25	$0.18	$1.00	$3.66
2043	$0.56	$1.20	$0.17	$0.09	$0.26	$0.26	$0.19	$1.00	$3.73
2044	$0.57	$1.22	$0.17	$0.09	$0.26	$0.26	$0.19	$1.00	$3.76
2045	$0.57	$1.24	$0.18	$0.09	$0.26	$0.26	$0.20	$1.00	$3.80
2046	$0.58	$1.26	$0.18	$0.09	$0.27	$0.27	$0.20	$1.00	$3.85
2047	$0.59	$1.28	$0.19	$0.09	$0.27	$0.27	$0.21	$1.00	$3.90
2048	$0.60	$1.30	$0.19	$0.09	$0.27	$0.27	$0.22	$1.00	$3.94
2049	$0.61	$1.32	$0.19	$0.09	$0.28	$0.28	$0.22	$1.00	$3.99
2050	$0.63	$1.35	$0.20	$0.09	$0.28	$0.28	$0.23	$1.00	$4.06
TOTAL	**$14.46**	**$31.15**	**$4.19**	**$2.33**	**$6.89**	**$6.89**	**$4.52**	**$29.00**	**$99.41**

Summary of Available Revenues

In total, an estimated $4.74 billion in transportation revenues can reasonably be expected for the NDOT Highway, Rural Roads, Urban Roads, Rail Crossing, Transit, and Trails programs, as summarized in **Table 6.7**.

Table 6.7 Total Revenue Forecasts ($M)

Program	Revenue Forecasts (2022–2050)
NDOT Highways Program	$548.16
Rural Roads Program	$854.99
Urban Roads Program	$2,280.11
Rail Crossing Program	$239.10
Transit Program	$754.00
Trails, Bicycle, and Pedestrian Program	$99.41~~68.28~~
TOTAL	**$4,775.77~~44.64~~**

Resource Allocation

With the revenue forecasts complete, the next step in developing a fiscally constrained transportation plan is to allocate the resources to various project and program categories. Several resource allocation scenarios were considered during the development of the 2050 LRTP and are described in the following sections.

Project and Program Categories

Seventeen transportation project or program categories are currently funded and expected to be funded through the life of the LRTP. These programs can be divided into four major categories.

NDOT Highways Program

- NDOT Projects

Rural Roads Program

- Operations & Maintenance
- Pavement Maintenance & Pipes
- Roadway and Bridge Capital Projects

Urban Roads Program

- System Operations & Maintenance, Minor Intersections
- Road & Bridge Rehabilitation
- Studies, PE, ROW & Statutorily Required Records
- Roadway Capital Projects
- Two Plus Center Turn Lane Projects
- ITS and Technology
- East Beltway Preservation
- Rail Crossing Projects

Alternative Modes

- Transit
- Trail Projects
- Trail Rehabilitation
- On-Street Bike Projects
- Pedestrian, Bike Share, and TDM

Committed and Restricted Funds

A portion of the approximately $4.74 billion in transportation revenues described in the previous section is either restricted to certain project types or has already been committed to specific projects or programs. Approximately $3.21 billion (two-thirds of the total available funding) is either committed or restricted to particular program or project categories. The funding restrictions and commitments associated with each funding source are accounted for by aligning them with the associated project or program category, as shown in **Table 6.8**. All funds for

fiscal years (FY) 22 through 25 are committed through the TIP. Where commitments for the FY22-25 TIP are listed, the funding sources vary and in some cases are a combination of funding sources. These funding commitments and restrictions are shown on **Table 6.8** by project and program category.

Figure 6.1 shows the resulting funding commitments and restrictions for each project and program category.

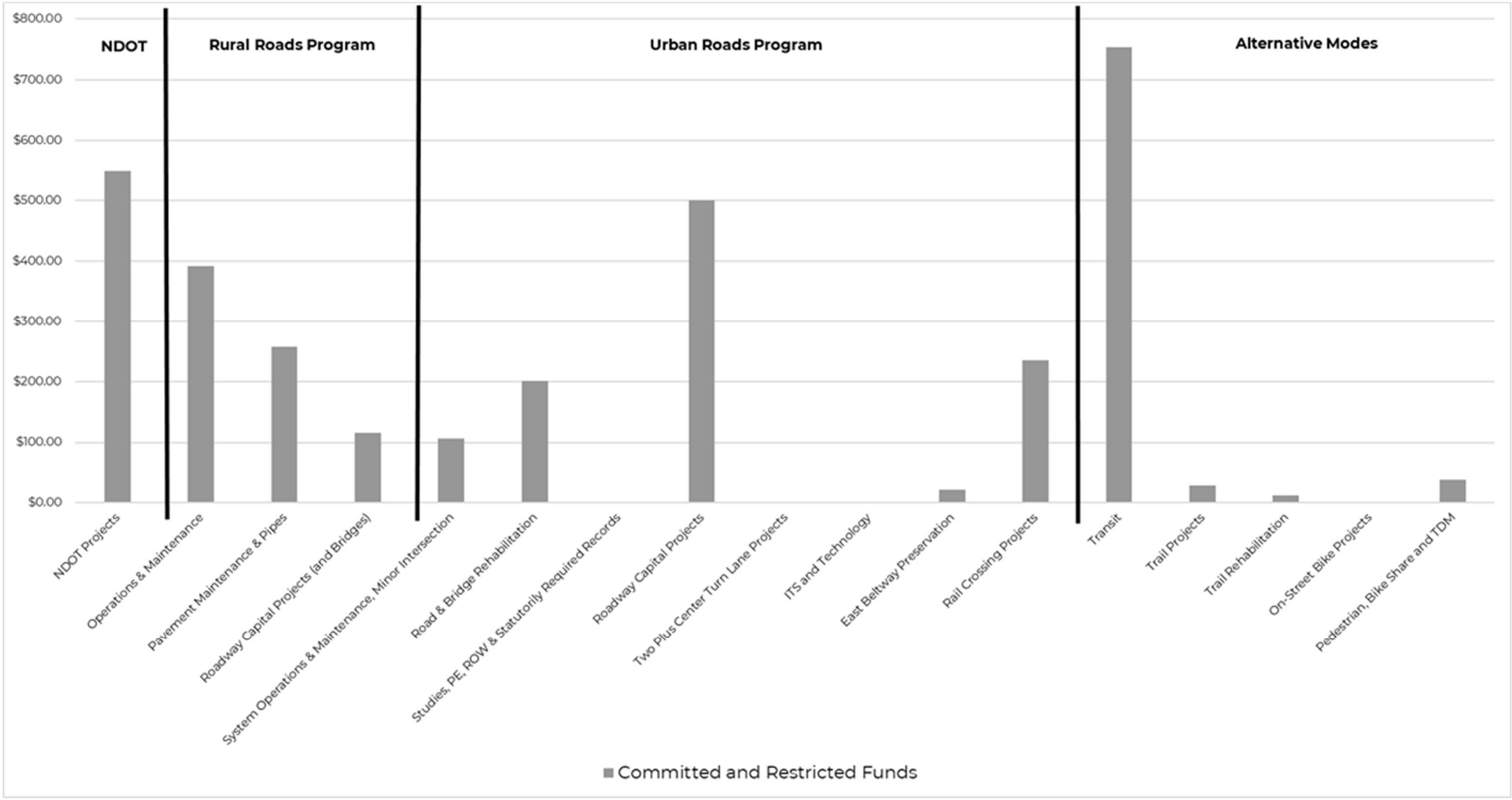
The remaining $1.53 billion in funding is considered "flexible" and could be used for various transportation-related purposes.

Table 6.8 Funding Commitments and Restrictions

Funding Source	Project or Program Category	Amount ($M)
Federal Funds for NDOT Highways Program	NDOT Projects	$548.16
State Funds for NDOT Highways Program		
FFPP (Lancaster County)	Rural Road & Bridge Capital Projects	$115.89
HSIP (Lancaster County)		
Lancaster County General Revenues – Road & Bridge		
STBG Funds for Lancaster County Projects in FY22-25 TIP		
Lancaster County General Revenues – Pavement Maintenance & Pipes	Rural Road Pavement Maintenance & Pipes	$258.31
Lancaster County General Revenues – Operations & Maintenance	Rural Road Operations & Maintenance	$391.78
Highway Allocation Funds (Lancaster County)		
RTSD O&M Funds	Urban Road Operations & Maintenance	$106.85
Transportation O&M budget in FY22-25 TIP		
COVID Relief Funds	Urban Road & Bridge Rehabilitation	$201.53
60% of Highway Allocation Bond		
73.5% of LOTM Funds		
14.86% of Wheel Tax		
STBG Funds in FY22-25 TIP		
FFPP (Lincoln)	Urban Road Capital Projects	$499.68
HSIP (Lincoln)		
40% of Highway Allocation Bond		
25% of LOTM Funds		
35.14% of Wheel Tax		
Roadway Impact Fees		
Adjustment for FY22-25 TIP		
Keno Funds (Lancaster County)	East Beltway Preservation	$21.00
Lincoln Allocation in FY22-25 TIP		
Rail Hazard Elimination Funds	Rail Crossing Projects	$235.85
State Train Mile Tax Funds		

Funding Source	Project or Program Category	Amount ($M)
RTSD Capital Funds		
1.5% of Lincoln on the Move Funds		
Federal Transit Administration Funds	Transit	$754.00
State Transit Funds		
Fares, Advertising, UNL Contract		
Lincoln General Revenues – Transit		
Transportation Alternatives Set Aside	~~Trail~~ Pedestrian/Bicycle Projects	~~$27.87~~$59.02
Carbon Reduction Program		
Lower Platte South NRD		
Trail Impact Fees		
Private Contributions		
Keno Funds (Lincoln)	Trail Rehabilitation	$11.41
Lincoln General Revenues – Trail Rehabilitation		
Lincoln General Revenues – Sidewalk Rehabilitation	Pedestrian and TDM	$37.43
Sidewalk Rehabilitation Program in FY22-25 TIP		
Total Funding Commitments and Restrictions		~~**$3,209.76**~~ **$3,240.91**

Figure 6.1 Committed and Restricted Funds by Category



Flexible Funds

After accounting for the committed and restricted funds, approximately $1.53 billion in flexible funds remain. As shown in **Table 6.9**, the flexible funds consist of four funding sources. The STBG funds can be used anywhere in Lincoln or Lancaster County, while the other three flexible funding sources must be used in the City of Lincoln.

Table 6.9 Flexible Funds

Funding Source	29-Year Total ($M)
Surface Transportation Block Grant Program	$239.24
TOTAL: Full Flexibility	**$239.24**
Remaining Wheel Tax (50%)	$365.73
Remaining Lincoln General Revenues	$112.88
Highway Allocation Fund (Lincoln)	$817.02
TOTAL: Must be used in Lincoln	**$1,295.63**

Surface Transportation Block Grant Program

A portion of the flexible funds (approximately $239 million) can be used in Lincoln or Lancaster County. The LRTP recommends a 70 percent (Lincoln)/30 percent (Lancaster County) split for these funds. Of the 30 percent allocation to Lancaster County, 20 percent shall be used within the 3-mile area surrounding the City of Lincoln to prepare roads in the urbanizing area for future annexation into the City of Lincoln. The remaining 10 percent can be used outside the 3-mile area, anywhere in Lancaster County. Allocations may vary annually but achieve the 70/30 percent split during the planning period.

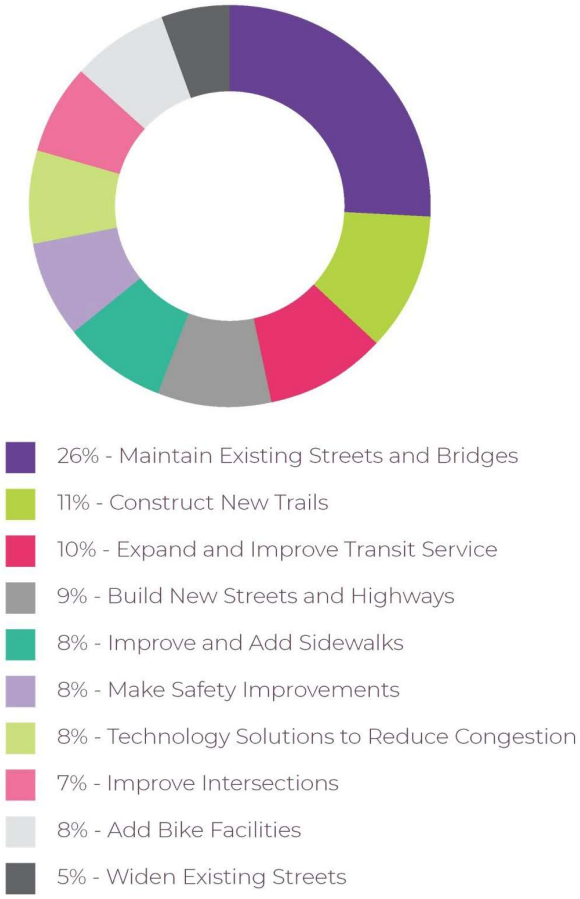
This results in approximately $71.8 million in STBG funds for Lancaster County and $167.5 million in STBG funds for Lincoln. This brings the total amount of flexible funds that must be used in Lincoln to $1.46 billion.

Community Funding Priorities

Resource allocation is the process that establishes how the Lincoln MPO intends to distribute the available funding for the transportation system improvements to best achieve the vision and goals of this plan.

During the second phase of community outreach ("Balancing Tradeoffs"), community members were asked, "If you had $100 to fund transportation improvements in Lincoln, how would you spend it?" The funding category options provided to the public were simplified to be more easily understood. With a total of 203 responses to the online survey and from the focus group meetings, the top choice of the community was to maintain existing streets and bridges (refer to **Figure 6.2**). The results of the community's responses, however, reinforce the need for a balanced approach to funding transportation in Lincoln and Lancaster County; many participants expressed that all categories are important.

Figure 6.2 Community Input on Funding Priorities



Urban Area Resource Allocation Scenarios

After accounting for funding restrictions and commitments and the allocation of 30 percent of STBG funds to Lancaster County, the remaining $1.46 billion of flexible funds could be applied to the urban area project or program categories in different ways to achieve the LRTP goals. Six resource allocation scenarios were developed by a subset of the Project Oversight Planning Committee (POPC) with input from the full Oversight Planning Committee, the Community Committee, and with strong consideration for the community input on funding priorities.

Four initial scenarios were developed, and two hybrid scenarios were subsequently considered:

- **Scenario 1: Base Scenario:** Scenario 1 uses an approach consistent with the 2040 LRTP. That is, the allocation of flexible funds to each project and program category aligns with the previous LRTP allocation. Scenario 1 represents a baseline for comparison purposes.
- **Scenario 2: Multimodal Rehabilitation:** Scenario 2 responds to the community's priority of maintaining existing streets and bridges by focusing on rehabilitation of multimodal transportation infrastructure. Using the Base Scenario as a starting point, Scenario 2 includes an increased allocation to Road & Bridge Rehabilitation, Trail Rehabilitation, and Sidewalk Rehabilitation (Pedestrian, Bike Share, and TDM Program). The result is a decrease in the available funds for Roadway Capital Projects.
- **Scenario 3: Multimodal Focus:** Scenario 3 responds to the community's second and third funding priorities of expanding trails and enhancing transit service. It supports the Lincoln Climate Action Plan and the goal of reducing GHG emissions by 80 percent by 2050 by encouraging alternatives modes of travel. It also supports the infill development component of PlanForward by providing enhanced bicycle and pedestrian infrastructure and enhanced transit service. Again, Scenario 3 builds on the Base Scenario. Additional funds are allocated to Transit (e.g., for enhanced transit service such as bus rapid transit), Trail Projects, On-Street Bike Projects, and the Pedestrian, Bike Share, and TDM

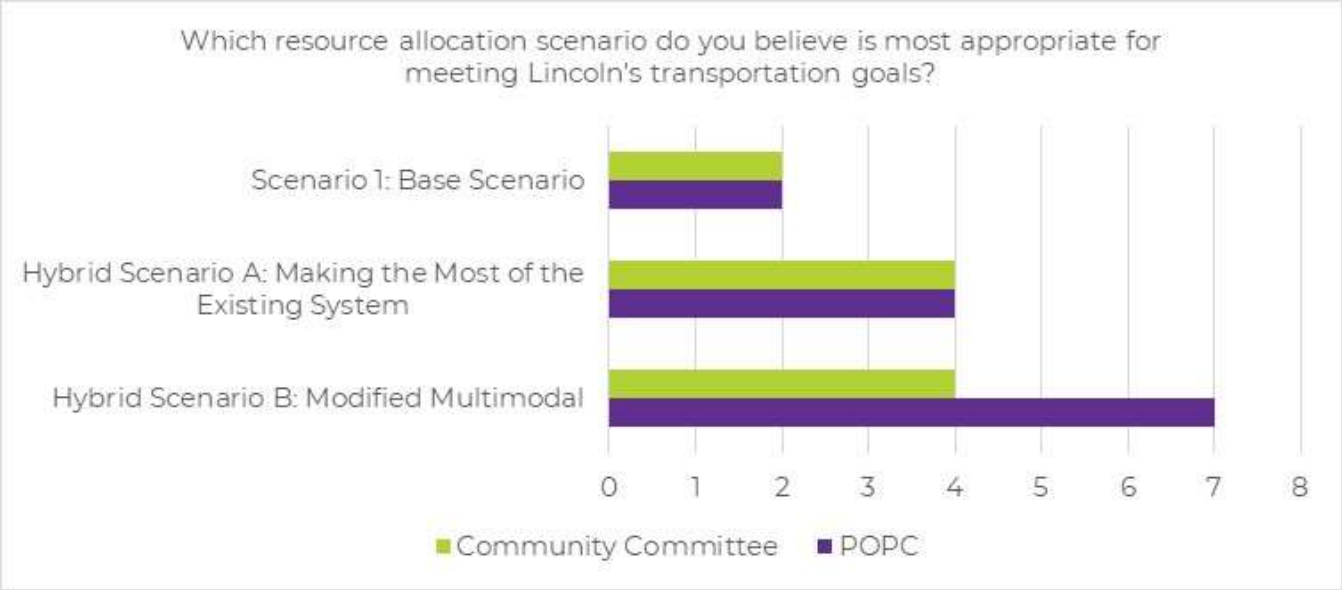
Program. The allocation to Roadway Capital Projects would be reduced as a result.

- **Scenario 4: Innovation and Technology:** Scenario 4 is intended to support the Lincoln Climate Action Plan through technology advancements; the electrification focus of this scenario supports the Community Committee's strong emphasis on environmental sustainability. Beginning with the Base Scenario, Scenario 4 allocates additional funds to ITS & Technology (e.g., for adaptive signals, future proofing streets, micromobility, installation of EV charging stations), the Pedestrian, Bike Share, and TDM Program (specifically for technology and infrastructure for employers to support remote working) and Transit (e.g., for automated shuttle service, electrification of fleet, on-demand transit services to leverage electrification and new technology platforms). This scenario would result in an equivalent reduction in the Roadway Capital Projects allocation.
- **Hybrid Scenario A: Making the Most of the Existing System:** Hybrid Scenario A uses the Base Scenario as a starting point and includes elements of both Scenario 2 and Scenario 4. It includes an increased allocation to Road & Bridge Rehabilitation, Trail Rehabilitation, and ITS & Technology. The result is an increased emphasis on maintaining the existing system and improving the efficiency of that system.
- **Hybrid Scenario B: Modified Multimodal:** Again, Hybrid Scenario B uses the Base Scenario as a starting point and a portion of the flexible funds for increased allocation to Transit, On-Street Bike Projects, Trail Rehabilitation, and Sidewalk Rehabilitation (elements of Scenarios 2 and 3), but compared to these scenarios, it preserves some flexible funds for Roadway Capital Projects, particularly growth projects that support the edge growth component of PlanForward.

The Base Scenario and Hybrid Scenarios A and B were presented and discussed with the POPC and the Community Committee. Both Committees were asked which resource allocation scenario they believe is most appropriate for meeting Lincoln's transportation goals. As shown on **Figure 6.3** the Community Committee was split in their preference for Hybrid A and Hybrid B, while the POPC had a preference for Hybrid B.

Figure 6.4 shows a comparison of the total resource allocation (2022–2050) for each scenario by project or program category. The recommended resource allocation is described on page 6-24.

Figure 6.3 Project Oversight Planning Committee and Community Committee Input on Resource Allocation Scenarios



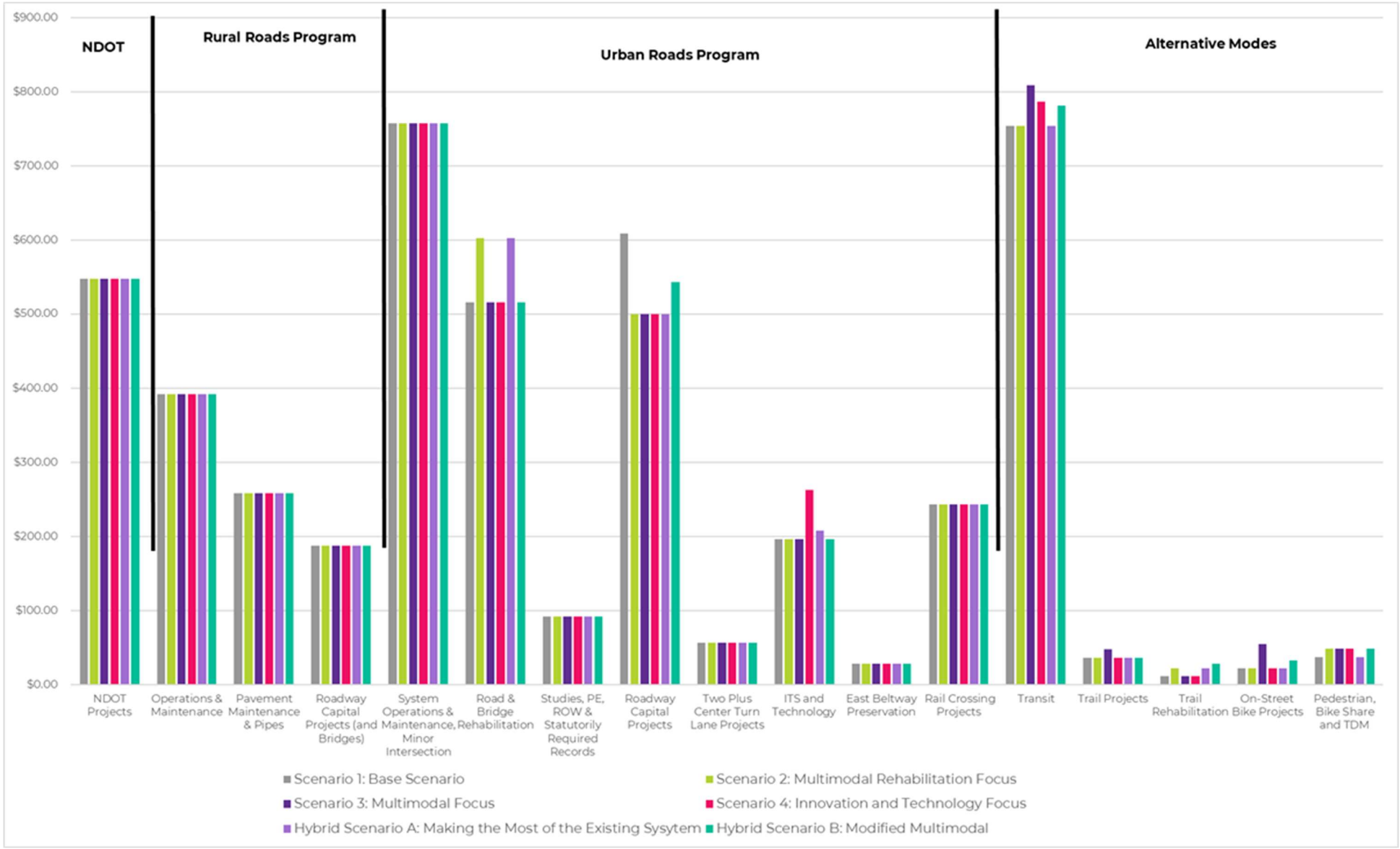
Funding Strategy

LTU Operations & Maintenance Program

Through the process of developing the revenue forecasts and resource allocation scenarios, it became apparent that funding needs for LTU's Operations & Maintenance (O&M) Program exceed the funding projections included in the 2040 LRTP. The 2040 LRTP established O&M needs using a base year (2017) annual estimate of $17.70 million, with an annual inflation rate of 2.5 percent. This equated to a funding need of $20.51 million in 2022.

The current budget includes $24.77 million for the O&M program in 2022, a $4.26 million increase over what was previously projected. In addition to an increase in the base year program cost, LTU estimates an annual inflation rate of 2.75 percent based on increasing costs over the past five years. Specifically, the cost of materials, wages and healthcare for employees has increased, resulting in a higher annual inflation on the cost to complete the essential functions associated with the O&M Program.

Figure 6.4 Comparison of Resource Allocation Scenarios



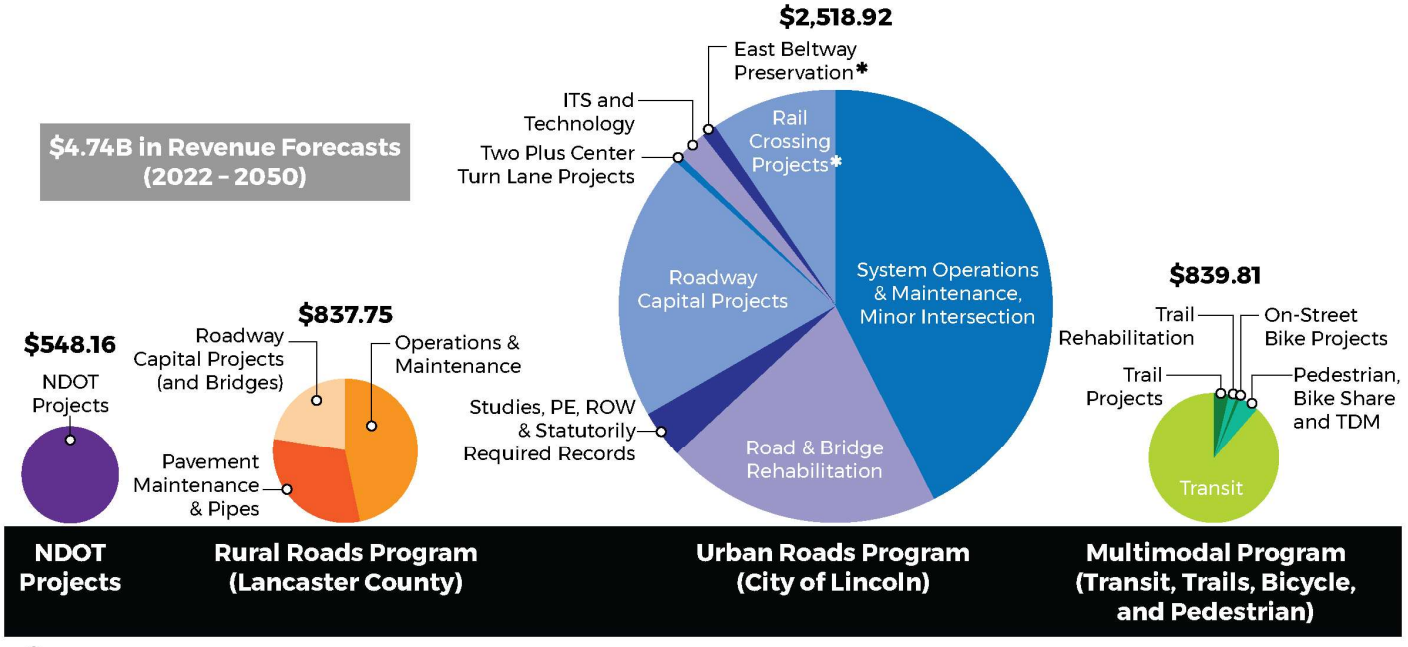
The combined effect of a higher base year cost and a higher annual inflation rate is a greater overall cost to fund the O&M Program than was previously anticipated. The total need over the 29-year period would be $858 million (with an annual average of $29.6 million) using the 2040 LRTP assumptions versus $1.077 billion (with an annual average of $37.15 million) using the 2050 LRTP assumptions. The 2050 LRTP O&M needs represent a 25 percent increase over those identified in the 2040 LRTP.

