

# **Lincoln City - Lancaster County**

## **PLANNING COMMISSION AGENDA**

### **PLANNING COMMISSION**

Cristy Joy: Chair

Maribel Cruz : Vice Chair

Lorenzo Ball

Dick Campbell

Brett Ebert

Gloria Eddins

Bailey Feit

Richard Rodenburg

Cindy Ryman Yost

### **PLANNING STAFF**

David R. Cary: Director

Shelli Reid: Administrative Officer

Laura Tinnerstet: Admin. Aide

**October 15, 2025**

**NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, October 15, 2025, at 1:00 p.m. in the City Council Chambers on the first floor of the County-City Building, 555 S. 10<sup>th</sup> St., Lincoln, Nebraska. For more information, call the Planning Department, (402) 441-7491.**

The Lincoln-Lancaster County Planning Department will meet with Planning Commission members on Wednesday, October 15, 2025, at 12:00 p.m. in the Council Chambers, for a prebriefing of the Comprehensive Plan and Long-Range Transportation Plan. Public testimony will not be accepted at this briefing.

**\*\*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, October 15, 2025**

Approval of minutes of the regular meeting held [October 1, 2025](#).

**1. CONSENT AGENDA  
(Public Hearing and Administrative Action)**

**SPECIAL PERMITS**

1.1 SPECIAL PERMIT 25039, to allow for the Expansion of a Non Standard Structure for an addition to an existing single-family dwelling to be located within the required side yard setback, generally located at 4200 SW 12th Street. **FINAL ACTION**

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**Staff recommendation: Conditional Approval**

**Staff Planner:** George Wesselhoft, (402) 441-6366, [gwesselhoft@lincoln.ne.gov](mailto:gwesselhoft@lincoln.ne.gov)

1.2 SPECIAL PERMIT 25036, to allow parking associated with Sower Church within the front yard setback, on property generally located at 2640 R Street. **FINAL ACTION**

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**Staff recommendation: Conditional Approval**

**Staff Planner:** Ben Callahan, (402) 441-6360, [bcallahan@lincoln.ne.gov](mailto:bcallahan@lincoln.ne.gov)

**2. REQUESTS FOR DEFERRAL**

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

**4. PUBLIC HEARING AND ADMINISTRATIVE ACTION**

**TEXT AMENDMENT**

4.1 TEXT AMENDMENT 25012, amending the Lincoln Municipal Code, Chapters 26 and 27, to update the existing Pump Station Policy outlining eligibility requirements

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and standards to accommodate non-gravity wastewater treatment services.

**Staff recommendation: Approval**

**Staff Planner:** Steve Dush, (402) 441-5662, [sdush@lincoln.ne.gov](mailto:sdush@lincoln.ne.gov)

## **MISCELLANEOUS**

4.2 MISCELLANEOUS 25013, to review the proposed determination that the Lincoln Cornhusker Redevelopment Area be declared blighted and substandard as defined in the Nebraska Community Development Law. The study area is approximately 2,065 acres, generally located between N 56th Street on the east, Superior Street on the north, N 27th Street on the west, and Holdrege Street on the south.

**Staff recommendation: Finding of Substandard and Blighted Conditions**

**Staff Planner:** Andrew Thierolf, (402) 441-6371, [athierolf@lincoln.ne.gov](mailto:athierolf@lincoln.ne.gov)

4.3 MISCELLANEOUS 25014, to review the proposed determination that the Lincoln Cornhusker Blight Area meets the statutory definition of Extremely Blighted as defined in the Nebraska Community Development Law. The study area is approximately 2,065 acres, generally located between N 56th Street on the east, Superior Street on the north, N 27th Street on the west, and Holdrege Street on the south.

**Staff recommendation: Finding of Extremely Blighted Conditions**

**Staff Planner:** Andrew Thierolf, (402) 441-6371, [athierolf@lincoln.ne.gov](mailto:athierolf@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.**

\* \* \* \* \*

**Adjournment**

**PENDING LIST:** No items

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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>**

**The Planning Commission agenda may be accessed on the Internet at**

**<https://www.lincoln.ne.gov/City/Departments/Planning-Department/Boards-and-Commissions/Planning-Commission>**

## 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, September 23, 2025.*

<b>NAME OF GROUP:</b>	PLANNING COMMISSION
<b>DATE, TIME, AND PLACE OF MEETING:</b>	Wednesday, October 1, 2025, 1:00 p.m., Hearing Room 112, on the first floor of the County-City Building, 555 S. 10 <sup>th</sup> Street, Lincoln, Nebraska.
<b>IN ATTENDANCE:</b>	Dick Campbell, Maribel Cruz, Brett Ebert, Gloria Eddins, Bailey Feit, Cristy Joy, Cindy Ryman Yost, Ben Callahan, Shelli Reid, Laura Tinnerstet, and George Wesselhoff of the Planning Department, media, and other interested citizens.
<b>STATED PURPOSE OF MEETING:</b>	Regular Planning Commission Hearing

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

Chair Joy requested a motion approving the minutes for the regular meeting held September 17, 2025.

Motion for approval of the minutes made by Campbell; seconded by Eddins.

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

Chair Joy asked the Clerk to call for the Consent Agenda Items.

### **CONSENT AGENDA**

**PUBLIC HEARING & ADMINISTRATIVE ACTION  
BEFORE PLANNING COMMISSION:**

**October 1, 2025**

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

**The Consent Agenda consisted of the following item: Special Permit 16004C.**

**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 item. There was one individual who wanted to testify on Special Permit 16004C. Chair Joy stated that this item will be pulled from the Consent Agenda and moved to public hearing.