Recommended Resource Allocation

The revenue forecasts are not enough to address all the transportation needs in Lincoln and Lancaster County. Through previous and recent public input, the community has consistently expressed that maintaining existing streets and bridges is the top priority. The LRTP recommends prioritizing funding to take care of the existing transportation system and includes fully funding LTU's O&M Program, which requires 33 percent of the total funding available to the City of Lincoln. The recommended resource allocation is shown on **Figure 6.5** and is detailed in the Fiscally Constrained Plan, as documented in **Chapter 7**.

The recommended resource allocation represents a deviation from the six scenarios described in the previous section, primarily due to the need to fully fund LTU's O&M Program. The scenarios and community input on those scenarios should be referenced and considered if/when additional revenue sources are contemplated to address the transportation funding gap.

Figure 6.5 Recommended Resource Allocation ($M)



* Collaborative programs of Lincoln and Lancaster County

Future Funding Considerations

The following sections describe future funding considerations that are not explicitly accounted for in the 2050 LRTP revenue forecasts. These considerations should be monitored regularly to optimize funding opportunities for transportation.

Continue a ¼ Cent Sales Tax

The revenue forecasts described in the previous sections do not account for the continuation of the ¼ cent LOTM sales tax. Recognizing the transportation funding shortfall, a "what-if" scenario was evaluated to understand what could be accomplished if the ¼ cent sales tax were continued beyond 2025. A continuation of the ¼ cent sales tax (assuming a growth rate of 1.2 percent per year, representative of the community's expected population growth rate) would result in $380 million of additional revenue, which could be used to construct an estimated 30 additional roadway capital projects, rehabilitate an additional 210 lane miles of roadway, or provide more adequate funding to address transit, pedestrian, or bicycle needs.

Increase to ½ Cent Sales Tax

If the LOTM sales tax were increased to a ½ cent, an additional $760 million in funding could be expected (over the baseline assumptions), which equates to approximately 60 projects or 420 lane miles of roadway rehabilitation. Other new funding sources should be considered in addition to the continuation of the sales tax to address the transportation needs of Lincoln and Lancaster County.

Competitive Grant Opportunities

The revenue sources included in the LRTP revenue forecasts for 2022–2050 represent funding that can reasonably be expected based on historic funding levels. In addition to these regular and ongoing funding sources, the Lincoln MPO and its member agencies should continue to pursue other transportation funds, including competitive grants such as Federal Recreational Trails and the portion of the federal Transportation Alternatives Set Aside that is distributed by NDOT through a project-specific competitive process. In addition, there are a variety of federal and non-profit grant programs such as Rebuilding American Infrastructure with Sustainability and Equity (RAISE) grants that should be pursued to supplement the transportation funding for the Lincoln MPO.

Highway Allocation Funds

The current allocation of highway funding is based on revenues generated by gas taxes. These revenues have remained stagnant, and no significant change has been made to state tax on fuel consumption. In fact, the rate decreased from 33.2 cents a gallon to 28.7 cents a gallon in 2021 although the portion of the rate that is considered Fixed Tax has remained unchanged at 16.3 cents per gallon. Funding the transportation system with gas tax revenues will become unsustainable over time as vehicles become more fuel efficient and more vehicles are converted to electric power. The Lincoln MPO will monitor changes to the Highway Allocation Funds that address these systematic changes.

7. Fiscally Constrained Plan

Transportation needs and opportunities in Lincoln and Lancaster County are significant. **Chapter 5** presents a compilation of current and future programs and projects to improve the region's transportation system. The revenue forecasts established in **Chapter 6** for the 29-year planning horizon are not adequate to achieve the LRTP goals and meet all the region's transportation needs.

The LRTP strongly encourages the pursuit of additional revenues to fund the transportation improvements that are vital to a thriving community. The LRTP funding strategy recognizes the limited funding availability and strives to optimize the use of the reasonably expected funds based on input from the LRTP Committees and the community, in combination with technical analysis. The LRTP funding strategy focuses on taking care of the existing system—fully funding LTU's O&M Program and prioritizing rehabilitation of critical roads and bridges. The plan recognizes the importance of making the system function as efficiently as possible while supporting the community growth envisioned in PlanForward.

The Urban Area funding strategy includes:

- Focusing operations and maintenance, road and bridge rehabilitation, as well as trail and sidewalk rehabilitation
- Encouraging flexible and performance-based geometric designs that effectively address congestion within funding limitations and ROW constraints
- Placing emphasis on addressing congestion at intersection bottlenecks and leveraging technology to improve the efficiency of major corridors
- Supporting community growth through public-private partnerships
- Supporting both infill development and Lincoln's Climate Action Plan through the continuation of funding for transit service and bicycle and pedestrian infrastructure

This chapter builds from the funding strategy and forms the basis for decisions about how to prioritize and phase transportation improvement projects and programs. The resource allocation used to develop the Fiscally Constrained Plan is detailed in **Table 7.1**.

Table 7.1 Resource Allocation

Project or Program Category	Funding in $M (FY22–50)
NDOT Highways Program	
NDOT Projects	$548.16
Rural Roads Program (Lancaster County)	
Operations & Maintenance	$391.78
Pavement Maintenance & Pipes	$258.31
Roadway Capital Projects (and Bridges)	$187.66
Urban Roads Program (Lincoln)	
System Operations & Maintenance, Minor Intersections	$1,077.46
Road & Bridge Rehabilitation	$515.12
Studies, PE, ROW & Statutorily Required Records	$91.47
Roadway Capital Projects	$499.69
Two Plus One Projects	$16.92
ITS & Technology	$59.36
East Beltway Preservation	$23.04
Rail Crossing Projects	$235.85
Multimodal Program	
Transit	$754.00
Trail Projects	$37.99~~27.87~~
Trail Rehabilitation	$19.03~~13.96~~
On-Street Bike Projects	$8.93~~6.55~~
Pedestrian, Bike Share, and TDM	$51.02~~37.43~~
Total	**$4,775.77**

Federal Requirements

The financial analysis presented in this chapter meets the requirements stated in federal transportation regulations. This detailed information should be referenced to guide project implementation for all modes of travel. The project costs and potential funding are estimates and will be revisited several times before the years they represent come to pass. The intent of the Fiscally Constrained Plan is to prepare an approximate, but realistic, estimate of both the total funds available and the total program cost by year of expenditure.

The Code of Federal Regulations describes the elements of a Transportation Financial Plan. The requirements of FAST Act (2015) state that the plan must include the revenues and costs to operate and maintain the roads and associated systems (signals, signage, snow removal, etc.) to allow MPOs to estimate future transportation conditions and promote good stewardship of available funds by using existing infrastructure to the fullest. The Fiscally Constrained Transportation Plan provided in this chapter does serve the MPO Planning Area as best as possible over the next 29 years and is based on the prioritization process of the LRTP planning effort.

Another requirement of federal transportation regulations is to use "year of expenditure" dollars for planning purposes. This requirement accents the reduction in the buying power of the transportation revenues that had not been previously accounted for during the preparation of long range transportation plans.

Project Prioritization Process

Although the LRTP addresses funding for various project types, only Roadway Capital Projects and Trail Projects are prioritized within the LRTP. All other project categories, including Transit, On-Street Bike, Rail Crossings, Road and Bridge Rehabilitation, etc., are prioritized outside the LRTP. These other programs are funded through a "pool" of funding as established in the Resource Allocation step (**Chapter 6**). The Fiscally Constrained Plan includes the top ranked Roadway Capital Projects (for the NDOT Highways Program, the Rural Roads Program, and the Urban Roads Program), Trail Projects, and a pool of funding for the various other transportation programs and project categories.

With limited funding available, the process of prioritizing projects must be comprehensive and strive to identify those projects that will most effectively move the region's transportation system toward fulfilling the vision and achieving the transportation goals. In compliance with federal requirements for performance-based planning, the project prioritization process is structured to identify those projects that will provide the greatest contribution toward meeting the eight transportation goals and associated performance targets. The evaluation criteria used to compare projects are directly related to the goals.

Project Evaluation Committees

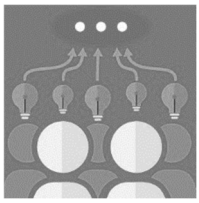
The Roadway Capital Projects and Trails Projects were evaluated with oversight by the Roadway and Trails Evaluation Committees, respectively, both of which are a subset of the POPC.

The Roadway Evaluation Subcommittee included representatives from the Lincoln Planning Department, Lancaster County Engineering, and LTU. The roadway projects were evaluated through a data-driven scoring process, and the Roadway Evaluation Subcommittee was responsible for guiding the process, providing relevant data and project information, and reviewing evaluation results.

The Trails Evaluation Subcommittee included representatives from the Lincoln Planning Department, the Lincoln Parks and Recreation Department, and LTU. Because the data for trail projects are not as robust as those for roadway projects, Trail Evaluation Subcommittee members scored the projects independently, and project scores were averaged. The committee met to discuss the scoring results and presented their recommended scores to the POPC.

Roadway Project Scoring

The Lincoln and Lancaster County Roadway Capital Projects were evaluated and prioritized separately in recognition of the unique transportation needs and priorities in the urban versus rural context. The eight LRTP goals (plus community support) were used as the basis for the data-driven project evaluation for both urban and rural projects. The evaluation criteria are listed in **Table 7.2,** and details about the data and specific metrics used for each criterion are provided in **Appendix F**. Scores for each goal area/criterion are on a 0–1 scale, with 0 being the least favorable and 1 being the most favorable.



During the second phase of community outreach, the public was asked which Urban Roadway Projects (in the City of Lincoln) and which Rural Roadway Projects (in Lancaster County) are of most importance. The results from 203 individual responses were used as the "Community Input" score. NDOT projects within the Lincoln MPO Planning Area boundary were included with the urban roadway projects to simplify the online survey. **Appendix B** includes a summary of the public input on high-priority Roadway Projects, and **Appendix G** includes the scoring results for the Roadway Projects.

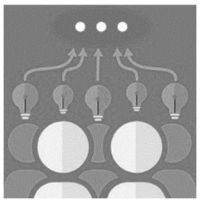
Table 7.2 Roadway Project Evaluation Criteria

Goal Area	Evaluation Criteria
Maintenance	Is the project located on a road that is in poor condition and would therefore serve dual functions of rehabilitating and improving the road?
Mobility and System Reliability	Is the project located on a road that is currently congested or expected to experience congestion in the future?
Livability and Travel Choice	Does the project include multimodal elements?
Safety and Security	Will the project alleviate a known safety problem?
Economic Vitality	Will the project improve access to and/or add value to surrounding land uses? Will the project improve travel on a designated truck route and/or the National Highway System (NHS)?
Environmental Sustainability	Will the project impact the natural, cultural, or built environment?
Transportation Equity	Is the project located in an area with underserved and overburdened communities?
Funding and Cost Effectiveness	How does the cost of the project compare to the benefits?
Community Support	Does the project have strong community support?

Trail Project Scoring

Each Trail Project was given a score ranging from 0 to 1 for each goal. A score of 0 is the least favorable, and a score of 1 is the most favorable rating.

Table 7.3 summarizes the evaluation criteria. Trail Evaluation Subcommittee members were provided with a packet of information to assist with the scoring process, including detailed scoring guidelines for consistency (**Appendix F**).



During the second phase of community outreach, the public was asked which Trail Projects are of most importance. The results from 203 individual responses were used as the "Community Input" score.

Appendix B includes a summary of the public input on high-priority Trail Projects, and **Appendix G** includes the scoring results for the Trail Projects.

Table 7.3 Trail Projects Evaluation Criteria

Goal Area		Evaluation Criteria
	**Maintenance**	Will the project improve the condition of the existing facility?
	**Mobility and System Reliability**	Will the project complete a gap in the trail system?
	**Livability and Travel Choice**	Will the project encourage the use of alternative modes of transportation?
	**Safety and Security**	Will the project alleviate a known safety problem?
	**Economic Vitality**	Will the project improve access to and/or add value to surrounding land uses?
	**Environmental Sustainability**	Will the project protect the natural, cultural, and built environment?
	**Transportation Equity**	Is the project located in an area with underserved and overburdened communities?
	**Funding and Cost Effectiveness**	How does the cost of the project compare to the benefits?
	**Community Support**	Does the project have strong community support?

Evaluation Criteria Weights

The relative importance of the eight goals (plus community input) varies; therefore, weights are assigned to each goal category and corresponding evaluation criteria. Because the relative importance of the goals differs for Urban Roadway Projects, Rural Roadway Projects, and Trail Projects, separate weights are established for the three project categories.

The weights shown in **Table 7.4** were developed using the combined input from the POPC and the Community Committee. The project score (0–1) for each goal was multiplied by the corresponding weight, resulting in a total project score ranging from 0 to 100.

Table 7.4 Weights by Goal Area and Project Category

Goal Area	Rural Area Roadway Projects (Lancaster County)	Urban Area Roadway Projects (Lincoln)	Trail Projects
Maintenance	22.1	17.8	13.0
Mobility and System Reliability	12.1	12.4	12.2
Livability and Travel Choice	5.8	11.0	13.7
Safety and Security	13.8	13.5	13.1
Economic Vitality	8.9	7.5	5.8
Environmental Sustainability	12.2	12.8	12.4
Transportation Equity	6.7	10.0	12.1
Funding and Cost Effectiveness	13.4	10.0	7.7
Community Support	5.0	5.0	10.0
Total	**100.0**	**100.0**	**100.0**

Fiscally Constrained Plan Elements

The following sections provide information on what can reasonably be funded over the 29-year time horizon of the LRTP within the Fiscally Constrained Plan.

NDOT Highways Program

NDOT has identified 10 capital projects within the Lincoln MPO, totaling over $616 million in needs (2021 dollars). The $548.16 million in state and federal revenues dedicated to the NDOT Highways Program will primarily address asset preservation needs and the I-80-Pleasant Dale to NW 56th Street and West Beltway projects. There is not adequate funding to complete all 10 projects, particularly since the construction cost of the projects will increase over time and the revenue growth is not anticipated to keep pace with the construction cost increases.

The Fiscally Constrained Plan includes three NDOT projects with committed funding:

- South Beltway (under construction) – Project ID 78 ($255 million)
- West Beltway (US 77) from I-80 to Saltillo Road – Project ID 76 ($38.2 million)
- I-80 -from Pleasant Dale to NW 56th Street – Project ID 71 ($129 million)

Year of Expenditure Costs

The Fiscally Constrained Plan must consider the year of expenditure (YOE) cost of projects. Construction costs are expected to increase annually. Based on historic and recent construction cost inflation rates, the LRTP accounts for a temporary rapid increase of 10 percent annual inflation in the first 5 years and 7 percent annual inflation in the next 5 years. Then the inflation rate is assumed to normalize at 5 percent annual inflation in the remaining years through 2050.

Lancaster County Rural Roads Program

The Rural Roads Program includes three program areas:

- Operations & Maintenance
- Pavement Maintenance & Pipes
- Road & Bridge Capital Projects

A gap analysis conducted for Lancaster County in 2018 identified a significant annual funding gap, which would continue based on the LRTP revenue forecasts and recommended resource allocation.

Road and Bridge Capital Projects

The LRTP identifies 95 capital projects in the County, with project costs totaling over $171 million in 2021 dollars. With approximately $188 million allocated to rural road capital projects, 26 of these projects could be constructed when accounting for construction cost inflation over time. The fiscally constrained rural projects are listed in priority order in **Table 7.5** and shown on **Figure 7.1**. Detailed project evaluation scores are provided in **Appendix G**.

Lancaster County updates its One and Six-Year (1 & 6) Road and Bridge Construction Program annually. While many of the 1 & 6 projects are included in the LRTP Rural Road and Bridge Capital Projects, additional bridge projects may be needed. The 1 & 6 project needs typically fall in the following program areas:

Operations & Maintenance:

- Bridge scour repair
- Bridge pile repair
- Bridge channel repair

Pavement Maintenance & Pipes

- Pipe culvert replacements
- Under 20 concrete box culverts
- Pavement preservation (fog seal, crack seal, chip seal, etc.)
- Pavement overlays
- Pavement overlays and widening

Road & Bridge Capital Projects

- Bridge sized structures
- Grading in preparation for pavement
- New pavement
- Intersection improvements
- Federal aid projects

Table 7.5 Fiscally Constrained Rural Road & Bridge Capital Projects

Rank	Project ID	Street Name	Limits	Description	Project Cost (2021$)	Year of Expenditure (YOE)			Refer to Notes Below Table
						YOE	YOE Cost	Cumulative Cost (YOE)	
Committed	165	N 148th Street	Holdrege Street	Intersection improvements	$703,000				1
Committed	98	S 98th Street	Old Cheney Road to US-34	Programmed Paving	$12,592,700				1
Committed	92	Saltillo Road	S 27th Street to S 68th Street	Two Lane Widening	~~$8,774,400~~ 12,479,400				1
	234	S. 68th Street	Firth Road to Stagecoach Road	Two Lane Widening With Shoulders	$10,780,700	2025	$10,780,700	$10,780,700	3
	235	N. 14th Street	Alvo Road to Ashland Road	Pavement and Two Lane Widening with Shoulders	$12,076,200	2025	$12,076,200	$22,856,900	4
1	104	S 120th Street	Bennet Road North 0.5 Miles	Potential Paving	$650,000	2026	$1,046,832	$23,903,732	
2	156	NW 56th Street	W O to W Holdrege Street	Potential Paving	$1,200,000	2026	$1,932,612	$25,836,344	
3	100	SW 14th Street	NE-33 to W Bennet Road	Programmed Paving	$1,300,000	2026	$2,093,663	$27,930,007	
4	103	W Van Dorn Street	SW 112th Street to SW 84th Street	Programmed Paving	$1,300,000	2027	$2,240,219	$30,170,226	
5	105	Arbor Road	N 27th Street to US-77	Paving and Bridge Replacement of Bridge F-201 near N 27th Street	$5,930,000	2029	$11,699,558	$41,869,784	
6	101	Fletcher Avenue	N 84th Street to N 148th Street	Programmed Paving	$5,000,000	2032	$11,858,824	$53,728,608	
7	95	NW 27th Street	Hwy-34 to W Waverly Road	Potential Paving	$4,550,000	2034	$11,897,661	$65,626,269	
8	93	W A Street	SW 84th Street to SW 52nd Street	Programmed Paving	$2,600,000	2035	$7,138,597	$72,764,866	
9	206	SW 16th Street	Bridge O-1 near W Calvert Street	Replace CB	$168,000	2035	$461,263	$73,226,129	
10	94	Havelock Avenue	Stevens Creek to N 112th Street	Potential Paving	$1,820,000	2036	$5,246,869	$78,472,998	
11	207	SW 15th Street	Bridge O-140 near W Stockwell Street	Replace CB	$168,000	2036	$484,326	$78,957,324	

Rank	Project ID	Street Name	Limits	Description	Project Cost (2021$)	Year of Expenditure (YOE)			Refer to Notes Below Table
						YOE	YOE Cost	Cumulative Cost (YOE)	
12	201	S 120th Street	Bridge J-138 near A Street	Replace with CBC	$612,000	2037	$1,852,548	$80,809,873	
13	111	N 1st Street	Alvo Road to McKelvie Road	Potential Paving	$1,300,000	2037	$3,935,152	$84,745,024	
14	181	Saltillo Road	S 68th Street to S 120th Street	Two Lane Widening	$2,450,000	2038	$7,787,059	$92,532,084	
15	171	N 162nd Street	US-6 to Ashland Road	Potential Paving	$5,530,000	2041	$20,347,002	$112,879,086	
16	200	S 112th Street	Bridge J-135 near A Street	Replace with CBC	$612,000	2042	$2,364,373	$115,243,459	
17	114	W Adams Street	NW 84th Street to NW 56th Street	Potential Paving	$2,600,000	2043	$10,546,959	$125,790,418	
18	91	S 68th Street	Hickman to Roca Road	Two Lane Widening with Shoulders	$2,000,000	2044	$8,518,698	$134,309,116	
19	115	Van Dorn Street	S 120th Street to S 148th Street	Potential Paving	$2,600,000	2046	$12,209,423	$146,518,539	
20	215	Pine Lake Road	S 112th Street to S 134th Street	Grading and Pavement; bridge Q-110 near S 134th St	$3,188,000	2048	$16,505,121	$163,023,660	
21	102	N 98th Street	Holdrege Street to US-6	Potential Paving	$4,516,647	2050	$25,780,728	$188,804,388	2

[1] *Committed projects are included in the 2022–2025 Transportation Improvement Program and are assumed to be fully funded and constructed prior to allocation of resources to other Rural Road & Bridge Capital Projects.*

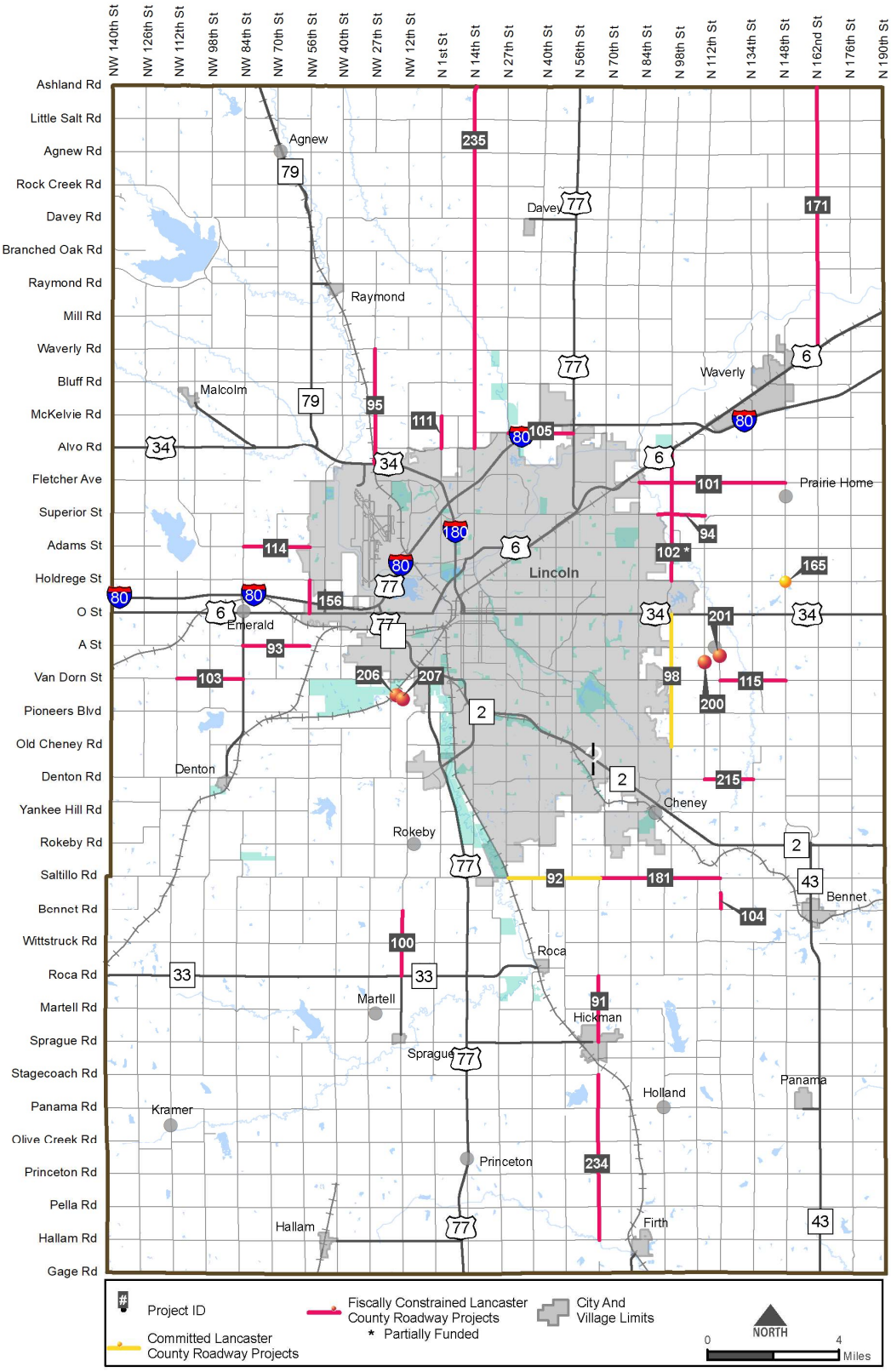
[2] *Project ID 102 is partially funded (approximately 28%) within the Fiscally Constrained Plan.*

[3] *Project ID 234 added to the Fiscally Constrained Plan via MISC22002.*

[4] *Project ID 235 added to the Fiscally Constrained Plan via MISC22012.*

Amended November 2022

Figure 7.1 Fiscally Constrained Rural Road & Bridge Capital Projects



Amended November 2022

City of Lincoln Urban Roads Program

System Operations & Maintenance, Minor Intersections

The cost to maintain and operate the transportation system is increasing. LTU employs 125 people to maintain and operate the transportation system, which includes street sweeping, snow removal, stormwater, ditch and drainage maintenance, culvert maintenance, minor intersection improvements, mowing, crack sealing, pothole repair, signing, and pavement markings, among other tasks. As the cost of materials, wages and healthcare for employees increases, the cost to complete the essential functions of O&M increases. The City of Lincoln has pursued innovation and the use of technology advances to make efficient use of available resources. An estimated $1.08 billion is needed for Lincoln's O&M program through 2050. The LRTP recommends fully funding Lincoln's O&M program.