**Note: This is Final Action on Special Permit 16004C unless appealed by filing a Notice of Appeal with the City Council or County Board within 14 days.**

Joy called for **Requests for Deferral**

Clerk stated staff is recommending a 2-week deferral to the October 15, 2025, Planning Commission hearing of item 1.3 Special Permit 25036, in which to allow for the legal description to be revised and reprinted in the Lincoln Journal Star.

Campbell moved to approve the request for deferral; seconded by Eddins.

Motion carried 7-0: Campbell, Cruz, Ebert, Eddins, Feit, Joy, and Ryman Yost voting "yes"; Ball and Rodenburg absent.

**SPECIAL PERMIT 16004C, FOR THE RENEWAL OF SOIL MINING AND EXCAVATION PERMIT  
ON PROPERTY GENERALLY LOCATED AT SALTILLO ROAD AND S 68TH CIRCLE.  
PUBLIC HEARING:**

**October 1, 2025**

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

**Staff Recommendation:** Conditional Approval

**George Wesselhoft, Planning Department, 555 South 10th Street, Lincoln, NE,** came forward and introduced the first of two excavation special permits on the agenda. The permit under discussion pertains to a site at the southwest corner of South 68th Circle and Saltillo Road, with Nebraska Highway 2 bordering the south side. The request involves approximately 133 acres, of which 87.61 acres would be disturbed for soil mining activities. Wesselhoft noted that the site was initially granted a special permit in May 2016, followed by a three-year extension in 2018 and another three-year extension in 2022, making this the third renewal request. He explained that the geography of the site has remained essentially unchanged.

Wesselhoft further stated that the LTU watershed has indicated the channel along the east side of the property, adjacent to the excavation area, must be evaluated for minimum flood corridor compliance as a condition of approval, due to updated regulations regarding flood corridors. Wesselhoft noted that the County Engineer supports the renewal of the permit, contingent on an updated road maintenance agreement, truck route, erosion control, and sediment plan, and other updated site plan information. Wesselhoft also mentioned that John Berry from the County Engineer's Office was present to answer any questions related to this excavation permit

or the following item on the agenda. Wesselhoft concluded his presentation by offering to answer any questions from the Commission.

**Applicant-**

**Mike Eckert, 8535 Executive Woods Dr, Suite 200, Lincoln, NE 68512**, came forward and stated that he did not have additional information beyond what Wesselhoft had presented. Eckert reminded the Commission that special permits for mining are the only permits that expire after a three-year period. He noted that the pit in question has been instrumental in the construction of the South Beltway and will now be utilized for the West Beltway project. Eckert confirmed that all conditions for the permit renewal had been met and offered to answer any questions from the Commissioners.

**Proponents:**

No one approached in support.

**Neutral:**

No one approached in a neutral capacity

**Opposition:**

**Don Miller, 5701 Saltillo Road, Lincoln, NE**, came forward and addressed the Commission, expressing opposition to the permit. Miller cited concerns about traffic on Saltillo Road, noting that heavy truck use is damaging the roadway and that trucks frequently use "Jake brakes" (engine braking), which contribute to excessive noise. Miller stated that he had reported these issues several times but received no response. He also expressed concern for the safety of children, noting that the site is located near Standing Bear High School and that the combination of school traffic and heavy trucks poses a problem. Miller concluded by emphasizing that noise and traffic are his primary concerns regarding the permit.

**Staff Questions-**

Joy asked what the process would be for communicating to the contractors using the site about reducing some of the noise, including "Jake braking."

Wesselhoft explained that noise concerns would be regulated by the Health Department, while operational issues involving trucks might fall under the road maintenance agreement with the County Engineer.

Joy noted that the east side of the property would be re-evaluated per the request and asked if a new traffic plan would need to be developed.

Wesselhoft confirmed that an updated truck route would be submitted to the County Engineer for review and that the east-side drainage evaluation is a new requirement from LTU watershed comments regarding flood corridors.

Joy asked whether the public testimony being recorded could be utilized by the applicant in their traffic report.

Wesselhoft deferred to John Berry to address the traffic-related questions.

**John Berry, Lancaster County Engineering, 444 Cherrycreek Road, Building C, Lincoln, NE,** came forward and explained that all borrow sites throughout the county require a road maintenance agreement. He noted that if more than four loads are hauled from any site in a day, the County must be notified so that road superintendents can inspect the roads and ensure they are in good condition.

Berry noted that Saltillo Road is somewhat different because it will be part of a state- and federally funded project in the next few years, so it requires close monitoring. He added that braking is primarily a Health Department concern. If excessive truck traffic causes damage, the County evaluates the road, and the operator must either reimburse the County or include repair provisions in the agreement.

Berry further stated that if operators do not comply with the agreement, the County has the right to shut down operations. He noted that much of this is included in the road maintenance agreement and that he works closely with Eckert, who is aware of the requirements.

Eddins expressed concerns about the new school near the site, noting that when the permit was previously granted, the school was not there. She highlighted that young drivers will now be using Saltillo Road, which is not yet at full capacity, and that traffic is expected to increase dramatically each year. Eddins asked what types of safety measures could be implemented to protect children traveling along the road.