Road & Bridge Rehabilitation

The Rehabilitation program includes the repair of arterial and residential streets when the pavement conditions deteriorate to an unacceptable level, as well as bridge rehabilitation and signal replacements. A pavement condition rating system is used to help determine which road surfaces are in most need of repair. It is important to note that money invested today in the ongoing maintenance and repair of the street system saves a significant amount of money in the future by avoiding the expanded costs associated with full reconstruction of roadways.

Routine and preventative maintenance activities will be performed, such as localized repairs, crack and joint sealing, and various surface treatments (slurries, sealing, and micro-surfacing). As pavement ages, thin to thick overlays, panel replacements, base stabilization, and repairs will be used to avoid more costly reconstruction if possible.

Without additional revenue sources, several important transportation urban area project and program categories will not have adequate funding. Additional revenue sources, such as continuation of the Lincoln on the Move sales tax, would significantly help to meet the community's transportation needs.

The LRTP recommends funding the rehabilitation program at a level commensurate with the 2040 LRTP. This recommendation includes $515 million of committed and flexible funds, which equates to approximately 350 lane miles over the 29-year planning horizon when accounting for construction cost inflation. This amount will not fully address Lincoln's road and bridge rehabilitation needs.

LTU is committed to using the available rehabilitation funds efficiently and using the pavement management system as a tool to identify the most effective maintenance treatments. Several additional action steps included in **Chapter 8** are recommended to help offset the shortfall in funding for the rehabilitation program:

- Continue experimentation and innovation to maximize return from available resources.
- Encourage the use of alternative travel modes (biking, walking, and transit) to lessen the demand on the streets.
- Continue to implement the traffic signal coordination (i.e. Green Light Lincoln) and adaptive communication program to maximize the operational efficiency of the existing system, thereby reducing the pace of lane-miles being added to the street network.
- Because streets that are neglected over time require costlier reconstruction, continue to advance preventative maintenance strategies (e.g., pothole

repairs and crack sealing) to extend the life of Lincoln's streets and minimize the lifecycle costs.

- Investigate opportunities for increased rehabilitation funding.

Studies, Preliminary Engineering, ROW & Statutorily Required Records

This program category covers pre-project level engineering studies, responses to non-project specific public inquiries, engineering standards and guidelines, staff coordination with private sector growth proposals, and legal requirements for record keeping. The LRTP recommends fully funding ($91.5 million) continuation of these essential staff functions.

Roadway Capital Projects

The LRTP identifies 105 capital roadway projects with project costs totaling over $1.1 billion in 2021 dollars. The $500 million allocation to roadway capital projects consists solely of committed funds; that is, no flexible funds are included due to the funding shortfall. The $500 million would fund 40 projects when accounting for construction cost inflation. This includes eight projects with committed funding that are anticipated to be constructed within the next four years, and 13 public-private partnership (PPP) projects, which are expected to be constructed during the LRTP planning horizon. **Table 7.6** lists the ranked projects that can be funded within the Fiscally Constrained Plan, including the committed projects and those that will be funded through PPPs. **Figure 7.2** shows the fiscally constrained urban roadway projects.

The Lincoln on the Move ¼ cent sales tax and the Highway Allocation Bond will allow the city to construct more projects in the first four years of the plan, with an average funding level of nearly $22 million per year for capital projects. After the ¼ cent sales tax sunsets in 2025, the average funding level for capital projects would be reduced to $16 million per year, reducing the number of projects that can be completed annually in the last 25 years of the plan.

Rather than defaulting to roadway widening to address current and future congestion, the LRTP focuses on intersection improvements and traffic signal coordination. By encouraging flexible and performance-based geometric design processes and best practices, the limited funding available for Roadway Capital Projects can be stretched to address the congestion needs on more corridors. This alternative approach is reflected in the Roadway Capital Projects included in the LRTP.

The Fiscally Constrained Plan must consider the YOE cost of projects. Construction costs are expected to increase annually. Based on historic and recent construction cost inflation rates, the LRTP accounts for a temporary rapid increase of 10 percent annual inflation in the first 5 years, 7 percent annual inflation in the next 5 years. Then the inflation rate is assumed to normalize at 5 percent annual inflation in the remaining years through 2050.

Two Plus Center Turn Lane Projects: The LRTP recommends allocating approximately $17 million to Two Plus Center Turn Lane projects. These projects are typically done opportunistically in conjunction with roadway rehabilitation projects, and the incremental cost to add the center turn lane is funded through this program. With a typical incremental cost of $2.25 million per mile (2021 dollars), this allocation could fund an estimated 2.4 miles of Two Plus Center Turn Lane Projects when accounting for construction cost inflation. Another 1.8 miles of Two Plus One construction will be constructed as a part of federal aid projects in the next four years. Ten miles out of the 14 miles of identified Two Plus One projects would remain unfunded.

Table 7.6 Fiscally Constrained Urban Roadway Capital Projects

Rank	Project ID	Street Name	Limits	Description	Project Cost (2021$)	Year of Expenditure (YOE)			Refer to Notes Below Table
						YOE	YOE Cost	Cumulative Cost (YOE)	
Committed	121	A Street	S 40th Street to S 56th Street	Intersection improvements 40th, 48th and 50th/Cotner and widening of A Street from 40th to 48th for a center turn lane	$10,500,000				1
Committed	79	S 14th Street/ Warlick/Old Cheney	14th/Warlick/Old Cheney	Intersection improvements	$26,400,000				1
Committed	145	Cotner Boulevard	O Street to Starr Street	Intersection improvements at Starr and Holdrege, pavement repair, and mill and overlay	$6,671,000				1
Committed	141	A Street	S 6th Street to S 17th Street	Intersections improvements at 13th and 17th and widening from 6th to 17th for a center turn lane	$6,586,000				1
Committed	77	W A Street	SW 36th Street to SW 24th Street	2 lanes + intersection improvements	$14,000,000				1
Committed	67	S 40th Street	Yankee Hill Road to Rokeby Road	3 lane section with raised median and turn lanes as appropriate	$14,000,000				1
Committed	143	N 84th Street	Cornhusker Hwy (US-6)	Intersection improvements	$5,500,000				1
Committed	216	Adams Street	N 36th Street to N 49th Street	Widening for a center turn lane and pavement rehabilitation	$3,010,000				1
PPP	10	W Holdrege Street	NW 56th Street to NW 48th Street	2 lanes + intersection improvements	$5,445,000				2
PPP	29	Rokeby Road	S 77th Street to S 84th Street	2 lanes + intersection improvements	$3,500,000				2
PPP	120	A Street	S 89th Street to S 93rd Street	2 lanes with raised median, roundabouts at 89th St and 93rd St	$3,000,000				2
PPP	20	Rokeby Road	S 31st Street to S 40th Street	2 lanes + intersection improvements	$3,000,000				2
PPP	27	Yankee Hill Road	S 40th Street to S 48th Street	2 lanes + intersection improvements	$5,700,000				2
PPP	60	Rokeby Road	S 40th Street to Snapdragon Road	2 lanes + intersection improvements	$2,152,000				2

Rank	Project ID	Street Name	Limits	Description	Project Cost (2021$)	Year of Expenditure (YOE)			Refer to Notes Below Table
						YOE	YOE Cost	Cumulative Cost (YOE)	
PPP	81	W Holdrege Street	NW 48th Street to Chitwood Lane (east ¼ mile)	2 lanes + intersection improvements	$2,000,000				2
PPP	120	Yankee Hill Road	S 48th Street to S 56th Street	2 lanes + intersection improvements	$2,200,000				2
PPP	124	S Folsom Street	W Old Cheney Road to ¼ mile south	Paving one lane in each direction with raised center medians; roundabout at the future Palm Canyon Road intersection and intersection improvements at W Old Cheney and S Folsom	$2,400,000				2
PPP	125	S 40th Street	Rokeby Road to 1/4 south	2 lanes with raised median and roundabout 1/4 mile south of Rokeby Rd	$3,400,000				2
PPP	127	Holdrege Street	87th Street to Cedar Cove	2 lanes with raised median	$2,300,000				2
PPP	128	Holdrege Street	N 104th Street	Roundabout	$1,600,000				2
PPP	129	Saltillo Road	S 70th Street to 1/2 mile east	Roadway and intersection improvements including on S 7th St from Saltillo Rd to Carger Ln	$7,095,000				2
1	130	N 14th Street	Cornhusker Hwy (and N Antelope Valley Pkwy and Oak Creek)	Bridge Replacements	$10,000,000	2027	$17,232,457	$17,232,457	
2	37	Cornhusker Hwy (US-6)	N 20th Street to N 33rd Street	Intersection Improvements per Corridor Enhancement Plan	$1,200,000	2027	$2,067,895	$19,300,352	
3	41	N 48th Street	Adams Street to Superior Street	4 lanes + intersection improvements	$14,100,000	2029	$27,818,510	$47,118,862	
4	38	Cornhusker Hwy (US-6)	N 11th Street to N 20th Street	Intersection Improvements per Corridor Enhancement Plan	$975,000	2029	$1,923,620	$49,042,483	
5	87	W Holdrege Street	Chitwood Lane to NW 40th Street	2 lanes + intersection improvements	$1,950,000	2029	$3,847,241	$52,889,723	
6	32	O Street (US-34)	Antelope Valley N/S Rdwy. (19th St.) to 46th Street	Intersection Improvements	$6,840,000	2030	$14,439,583	$67,329,306	
7	146	N 70th Street	Havelock Avenue	Remove existing traffic signal and construct roundabout	$2,000,000	2030	$4,222,100	$71,551,406	

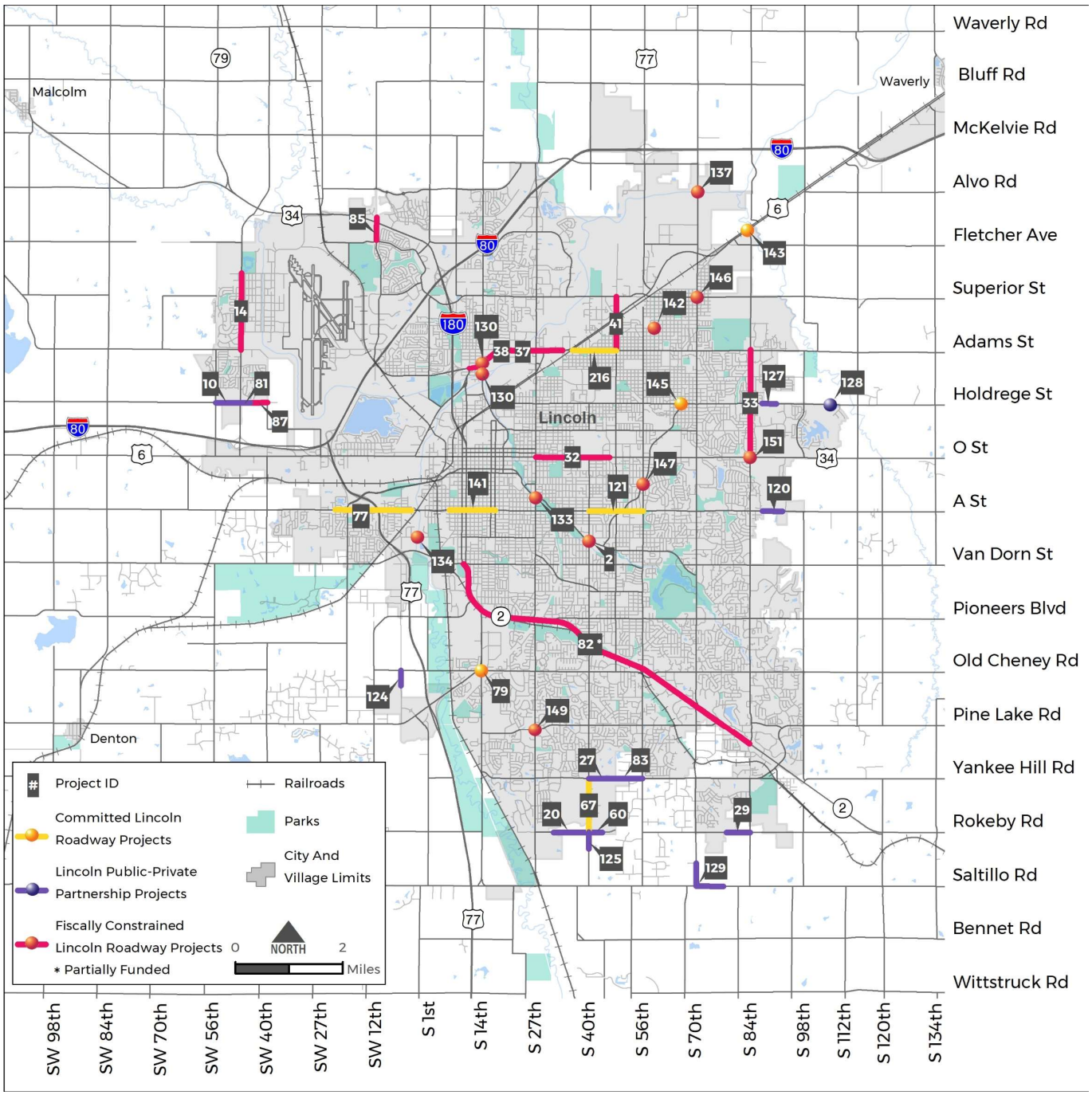
Rank	Project ID	Street Name	Limits	Description	Project Cost (2021$)	Year of Expenditure (YOE)			Refer to Notes Below Table
						YOE	YOE Cost	Cumulative Cost (YOE)	
8	151	O Street (US-34)	84th Street	Intersection Improvement: dual eastbound left-turn lanes and eastbound right-turn lane and widening to east; maybe northbound right-turn lane	$2,280,000	2031	$5,150,118	$76,701,524	
9	134	W South Street	Salt Creek	Bridge Replacement	$3,200,000	2031	$7,228,235	$83,929,759	
10	142	Fremont Street	Touzalin Avenue	Remove existing traffic signal and construct roundabout	$2,700,000	2032	$6,403,765	$90,333,524	
11	2	S 40th Street	Normal Blvd and South Street	Major intersection area work	$10,000,000	2033	$24,903,530	$115,237,054	
12	33	N 84th Street	O Street to Adams Street	Intersection Improvements	$15,200,000	2036	$43,820,002	$159,057,056	
13	149	S 27th Street	Pine Lake Road	Intersection Improvement: eastbound right-turn lane	$760,000	2036	$2,191,000	$161,248,056	
14	133	S 27th Street	SE Upper Salt Creek	Bridge Replacement	$4,500,000	2037	$13,621,678	$174,869,734	
15	14	NW 48th Street	Adams Street to Cuming Street	2 lanes + intersection improvements	$10,000,000	2039	$33,373,112	$208,242,846	
16	137	N 70th Street	Salt Creek	Bridge Replacement	$3,000,000	2039	$10,011,934	$218,254,780	
17	85	NW 12th Street	Fletcher Avenue to Aster Road with overpass of US-34	2 lanes + Overpass	$9,370,000	2041	$34,475,843	$252,730,623	
18	147	S 56th Street	Cotner Boulevard/ Randolph Street	Remove signal and evaluate roundabout or new signal	$2,750,000	2042	$10,624,226	$263,354,849	
19	82	Nebraska Hwy 2	S 84th Street to Van Dorn Street	Corridor Improvements (TBD by Corridor Study)	$50,000,000	2050	$285,396,735	$548,751,584	3

[1] *Committed projects are included in the 2022-2025 Transportation Improvement Program and are assumed to be fully funded and constructed prior to allocation of resources to other Rural Road & Bridge Capital Projects.*

[2] *Public-private partnership (PPP) projects are assumed to be fully funded and constructed during the time horizon of the 2050 LRTP. The public funding sources and specific timing of these projects are uncertain. These projects are listed at the top of the Fiscally Constrained Plan in recognition of the City's commitment to leveraging private investments in these projects to support community growth.*

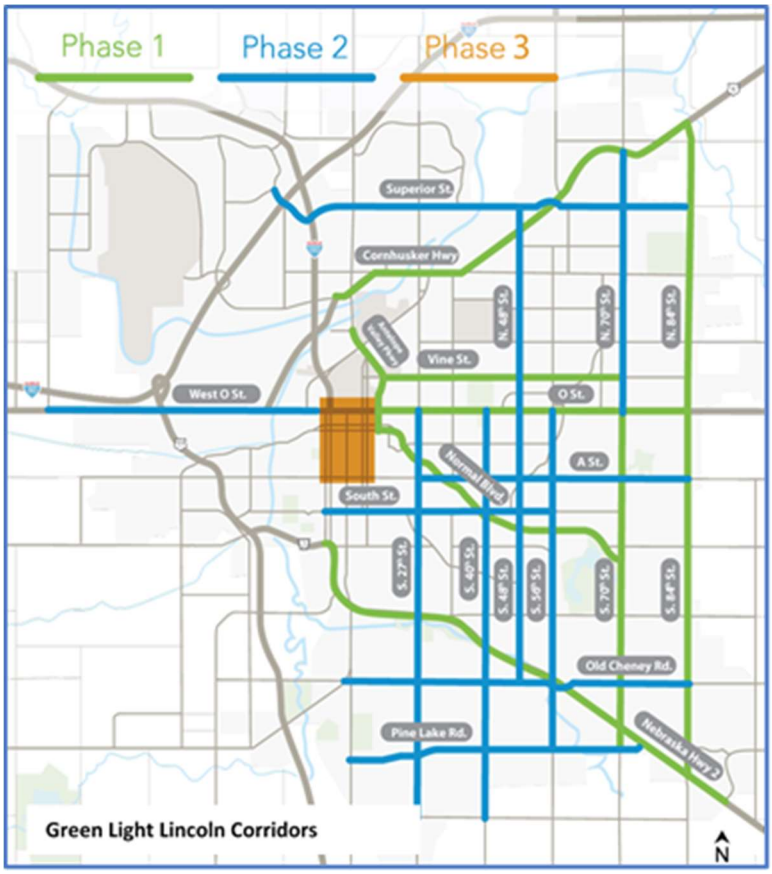
[3] *Project ID 82 is partially funded (approximately 50%) within the Fiscally Constrained Plan.*

Figure 7.2 Fiscally Constrained Urban Roadway Capital Projects









ITS and Technology

The $59 million allocation to ITS and Technology would allow the continuation of existing programs, including Green Light Lincoln, annual signal equipment upgrades, and some planned technology improvements such as automated traffic signal performance measures. The revenue would not, however, support the large capital costs required to invest in new technologies such as transit and emergency signal priority deployment and advanced traffic management system implementation, nor would this level of funding enable LTU to have a pool of funds to opportunistically invest in emerging technologies in transportation.

East Beltway Preservation

The allocation of $23 million to East Beltway preservation includes contributions from both Lancaster County and the City of Lincoln. This funding could be used to preserve a portion of the 960 acres of land needed for the future corridor. The public identified the East Beltway as one of the highest priority Roadway Capital Projects. Proceeding with construction of a project this size depends on additional funding from the state and/or federal government.

Rail Crossing Program

The RTSD, State Train Mile Tax, and Rail Hazard Elimination fund provide dedicated funding to improve the safety of railroad crossings through the addition of crossing gates and flashers at at-grade crossings, railroad crossing surface upgrades, pedestrian and bicycle crossings, as well as grade separation projects. With approximately $236 million of committed funding, the railroad crossing program is anticipated to address high priority crossing improvements but will not address the full needs of the program. The Fiscally Constrained Plan includes construction of the N. 33rd Street and Cornhusker grade separated railroad crossings

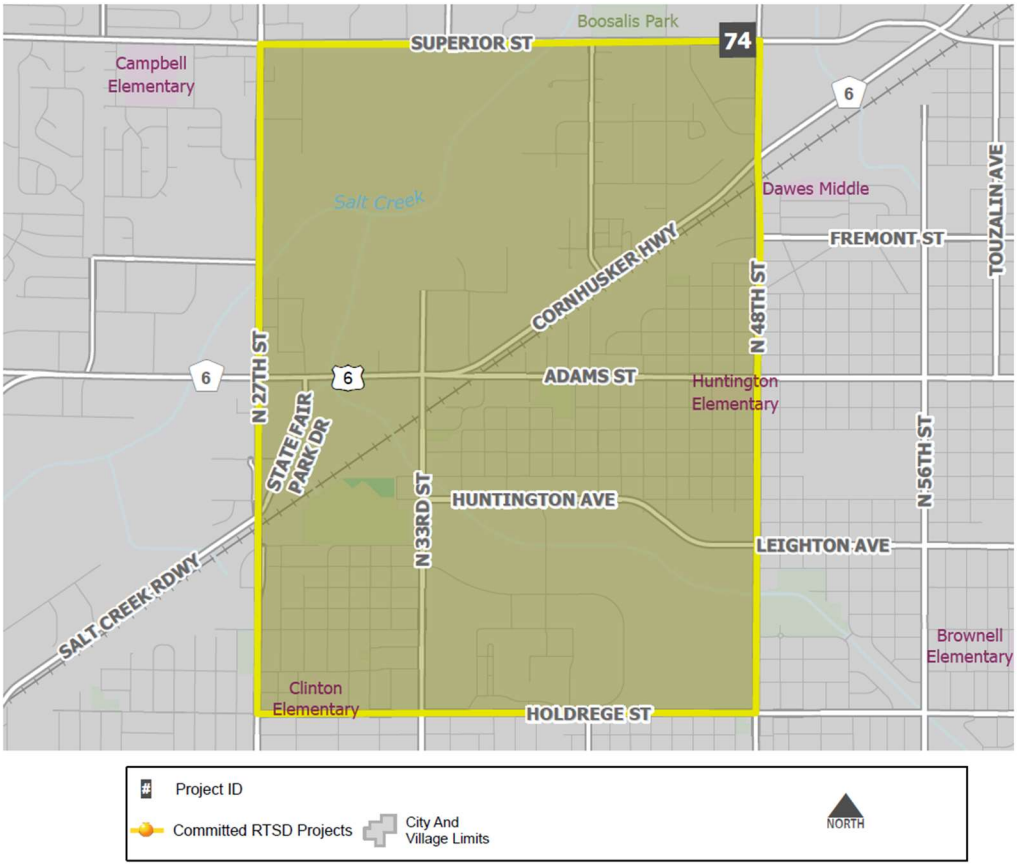
project (Project ID 74, cost estimate of $115.6 million), which is in the current TIP and scheduled for completion by 2029. This project includes intersection improvements (dual westbound left turn lanes) at Cornhusker Highway (US-6) and State Fair Park Drive . The intersection improvements were originally assigned a separate project ID but are now shown under Project ID 74 as they are included in the overall scope of the 33rd/Cornhusker Project. Table 7.7 lists this project, which can be funded within the Fiscally Constrained Plan. Figure 7.3 shows the fiscally constrained RTSD project.

Table 7.7 Fiscally Constrained Railroad Transportation Safety District Projects

Rank	Project ID	Street Name	Limits	Description	Project Cost (2021$)	Year of Expenditure (YOE)			Refer to Notes Below Table
						YOE	YOE Cost	Cumulative Cost (YOE)	
Committed	74	N. 33rd Street	N. 33rd/Cornhusker/ Adams/Fremont; Cornhusker/State Fair Park Drive	Grade separated RR crossings; intersection improvements at Cornhusker Hwy and State Fair Park Drive	$115,600,000				1

[1] *Committed projects are included in the 2023-2026 Transportation Improvement Program and are assumed to be fully funded and constructed prior to allocation of resources to other RTSD Capital Projects.*

Figure 7.3 Fiscally Constrained Railroad Transportation Safety District Projects



Multimodal Program

Transit

Operation of StarTran's bus service is funded through a combination of FTA funds, state transit funds, bus fares, advertising, ~~the~~ a UNL agreement, and transfers from the general fund. The transit revenue forecast of $754 million consists of these committed and restricted funds, the vast majority ($742 million) of which directly funds StarTran's capital expenses and operations. The remaining $12 million (in FTA 5310 and 5311 funds) provides grant funding for rural transit, hospitals, and non-profit organizations. Due to funding shortfalls, no flexible funds are allocated to transit. This funding level will allow continuation of StarTran's current service levels; however, it will not enable service extensions (longer hours and Sunday bus service) and may limit local match contributions to major projects seeking federal funds.

A federal RAISE grant was awarded in 2022 for ~~T~~the new Multimodal ~~Transfer~~ Transportation Center ~~is being pursued as a joint development project~~ and the project will incorporate active transportation design elements funded through the Carbon Reduction Program and included in the project cost~~affordable housing~~. The local match will use ~~tax increment financing (TIF) funds, general revenues, and the value of the city-owned land~~in-kind contributions and other local funds.

Table 7.8 identifies the funded and priority transit projects. These projects are expected to be funded within the Fiscally Constrained Plan. StarTran is currently in the process of updating the TDP, which may result in adjustments to the transit priorities in the region. Additional transit enhancements (such as next bus information and transit signal priority) will be coordinated through the ITS and Technology program, as funds allow.

Table 7.8 Priority Transit Projects

Project Description	Project Cost (2021$)
Funded/Committed Transit Projects	
Multimodal Transportation Center	$33,876,253
Maintenance Facility Construction/ Relocation	$22,309,500
Purchase Replacement Paratransit Vehicles	$264,000
Transit Enhancements (bus shelters, passenger stops)	$342,000
Security Enhancements (upgrade buildings/shelters)	$40,000
Purchase Replacement Supervisor Vehicles	$50,000
Computer Replacements and Upgrades	$100,000
Shop Equipment Replacements and Upgrades	$125,000
Building Renovations and Improvements	$150,000
Priority Transit Projects	
Purchase Replacement Buses	$34,100,000
Purchase Replacement Paratransit Vehicles	$3,388,000
Transit Enhancements (bus shelters, passenger stops)	$1,080,000
Security Enhancements (upgrade buildings/shelters)	$1,080,000
Purchase Replacement Supervisor Vehicles	$150,000
Computer Replacements and Upgrades	$2,700,000
Shop Equipment Replacements and Upgrades	$540,000
Purchase Replacement Service Vehicles	$270,000
Building Renovations and Improvements	$2,700,000

Trail Projects

Approximately $28 million in revenue is anticipated for Trail Projects through committed or restricted funding sources. Due to funding shortfalls, no flexible funds are allocated to Trail Projects. The LRTP identifies 64 Trail Projects with costs totaling $59 million. The $28 million allocation would fund 31 projects (including 10 Trail Projects with committed funding in the TIP or Capital Improvement Program or other agreements) when accounting for construction cost inflation. Thirty-three projects would remain unfunded.

Table 7.9 lists the priority Trail Projects that are expected to be funded within the time horizon of the LRTP. The priority Trail Projects are depicted on **Figure 7.4**. Some Trail Projects are anticipated to be bundled with fiscally constrained roadway projects, optimizing construction efficiencies. Trail Projects that improve trail crossings of a railroad may be funded with RTSD funds, as described in the Rail Crossing Projects section of this chapter.