Berry responded that such safety concerns would likely fall under the jurisdiction of the Sheriff's Department. He explained that while the County can monitor the number of loads hauled, it cannot strictly control them. Berry noted that the road maintenance agreement includes requirements for hauling, generally limited to daylight hours, which unfortunately coincides with times when children may be present. Berry added that Saltillo Road is equipped with stop signs, traffic lights, and roundabouts, but controlling all accidents is difficult.

### **Staff Questions**

Eddins asked whether the trucks exceed the four-load-per-day threshold regularly and if it happens continually.

Berry stated that he did not have that information immediately but could check with maintenance staff. He suggested that Eckert might also know and offered to follow up to provide the information.

Feit asked whether Berry's office approves the truck routes, specifically if they are responsible for the trucks choosing Saltillo Road over another road. She noted that South 68th Circle is a dead end on the south side and only connects to Saltillo Road.

Berry explained that there is essentially only one route in and out. Trucks are allowed one driveway and one access point, which is onto South 68th Circle.

Feit then asked whether LTU is involved in reviewing traffic flow in relation to the school, specifically to determine if the road is too busy, or if LTU is not involved in this aspect.

Wesselhoft responded that LTU Engineering had reviewed the site and did not have any concerns.

Chair Joy acknowledged the response and asked if there were any other questions from the Commission, and there were none.

#### **Applicant Rebuttal-**

Eckert came forward and stated that many trips from the borrow site will likely travel north on 60th Street or south on 68th Circle to access the beltway, depending on their destination. Eckert noted that Cargo Road and another entrance to Standing Bear on 68th Circle each have roundabouts that serve as traffic calming devices. He emphasized that this is the third renewal for the permit and that previous operations have been conducted under good circumstances, adding that other permits managed by the applicant have also been handled responsibly.

Eckert said he is willing to speak directly with concerned neighbors, provide his contact information, and connect them with Jake Whitefoot, who manages these permits. Eckert also mentioned that Saltillo Road is undergoing a reconstruction design from the 68th/70th Street interchange to the 27th/Jamaica interchange, and that trucks used for hauling pay significant taxes for traveling on public roads. He stressed that the applicant is committed to compliance and noted that the Health Department has enforcement mechanisms in place.

Eckert added that preferred routes can be coordinated with the County, and the applicant is willing to work with officials to identify routes that should be avoided. He acknowledged that hauling is a necessary part of the construction and mining business and emphasized that they aim to address neighbors' concerns through direct communication channels.

#### **Staff Questions-**

Ebert asked how much longer the site could be mined. She noted, as Eddins had, that there wasn't a school in the area before and that the surrounding area is becoming less rural. Ebert asked whether the mining operation is expected to continue for another three years or longer.

Eckert responded that it is difficult to say exactly how much longer the site can be mined. He explained that the land is part of the South Beltway Coalition, which will be presenting plans soon with Kent Seacrest. The property owners have directed them to start working on concept plans for urbanization, including the extension of sanitary sewer lines along the railroad tracks by 27th Street, staying on the north side of the beltway. Eckert noted that the site may develop

sooner rather than later because a water main, originally installed for Standing Bear, could be extended to this property.

Eckert indicated that the goal is to have the property stewarded and the water main extended by the 2027–2028 time frame. Based on these plans, he expects that mining will likely cease within the next three years, as the land's development for urban lots and commercial use will make continued mining impractical, and the pit would then move further outward.

**SPECIAL PERMIT 16004C**

**ACTION BY PLANNING COMMISSION**

**October 1, 2025**

Campbell moved to close the public hearing; seconded by Eddins.

Campbell moved to approve Special Permit 16004C; seconded by Joy.

Campbell stated that there are mechanisms available to neighbors if there is loud noise or other disruptive activity from the site. He noted that the site has been in operation for over 10 years and expressed that its continued use for another three years is not inappropriate.

Eddins stated that she is frustrated that the three-year limit on these permits is continually extended, giving neighbors the impression that operations will end in three years when there is no intention of doing so. Eddins suggested that the wording on these permits, not necessarily this one, needs to be adjusted so neighbors understand that mining operations may be ongoing. While she expressed concerns about the school nearby, she believes the issue can be worked out with the owner and hopes that Eckert will follow through with communication. Eddins noted that road damage is less of a concern because the road will be redone, and she trusts that LTU and traffic experts will monitor the site. Eddins emphasized the importance of having a conversation with the neighbors and concluded that, although she is cautious, she will approve the permit, describing her stance as a reluctant yes.

Feit commented that she agreed with Eddins' earlier point about the three-year permit renewals. She noted that one positive aspect of the process is that changes in watershed rules and regulations require the site to come back before the Commission, ensuring that conditions are reviewed and that the site continues to operate safely and appropriately.

Feit added that although the three-year limit can sometimes suggest that operations will conclude quickly, she values the oversight and noted that the site has been a productive use of the land. She also mentioned that, with future development expected in the area, she anticipates that soil mining will eventually come to an end.

Chair Joy stated that she appreciated the testimony provided and the willingness of all parties to work together. She also expressed thanks for the effort to develop solutions that consider the nearby school.

Motion for approval of Special Permit 16004C carried 7-0: Campbell, Cruz, Ebert, Eddins, Feit, Joy, and Ryman Yost voting "yes"; Ball and Rodenburg absent.

**SPECIAL PERMIT 25035, TO ALLOW SOIL MINING AND EXCAVATION ON PROPERTY  
GENERALLY LOCATED AT W MCKELVIE ROAD AND NW 40TH STREET.**

**BEFORE PLANNING COMMISSION:**

**October 1, 2025**

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

**Staff Recommendation:** Conditional Approval

**There were no ex parte communications disclosed.**

**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 introduced the request for a soil excavation special permit. He explained that the site is located near the southwest corner of Northwest 40th Street and West McKelvie Road. The property encompasses approximately 190.48 acres, with 20 acres proposed to be disturbed for soil mining activities.

Wesselhoft stated that the mining activity would occur in the northeast part of the property on 20 acres, close to the intersection of the two roads. There will be one access point off Northwest 40th Street. Wesselhoft showed the truck route, noting that trucks will not travel north; instead, they will travel south on Northwest 40th to Highway 34 (Purple Heart Highway). He added that Northwest 40th is a county gravel road leading to Highway 34.

Wesselhoft reported that a water study was completed because of the proximity of private wells. The report found that groundwater levels and nearby wells would not be adversely affected by the excavation. The Health Department reviewed the report, concurred with the findings, and recommended approval.

Finally, Wesselhoft noted that a road maintenance agreement had already been approved the previous month for this project. That agreement covers restoration or maintenance of the physical road, dust control, and other concerns raised in letters submitted about the project. He concluded by stating that John Berry could address any detailed questions regarding the road maintenance agreement.

**Applicant-**

**Joe Brakenhoff, E&A Consulting Group, 2077 N Street, Lincoln, NE**, came forward and spoke on behalf of the owner and operator. He stated that the request involves mining topsoil and lean clay for local construction projects, noting that it is not significantly different from the previous application. Brakenhoff said he did not have additional information beyond what Wesselhoft had already presented but offered to answer any questions from the Commission.

Feit asked why the proposed 20 acres of the site had been selected for excavation.

Brackenhoff explained that the area is located at the top of the hill. He stated that borings performed by a geotechnical company identified that area as containing the best quality material for lean clay, which is why the operator selected it as the starting point for mining.

Eddins asked how long the operation is expected to take, noting that the timeline had been discussed during the previous permit.

Brackenhoff responded that the duration depends on the construction projects that come forward and how quickly the material is used. He stated that there is no firm estimate at this time but noted that a lot can happen in three years. Brackenhoff added that in the first phase, approximately 160,000 cubic yards will be excavated, which is far below the 1.4 million cubic yards available, so the timeline will largely depend on project demand.

Eddins acknowledged the response and thanked Brackenhoff.

**Proponents:**

No one approached in support.

**Neutral:**

No one approached in a neutral capacity

**Opposition:**

**Kurt Eberspacher, 4332 West McKelvie Road, Lincoln, NE,** came forward and spoke to the Commission about his concerns regarding the proposed soil excavation project. He stated that his primary concern is dust, noting that the project is roughly six blocks from his home and has already affected the ability to keep windows open.

Eberspacher expressed concern about caution signage, explaining that the project entrance and exit are located on a hill and that vehicles frequently travel at high speeds on nearby roads. He emphasized that existing signage at other project locations would not be sufficient for this site and could result in accidents if not properly addressed.

Eberspacher also raised concerns about noise, referencing the ongoing project to the south of his property, which has been operating for over three years. He noted that machinery noise can be heard from a mile away and that "Jake brakes" add to the disruption.

Eberspacher highlighted the importance of road maintenance, particularly during winter or wet conditions, and stressed that dust control measures will be critical, especially with prevailing south winds. He also pointed out that West McKelvie Road is a school bus route for Malcolm, emphasizing safety concerns with truck traffic.

Eberspacher described current traffic patterns from the existing southern project, noting trucks traveling north and south, as well as turning west on McKelvie Road. He estimated that truck volumes could reach nearly a dozen trucks per hour. Eberspacher stated that he had submitted

written questions previously and summarized that the project will directly affect his property and quality of life in multiple ways. He concluded by asking if the Commission had any questions, and none were raised.

### **Staff Questions**

Eddins asked about the mining operations, specifically whether all of them have the four-truck minimum reporting requirement.

Berry explained that the four-truck limit applies unless the operators report otherwise. He added that, in his experience as County Surveyor over the past five years, all the operations he has dealt with have adhered to the four-load reporting requirement.

Eddins asked where a resident could report if trucks were exceeding the four-load limit, and it seemed like trucks were continuously using the site.

Berry responded that residents could call his office or contact Wesselhoft. He assured that they would reach the appropriate personnel to address the concern.

Eddins confirmed that this was exactly the information she needed.

Feit asked about the placement of caution signs, noting that it is a legitimate concern and asking whether the Commission has any control to ensure that drivers see the signs in time to slow down.

Berry explained that, as part of the project plans, the applicant is required to install signs indicating trucks turning and other traffic warnings. He noted that there are spacing requirements for the signs and confirmed that the County can work with the applicant to ensure proper signage. Berry added that if additional signage is needed, they could accommodate that to address the concern, including considering the hill in the area.

Feit asked Wesselhoft if he was aware of another nearby mining project that had been referenced.

Wesselhoft confirmed that the project was noted in the staff report. He explained that it is a different special permit, SP20014A, located directly south of the current site.

Feit asked about the parcel of land, seeking clarification on whether it was part of the same project area.

Chair Joy noted that it was the same ownership.

Wesselhoft confirmed that the parcels are under similar ownership, though they have separate special permits on different parcels of land.

Eddins asked whether there are requirements for how far apart two different mining operations need to be.

Wesselhoft responded that there are no such requirements.