The order of projects may change depending on opportunities for funding. Although the YOE costs are not shown in **Table 7.9** to preserve this flexibility, construction cost inflation was accounted for in determining the number of projects within the priority project list. **Appendix G** includes the Trails Project scoring results.

Trail Rehabilitation

The LRTP recommended resource allocation includes $14 million for trail rehabilitation, which could reconstruct approximately 16 miles of trails when accounting for construction cost inflation. With nearly 100 miles of concrete trails that will reach their 50-year life expectancy by 2050, the trail rehabilitation program would be considerably underfunded. In addition to concrete trail reconstruction, trail maintenance program needs include bridge and sign replacements, trail widening to accommodate increasing use, mowing, snow removal, and tree control, among other ongoing maintenance requirements. A trail widening project (Rock Island Trail Widening) would be constructed using federal Carbon Reduction Program funds and appears as a separate project listing in **Table 7.10** and **Figure 7.5**.

Table 7.9 Priority Trail Projects

Project ID	Trail Name	Limits	Description	Project Cost (2021$)	Refer to Notes Below Table
Funded/Committed Trail Projects					
T-45	Landmark Fletcher	Fletcher Ave from N 27th St to N 14th St	Sidepath	$990,000	
T-61	Beal Slough Trail	S 56th St and London Rd to S 70th St and Yankee Hill	New Trail	$1,480,000	
T-54	Chris Buetler Trail - Jamaica North Connector	J Street to N Street	New Trail	$250,000	
T-04	Woodlands	Rokeby Rd to S 70th St to Yankee Hill Rd	New Trail	$950,000	
T-09	Wilderness Hills	Yankee Hill Rd to Rokeby Rd and S 40th St	New Trail	$1,200,000	
T-11	Waterford	N 84th St to Stevens Creek	New Trail	$900,000	
T-30	W. O Street	SW 40th St to SW 48th St	Sidepath	$260,000	
T-27	Greenway Corridor Trail/Haines Branch	Pioneers Park Nature Center to Spring Creek Prairie Audubon Center	New Trail	$4,500,000	
T-37	Rock Island	Old Cheney grade separated crossing	Grade Separation	$2,286,000 ~~1,200,000~~	
T-67	Old Cheney Rd	Warlick Blvd to Jamaica North	Sidepath	$250,000	
Trail Projects to be Completed with Fiscally Constrained Roadway Projects					
T-16	N 48th Street Trail	Murdock Trail to Superior St	Sidepath	$200,000	1
T-55	Yankee Hill Road	S 40th St to S 56th St	Sidepath	$350,000	2
T-15	W Holdrege Street Trail	NW 48th St to NW 56th St	Sidepath	$250,000	3
T-39	10th Street Trail	Hwy 2 intersection improvements	Crossing Improvements	$2,200,000	4
Priority Trail Projects					
T-19	Boosalis - Bison Connector	Van Dorn St to S 17th St/Burnam St	Sidepath	$300,000	
T-44	S 14th Street & Yankee Hill Connector (w/RTSD project)	South LPS Property Line to Yankee Hill	Sidepath	$400,000	
T-21	East Campus Trail	Leighton St to Holdrege St	New Trail	$150,000	
T-31	W A Street Connector	A Street from SW 36th to SW 40th; SW 40th from A St to F St	Sidepath	$120,000	
T-48	Air Park Connector - Phase I	NW 13th St to NW 27th St	Sidepath	$600,000	
T-29	South Street	Folsom St to Jamaica Trail	Sidepath	$750,000	
T-20	Deadmans Run Trail	N 48th St to Mo Pac Trail	New Trail	$550,000	
T-66	Yankee Hill Road	S 14th St to S 27th St	Sidepath	$350,000	
T-43	Yankee Hill Rd	S 56th St to S 70th St	Sidepath	$350,000	
T-64	S 70th Street Connector	Old Post Rd to MoPac Trail	Sidepath	$700,000	
T-53	NW 56th Street Trail	W Holdrege to W Partridge	Sidepath	$100,000	
T-18	Deadmans Run Trail	Murdock Trail to Cornhusker Hwy and Railroad grade separation	New Trail and Grade Separation	$300,000	
T-80	NW 12th Street	NW 10th St to W Fletcher Ave	Sidepath	$200,000	
T-35	N 1st Street	N 1st St crossing of Hwy 34	Sidepath	$400,000	
T-49	Air Park Connector - Phase II	NW 27th St to NW 48th St	Sidepath	$900,000	
T-36	NW 12th Street	W Fletcher Ave to Aster St with US 34 grade separated crossing	Sidepath; Grade Separation	$400,000	
T-34	N 48th Street/Bike Park Trail	Superior St to N 56th St	New Trail; Sidepath	$900,000	

1 Project T-16 to be completed with Roadway Capital Project 41 (N 48th Street from Adams Street to Superior Street)

2 Project T-55 to be completed with Roadway Capital Project 27 (Yankee Hill Road from S 40th Street to S 48th Street) and Project 83 (Yankee Hill Road from S 48th Street to S 56th Street)

3 Project T-15 to be completed with Roadway Capital Project 10 (W Holdrege Street from NW 56th Street to NW 48th Street)

4 Project T-39 to be completed with Roadway Capital Project 82 (Nebraska Hwy 2 Corridor Improvements), which is partially funded within the Fiscally Constrained Plan. Inclusion of this crossing improvement project should be considered in the context of the overall corridor improvement needs and available funding.

Figure 7.4 Priority Trail Projects

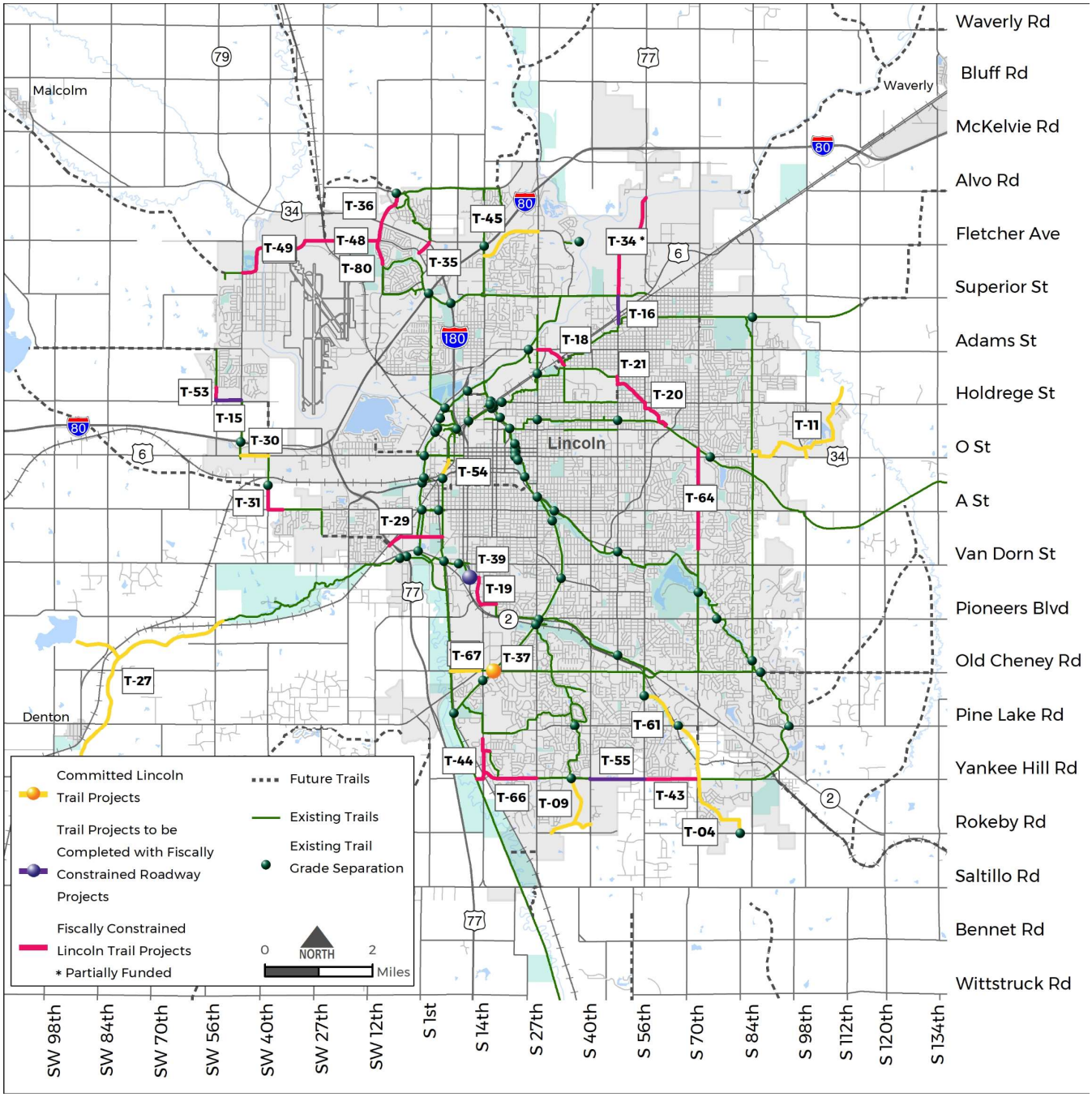
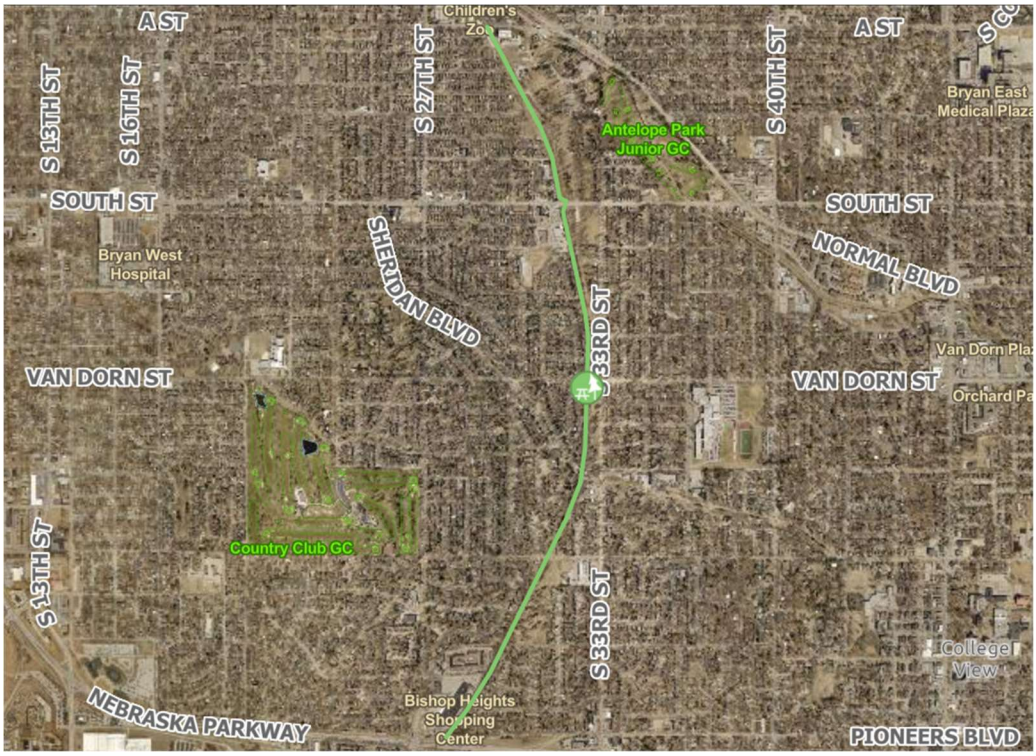


Table 7.10 Trail Widening Projects

Trail Name	Limits	Description	Project Cost (2021$)
Funded/Committed Trail Widening Projects			
Rock Island	A Street to Boosalis Trail	Widen 8' trail to 12'	$2,546,700

Figure 7.5 Trail Widening Projects



On-Street Bike Projects

The Lincoln Bike Plan was adopted in February 2019. Since no committed funding source has historically been provided for implementation of the on-street bike network, the LRTP resource allocation includes a nominal allocation of $6.5 million of flexible funds to the on-street bike program, which could be used to stripe approximately 35 miles of bike lanes, accounting for construction cost inflation. However, this amount falls well short of the funding needed to implement the more than 100 miles of proposed bikeways (some of which are more capital-cost intensive than bike lane striping) and the intersection crossing improvements identified in the Lincoln Bike Plan.

The specific On-Street Bike Projects to be completed with available funds will be selected based on the analysis and prioritization documented in the Lincoln Bike Plan. Where possible, On-Street Bike Projects should be bundled with roadway improvement projects. **Table 7.11.** identifies projects that are candidate On-Street Bike Projects that could be constructed with roadway projects in the Fiscally Constrained Plan. As these roadway projects progress through preliminary and final design, consideration should be given for inclusion of the corresponding Bike Plan project(s). **Table 7.12** and **Figure 7.6** identify additional candidate on-street bike projects not associated with roadway projects.

Pedestrian, Bike Share, and TDM

The recommended resource allocation assumes a minimum $1 million annual general fund transfer to the sidewalk rehabilitation program. With the $37 million allocation to this program, an estimated 46 miles of sidewalk could be replaced, accounting for construction cost inflation.

The TDM portion of this program may include partnerships with employers to support biking, walking, and transit commuting; flexible work hours; and remote work options. Continued operation and maintenance of the existing BikeLNK bike share program is also recommended to continue. The TDM program could also consider partnerships with Transportation Network Companies (TNC) such as Uber or Lyft, as well as car share options and expansion of the bike share and scooter programs, to support shared mobility options in Lincoln.

Table 7.10~~0~~1 On-Street Bike Projects to be Constructed with Fiscally Constrained Roadway Projects

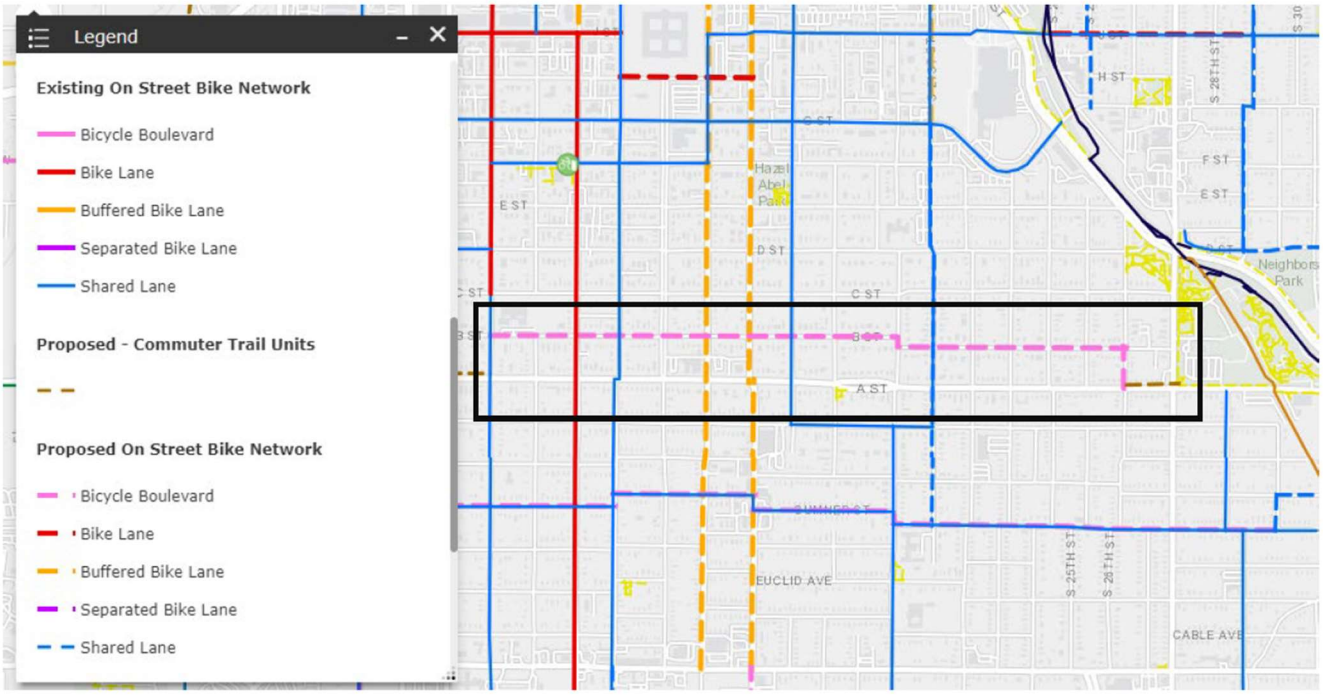
Roadway Project ID	Street	Project Limits	Bike Plan Project ID	Street	From	To	Description
10	W Holdrege Street	NW 56th Street to NW 48th Street	153	W Holdrege St	W Patridge Ln	NW 40th St	Sidepath
77	W A Street	SW 36th Street to SW 5th Street	47	W A St	SW 40th St	S Folsom St	
				W A St	S Folsom St	Multi-use Path	
124	S Folsom Street	W Old Cheney Road to 1/4 mile south	159	S Folsom St	W Denton Rd	Pioneers Blvd	Sidepath
141	A Street	S 6th Street to S 17th Street	24	S 8th St	A St		Intersection Enhancements
			132	S 11th St	A St		Intersection Enhancements
			142	A St	S 4th St	S 11th St	Sidepath
81	W Holdrege Street	NW 48th Street to Chitwood Lane (east 1/4 mile)	153	W Holdrege St	W Patridge Ln	NW 40th St	Sidepath
14	NW 48th Street	Adams Street to Cuming Street	99	NW 48th St	W Seward St	W Knight Dr	Sidepath
				NW 48th St	W Holdrege St	W Seward St	Sidepath
32	O Street (US-34)	Antelope Valley N/S Rdwy. (19th St.) to 46th Street	133	35th St	O St		Intersection Enhancements
			73	N 44th St	O St	R St	Separated Bike Lane
				N 44th St	O St		Intersection Enhancements
			50	S 29th St	Randolph St	R St	Shared Lane
				29th St	O St		Intersection Enhancements
37	Cornhusker Hwy (US-6)	N 20th Street to N 33rd Street	151	Cornhusker Hwy	N 27th St	Trail	Sidepath
41	N 48th Street		105	N 48th St	Fremont St	End	Sidepath

Roadway Project ID	Street	Project Limits	Bike Plan Project ID	Street	From	To	Description
		Adams Street to Superior Street		N 48th St	Cornhusker Hwy/RR		Intersection Enhancements
			102	N 48th St	Judson St	Hartley St	Sidepath
82	Nebraska Hwy 2	S 84th Street to Van Dorn Street	23	High St	Nebraska Hwy 2	S 12th St	Shared Lane
				High St	Nebraska Hwy 2		Intersection Enhancements
			121	Southwod Dr	Nebraska Hwy 2		Intersection Enhancements
85	NW 12th Street	Fletcher Avenue to Aster Road with overpass of US-34	112	NW 13th St	W Fletcher Ave		Intersection Enhancements

Table 7.12 Other On-Street Bike Projects

Street	Bike Plan Project ID	From	To	Description	Project Cost (2021$)
B Street, S 26th Street, and A Street	42	S 11th Street	S 27th Street	Pavement markings, signage, sidepath, and intersection bumpouts	$521,900

Figure 7.6 Other On-Street Bike Projects



Future Congestion Levels

The 2035 and 2050 Lincoln MPO regional travel demand models were run with the Urban and Rural Roadway Capital Projects included in the Fiscally Constrained Plan, as well as the South Beltway and West Beltway. NDOT added one additional State project (ID 71) to the fiscally constrained project list after modeling for congestion had been completed and is therefore not included. The resulting congestion levels are summarized on **Figure 7.75** and mapped on **Figure 7.86** and **Figure 7.97** for 2035 and 2050, respectively.

With the Fiscally Constrained Roadway Capital Projects in place, 95 percent of the system (within the model area) is expected to be uncongested in 2035 (volume to capacity ratio less than 0.8), and 88 percent uncongested in 2050. All roads outside the model area will remain uncongested.

Figure 7.75 Congestion Levels

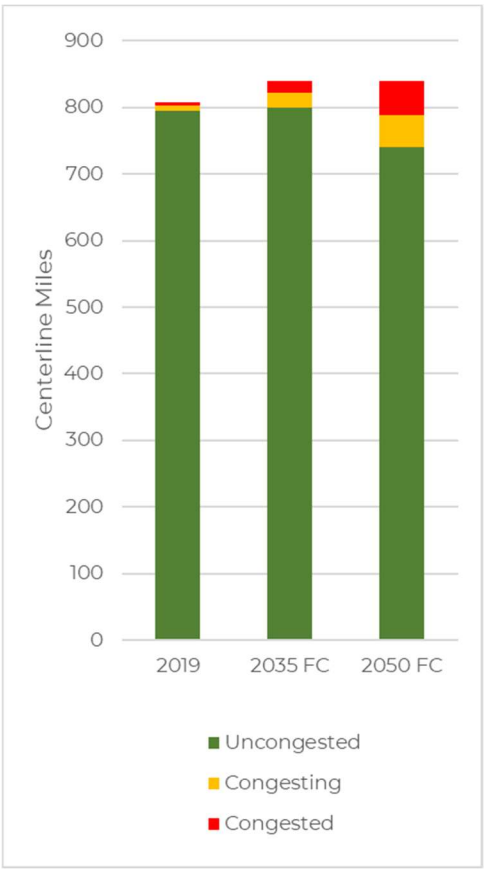


Figure 7.~~8~~6 2035 Congestion Levels (Fiscally Constrained Plan)

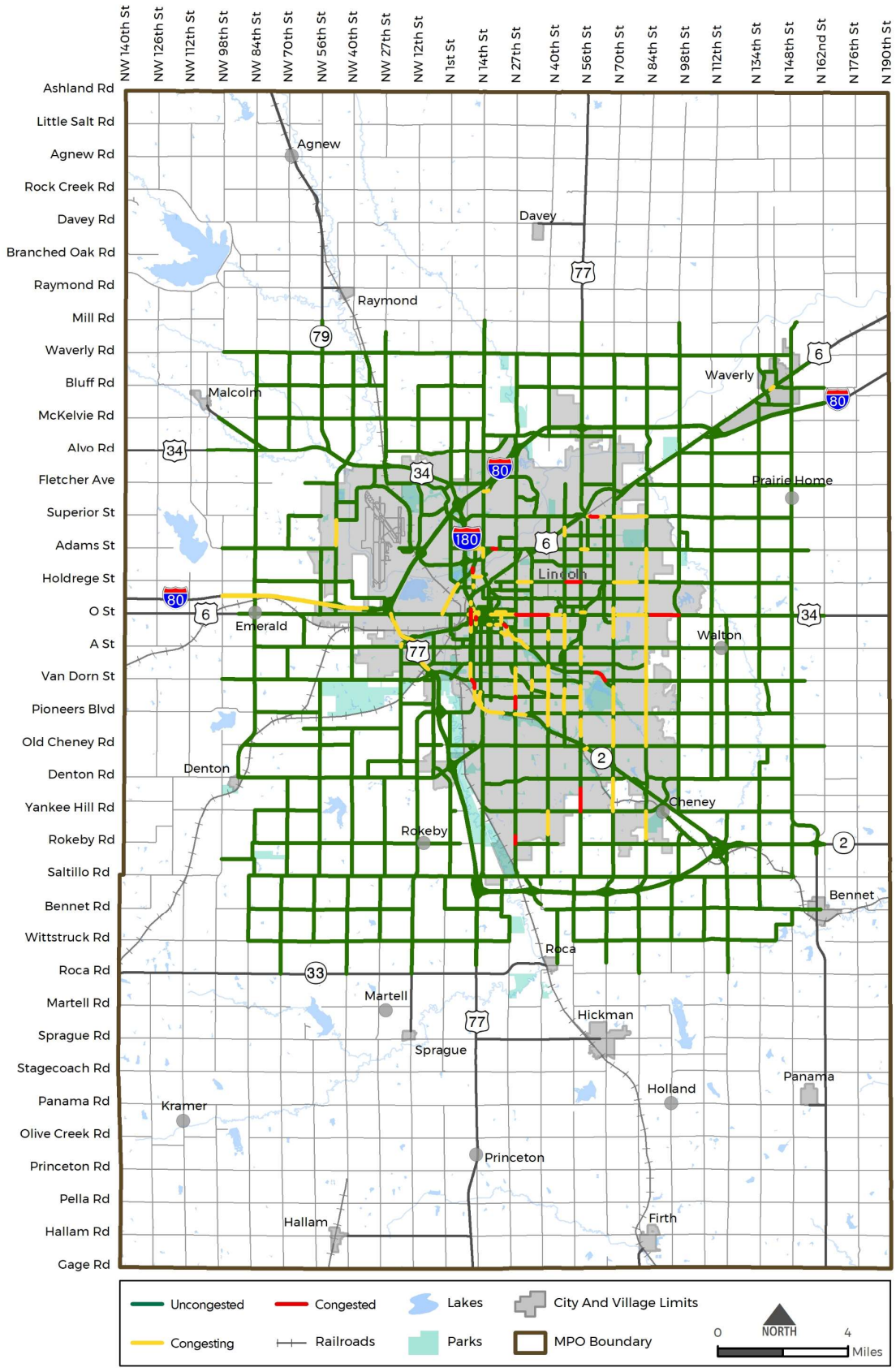
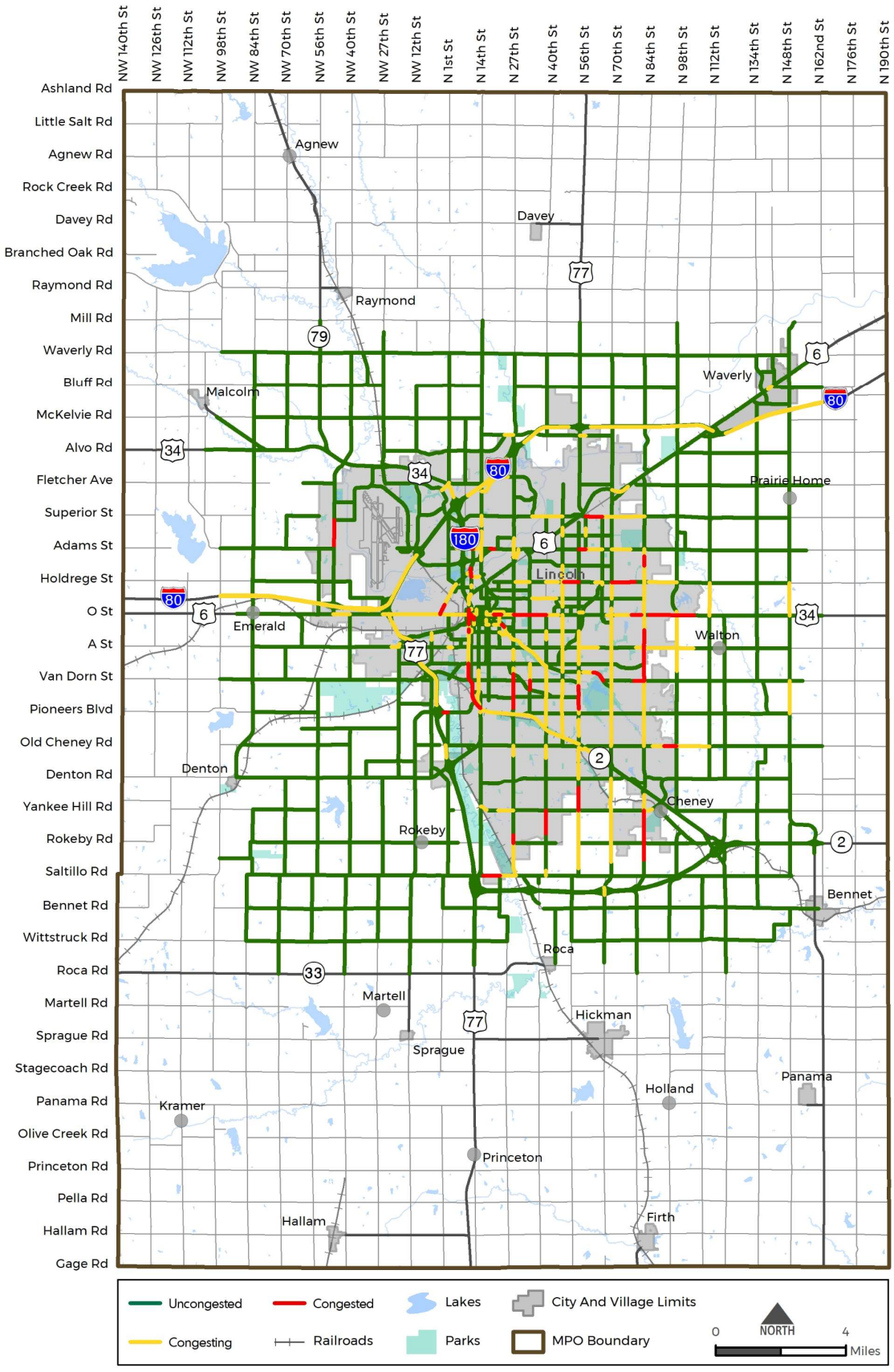


Figure 7.~~97~~ 2050 Congestion Levels (Fiscally Constrained Plan)



The travel model is not, however, an effective tool to measure the benefits of the traffic signal coordination and intersection improvements identified in the Fiscally Constrained Plan (e.g., Highway 2, 84th Street, O Street) show "congested" conditions on **Figure 7.86** and **Figure 7.97**. However, the traffic signal coordination and intersection improvements along these corridors are not accounted for in the travel demand model. Congestion levels are expected to be reduced with these cost-effective improvements.