Eddins acknowledged the response, stating that she didn't think so.

Chair Joy then asked if there were any other questions or comments from the Commission. Hearing none, she invited the applicant to come forward for further discussion.

**Applicant Rebuttal:**

Eddins asked Brackenhoff whether he had reached out to neighbors prior to the meeting.

Brackenhoff responded that they had sent all neighbors a letter along with an exhibit of the haul route, explaining the project and providing relevant information.

Eddins thanked him for the response.

Ryman Yost asked Brackenhoff about the truck routes, noting that the presentation described trucks traveling south on Northwest 40th to reach the highway. She referenced concerns from neighbors that the previous mining permit to the south had trucks traveling north on McKelvie Road and asked whether that route would change for the current project, closer to the intersection.

Brackenhoff explained that for the previous permit to the south, the haul route also went out to Highway 34. He emphasized that trucks traveling north are not supposed to do so, and that the operator would appreciate knowing about any deviations to correct them. Brackenhoff noted that he hadn't received feedback from neighbors until this application.

Yost added that it can be challenging for citizens to know which office to contact—whether it's the Health Department, LTU, County Engineer, or Planning Department—so concerns may not have reached the correct personnel. She expressed hope that the neighbor is now aware of who to contact to get answers directly and to understand which government office to approach.

Chair Joy thanked the speakers for their clarification and asked if there were any additional questions from the Commission. Hearing none, she noted that all questions appeared to be answered and suggested moving to close the public hearing.

**SPECIAL PERMIT 25035**

**ACTION BY PLANNING COMMISSION:**

**OCTOBER 1, 2025**

Campbell moved to close the public hearing; seconded by Eddins.

Campbell moved to approve Special Permit 25035; seconded by Joy.

Campbell acknowledged that the neighbors' concerns are valid and emphasized the importance of knowing who to contact if issues arise in the area. He noted that the Planning Department can assist in directing residents to the appropriate office for any concerns not already addressed. Campbell concluded by stating that he would be supporting the project.

Feit commented that she is concerned about how close the two projects are to each other. She expressed worry about dust in the air and the loss of good topsoil. Feit stated that she would still vote in favor of the project because it has followed all regulations and safety requirements, and she appreciated that engineers and staff are monitoring the roads and their quality. Feit concluded by emphasizing the importance of protecting topsoil and maintaining air quality, noting that these were her main concerns about the proximity of the projects.

Ryman Yost stated that she would also be voting in support of the project for the same reasons Feit mentioned. She expressed appreciation that the item was pulled from the consent agenda so that the Commission could have a discussion, noting that a neighbor had submitted comments and that another letter with concerns had been received. Ryman Yost valued the opportunity to ask questions and obtain clarification before proceeding with the vote.

Campbell explained that topsoil is stockpiled on-site and returned after clay removal, noting that the underlying soil has not been exposed for many years.

Chair Joy expressed appreciation for the conversation among the Commission members and noted that she agreed with her fellow commissioners. She stated that the process is working well and that it is beneficial for neighbors to have the opportunity to speak about local concerns. Joy also thanked the staff and the applicant for proactively addressing issues. She emphasized the importance of proper signage, noting that the sooner drivers are informed, the safer it is for everyone.

Motion for approval of Special Permit 25035 carried 7-0: Campbell, Cruz, Ebert, Eddins, Feit, Joy, and Ryman Yost voting "yes"; Ball and Rodenburg absent.

Campbell moved to adjourn the Planning Commission meeting of October 1, 2025; seconded Eddins.

Motion to adjourn carried 7-0: Campbell, Cruz, Ebert, Eddins, Feit, Joy, and Ryman Yost voted "yes." Ball and Rodenburg absent.

There being no further business, the meeting was adjourned at 1:42 pm.



## 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  
Special Permit #25039

FINAL ACTION?  
Yes

DEVELOPER/OWNER  
Bert & Angela Neukirch

PLANNING COMMISSION HEARING DATE  
October 15, 2025

RELATED APPLICATIONS  
None

PROPERTY ADDRESS/LOCATION  
4200 SW 12<sup>th</sup> Street

### RECOMMENDATION: CONDITIONAL APPROVAL

#### BRIEF SUMMARY OF REQUEST

This is a request for a Special Permit under LMC 27.63.280 to allow for the expansion of a nonstandard structure for an addition to a single-family dwelling located at 4200 SW 12<sup>th</sup> Street. The property is zoned AG, with an existing single-family dwelling built in 1992. The dwelling is located within the required side yard setback along the south property line. The special permit would allow for a 420 square foot addition to the home and a 196 square foot covered deck on the south side of the home that would be 16'9" from the side lot line.



#### JUSTIFICATION FOR RECOMMENDATION

The proposed amendment would allow for the addition to an existing home in the side yard setback without negatively impacting neighbors. The proposed setback of 16'9" would still exceed the absolute minimum 15' side yard setback allowed under LMC 27.72.090 if the lot were narrower.

#### APPLICATION CONTACT

Bert Neukirch, (402) 219-1583

#### STAFF CONTACT

George Wesselhoff, (402) 441-6366 or [gwesselhoff@lincoln.ne.gov](mailto:gwesselhoff@lincoln.ne.gov)

#### COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The 2050 Comprehensive Plan designates this property for future agricultural use on the 2050 Future Land Use Map. The proposal is consistent with the Plan as continued use for an acreage residential property. The property is in Tier II of the Comprehensive Plan growth tiers which recognizes that urbanization may be 30 years or more away depending on utility expansion and as such should remain in its current use.

## KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

### Introduction Section: Growth Framework

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

Land Use Plan - Agricultural. Land principally in use for agricultural production and compatible industries like solar and wind energy production. Agricultural land may be in transition to more diversified agribusiness ventures such as growing and marketing of products (e.g., horticulture, silviculture, aquaculture) on site. Some land in the Agricultural category may be enrolled in voluntary preservation programs such as the USDA Conservation Reserve Program (CRP).

### 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.

**Rural Housing Plan** Forward supports the preservation of land in the bulk of the County for agricultural and natural resource purposes. Balancing the demand for rural living and the practical challenge of integrating acreages with traditional land uses will continue as Lincoln and Lancaster County continue to grow. New acreage development is not encouraged in any of the Growth Tiers except for areas already platted, zoned, or designated for low density residential development. Zoning currently allows development in these tiers under the “build-through” model and without use of Sanitary Improvement Districts (SIDs). However, careful consideration should be given to these current regulations. Compared to urban development, acreage developments consume large quantities of farmland and generate traffic that exceeds the rural capacities of gravel road. Since the growth tiers establish future urbanized areas for the City of Lincoln, additional acreage developments are a detriment to future urban growth. Eventually, all acreage areas in the growth tiers will be located within the City. Therefore, land within the growth tiers is encouraged to remain in agricultural uses.

### Policies Section

#### 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 a request for Special Permit #25039 to allow an addition on to an existing single-family dwelling located at 4200 SW 12<sup>th</sup> Street. The property is approximately 4.91 acres in size and zoned AG Agriculture with an existing 1,534 square foot single family dwelling built in 1992. The special permit would allow for a 420 square foot addition to the home and a 196 square foot covered deck with encroachment within the required 33.14-foot side yard setback. The proposed addition will be 16' 9" from the south property line.
2. The property is in the Lincoln 3-mile jurisdiction. The immediate surroundings consist of rural acreages and some farm ground. Highway 77 and W Pioneers Boulevard is about ½ mile to the east.
3. The lot in question was platted as part of Champoux's Addition in 1993. An existing conditions exhibit submitted

with this plat showed the setbacks from the side property line at 34 feet for the southwest corner of the house and 32 feet for the southeast corner of the house.

4. LMC 27.72.090 provides that when a lot in the AG zoning district is less than the required width that the required side yard may be reduced to 10% of the lot width but in no case less than fifteen feet. 550 feet is the required AG lot width. In this case the lot is 331.43 feet in width. Therefore, the required side yard is 33.14 feet. The existing 32-foot setback is what makes the house nonstandard as it is less than the requirement today.
5. 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. Chapter 27.63.280 allows for a Special Permit to grant the expansion or reconstruction of a nonconforming and nonstandard use with consideration of the effects on adjacent properties, traffic, and city utilities. The requirements also review the existing land use and density, along with the degree of hardship upon the applicant.
6. 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 addition will not negatively affect adjacent property, traffic or utilities in the area. A side setback of at least 15 feet will still be maintained. The application letter notes that the neighbors to the south do not have any issue with the proposed expansion.

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

There will be no significant impact on density of land use. The proposal is for a house addition with covered deck and continued use as a single-family dwelling in AG zoning on a 4.91-acre property.

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

The application letter states that an expansion to the back of the home is not possible because of laterals in the back yard. They also cannot expand to the north side due to the layout of the home and existing utilities. If the Special Permit would not be granted the applicant would be limited in what they could do without significant changes to utilities and/or septic lateral lines.

7. The proposed Special Permit would allow an addition compatible to the existing home and surrounding acreage properties. The proposed addition will still be located at least 15 feet from the side lot line, which would be the absolute minimum under AG side yard exceptions or the same as a farmstead split. With this approval, the special permit does not waive any building code requirements on the property, as any modification and expansion near a property line will still be required to meet all applicable building codes related to fire rating, allowed openings and material.

**CONDITIONS OF APPROVAL:** See attached.

**EXISTING LAND USE & ZONING:** Single family dwelling

**SURROUNDING LAND USE & ZONING**

North:	Single Family Dwelling	AG Agriculture
South:	Single Family Dwelling	AG Agriculture
East:	Single Family Dwelling Agricultural	AG Agriculture
West:	Vacant	AG Agriculture

**APPROXIMATE LAND AREA:** 4.91 acres, more or less

**LEGAL DESCRIPTION:** Lot 1, Champoux's Addition

Prepared by George Wesselhoft, Planner  
(402) 441-6366 or [gesselhoft@lincoln.ne.gov](mailto:gesselhoft@lincoln.ne.gov)