Table 7.13 provides a comparison of daily travel time – vehicle hours of travel (VHT) – for the Existing + Committed network and the Fiscally Constrained Plan network in 2035 and 2050. VHT describes all of the hours of travel experienced daily by all vehicles throughout the road system, and reduction in VHT indicates travel time savings experienced by users with implementation of the Fiscally Constrained Plan. These results highlight the benefits of the different project types in the Fiscally Constrained Plan, which attributes 327 hours of travel time savings in 2035 and 1,475 hours of travel time savings in 2050.

Table 7.13 Daily Travel Time

Network	Daily VHT
2035 Existing + Committed	180,208
2035 Fiscally Constrained	179,881
2050 Existing + Committed	220,201
2050 Fiscally Constrained	218,726

Air Quality

The projects and decisions contained within the Lincoln MPO 2050 LRTP can influence local air quality. Estimated vehicle emissions of select air pollutants that are typically related to mobile transportation sources were assessed for the LRTP.

Because Lancaster County is currently in attainment or unclassifiable for the National Ambient Air Quality Standards (NAAQS) under the Clean Air Act, the air quality evaluation was primarily for informational, planning and stewardship purposes, not for regulatory compliance. For example, the City of Lincoln Climate Action Plan has an "80 by 50" goal to reduce net GHG emissions 80 percent by year 2050—the LRTP can inform on the progress being made toward the goal in the transportation sector.

The air quality evaluation was based on traffic data developed through the MPO's regional travel models. NDOT added one additional State project (ID 71) to the fiscally constrained project list after modeling for congestion had been completed and is therefore not included in air quality analysis. The current US Environmental Protection Agency Motor Vehicle Emission Simulator software (MOVES3) was used to develop pollutant emission data.

Evaluation Overview

The evaluation for air pollution emissions included five traffic situations covering the entire MPO area: 2020 current conditions, "existing plus committed" (without any new planned projects) conditions (E+C) for 2035 and 2050, and the future fiscally constrained road networks (FC) planned by the MPO for 2035 and 2050. Air pollutant emissions data for each of these situations for the entire traffic model network were calculated using MOVES3. Because of the potential atypical traffic volumes and patterns experienced in calendar year 2020 due to COVID, the 2020 emissions analysis used 2019 traffic data from the regional model (believed to be more typical) but calculated for calendar year 2020.

The evaluation examined four air pollutants of concern commonly associated with motor vehicles: particulate matter less than 2.5 microns in diameter ($PM_{2.5}$), two precursor pollutants for ozone (volatile organic compounds [VOC] and oxides of nitrogen [NOx]), and overall GHGs expressed as carbon

dioxide (CO_2) equivalents. These pollutants are of concern for several reasons:

- Particulate Matter: $PM_{2.5}$, a complex mix of very small solid particles and liquid droplets, is a concern because it can be inhaled deeply into the lungs and can interfere with lung function or lead to other health effects. $PM_{2.5}$ can aggravate asthma, diminish lung capacity, and cause lung or heart problems. Particulate matter can also cause haze. Sources of particulate matter include smoke, diesel engine exhaust and road dust. Particulate matter can be a localized concern near the sources or can cause regional concerns through dispersion. This evaluation included $PM_{2.5}$ emissions from tailpipes, brake wear and tire wear.
- Ozone and Precursors: A strong oxidizing agent, ozone can damage cells in lungs and vegetation and can cause eye irritation and coughing. Ozone is not emitted directly; rather, it is formed by chemical reactions between other precursor pollutants in the atmosphere. VOC and NOx in the presence of sunlight and certain weather conditions can form ground-level ozone. So, ozone concentrations can be affected through the concentrations of the precursor pollutants. Automotive sources of ozone precursors include vehicle exhaust, fuel evaporation, and vehicle refueling. Ozone is a regional concern because it takes time for ozone to form and the pollutants can drift some distance in that time. Ozone generally is most problematic in summer. Combined with GHG emissions and climate change, warmer temperatures in the future may lead to higher ozone concentrations.
- Greenhouse gases: CO_2 is the largest component of vehicle GHG emissions. Other prominent transportation-related GHGs include methane and nitrous oxide. Water vapor is the most abundant GHG and makes up approximately two-thirds of the natural greenhouse effect. GHGs are a concern in terms of global climate change. Human-generated GHG emissions can contribute to climate change through the burning of fossil fuels and other activities. For this evaluation, overall GHG emissions from vehicles have been quantified in terms of an equivalent amount of CO_2 emissions (CO_2 equivalents, or CO_2e).

MOVES3 Modeling

MOVES3 was the software used to develop two groups of vehicle air pollutant emission results for the four air pollutants described previously. The first group of results was a representative set of average pollutant emission rates in grams per mile traveled for various vehicle speeds for years 2020, 2035 and 2050. A weekday in May was selected as an intermediate condition as a basis for comparison. The second group of results was a set of cumulative daily totals of emissions for a weekday in May for the five traffic situations described previously.

MOVES3 requires a considerable amount of technical data for input to generate these results. Some of the needed data can be difficult and costly to develop specifically for a region/locality, so it is often not readily available. The MPO has developed data for vehicle miles of travel (VMT) and average vehicle speeds for the road networks through the traffic models, which were used in MOVES3 modeling. However, other input data were not available locally so the necessary inputs were derived from the MOVES3 national dataset. “National scale” MOVES3 runs for Lancaster County provided input data for the vehicle mix and some VMT distribution. MOVES3 national data were also used for inputs such as fuel types and weather conditions.

The air quality evaluation is intended to illustrate general trends for the MPO region. Changes to any of the inputs would affect the emission results to some extent.

Pollutant Emissions Results

For the first group of emission results, graphs of pollutant emission rates versus vehicle speeds were developed for the three years of interest (**Figure 7.108**) to illustrate how emissions can vary with changes in traffic congestion levels. Note that this figure represents averaged results for the entire vehicle fleet for a single set of weather conditions. Other conditions may provide different rates but would be expected to show similar patterns. The graphs illustrate that traffic flow improvements (higher speeds) generally reduce emissions.

Future years are expected to see lower emission rates due to federal emission regulations and improvements in vehicle technologies (**Figure 7.108**). As older vehicles are replaced with newer ones, lower emissions are expected. Because of this, total vehicle emission levels in future years may be lower even with more vehicles and VMT. The change in emission rates from 2020 to 2050 will be greatest for VOC and smallest for GHGs. The emission rates for 2035 and 2050 are very similar so the differences in total emissions between these years will be due mainly to differences in VMT.

For a simpler comparison of emission rates, a set of overall composite average rates were calculated. **Table 7.142** lists average emission rates of the entire region and all of the various traffic conditions during the course of the example day. **Table 7.142** results are condensed from a full day and include more weather conditions than the single hour shown on **Figure 7.11.**

Table 7.142 Composite Vehicle Pollutant Emission Rates

Pollutant	2020 (g/mile)	2035 (g/mile)	2050 (g/mile)
$PM_{2.5}$	0.018	0.0081	0.0075
NOx	0.63	0.24	0.21
VOC	0.076	0.018	0.015
GHGs as CO2	473	362	342

For the second group of emission results, total daily emissions from the MPO road network for an average May weekday was calculated (**Figure 7.119**). Note that the emission amounts at other times would differ due to several factors—time of year, temperature, day of week, VMT, level of congestion, etc. The evaluation was intended to illustrate general trends (**Table 7.153**).

For PM2.5, NOx and VOC, total emissions in 2050 are calculated to be substantively lower than 2020 even with more VMT (**Figure 7.119**). Cleaner vehicles with lower emission factors will be important improvements in the near term (to 2035). Beyond 2035, the gains from cleaner traditional vehicles will lessen.

GHG emissions are expected to be higher in 2035 and 2050 than in 2020 because the expected growth in VMT will more than overtake the expected reduction in GHG emission rates. Note that these results do not include widespread use of electric vehicles or other emerging technologies that currently are not well defined.

Table 7.153 Composite Daily Pollutant Total Emissions (tons per day)

Pollutant	2020	2035 E+C	2035 FC	2050 E+C	2050 FC
PM2.5	0.12	0.07	0.07	0.08	0.08
NOx	4.3	2.1	2.1	2.3	2.3
VOC	0.52	0.16	0.16	0.16	0.16
GHGs as CO2	3,241	3,264	3,263	3,718	3,700
LRTP Daily VMT (miles)	6,220,000	8,179,000	8,183,000	9,869,000	9,835,000

Figure 7.10 Example Pollutant Emission Rates for Lincoln Arterial Streets (May weekday during 11AM hour)

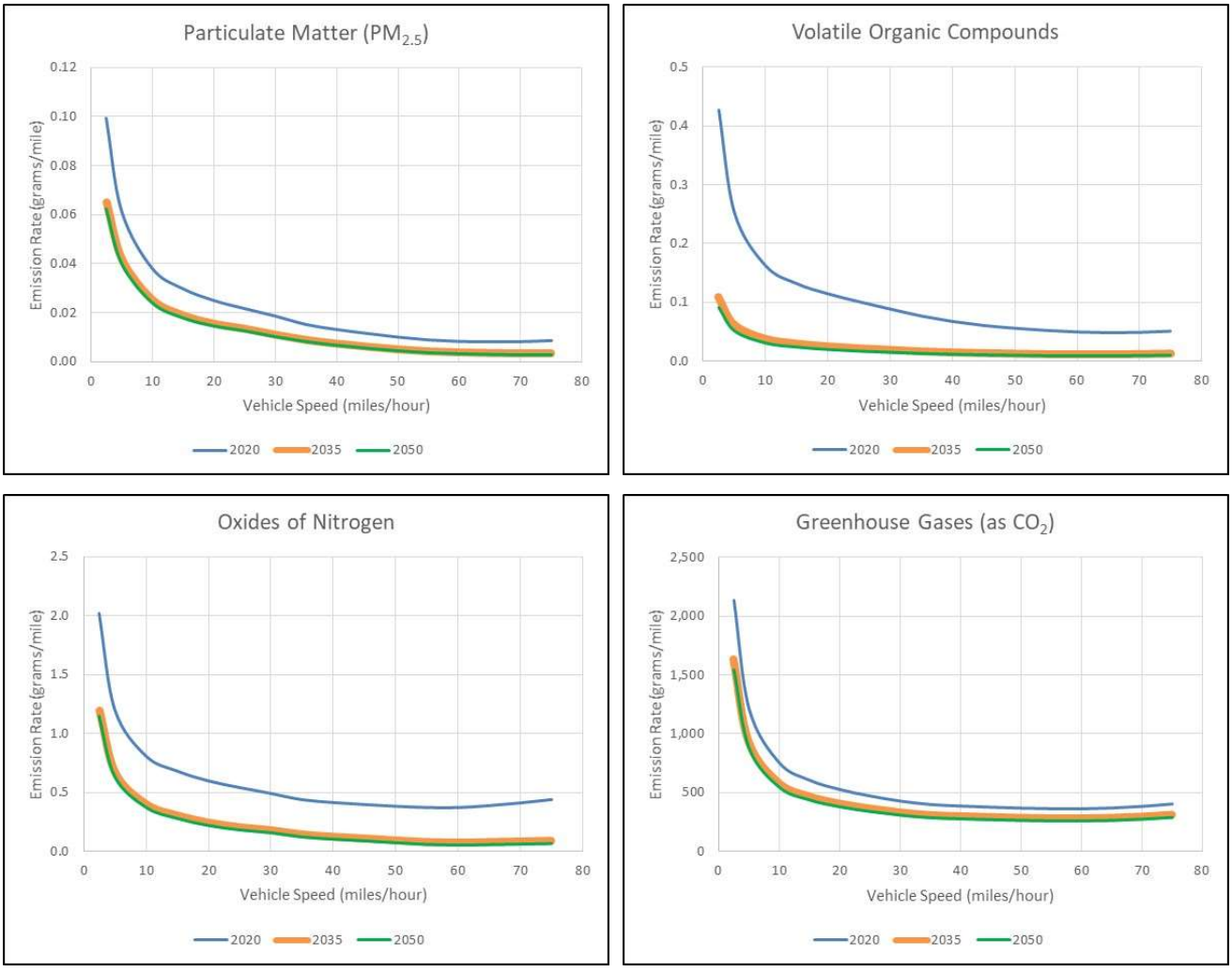
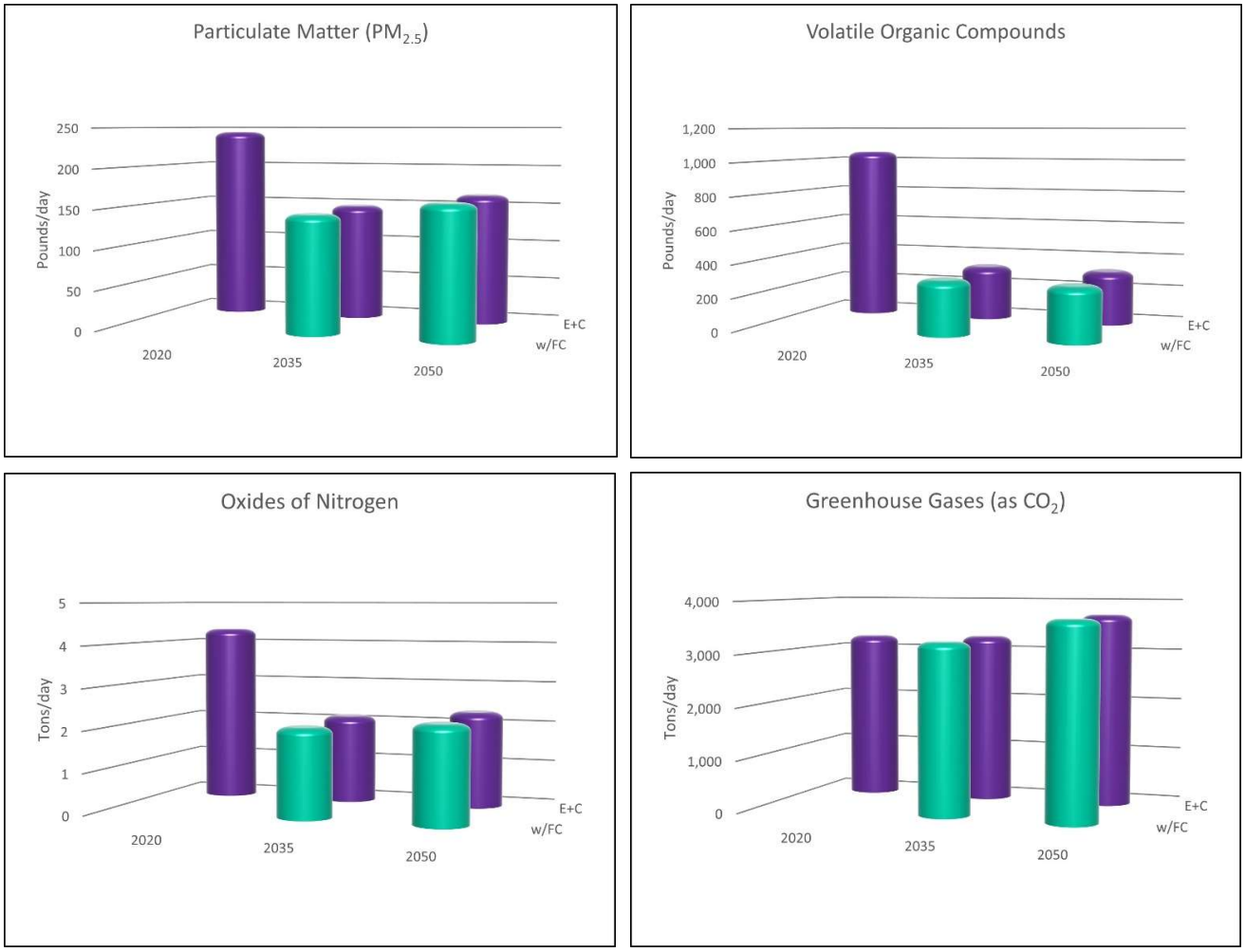


Figure 7.~~11~~9 Typical Weekday Pollutant Emission Totals for Fiscally Constrained Road Network



E+C is existing plus committed projects
w/FC is with Fiscally Constrained projects

Environmental Justice and Equity

Federal requirements that protect low-income and minority populations from adverse impacts of transportation projects have additional value when combined with a wider scope of criteria that define an underserved and overburdened communities. EJ reflects the intent of minimizing or mitigating harm from transportation investments to vulnerable populations. The broader goal of providing Transportation Equity within a community intends to reduce the existing disparity between population groups by improving conditions for underserved and overburdened communities by directing transportation investments accordingly. NDOT added one additional State project (ID 71) to the fiscally constrained project list after screening for Environmental Justice was completed and is therefore not included.

Environmental Justice

Federal requirements, such as Title VI of the Civil Rights Act and Executive Order 12898, are in place to help protect low-income and

minority populations from adverse effects of federal actions, such as federally-funded transportation projects. Adverse effects to low-income and minority persons associated with a transportation project could occur during construction despite the completed project providing an overall benefit or the completed project could result in disproportionately high adverse socioeconomic effects. **Appendix H** includes the expanded review of the socioeconomic environment and mitigation strategies for EJ.

A project-specific EJ analysis (during the NEPA/design phase of project development) provides the necessary tools to minimize or mitigate harm from transportation investments to vulnerable populations, whereas this review provided the opportunity to evaluate potential effects (beneficial or adverse) to prioritize and fund future projects. Block groups within Lancaster County with the percent of minority and/or low-income persons greater than countywide or citywide total percent were identified as minority or low-income populations. Projects located in these block groups would likely require project-specific EJ analysis to determine disproportionately high adverse effects, beneficial effects, or if outreach would be needed to comply with NEPA.

Of the 44 fiscally constrained Urban Roadway Projects, 31 projects are located in or through potential minority populations and five are located in or through low-income populations. These projects generally consist of safety, resurfacing, and intersection improvements with lower potential of permanent ROW impacts that could contribute to adverse economic impacts and little to no potential to alter the access to transportation options or neighborhood continuity. The projects are not likely to isolate, exclude, or separate minority or low-income individuals within a given community or from the broader community; a factor that can negatively impact equity of adjacent communities. These types of projects may have temporary adverse effects during construction, which can be appropriately mitigated with public involvement (including translation services, if warranted) and compensatory conservation measures, but would ultimately increase the quality of transportation within the block group for all individuals. Larger-scale projects such as a grade-separated railroad crossing and new four-lane freeway may be more likely to impact minority and low-income populations and would be subject to more in-depth NEPA and EJ analysis because of the potential to physically divide properties, displace people or property improvements, or alter transportation access (during construction or after the completed project).

Of the 26 fiscally constrained Rural Roadway Projects, six projects are located in or through potential minority populations and zero are located in or through low-income populations. These projects generally consist of paving roads and could have low to moderate permanent ROW impacts, but would otherwise be similar to the urban improvement projects relative to EJ concerns. The lack of rural roadway projects in block groups with low-income populations is an artifact of there being no block groups outside the City of Lincoln designated as low-income.

Of the 31 fiscally constrained Trail Projects, 27 projects are located in or through potential minority populations and one is located in or through low-income populations. Other than concerns similar to the urban improvement projects, trails can provide a low-cost transportation alternative and increase connectivity to essential services, which would benefit minority and low-income persons. The presence of existing trails accessible within one-mile of most of the low-income block groups explains why so few new trail projects are proposed in low-income block groups. Increasing connectivity to trails

by expanding the on-street bike network within these block groups is a cost-effective action step.

By completing project-specific EJ analysis and appropriate public involvement outreach consistent with federal funding requirements, the Fiscally Constrained Plan (including ID 71) will not have an adverse impact to EJ communities. Projects prioritized for the Fiscally Constrained Plan have the capability of satisfying the three fundamental EJ principles as set forth by regulations including:

1. Avoid, minimize or mitigate disproportionately high and adverse human health and environmental effects, including social and economic effects, on minority and low-income populations.
2. Ensure the full and fair participation by all potentially affected communities in the transportation decision making process.
3. Prevent the denial of, reduction of, or significant delay in the receipt of benefits by minority and low-income populations.

Equity

A Community Vision provides the broad framework for considering transportation investments, and "Equity" was included with the Community Vision expressed in PlanForward. It reinforced an equitable process that ensured all community members had equal opportunity to participate in the MPO's decision-making process. The 2050 LRTP advanced this Vision by adding a new Transportation Equity goal described in **Chapter 2.** This step expressly places equity into the LRTP processes of weighting projects described in this Chapter (**Table 7.4**) and measuring progress made toward the Transportation Equity, which is also described in **Chapter 2**. Unlike the explicit federal requirements established for measuring EJ, the Lincoln MPO has limited guidance for establishing methods for measuring transportation equity. The Lincoln MPO updates the LRTP every five-years, which will allow the methods of measuring equity to be adjusted over time.

Planning stakeholders distinguished the Transportation Equity goal from EJ requirements as the intentional investment of transportation funding to reduce transportation infrastructure disparities between populations considering a range of socioeconomic criteria. The Lincoln MPO had to establish the criteria and methods for completing this evaluation.

The method of aggregating census blocks by population/households for seven socioeconomic criteria is described in **Appendix H** and led to the development of the Equity Index developed for **Chapter 4** (**Figure 4.5**). The Equity Index will be used to measure progress made over time toward reducing disparities for transit access, on-street bike/trail network access, commute time, and pavement condition between population groups. Defining the baseline for these measures was an important step in accommodating the Community Vision of equitable transportation outcomes for all residents.

The fiscally constrained projects listed in this Chapter were established through the project weighting process considering eight LRTP goals. Projects that are included present the highest scores considering all goals, including Transportation Equity. Projects located within block groups of the highest Equity Index score (i.e., highest portion of underserved and overburdened communities) received the maximum score for the Transportation Equity goal. If the scoring committee determined that the project could have a positive or negative impact on those communities within or adjacent to the block group, the score could be adjusted. An example of a negative impact could be adding new lanes

to an existing roadway that would reduce the connectivity between housing and schools or essential services. An example of a positive impact could be a grade separated crossing in a block group with a lower Equity Index score that will improve network safety, access, and commute reliability for adjacent block groups with a higher Equity Index. **Chapter 6** provides important information about committed and restricted funds (**Figure 6.1**) and the resource allocation scenarios chosen for funding projects. This comprehensive scoring process and the selected investment scenario maximize the potential benefit of funding available for projects that will improve equitable transportation outcomes.

In addition to the fiscally constrained projects, the LRTP directs available flexible funding to meet other program needs established by the Lincoln MPO, including operation and maintenance of existing roads and trails, completion of on-street bike projects, and expanded and transit operations. These investments are not listed in the fiscally constrained project lists, yet they will contribute to achieving the Transportation Equity goal in combination with Transportation Equity policy and action steps included in **Chapter 8**.



A project within the Fiscally Constrained Plan that highlights some challenges of measuring equitable outcomes based on Equity Index scores is the N. 33rd Street and Cornhusker grade separated railroad crossings project (Project ID 74, cost estimate of $110.4 million). Funding available for this project comes from local and federal sources established specifically for railroad safety improvements that cannot be spent for other purposes. This project location is within a block group that has a low to moderate Equity Index score, which indicates fewer underserved and overburdened residents/ households in the block group will benefit from the project than if the same project was completed in a block group with a high Equity Index score. Block groups located directly south, west, and east presented High Equity Index scores. The magnitude of this regionally significant, multimodal project will generate positive improvements for transportation safety, access, and reliability for block groups adjacent to the immediate project area and beyond. These challenges reinforce the need to continue evaluating the Transportation Equity performance measures listed in **Chapter 2** and assess the ongoing work to make intentional investment of transportation funding to reduce transportation infrastructure disparities between populations considering a range of socioeconomic criteria.

Illustrative Plan

Transportation needs in Lincoln and Lancaster County are significant, and the revenue forecasts for the 29-year planning horizon are not adequate to achieve the goals of LRTP and meet all the region's transportation needs. The LRTP strongly encourages pursuit of additional revenues to fund the transportation improvements that are vital to a thriving community. The following sections detail the NDOT, Rural Road, and Urban Road Capital Projects, as well as the Trail Projects that would remain unfunded through 2050.