Date: October 2, 2025

Applicant/  
Owner            Bert & Angela Neukirch

Contact:        Bert Neukirch

## CONDITIONS OF APPROVAL - SPECIAL PERMIT #25039

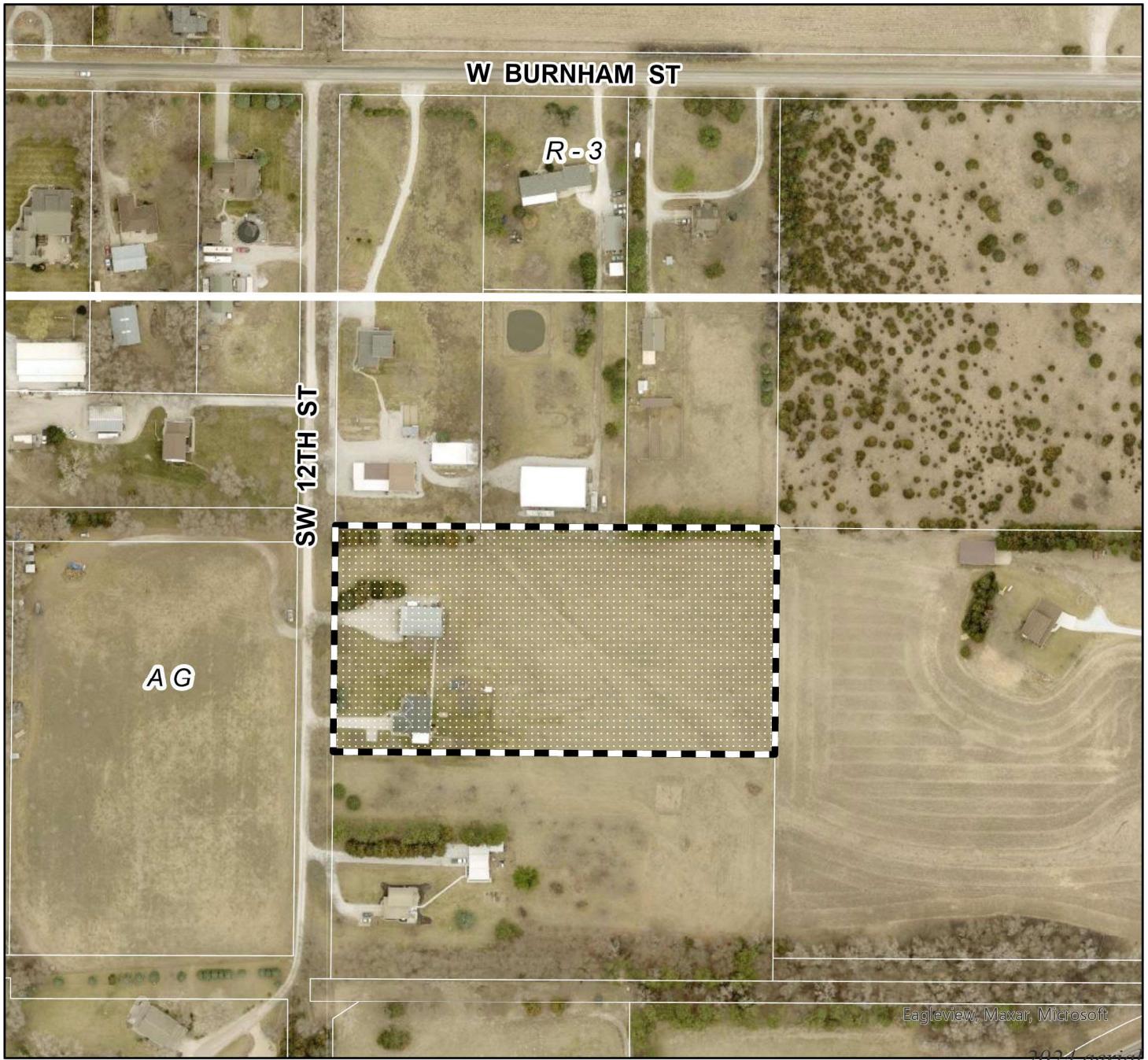
Per Section 27.63.280 this approval permits the expansion of a nonstandard residential dwelling into the required 33.14-foot side yard setback no closer than 15 feet to the property line for an approximate 420 square foot addition and 196 square foot covered deck.

### **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 Add the Special Permit number to the plan.
  - 1.2 Only include the first sheet (plot plan) for the Final Approved Plan.
  - 1.3 Revise rear yard setback to 100'.

### **Standard Conditions:**

2. The following conditions are applicable to all requests:
  - 2.1 Before occupying starting construction 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.



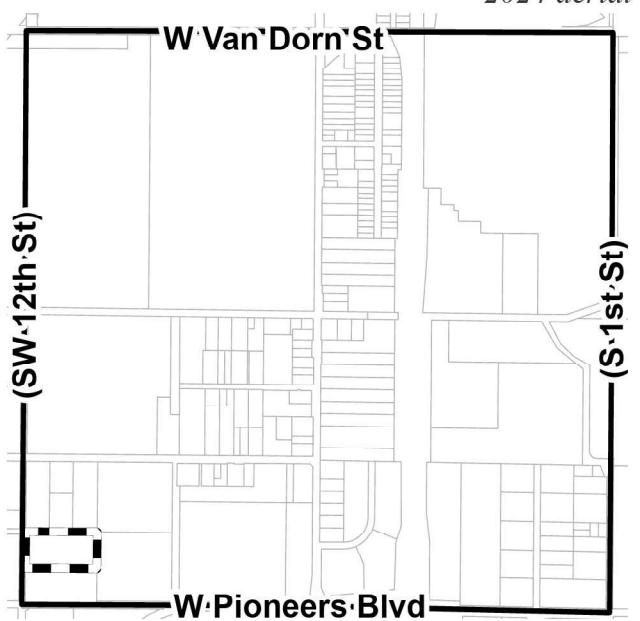
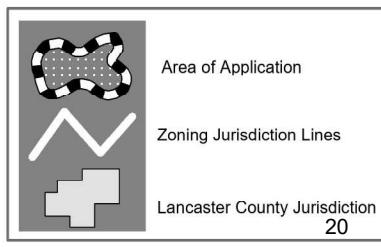
**Special Permit #:** SP25039  
**SW 12th St & W Burnham St**