Roadways

NDOT Highway Projects

Ten NDOT highway capital projects were scored using the Lincoln urban area roadway criteria and weighting. The rankings of these projects (as listed in **Table 7.16**) reflect where they fall based on the Lincoln MPO's priorities. However, it is recognized that the timing of these projects will depend on the statewide priorities and funding availability. Seven of the 10 projects are shown in the Illustrative Plan on **Figure 7.120** (the other three – the South Beltway, the West Beltway, and I-80 - Pleasant Dale to NW 56th Street – have committed funding and are included in the Fiscally Constrained Plan).

Lancaster County Rural Road & Bridge Capital Projects

All remaining Rural Road & Bridge Capital Projects (including the additional 69 lower ranked projects that are not included in the Fiscally Constrained Plan) are included as Illustrative (unfunded) projects in the LRTP. These projects are depicted on **Figure 7.13** and detailed in **Table 7.17**.

Lincoln Urban Roadway Capital Projects

All remaining Urban Roadway Capital Projects (including an additional 64 lower ranked projects that are not included in the Fiscally Constrained Plan) are included as Illustrative (unfunded) projects in the LRTP. These projects are depicted on **Figure 7.14** and detailed in **Table 7.18**.

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Table 7.16 Illustrative Plan (Unfunded) NDOT Highway Projects

Project ID	Street Name	Limits	Description	Project Cost (2021$)
44	O Street (US-34)	84th Street to 120th Street	4 lanes + intersection improvements	$17,900,000
34	US-6 (Sun Valley)	Cornhusker Hwy (US-6) to WO St.(US-6)	4 lanes + turn lanes	$20,400,000
73	US-34	US-34 and Fletcher Avenue	New interchange	$31,900,000
72	I-180	I-80 to US-6	Reconstruction + bridges	$51,200,000
1	I-80	I-80 and I-180	Major interchange work	$52,300,000
68	O Street (US-34)	120th Street to east county line	4 lanes + intersection improvements	$37,000,000
70	US-34	NE-79 to Malcolm Spur	4 lanes + intersection improvements	$15,300,000
Illustrative Plan (Unfunded) Total				**$226,000,000**

Figure 7.120 Illustrative Plan (Unfunded) NDOT Highway Projects

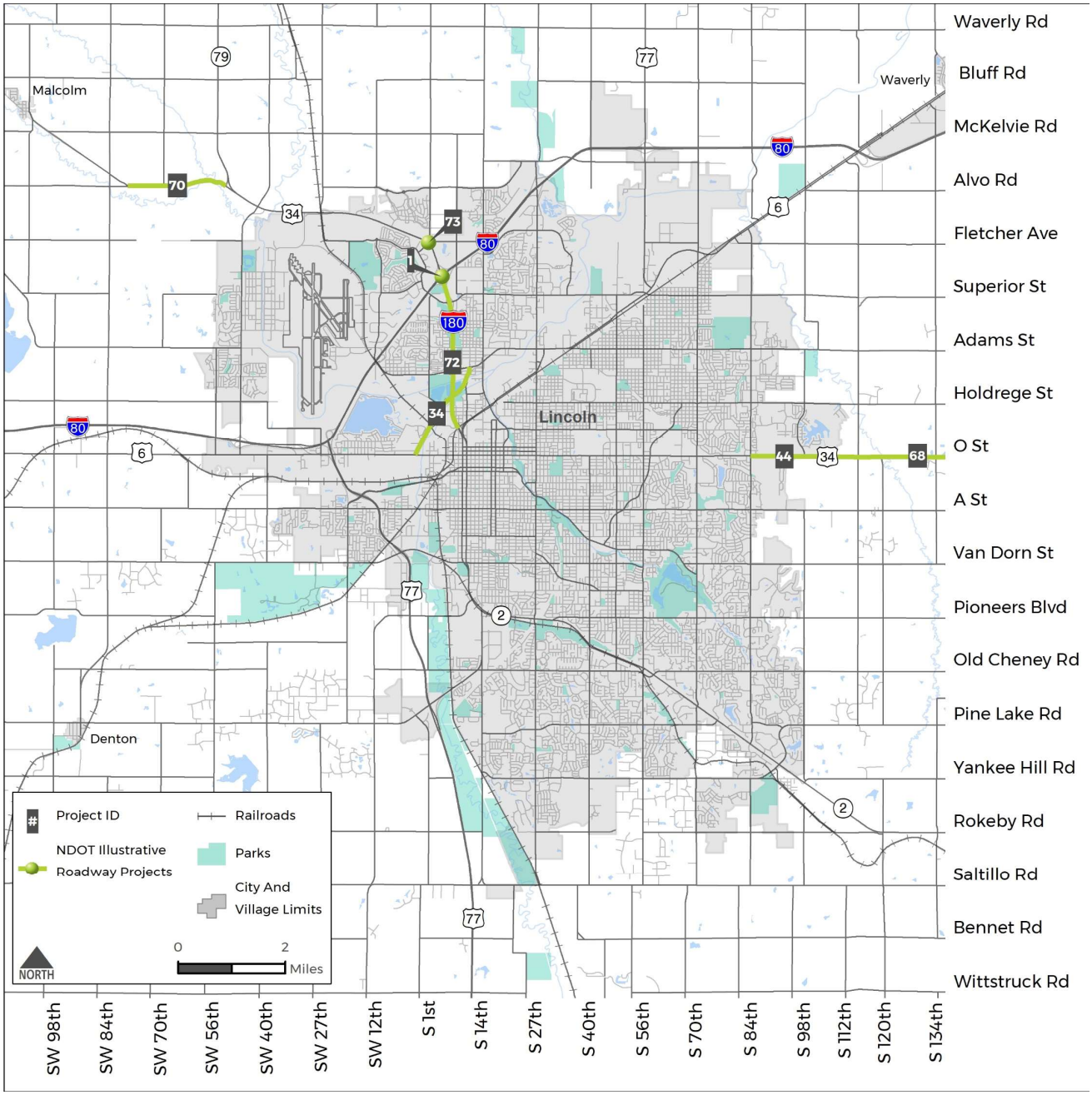


Table 7.17 Illustrative Plan (Unfunded) Rural Road & Bridge Capital Projects

Rank	Project ID	Street Name	Limits	Description	Project Cost (2021$)
	107	W Van Dorn Street	SW 140th Street to SW 112th Street	Potential Paving	$1,300,000
16[1]	108	S 1st Street	Old Cheney Road to Pioneers Boulevard	Programmed Paving	$1,000,000
25	182	N 14th Street	Arbor Road	Intersection improvements	$650,000
26	211	S 46th Street	Bridge S-59 near Bennet Road	Replace CB	$925,000
27	116	Panama Road	US-77 to S 54th Street	Potential Paving	$3,900,000
28	158	N 148th Street	O Street to McKelvie Road	Two Lane Widening	$4,018,000
29	110	W Waverly Road	NE-79 to N 14th Street	Potential Paving	$6,500,000
30	197	Van Dorn Street	Bridge K-37 near S 98th Street	Replace CBC	$652,000
31	118	Bluff Road	I-80 to N 190th Street	Potential Paving	$1,430,000
32	109	W Waverly Road	NW 112th Street to NE-79	Potential Paving	$5,200,000
33	161	S 148th Street	Old Cheney Road	Intersection improvements	$650,000
34	178	S 68th Street	Martel Road	Intersection improvements	$650,000
35	202	Old Cheney Road	Bridge O-37 near S 1st Street	Bridge Replacement	$3,465,000
36	163	S 148th Street	Van Dorn Street	Intersection improvements	$650,000
37	162	S 148th Street	Pioneers Boulevard	Intersection improvements	$650,000
38	157	S 148th Street	Yankee Hill Road to O Street	Two Lane Widening	$4,900,000
40	159	S 148th Street	Yankee Hill Road	Intersection improvements	$650,000
41	167	N 148th Street	Havelock Avenue	Intersection improvements	$650,000
42	169	N 148th Street	Prairie Home	Intersection improvements	$1,300,000
43	117	McKelvie Road	NW 27th Street to N 14th Street	Potential Paving	$3,900,000
44	97	N 14th Street	Waverly Road to Raymond Road	Two Lane Widening	$1,000,000
45	175	S 68th Street	Olive Creek Road	Intersection improvements	$650,000
46	99	N 14th Street	Arbor Road to Waverly Road	Two Lane Widening	$1,250,000
47	160	S 148th Street	Pine Lake Road	Intersection improvements	$650,000
48	176	S 68th Street	Panama Road	Intersection improvements	$650,000
49	170	N 148th Street	Alvo Road	Intersection improvements	$650,000
50	179	S 68th Street	Wittstruck Road	Intersection improvements	$650,000
51	198	S 56th Street	Bridge P-92 near Rokeby Road	Replace with CBC	$1,460,000
52	174	S 68th Street	Princeton Road	Intersection improvements	$650,000
53	166	N 148th Street	Adams Street	Intersection improvements	$650,000
54	177	S 68th Street	Stagecoach Road	Intersection improvements	$650,000
55	164	S 148th Street	A Street	Intersection improvements	$650,000
56	196	N 112th Street	Bridge J-126 near Holdrege Street	Bridge Replacement	$1,571,000
57	208	Pioneers Blvd	Bridge Q-72 near S 138th Street	Bridge Replacement	$1,188,000
58	168	N 148th Street	Fletcher Avenue	Intersection improvements	$650,000
59	203	Van Dorn Street	Bridge J-22 near S 134th Street	Bridge Replacement	$1,060,000
60	199	A Street	Bridge J-47 near S 120th Street	Replace with CCS	$739,000
61	173	S 68th Street	Pella Road	Intersection improvements	$650,000
62	191	N 14th Street	Raymond Road to Agnew Road	Two Lane Widening	$2,000,000
63	112	N 27th Street	Arbor Road to Waverly Road	Potential Paving	$3,250,000
64	190	N 14th Street	Agnew Road	Intersection improvements	$650,000
65	180	S 68th Street	Bennett Road	Intersection improvements	$650,000

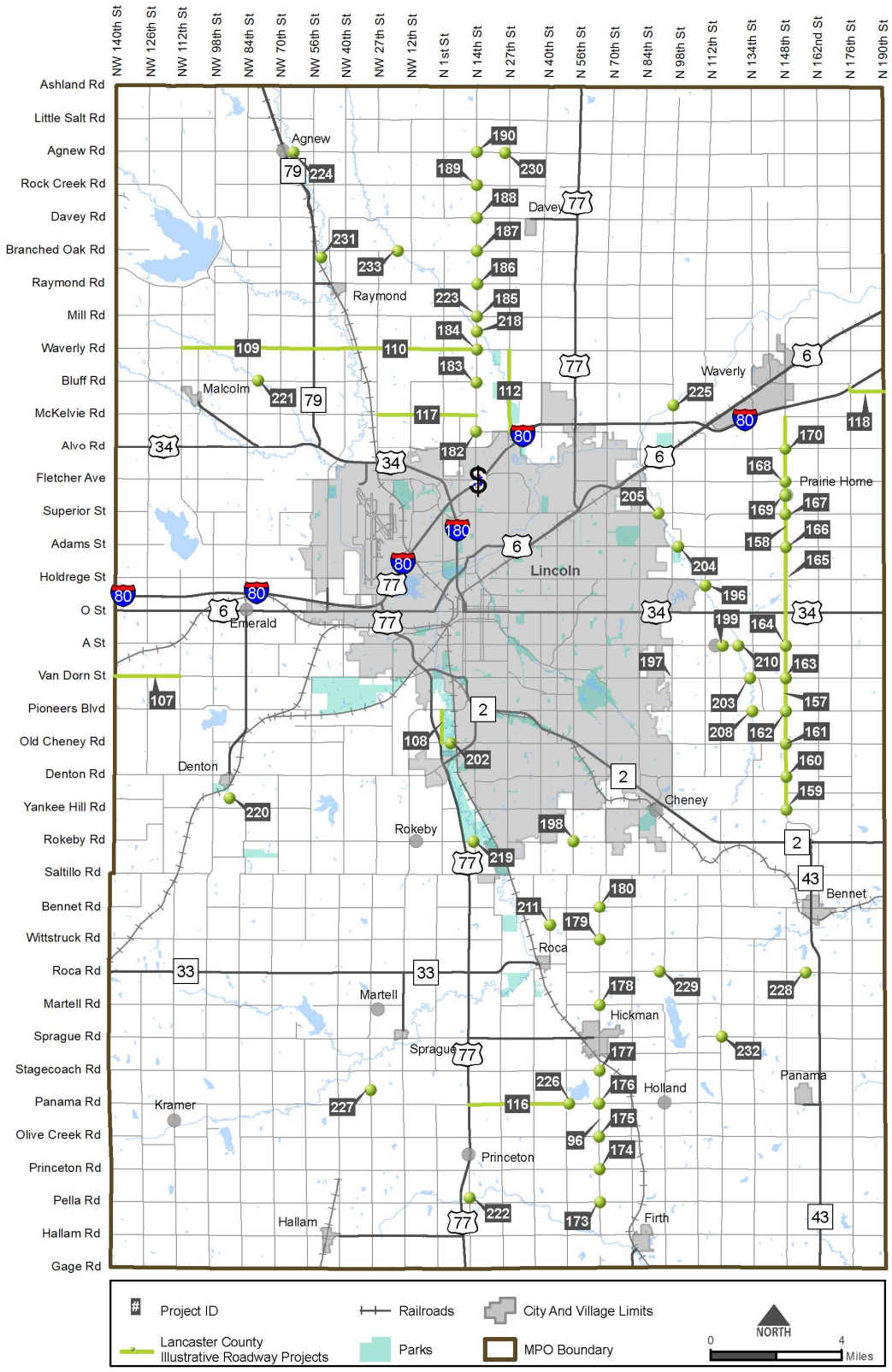
Rank	Project ID	Street Name	Limits	Description	Project Cost (2021$)
66	205	Havelock Avenue	Bridge K-144 near N 98th Street	Bridge Replacement	$2,079,000
67	210	A Street	Bridge J-46 near S 134th Street	Bridge Replacement	$1,237,000
68	189	N 14th Street	Rock Creek Road	Intersection improvements	$650,000
69	187	N 14th Street	Branched Oak Road	Intersection improvements	$650,000
70	204	Adams Street	Bridge K-123 near N 102nd Street	Bridge Replacement	$1,940,000
71	186	N 14th Street	Raymond Road	Intersection improvements	$650,000
72	188	N 14th Street	Davey Road	Intersection improvements	$650,000
73	184	N 14th Street	Waverly Road	Intersection improvements	$650,000
74	185	N 14th Street	Mill Road	Intersection improvements	$650,000
75	183	N 14th Street	Bluff Road	Intersection improvements	$650,000
76	192	N 14th Street	Agnew Road to Ashland Rd	Two Lane Widening	$1,000,000
N/A[2]	218	N 14th Street	Bridge F-88, Oak W-12, 18-15	Concrete Slab Bridge	$1,175,000
N/A[2]	219	Rokeby Road	Bridge O-44, Yankee Hill S-26, 21-44	Drainage Structure Replacement	$65,000
N/A[2]	220	SW 91st Street	Bridge N-114, Denton IN-22, 18-02	Bridge Replacement	$475,000
N/A[2]	221	W Bluff Road	Bridge E-171, Elk S-14	Concrete Box Culvert	$550,000
N/A[2]	222	S 12th Street	Bridge W-104, Buda W-24	Concrete Box Culvert	$275,000
N/A[2]	223	N 14th Street	Bridge F-91, Oak W-1	Concrete Box Culvert	$275,000
N/A[2]	224	W Agnew Road	Bridge D-88, West Oak S-12 21-40, East of Nebraska Hwy 79	Concrete Slab Bridge	$2,255,000
N/A[2]	225	N 98th Street	Bridge G-222, North Bluff W-24 21-41, North of I-80	Bridge Replacement	$2,560,000
N/A[2]	226	Panama Road	Bridge X-129, South Pass S-4 21-43, East of S 54th St	Concrete Slab Bridge	$1,800,000
N/A[2]	227	SW 29th Street	Bridge W-50 Buda W-4 21045, South of W Stagecoach Rd	Bridge Replacement	$620,000
N/A[2]	228	Roca Road	Bridge R-184, Nemaha S 15, East of S 148th Street	Bridge Replacement	$580,000
N/A[2]	229	Roca Road	Bridge S-180, Saltillo S 14, East of S 82nd Street	Bridge Replacement	$870,000
N/A[2]	230	Agnew Road	Bridge C-284, Little Salt S-12	Concrete Box Culvert	$430,000
N/A[2]	231	NW 19th Street	Bridge C-262, Little Salt IN-28	Bridge Replacement	$650,000
N/A[2]	232	Hickman Road	Bridge R-213, Nemaha S-20	Concrete Box Culvert	$430,000
N/A[2]	233	W Branched Oak Road	Bridge C-253, Little Salt S-28	Bridge Replacement	$620,000
Illustrative Plan (Unfunded) Total					**$89,444,000**

[1] Although it scored high enough to be in the Fiscally Constrained Plan, Project ID 108 is shown in the Illustrative Plan due to uncertainty of the Old Cheney configuration at the West Beltway (closure versus overpass); therefore, the need for this project will be determined at a later date.

[2] Projects 218 – 229 are included in Lancaster County's 1 and 6 Year Plan. These projects are included in the LRTP Illustrative Plan but have not been scored.

Amended November 2022

Figure 7.13 Illustrative Plan (Unfunded) Rural Road & Bridge Capital Projects



Amended November 2022

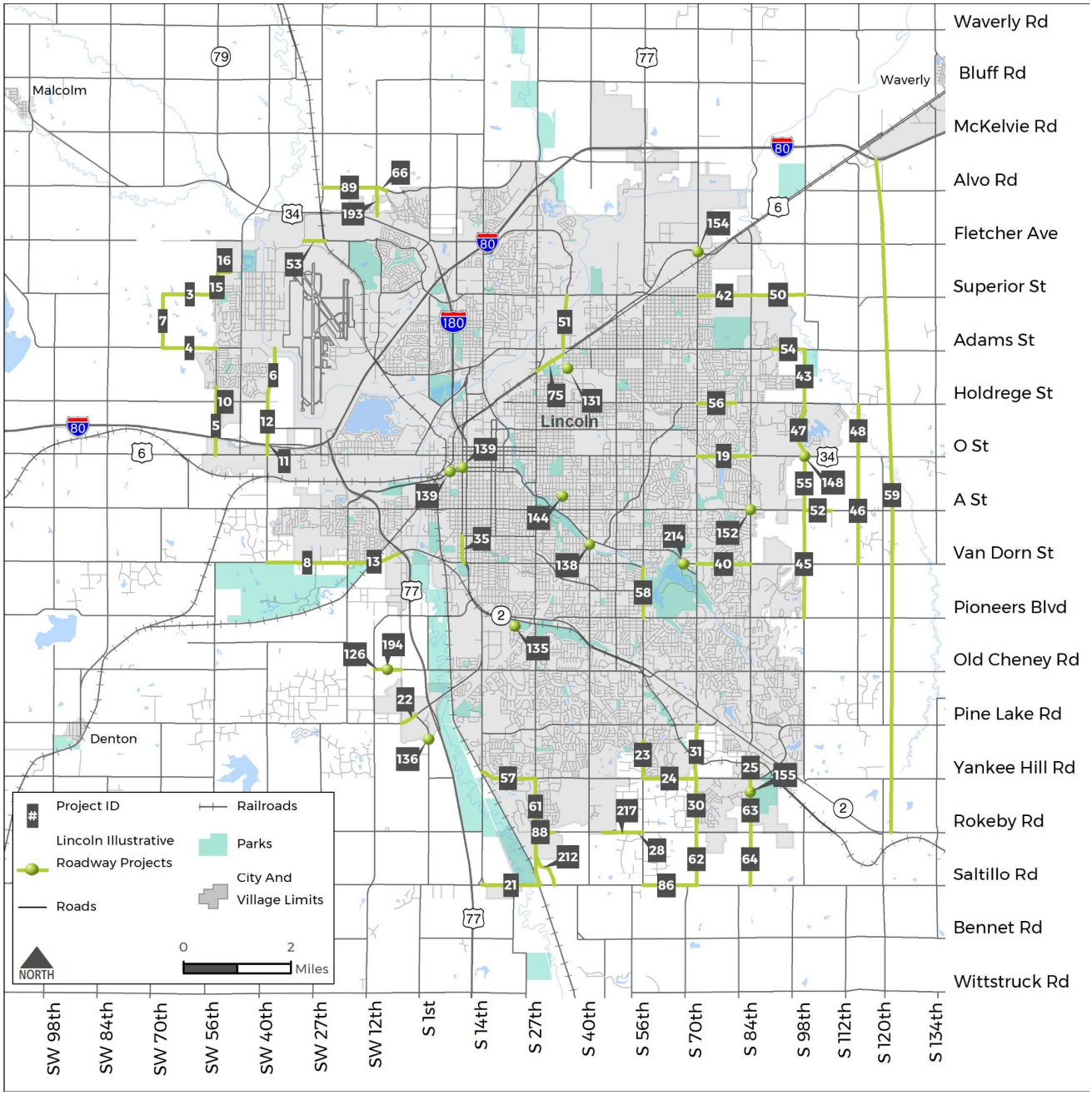
Table 7.18 Illustrative Plan (Unfunded) Urban Roadway Capital Projects

Rank	Project ID	Street Name	Limits	Description	Project Cost (2021$)
21	58	S 56th Street	Van Dorn Street to Pioneers Boulevard	4 lanes + intersection improvements	$13,200,000
22	214	Normal Boulevard	Van Dorn Street	Intersection improvements	$750,000
23	31	S 70th Street	Pine Lake Road to Yankee Hill Road	4 lanes + intersection improvements	$14,000,000
24	138	S 40th Street	Antelope Creek	Bridge Replacement	$2,500,000
25	35	S 9th Street	Van Dorn Street to South Street	3 lanes + intersection improvements	$5,300,000
26	155	S 84th Street	Yankee Woods Drive	Roundabout	$2,750,000
27	56	Holdrege Street	N 70th Street to N 80th Street	4 lanes + intersection improvements	$10,000,000
28	136	S 1st Street	Cardwell Branch Salt Creek	Bridge Replacement	$850,000
29	139	Rosa Parks Way	K Street and L Street	Bridge Rehab and Preventive Maintenance	$3,400,000
30	57	Yankee Hill Road	S 14th Street to S 27th Street	Additional 2 lanes	$7,200,000
31	12	NW 40th Street	W Holdrege Street to W Vine Street	2 lanes + intersection improvements	$3,500,000
32	154	Cornhusker Hwy (US-6)	N 70th Street / Railroad viaduct	Intersection/viaduct reconfiguration	$10,000,000
33	144	S 33rd Street	D Street	Remove existing traffic signal and construct mini roundabout	$1,000,000
34	152	S 84th Street	A Street	Intersection Improvements: dual northbound left turn lanes and NB right turn lane	$1,520,000
35	19	O Street (US-34)	Wedgewood Drive to 98th Street	Intersection Improvements	$6,080,000
36	42	Havelock Avenue	N 70th Street to N 84th Street	2 lanes + intersection improvements	$7,000,000
37	5	NW 56th Street	W Partridge Lane to W "O" Street	2 lanes + intersection improvements	$9,000,000
38	131	Huntington Avenue	Dead Mans Run	Bridge Replacement	$3,500,000
39	40	Van Dorn Street	S 70th Street to S 84th Street	Intersection Improvements	$4,560,000
40	11	NW 40th Street	W Vine Street to US-6, including I-80 Overpass	Overpass	$11,250,000
41	24	Yankee Hill Road	S 56th Street to S 70th Street	2 lanes + intersection improvements	$6,900,000
42	6	NW 38th Street	W Adams Street to W Holdrege Street	2 lanes + intersection improvements	$7,200,000
43	51	N 33rd Street	Cornhusker Hwy to Superior Street	4 lanes + int. impr. & bridge	$20,000,000

Rank	Project ID	Street Name	Limits	Description	Project Cost (2021$)
44	75	Salt Creek Roadway	State Fair Park Dr to Cornhusker Hwy	6 lanes + intersection improvements	$26,000,000
45	15	NW 56th Street	W Cuming Street to W Superior Street	2 lanes + intersection improvements	$2,900,000
46	23	S 56th Street	Thompson Creek Boulevard to Yankee Hill Road	4 lanes + intersection improvements	$9,800,000
47	148	O Street (US-34)	98th Street	Construct roundabout with S 98th Street project OR when signal otherwise warranted	$2,750,000
48	8	W Van Dorn Street	SW 40th Street to Coddington Avenue	2 lanes + intersection improvements	$10,500,000
49	135	Southwood Drive	Beal Slough	Bridge Replacement	$2,200,000
50	193	NW 12th Street	W Alvo Road to Missoula Road	2 lanes + turn lanes	$2,400,000
51	7	NW 70th Street	W Superior Street to W Adams Street	2 lanes + intersection improvements	$7,000,000
52	61	S 27th Street	Yankee Hill Road to Saltillo Road	2 lane realignment + int. impr.	$14,100,000
53	48	N 112th Street	Holdrege Street to US-34	2 lanes + intersection improvements	$7,000,000
54	63	S 84th Street	Yankee Hill Road to Rokeby Road	4 lanes + intersection improvements	$14,000,000
55	21	Saltillo Road	S 14th Street to S 27th Street	2 lanes + intersection improvements, reconstruction to address flooding	$7,600,000
56	55	S 98th Street	US-34 (O Street) to A St	4 lanes + intersection improvements	$14,000,000
57	28	Rokeby Road	S 48th Street to S 56th Street	2 lanes + intersection improvements	$3,500,000
58	217	Rokeby Road	Snapdragon Road to S 48th Street	2 lanes + intersection improvements	$10,330,000
59	25	S 84th Street	Amber Hill Road to Yankee Hill Road	4 lanes + intersection improvements	$5,700,000
60	212	27th Street Realignment	Saltillo Road to Rokeby Road	New Two Lane Road	$20,200,000
61	86	Saltillo Road	S 56th Street to S 70th Street	2 lanes + intersection improvements	$7,000,000
62	3	W Superior Street	NW 70th Street to NW 56th Street	2 lanes + intersection improvements	$7,000,000
63	22	W Denton Road	Amaranth Lane to S Folsom Street	2 additional lanes	$2,200,000
64	46	S 112th Street	US-34 to Van Dorn Street	2 lanes + intersection improvements	$14,000,000
65	52	A Street	S 98th Street to 105th Street	2 lanes + intersection improvements	$3,500,000
66	59	East Beltway	Nebraska Hwy 2 to I-80	New 4 lane divided highway	$315,000,000
67	47	N 98th Street	Holdrege Street to O Street	Additional 2 lanes	$7,500,000

Rank	Project ID	Street Name	Limits	Description	Project Cost (2021$)
68	54	Adams Street	N 90th Street to N 98th Street	2 lanes + intersection improvements	$4,300,000
69	45	S 98th Street	A Street to Pioneers Boulevard	4 lanes + intersection improvements	$28,000,000
70	4	W Adams Street	NW 70th Street to NW 56th Street	2 lanes + intersection improvements	$7,000,000
71	13	W Van Dorn Street	Coddington Avenue to US-77	2 lanes + intersection improvements	$6,900,000
72	53	W Fletcher Avenue	NW 31st Street to NW 27th Street	2 lanes + intersection improvements	$2,800,000
73	30	S 70th Street	Yankee Hill Road to Rokeby Road	2 lanes + intersection improvements	$14,000,000
74	66	W Alvo Road	NW 12th Street to Tallgrass Parkway	2 lanes + intersection improvements	$1,300,000
74	126	W Old Cheney Road	S Folsom Street to SW12th Street	2 lanes with raised median	$3,500,000
76	194	W Old Cheney Road	SW 9th Street	Roundabout	$900,000
77	88	Rokeby Road	S 27th Street to S 31st Street	2 lanes + intersection improvements	$2,400,000
78	64	S 84th Street	Rokeby Road to Saltillo Road	4 lanes + intersection improvements	$14,000,000
79	62	S 70th Street	Rokeby Rd to Saltillo Rd	4 lanes + intersection improvements	$14,000,000
80	50	Havelock Avenue	N 84th Street to N 98th Street	2 lanes + intersection improvements	$7,000,000
81	17	NW 12th Street	Aster Road to Missoula Road	2 lanes + turn lanes	$2,300,000
82	16	W Cuming Street	NW 56th Street to NW 52nd Street	2 lanes + intersection improvements	$1,600,000
83	43	N 98th Street	Adams Street to Holdrege Street	2 lanes + intersection improvements	$7,000,000
84	89	W Alvo Road	NW 27th Street to NW 12th Street	2 lanes + intersection improvements	$7,100,000
Illustrative Plan (Unfunded) Total					**$791,740,000**

Figure 7.14 Illustrative Plan (Unfunded) Urban Roadway Capital Projects



Trails

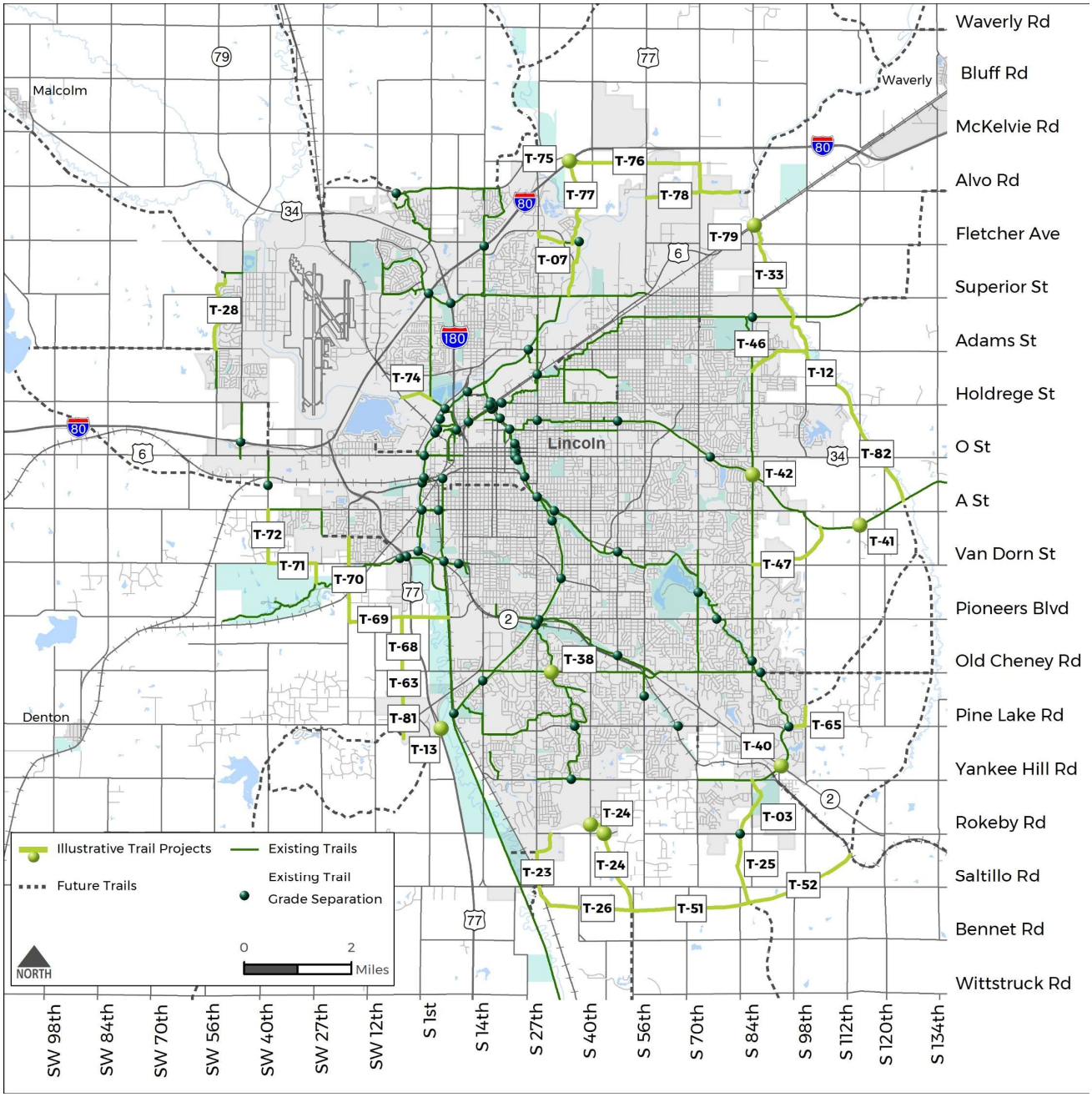
The remaining Trail Projects that are not expected to be funded within the 2050 Fiscally Constrained Plan are included as Illustrative projects in the LRTP, as depicted on **Figure 7.15** and listed in **Table 7.19**. The timing and priority of these projects may change depending on opportunities for funding.

Table 7.19 Illustrative Plan (Unfunded) Trail Projects

Project ID	Trail Name	Limits	Description	Project Cost (2021$)
T-07	Landmark Fletcher	33rd St & Superior St to 27th St	New Trail; Sidepath	$700,000
T-28	NW 56th Street Trail	W Adams St to W Superior St	New Trail	$600,000
T-75	Arbor Road Trail	N 14th St to I-80 with grade separation at I-80	Sidepath and Grade Separation	$600,000
T-76	Arbor Road Trail	I-80 to Salt Creek Trail	Sidepath	$2,400,000
T-38	Tierra Williamsburg	Old Cheney grade separated crossing	Grade Separation	$1,200,000
T-77	Little Salt Creek Trail	Arbor Rd to Landmark Fletcher	New Trail	$2,000,000
T-79	Stevens Creek Trail	Salt Creek Trail to Cornhusker Hwy with grade separation of Cornhusker Hwy	New Trail	$1,000,000
T-47	Van Dorn Trail	S 84th St and Van Dorn to S 106th and MoPac Trail	New Trail	$1,200,000
T-26	South Beltway Trail - Phase I	S 27th St to S 56th St	New Trail	$1,500,000
T-74	Oak Creek Trail	Saline Wetlands Nature Center to N 1st St	New Trail	$300,000
T-78	Salt Creek Trail	N 56th St to Stevens Creek	New Trail	$900,000
T-13	Cardwell Branch Trail	GPTN Connector to Folsom Trail	New Trail	$800,000
T-65	Pine Lake Rd/S 98th St	Billy Wolff Trail to Napa Ridge Dr	Sidepath	$300,000
T-63	Folsom Street	W Old Cheney south 1/2 mile	Sidepath	$65,000
T-71	Van Dorn St	SW 40th St to Prairie Corridor Trail	Sidepath	$500,000
T-23	S 27th Street Connector	Rokeby Rd to South Beltway	New Trail	$800,000
T-40	S 91st Street Trail	Hwy 2 grade separated crossing	Grade Separation	$2,200,000
T-25	S 84th Street Connector	Rokeby Rd to South Beltway	New Trail	$700,000
T-72	SW 40th St	Van Dorn St to W A Street	Sidepath	$350,000
T-46	Prairie Village Trail	N 84th St to Stevens Creek, South of Adams	New Trail; Sidepath	$500,000
T-24	S 56th Street Connector	Rokeby Rd to South Beltway	New Trail	$1,200,000
T-33	Stevens Creek	Murdock trail to Hwy 6	New Trail	$1,000,000
T-82	Stevens Creek	Waterford Trail to MoPac Trail	New Trail	$1,700,000

Project ID	Trail Name	Limits	Description	Project Cost (2021$)
T-70	Coddington Ave	Pioneers Blvd to South St	Sidepath	$650,000
T-41	Mo Pac Trail	S 112th Street grade separated crossing	Grade Separation	$1,210,000
T-42	Mo Pac Trail	S 84th Street grade separated crossing	Grade Separation	$1,700,000
T-81	Folsom Street Connector	1/2 mile north of W Denton Rd to Cardwell Branch Trail	Trail	$800,000
T-12	Stevens Creek	Murdock Trail to Waterford Trail	New Trail	$1,300,000
T-68	Folsom St	Old Cheney to Pioneers Blvd	Sidepath	$350,000
T-69	Pioneers Blvd	Jamaica North Trail to Coddington Ave	Sidepath	$700,000
T-51	South Beltway Trail - Phase II	S 56th St to S 84th St	New Trail	$3,500,000
T-03	Woodlands	Jensen Park to Rokeby Rd	New Trail	$500,000
T-52	South Beltway Trail - Phase III	S 84th Street to Hwy 2	New Trail	$3,500,000
Illustrative Plan (Unfunded) Total				**$36,725,000**

Figure 7.153 Illustrative Plan (Unfunded) Trail Projects



Transit

The Illustrative Plan includes full implementation of the future phases of improvements identified in the TDP. The following transit projects and services are included as Illustrative (unfunded) projects. The Illustrative Plan will be updated upon completion of the TDP update in 2022.

Multimodal Transportation Center

A Multimodal Transportation Center (MMTC) will provide a high level amenity for StarTran bus riders, bicyclists who desire to use transit when they travel, pedestrians as an information center and travel hub, and other transportation providers. A MMTC would also provide a strong and permanent statement of intent on the part of Lincoln to become a multimodal friendly community.

The MMTC would function as a bus transfer center, StarTran administrative office, bicycle storage facility, bike share facility, and likely offer space for supportive retail and taxi stands benefitting all of the City of Lincoln. The proposed location for a MMTC would be in downtown Lincoln to improve connections between people and centers of employment, education, and services. Such a center would support more convenient, safe, and easy bus passenger transfers. Having a transfer facility with administrative and operational staffing would also discourage criminal activity and attract more transit riders.

Maintenance Facility and CNG Fueling Station

StarTran will need a new bus maintenance and storage facility. Currently, the bus maintenance and a significant portion of the bus storage facility are well beyond the reasonable building life. The facility, built in the 1930s, is located within the South Haymarket Neighborhood Plan area. The area would be redeveloped into a mixed residential/commercial district.

StarTran has applied for $19.9 million under FTA Grants for Buses and Bus Facilities Program to fund design and construction of a new bus maintenance and storage facility. The first phase of this project includes construction of a CNG fueling facility.

Other Transit Enhancements

The TDP identifies additional transit enhancements including:

- An expansion plan for increasing service on key routes and adding vehicles
- Bus Rapid Transit in high use corridors such as O Street and 27th Street
- Technology improvements to enhance customer knowledge and trip planning with passenger information systems
- Consideration of private transportation options such as Uber or Lyft to enhance customer travel and to transport customers at the end of the bus line to their final destinations
- Consideration of different fuel types and propulsion systems such as electric buses as a means of reducing GHG emissions and lowering fuel costs
- Study of the potential for using existing rail corridors, such as Highway 2 and Cornhusker Highway, for light rail
- Consideration of intercity transportation between Lincoln and Omaha

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER	FINAL ACTION?
Text Amendment #23012	No
PLANNING COMMISSION HEARING DATE	RELATED APPLICATIONS
December 6, 2023	None

RECOMMENDATION: APPROVAL

BRIEF SUMMARY OF REQUEST

The Lancaster County Board of Commissioners requests an amendment to the Lancaster County Zoning Regulations and the Lancaster County Subdivision Regulations to require all new local streets in the county to be private roadways. This amendment also clarifies the required right-of-way width for major streets in the County along with several minor updates. This application is to amend Article 14 Community Unit Plan and Article 19 Board of Zoning Appeals of the Lancaster County Zoning Regulations. It also proposes to amend Chapter 2 Definitions, Chapter 4 Design Standards, Chapter 5 Minimum Improvements, and Chapter 7 Form of Preliminary Plat of the Lancaster County Subdivision Regulations.

JUSTIFICATION FOR RECOMMENDATION

The County faces financial challenges to maintain public streets and bridges in Lancaster County. Several bridges have been closed for years due to the cost of replacement or repair. By eliminating the option for the creation of public local streets, there will be fewer new public local streets for the County to maintain.

APPLICATION CONTACT

Lancaster County Board of Commissioners

STAFF CONTACT

Tom Cajka, 402-441-5662 or tcajka@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

This proposal will only impact the Lancaster County zoning jurisdiction. The proposal shifts the burden to maintain future new public local streets from the public to individual property owners, who will need to be aware of the need to deal with proper maintenance of a private roadway with this change. The amendment would be inappropriate for the City's zoning jurisdiction, where connectivity and the potential for future inclusion in the Lincoln city limits are different considerations. The amendment will result in some inequitable circumstances where many property owners have the streets in their subdivision maintained by the public, while other owners will need to maintain the streets at their own expense. However, in the County zoning jurisdiction the need to conserve public resources to maintain existing streets and bridges has led to the proposal to eliminate any new public local streets.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Policies Chapter

Page 4.25 Policy 12 - Economic Growth: Promote and foster appropriate, balanced, and focused future economic growth that maintains the quality of life of the community.

Action Steps

6. Explore additional opportunities for streamlining the zoning and building permitting processes.

Page 4.31 Policy 17- Strive for predictability for neighborhoods and developers.

Action Steps

1. Continue to make updates as needed to zoning and subdivision ordinances, along with design standards, to

support economic development, complete neighborhoods, and other PlanForword initiatives.

ANALYSIS

1. This text amendment is at the request of the Lancaster County Board of Commissioners and has the support of the Lancaster County Engineering Department. This amendment will require all new streets under County zoning and subdivision regulations be private roadways. Public streets will not be allowed in any new developments that were not previously approved. It amends Article 14 Community Unit Plan in the Lancaster County Zoning Regulations. It also amends Chapter 2 Definitions, Chapter 4 Design Standards, Chapter 5 Minimum Improvements, and Chapter 7 Form of Preliminary Plat.
2. This proposed change will not affect developments that are approved or in process. If a preliminary plat or Community Unit Plan was approved with public streets and has not yet developed, public streets will still be allowed. Previously approved subdivisions can still submit final plats that include local public streets.
3. The proposed change will not affect areas within 3 miles of Lincoln or in the one-mile zoning jurisdiction of all the incorporated towns in the county. Lincoln has zoning and subdivision jurisdiction 3 miles beyond the city limits. Developments within Lincoln's jurisdiction would still be allowed to have public streets. All incorporated communities in the county, such as Waverly, Hallam, Hickman and Bennet have zoning and subdivision jurisdiction one mile beyond their corporate limits.
4. By requiring all new roads to be private roadways, the county will stop adding more public local streets to their maintenance obligations. The County will continue to maintain all section line or arterial streets in the County, such as N 14th Street, S 112th Street, Bennet Road or Bluff Road.
5. Per Resolution R-19-0051, the Lancaster County Engineering Department only maintains public streets if there are at least six platted lots with dwellings and 60 percent of the lots are occupied. In some circumstances the property owners have to maintain a public street while waiting for 60% of the lots to be occupied. In small subdivisions with five or fewer lots, the property owners end up maintaining the local public street permanently. Several residents under these circumstances have questioned why local residents have to maintain a public street and what is their legal liability if the condition of the public street results in a motor vehicle crash.
6. As an example of the current circumstance, there were 13 residential developments approved between 2012 and 2022 in the County outside of Lincoln's 3-mile zoning jurisdiction. Ten of the 13 developments had 6 or more lots. Of those ten developments there were 6.15 miles of public streets to be created that the County will be responsible for maintaining in the future.
7. For background information and consideration, requiring all new roads to be private roadways could have negative consequences for County residents in those subdivisions. The property owners within the development will be required to maintain the private roadways. Homeowners typically set dues through a Homeowners Association (HOA) to maintain the private roadway. However, property owners at times have difficulty collecting HOA dues from all property owners in a subdivision. There have also been circumstances where the HOA ceased to function at all. Either circumstance can result in poorly maintained roads. Planning staff are often contacted by property owners on private roadways asking if the City or County could take over maintenance. These inquiries often strive to change the private roadway to a public street due to issues of maintenance cost and poor road conditions.
8. In some circumstances, an HOA is never formed by the developer. This has meant individual property owners end up maintaining the street with little to no financial help from their neighbors. Those owners who take it upon themselves to maintain the street then often complain about the inequity of a few people maintaining the street that benefits the public and other neighbors. A result of this is private roadways can be poorly maintained in the future. Unlike streets maintained by professional and experienced County Engineering staff, private roadways will rely on homeowners to decide on how to maintain the streets.
9. All private roadways are required to have a public access easement. Sometimes the private roadway will connect to a public street or another private roadway. Subdivisions need to be connected for public safety response purposes and to reduce the number and length of trips on arterial streets. When there are private roadways connecting to public streets or other private roadways, homeowners in an HOA have complained that "public"

traffic from adjacent connecting streets use their private road causing an impact on their road without helping to pay for maintenance. This then leads to opposition to streets connecting between subdivisions.

10. There have been subdivisions approved in the County jurisdiction with private roadways in the past. In these instances, the developer requests the approval of the private roadway, but it is not required. They may find a private roadway is useful for promotion and lot sales, though the public is still allowed use of a private roadway. The only aspect that is private regarding a private roadway is the maintenance responsibility. In many of these subdivisions the private roadways are maintained without complaint. It is not known what the current condition is of most of private roadways.

11. A private roadway can be built as either a gravel or hard surfaced, depending upon the lot size within the subdivision. Crushed rock/ gravel roadways may provide a lower cost maintenance option on private roadways when allowed.

12. According to the County Engineering Department, the County maintains 43 miles of dirt road, 1,047 miles of gravel roads, and 290 miles of asphalt roads. The majority of these miles are section line or arterial streets. They estimate about 70 of the total miles are in local streets in subdivisions.

13. It should be noted that both the City and County jurisdiction zoning regulations allow the creation of additional residential "acreage" lots. These lots, along with the growing number of trips from the incorporated communities will continue to add vehicles to the arterial street network. This in turn adds to the demand for more paved County arterial streets. The County's proposal to ban new public local streets will have a small near-term impact on the overall demands of County street and bridge maintenance budget. The goal with this amendment is that in the long term, by banning new public local streets, after many years the County will reduce the amount of increased need to maintain public local streets.

14. The proposal only impacts the County jurisdiction. In the City's zoning jurisdiction, it would be inappropriate to ban the creation of public streets. The Lincoln/Lancaster County Comprehensive Plan includes a growth tier map showing the City's long term growth areas. The City has a three-mile zoning jurisdiction to have logical development and infrastructure to permit the growth of the City. This also helps reduce the cost of future annexations on residents who are currently outside of the city limits.

15. In the City zoning jurisdiction, it is important that public streets are created to maintain connectivity to adjacent subdivisions or land being held for future development. This allows the adjacent land to develop or redevelop in the future after the land has been annexed and city utilities have been extended. Requiring only private roadways would create considerable challenges to the future growth of the city where urban densities ultimately will be developed.

16. Connectivity between subdivisions in the future urbanizing area is important for public safety and to reduce the number of trips on the arterial streets. The subdivision ordinance is based on there being at least two routes for emergency providers to reach an address. But owners adjacent to private roadways often oppose connectivity. Since they maintain the private roadway, they often claim the streets shouldn't be connected to any other subdivisions.

17. Since the proposal does not address the City of Lincoln and other incorporated communities, there will continue to be more new public local streets in these jurisdictions. Most acreage subdivisions creating public streets are in the City of Lincoln's zoning jurisdiction. Acreage subdivisions in the Lincoln jurisdiction may be in the city limits some day and could be urbanized. Lincoln has specifically required public streets so there are connections between subdivisions. These new public local streets, if outside the city's corporate limits, will be maintained by the County in conformance with County resolutions.

Additional Amendments within this proposal:

18. In addition to the amendments related to streets, Article 19 Board of Zoning Appeals (BZA) is being amended to remove the requirement that the resolution be filed at Register of Deeds within 60 days after approval to the resolution is null and void. Most times the applicant is a property owner and is not familiar with the process. Recently a property owner had to go to the BZA a second time because they were not aware of this requirement.

The amendment would change the requirement to file the resolution prior to any building permit.

19. The proposed text amendment also amends the Lancaster County Subdivision regulations to clarify which major streets require 100 or 120 feet of right-of-way by providing a map showing this information. Currently, Section 4.03 of the Subdivision Regulations states that major roads and streets shall have 100' of right-of-way as shown on the future street and road network maps in the Comprehensive Plan. The Right-of-Way map in the Comprehensive Plan does not include streets outside of Lincoln's 3-mile jurisdiction. This new map will clarify which roads are to have either 100' or 120' of right-of-way outside of Lincoln's 3-mile jurisdiction.
20. The new right of way map is also part of the subdivision ordinance amendment. It includes streets primarily outside of the City's 3 mile zoning jurisdiction. As a result, the right-of-way designations for many streets abruptly end and then resume several miles later outside of the City's jurisdiction. An exhibit is attached showing the proposed County designations along with the right-of-way designations in the City. The exhibit that includes the City designations is not part of the amendment to the County subdivision regulations.
21. The proposed text amendment also includes some minor changes. Article 14 Community Unit Plan (CUP) Section 14.013(O)(9) removes the requirement for a plan showing proposed streets, parking areas, buildings, and location of existing trees. Most of these requirements are already identified in other sections of 14.013. The requirement to show existing trees or tree masses is often waived.
22. Another proposed change in Article 14 is in Section 14.013(O)(11) to remove the requirement of informing the County Board if the location of where fill is being obtained is not from the original proposed location. This is not necessary as a CUP requires a grading plan. If the grading plan is amended this would require an amendment to the CUP to be submitted to the Planning Department. In addition, if fill is being brought in from off-site it would require a special permit for soil excavation to be approved for that site. The exact location of the fill has not been deemed necessary as part of the process.
23. As of this date, additional information in support of the application from the County Engineering Department has not yet been received. If additional information is received, it will be forwarded in advance of the hearing.

Prepared by Stephen Henrichsen, Development Review Manager

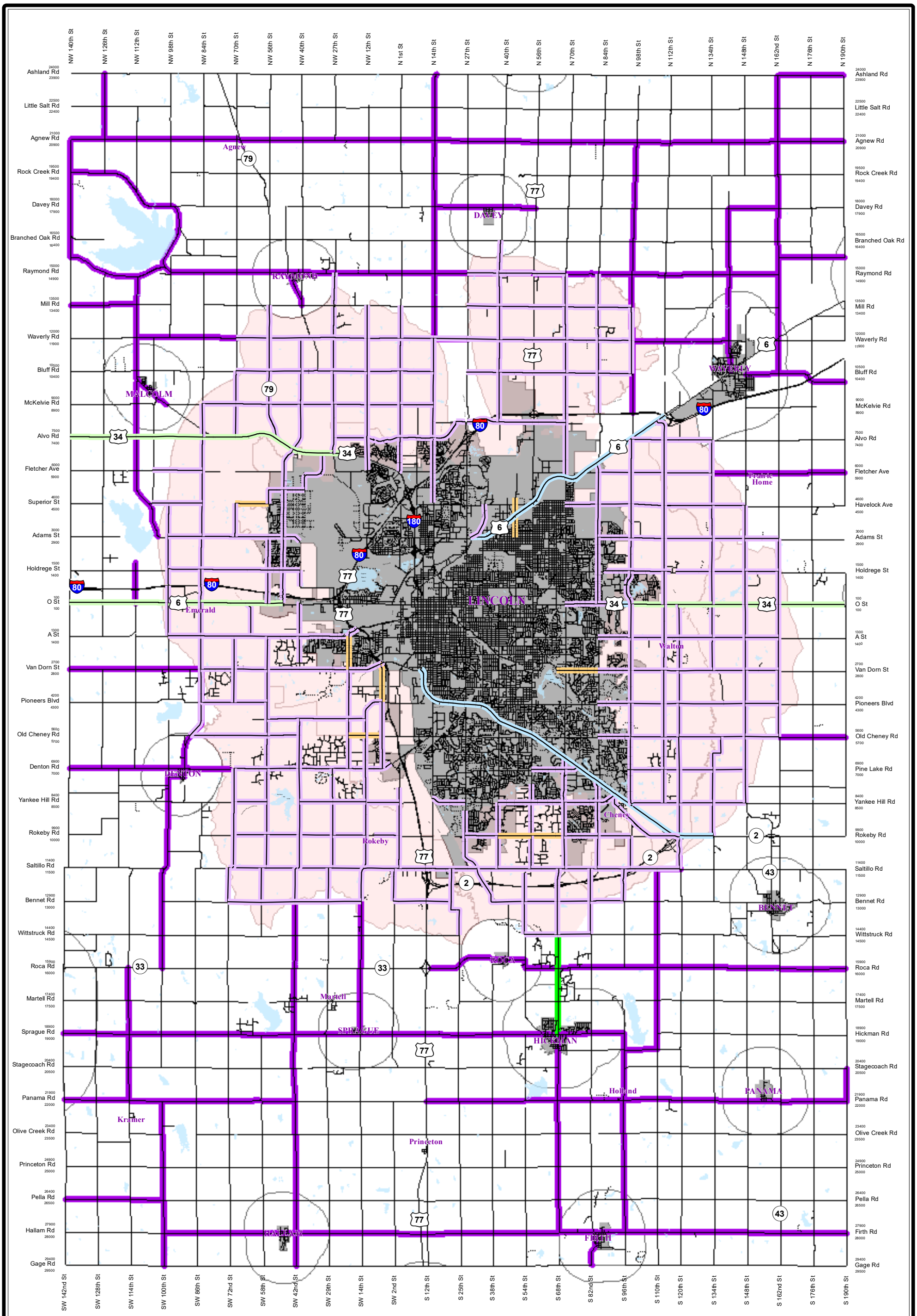
shenrichsen@lincoln.ne.gov, 402-441-6374

Date: November 28, 2023

Applicant: Lancaster County Board of Commissioners
555 S 10th Street, Room 112
Lincoln, NE 68508
402-441-7447

Contact: Dave Derbin
555 S 10th Street, Room 112
Lincoln, NE 68508
402-441-7447

https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/TX/23000/TX23012 County roads.tjc.docx



LANCASTER COUNTY COMPOSITE ROW

Incorporated Place

Comp Plan Growth Area

ROW Standard, 100 feet

ROW Standard, 120 feet

ROW Standards

100 ft

120 ft

140 ft

200 ft

300 ft

0 1 2 4 Miles

LINCOLN - LANCASTER COUNTY
PLANNING DEPARTMENT
Information Technology Services
555 South 10th Street
Lincoln, Nebraska 68508
Ph: 402.441.7491 Fax: 402.441.6377

N W E S

ARTICLE 14 COMMUNITY UNIT PLAN

14.003. General Requirement

The owner or owners of any tract of land in the "R" Zoning District which is one acre or more in area, including and up to the center line of existing public rights-of-way abutting the tract of land, or in the "AG" Zoning District which is seventy-five (75) acres or more, or in the "AGR" Zoning District which is ten (10) acres or more in area, may submit to the Planning Commission a plan for the use and development thereof for residential purposes or for the repair and alteration of any existing residential development; provided, however, that the Planning Commission shall apply the standards contained in this chapter in consideration of all applications for community unit plans. The plan may propose a modification of height and area of regulations of the district in which the community unit plan is located. In the AG District for lots five (5) acres or less the height and area regulations of the AGR District shall apply unless modified by the Community Unit Plan. (Resolution No. R-11-0023, March 29, 2011; Resolution No. R-17-0040, May 30, 2017;)

a. Community unit plans in the "AG" and "AGR" zoning district shall provide access to each residential lot from a ~~private or public~~ roadway; except in unique circumstances, no direct access for any residential lot to a County section line, or half section line, roadway is allowed. (Resolution No. R-12-0058, July 24, 2012)

b. In the "AG" zoning district, a minimum of fifty percent (50%) of the total area in the subdivision must be preserved as an outlot to be used as open space, for agricultural uses, common facilities and/or a Solar Energy Conversion System and all necessary appurtenances thereto. (Resolution No. R-12-0058, July 24, 2012; Resolution No. R-21-0060, September 7, 2021)

c. A dwelling unit bonus of up to twenty five percent (25%) may be granted under the following circumstances: (Resolution No. R-12-0058, July 24, 2012)

    1. A community unit plan in the "AGR" zoning district where at least twenty percent (20%) of the land is preserved as an outlot to be used as open space, for agricultural uses, common facilities and/or for a Solar Energy Conversion System and all necessary appurtenances thereto and community sanitary sewer facilities are proposed, or; (Resolution No. R-12-0058, July 24, 2012; Resolution No. R-21-0060, September 7, 2021)

    2. A community unit plan in the "AG" zoning district where at least seventy percent (70%) of the land is preserved as an outlot to be used as an open space, for agricultural uses, common facilities and/or for a Solar Energy Conversion System and all necessary appurtenances thereto or; (Resolution No. R-12-0058, July 24, 2012; Resolution No. R-21-0060, September 7, 2021)

    3. A community unit plan in the "AG" zoning district where at least fifty percent (50%) of the land is preserved as an unbuildable outlot, and that outlot includes: (Resolution No. R-12-0058, July 24, 2012)

        i. Green space, environmental resources or agricultural stream corridor areas as designated in the Future Land Use Maps of the Lincoln City - Lancaster County Comprehensive Plan which are permanently protected, or; (Resolution No. R-12-0058, July 24, 2012)

ii. Areas which can be shown to be environmentally sensitive and in need of preservation, whether or not they are shown in the Plan, when the applicant shows a means for permanently protecting those areas. (Resolution No. R-12-0058, July 24, 2012)

For purposes of calculating dwelling unit bonuses in community unit plans, any final dwelling unit calculation which is greater than or equal to fifty hundredths (0.50) shall be rounded up to the next whole number. (Resolution No. R-12-0058, July 24, 2012)

14.009. Requirements after Approval

Upon approval of the community unit plan, the developer shall cause to be prepared and submitted to the Planning Department a revised and reproduceable final plot plan with all required amendments and revisions. Thereafter, building permits and certificates of occupancy shall be issued only upon strict compliance with the community unit plan as approved or as amended, regardless of any regulations to the contrary with regard to the height and location of buildings, yard requirements, type of dwelling unit, accessory uses and the fronting of lots upon ~~public streets~~ a roadway set forth elsewhere in this title and applying to the zoning district or districts in which the community unit plan is located. (Resolution No. R-11-0023, March 29, 2011)

14.013. Form of Community Unit Plan

A plot plan shall be accurately, clearly and legibly drawn on tracing cloth or mylar in a sufficient size and scale to show the details of the plan clearly and shall contain the following information:

a. A surveyor's certificate certifying the accuracy of the boundary survey shown thereon and a certificate for showing the Planning Commission's approval or disapproval, and a certificate for the County Clerk to show the approval or disapproval by the Planning Commission, including the date and resolution number; (Resolution No. R-11-0023, March 29, 2011)

b. Date prepared, north point, scale of plot plan and location of section lines and section corners;

c. Contour lines at intervals not to exceed five (5) feet based on County data. Spot elevations on a 100-foot grid shall be required to fully indicate the topography on flat land;

d. Locations, name, tangent lengths, center line radius of each curve and its interior angle and width of all proposed and existing ~~streets,~~ highways, ~~private~~ roadways and other public ways within and adjacent to the development;

e. Locations and widths of all existing and proposed easements for drainage, sewers and other public utilities and if appropriate, access easements;

f. Location, width and direction of flow of all watercourses in and adjacent to the community unit plan, including the limits of the flood plain and floodway as defined in ARTICLE 11;

g. The location and size of all existing and proposed sanitary and storm sewers, culverts, water mains, fire hydrants and existing power lines and other underground structures or cables within the tract of land and adjacent streets;

h. All lot lines, building setback lines for all lots, dimensions of all lot lines and building envelope lines. Chord distance shall be shown for lot lines abutting curvilinear streets;

i. Lot numbers shall begin with the number (1) and shall continue consecutively through a block with no omission or duplication. Blocks shall be numbered in the same manner. Letters shall be used to designate outlots in alphabetical order;

j. Proposed areas for parks and playgrounds. Any parcels other than streets which are to be dedicated or reserved for public use shall be clearly shown and said parcels shall be designated as outlots and assigned an alphabetical designation;

k. The location of all proposed and existing sidewalks, walkways and other pedestrian ways;

l. Location, height and uses of proposed and existing buildings with an indication as to whether an existing building is to be removed or to remain;

m. A certified accurate boundary survey showing sufficient linear, angular and curve data to determine the bearing and length of all boundary lines of the community unit plan. Where the tract of land abuts on an existing plat, the distances, angles and bearing of any common lines be shown and any differences in measurement, noted. The total calculated acres within the boundaries of the community unit plan shall be shown;

n. The following data shall be shown on each sheet of the community unit plan:

    1. The name of the community unit plan;
    2. The name, address and telephone number of the person or company responsible for preparation of the community unit plan;
    3. North arrow, scale, date;
    4. Sheet number and the total number of sheets comprising the community unit plan;

o. Accompanying the community unit plan, the following information shall be submitted to the Planning Department with the number of copies requested by the Planning Director:

    1. Name, address and telephone number of developer;
    2. Certified record owner or owners and their addresses;
    3. Legal description of the proposed community unit plan, including the number of acres;
    4. Statement of present zoning and proposed use or uses of the property;
    5. Profiles along the center line of the proposed streets and private roadways which show the existing ground surface elevations and the proposed street grades including the length of vertical curves between changes in grade with the profiles for stub streets ending at the boundary of the community unit plan to be extended three hundred (300) feet beyond the limits of the community unit plan into subdivided and unsubdivided land;
    6. The proposed method of providing sanitary sewer service to the area:
        i. If a public or community sewage system is established, the size and location of all proposed sanitary sewers the proposed manhole locations, any necessary extension to the existing public system or to the proposed community sewage treatment facility, and the location of the proposed community sewage treatment facility;
        ii. If the use of individual sewage disposal systems is permitted pursuant to Resolution No. 2382 and amendment thereto of Lancaster County, plans for the proposed disposal system and its location on each lot must be shown. If a septic tank system is proposed, soil and percolation data and plans which show the location of one main subsurface disposal field for each lot which is proposed to be served by a septic tank system shall be shown.

7. The proposed method of providing an adequate potable water supply:
    i. If a public or community water system or rural water district is proposed, the location and size of all water mains, hydrants, and necessary extensions of the system within or beyond the limits of the subdivision to connect to the existing water mains or to the community well.
    ii. If a community water system other than a rural water district is proposed, data on the quantity and quality of the water shall be obtained from a test well within the immediate vicinity of the proposed water supply well.
    iii. If an individual water well system for each lot is proposed, the applicant shall provide information on the expected quantity and quality of the water in the proposed development for Lincoln-Lancaster County Health Department (LLCHD) review. The information shall include geological and hydrological data obtained from public records on wells located within a reasonable distance from the proposed development as well data obtained from a test well or test wells located withing the proposed development. The LLCHD may waive the test well requirement within the proposed development if satisfactory geological and hydrological information has been provided surrounding the proposed development. Information shall include: well logs; an inventory of wells on contiguous land; a map or maps showing precise locations of the wells ; estimates of the demand for water by the proposed subdivision; an evaluation of the adequacy of the quantity and quality of water of the proposed community well or individual wells. The LLCHD may require additional water quality tests based on potential contamination known to be in the area. Acceptable quality shall mean water that may contain impurities or contaminants that can be treated, removed, or reduced to safe levels that meets the US EPA National Primary Drinking Water Regulations Maximum Contaminant Levels. The LLCHD shall make a recommendation to the Planning Commission or County Board based on this information. This recommendation shall not be construed to guarantee the quantity or quality of water to individual lots in the proposed subdivision. (Resolution No. R-18-0078, November 20, 2018)
8. A drainage study prepared in accordance with any approved Storm Sewer Design Standards of the County on file with the County Clerk. The following items must be included in the drainage study:
    i. A map showing the drainage area and resulting runoff from any land lying outside the limits of the community unit plan which discharges storm water runoff into or through the community unit plan;
    ii. A map showing all internal drainage areas and resulting runoff;
    iii. Proposals as to how the computed quantities of runoff will be handled;
    iv. A copy of the drainage computations.
~~9. A map or an aerial photograph showing the proposed streets, private roadways, driveways, parking areas, building and lots which includes the location and identifies, by common name, all existing trees within the area of the community unit plan. Single trees which are three (3) inches in caliper or larger measured five (5) feet~~

~~above the ground must be shown. However if the five (5) or more trees are located so that each end is within approximately ten (10) feet of the edge of another tree, they will be considered a tree mass and the outline of the tree mass may be shown with a list of the common names of the trees which are within the tree mass. If the above-stated procedure is followed, the individual location of each tree within the tree mass is not necessary. An indication shall be made on the map showing which trees or tree masses are to remain and which trees or tree masses are to be removed;~~

10. A vicinity sketch showing the general location of the community unit plan in relation to existing streets, section lines and county limits;
11. Site grading plan showing existing and proposed contour lines with intervals at no greater distance than five (5) feet, and if necessary, spot elevations showing complete proposed grading of the community unit plan. Also, cross-sections may be required showing existing and proposed ground lines and buildings. Information as to where fill will be obtained and the amount of the fill shall be included if all or part of the property is located within the flood plain as defined in ARTICLE 11. ~~If the proposed location from which said fill is obtained is later to be changed, the developer shall inform the County Board of the location of the proposed new borrow area and obtain approval thereof from the County Board;~~
12. All deviations from the provisions of this article shall be fully set forth and reasons given for said deviations;
13. In the event that said real property is located within a flood plain, the developer shall comply with all requirements pertaining to flood plains contained in the Lancaster County Zoning Regulations and applicable state statutes. (Resolution No. R-18-0078, November 20, 2018)

p. A Computer-Aided Design (CAD) file representing only the preliminary plat boundary survey and street centerlines shall be submitted that complies with the CAD File Submittal Standards maintained by the Lancaster County Engineer.

ARTICLE 19 BOARD OF ZONING APPEALS

19.009

In exercising its appellate jurisdiction, such Board may, in conformity with the provisions of this resolution, reverse or affirm, wholly or partially, or may modify the order, requirement, decision, or determination appealed from and may make such decisions as ought to be made. In considering all petitions for variances or exceptions under this resolution, the Board shall, before making any finding in a specific case, first determine that the proposed change will not constitute a change in the District Map and will not impair an adequate supply of light and air to adjacent property, or increase the congestion in public streets, or increase the public danger of fire and safety, or materially diminish or impair established property values within the surrounding area, or in any other respect impair the public health, safety, comfort, and welfare of Lancaster County. In making a determination, the ~~b~~Board may request information and recommendations from any department of Lancaster County. Every decision of the Board of Zoning Appeals shall be accompanied by a written finding of fact based on testimony and other evidence,

specifying the reason for granting or denying the variation. In the event that the proposed variance or exception is denied by the Board of Zoning Appeals, no new request shall be made for the same or substantially similar variance or exception within one year of said denial thereof, Every decision of the Board of Zoning Appeals, accompanied by the written findings of fact, shall be transmitted to the County Clerk by the Board within one week after such actions ~~have~~ has been taken. Any decision granting an appeal or a petition for a variance or an exception shall be by resolution of the Board, a certified copy of which shall be filed with the Register of Deeds by County staff. ~~the petitioner at the expense of the petitioner within sixty (60) days after such approval, or such approval shall be null and void~~.

LANCASTER COUNTY SUBDIVISION

CHAPTER 2 DEFINITIONS

Sec. 2.24. PLANNING DIRECTOR

Planning Director shall mean the administrative head of the Planning Department as provided by Section 23.174.04 Reissue Revised Statutes of Nebraska 1943 and as provided by Resolutions of the Board of County Commissioners of Lancaster County, Nebraska.

Sec. 2.25. Private Roadway

Private roadway shall mean a street or road with a public access easement that is privately owned and maintained.

Sec. 2.25~~6~~6. SUBDIVISION

Subdivision shall mean the division of a lot, tract or parcel of land into two or more lots, sites or other divisions of land for the purpose, whether immediate or future, of ownership of building development, except that the division of land shall not be considered to be subdivision when the smallest parcel created is more than ten (10) acres.

Sec. 2.26~~7~~7. TEMPORARY DEAD-END STREET OR ROAD

Temporary dead-end street or road shall mean a street which is terminated at the boundary line of the subdivision, but which will be required to be extended at a later date to provide access to abutting land.

Sec. 2.27~~8~~8. TEMPORARY TURNAROUND

Temporary turnaround shall mean a surfaced area for the turning of vehicles at the end of a temporary dead-end street or road.

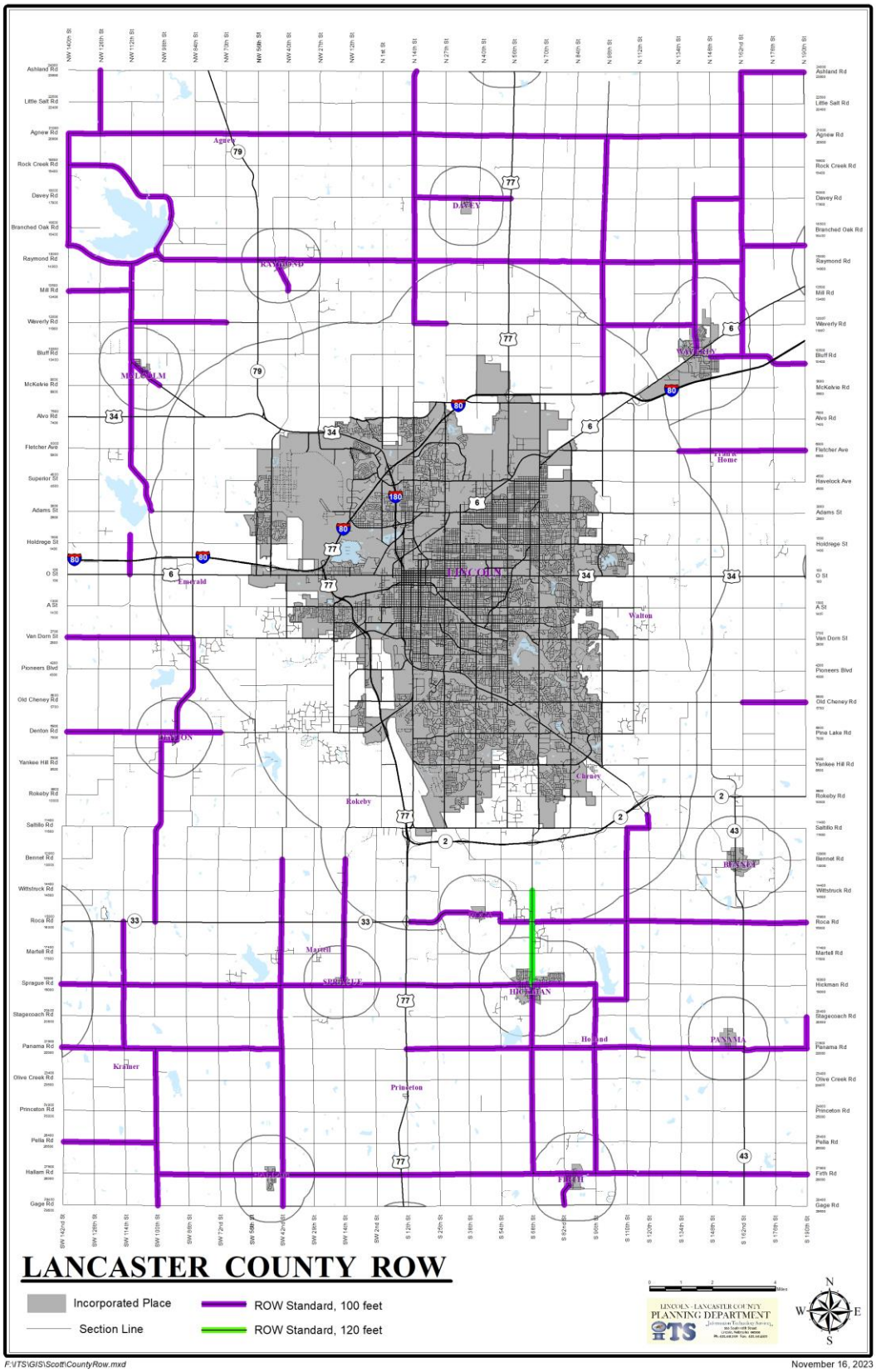
CHAPTER 4 DESIGN STANDARDS

Sec. 4.03. STREET, ROAD AND OTHER RIGHT-OF-WAY.

The location of major highways, streets, roads and other rights-of-way shall conform to the locations designated in the Comprehensive Plan.

The minimum right-of-way widths shall be as follows:

Type	Right-of-Way Width
State and Federal Highways	180 feet
Major roads and streets (~~Paved and potential paved streets and roads shown on future Street and Road Network Maps in the Comprehensive Plan.)~~ **Refer to map below**	~~100 feet~~
Local roads and streets	60 feet
Cul-de-Sacs	60 foot radius
Alleys	20 feet
Private Roadways	60 feet in outlot with public access easement
Section line roads not shown on Right-of-Way map	66 feet


LANCASTER COUNTY ROW
Incorporated Place
Section Line
ROW Standard, 100 feet
ROW Standard, 120 feet
LINCOLN - LANCASTER COUNTY
PLANNING DEPARTMENT
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November 16, 2023

When streets and roads adjoin unsubdivided property, a half right-of-way at least thirty (30) feet in width may be dedicated. Whenever subdivided property adjoins a half right-of-way, the remainder of the street shall be dedicated. Half rights-of-way should be avoided.

In all cases of permanent dead-end streets and roads, cul-de-sac rights-of-way shall be dedicated. Streets and roads ending in a cul-de-sac shall not have more than a potential of forty (40) dwelling units nor be longer than one thousand (1,000) feet.

In the case of AG Preservation subdivisions, a minimum of fifty (50) feet of right-of-way shall be dedicated along all abutting County section line and one half (2) section line roads. (Resolution R-12-0059, July 24, 2012)

Alleys shall not be provided in a residential subdivision except under very unusual conditions. Alleys may be required in the rear of commercial lots. (June 26, 1990; Resolution No. 4653).

4.04. EASEMENTS.

Easements of at least five (5) feet in width shall be provided and dedicated on each side of rear lot lines and side lot lines, where necessary, and ten (10) feet along front lot lines where the lots would be better served from the front lot line, for poles, wires, conduits, storm drains, wastewater collectors, water, or other mains. Easements of greater width may be required along or across lots where necessary for the extension of mains, sewers, or other utilities. Power and communication easements shall be separate from other easements except at crossings.

Shared driveways for AG Preservation lots shall have a minimum of sixty (60) foot wide public access, utility and maintenance easement as described in Section 4.15. (Resolution R-12-0059, July 24, 2012)

Private roadways shall be within an outlot and have a minimum of sixty (60) foot wide public access, utility, and maintenance easement.

Sec. 4.08. LOTS.

h. The residential lot arrangement of a subdivision shall be accomplished in such a manner that there will be no lots with a double frontage; i.e., a lot fronting on two non-intersecting ~~public~~ streets and roads. However, in circumstances where the subdivision abuts a major highway, street, or road, double frontage lots shall be required when no frontage road exists adjacent to or abutting on the major highway, street, or road, and access from the lot is only to an interior street. Where double frontage lots are allowed, the subdivider, the subdivider's successors and assigns shall relinquish the right of access from the lot to the major highway, street, or road, and place covenants and restrictions upon the land to run with the land relinquishing said access as approved by the County Attorney.

i. Every lot shall front upon and have access to a ~~public~~ street or roadway, ~~except lots may front upon and take access to a private roadway if said lots are located within an approved community unit plan~~ or upon the public access easement of a shared driveway if lots are part of an AG Preservation development. Private roadways for residential lots; (i) shall be located in an outlot having a minimum width of sixty (60) feet, (ii) shall also be subject to a public access easement, ~~(iii) are not encouraged where fewer than ten (10) dwelling units are proposed.~~ (Resolution R-12-0059, July 24, 2012; Resolution No. R-18-0079, November 20, 2018).

Sec. 4.10. MAINTENANCE RESPONSIBILITY OF PRIVATE COMMON FACILITIES.

Where the subdivision contains private roadways, sewers, sewage treatment plants, water supply systems, park areas, street trees, or other physical facilities necessary or desirable for the welfare of the area and which the County does not desire to maintain, provision shall be made for the proper and continuous maintenance and supervision of such facilities by the lot owners in the subdivision. All such maintenance agreements shall be incorporated in covenants and restrictions governing the subdivided property and shall be submitted to the County Attorney for approval prior to recordation with the Register of Deeds. Mowing and trimming of the seeded portion of the interior roads shall be the responsibility of the adjacent property owner. (June 26, 1990; Resolution No. 4653).

Sec. 4.14. STREET AND ROAD DESIGN.

a. Streets and roads within the subdivision shall conform to the Nebraska State Department of Transportation Public Roads Classification. State highways and other highways, roads, or streets designated in the Comprehensive Plan shall have a typical cross section as determined by the Nebraska Department of Transportation or the County Engineer. (Resolution No. R-18-0079, November 20, 2018).

b. Streets and roads within the subdivision shall have a vertical and horizontal alignment designed for a minimum speed of ~~25~~ 30 miles per hour. The vertical and horizontal design shall conform to the current AASHTO standards at the time the subdivision is being ~~proposed.~~ applied. The maximum grade shall be seven percent (7%) and the minimum grade shall be one-half percent (0.5%). (This section added by the Board of County Commissioners on June 26, 1990; Resolution No. 4653).

c. As of the effective date of this Section all streets and roads within new subdivisions shall be private roadways. The creation of public streets are not allowed unless part of a preliminary plat or Community Unit Plan approved prior to the effective date of this Section.

CHAPTER 5 MINIMUM IMPROVEMENTS

Sec. 5.01. STREET AND ROAD IMPROVEMENTS.

All streets, roads and public ways within the subdivision shall be graded to ~~the~~ current standards prescribed by the County Board ~~described in Resolution No. 3039~~ current standards or in CHAPTER 4 of these regulations~~. and shall be surfaced as follows:~~

~~a. When streets and roads are located within a platted area where the average lot size is one-half (2) acres or less, or where there are two or more dwelling units per acre, such roads shall be constructed in accordance with the City of Lincoln standards and regulations for residential streets and shall include curb and gutter.~~

~~b. When streets and roads are located within a platted area where the average lot size is less than 3.0 acres, but more than one-half (2) acre, such roads shall be hard surfaced with a type of material and thickness as specified by the Lancaster County Engineering Department. However, where additional traffic is anticipated, the County Engineer may specify other surfacing and an~~

~~increase in thickness. (Resolution #R-05-0037; March 29, 2005: Resolution #R-01-5; January 30, 2001).~~

~~c. Streets and roads located in platted areas which are not included in (a) or (b) above shall be surfaced with three (3) inches of crushed rock embedded into the subgrade during construction and one (1) inch of gravel. The crushed rock and the gravel shall conform to State of Nebraska Department of Transportation Standard Specifications for Highway Construction (1997 - English Units). (Resolution #R-01-5; January 30, 2001; Resolution No. R-18-0079, November 20, 2018).~~

~~Construction procedures for streets and roads shall conform to Nebraska Department of Transportation Standard Specifications for Highway Construction (1997 - English Units). The required density shall be ninety-five percent (95%) for gravel surface and one hundred percent (100%) for paved surface of the maximum dry density, and required moisture content shall be between optimum and optimum plus two percent (2%). (Resolution #R-01-5; January 30, 2001)~~

~~All construction shall be subject to inspection and approval by the County Engineer. (June 26, 1990; Resolution No. 4653).~~

CHAPTER 7 FORM OF PRELIMINARY PLAT

Sec. 7.03. ADDITIONAL REQUIRED INFORMATION.

Accompanying the preliminary plat submittal, the following information shall be submitted in a statement from the subdivider:

a. Any interest the subdivider has in the land surrounding the preliminary plat and the nature of such interest.

b. All requests to be submitted to the Board for special use permits, changes of zone, and vacations which are required to complete the development.

c. The name, telephone number, and mailing address of the subdivider, any other person the subdivider may want informed of the preliminary plat process, and any person authorized to act on the subdivider's behalf.

d. All deviations from this resolution and the adopted rules and regulations shall be set forth, reasons given for each deviation, reasons given on how the proposal meets the intent, and why the proposal should be accepted.

~~e. Whether or not the subdivider intends to request County maintenance of the roads within the subdivision following completion of the roads to the County's maintenance standards.~~