**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

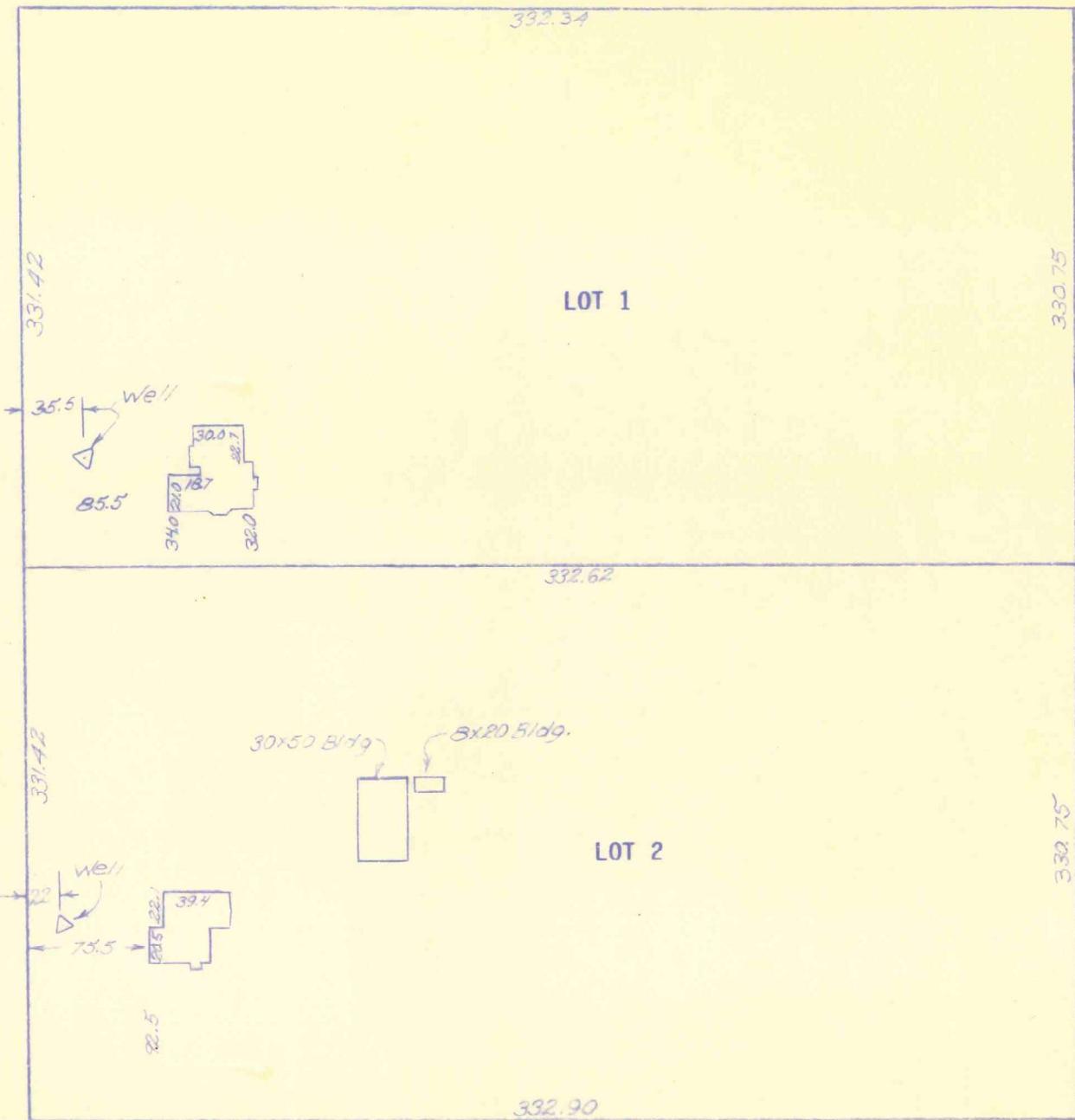


**One Square Mile:**  
**Sec.03 T09N R06E**





**SOUTHWEST 12th STREET**



Existing improvements on Lots 173 & 174 I.T.  
for proposed Lots 1 & 2 Champoux's Addition  
Sec.3, T9N, R6E

Prepared By: Dennis Zieman  
ABLE SURVEYING & MAPPING  
Denton, NE. 68339  
437-9798 Cell  
467-1977 Bus

SCALE 1" = 100'

We purchased our home in June 2025. Before the purchase we worked with an engineering company to see if we could expand the south wall of the home to the same length of the existing deck. With this expansion of the south wall we wanted to have extra living space on the main floor and be able to move laundry to the main floor. We would like to have all necessities on the main floor and a larger living room to accommodate our family. The engineering company assumed that the deck was already permitted and did not check for permits. We are not planning on going any farther than the deck that is currently on the house. We just want it to be enclosed.

We are unable to expand to the back of the home due to the laterals in the back yard. We are unable to expand to the north side of the home as that is where the water and electricity are located. Also the north side of the home are where the bedrooms are located and a family room to the north would not work. There is plenty of green space and trees between our home and our neighbors home. We have also discussed with our south neighbors and they do not have a problem with our expansion as we were not coming any closer than where the deck currently is. We have also talked with our neighbors about planting more trees on their side and they are agreeable to us planting trees.

Thank you for your consideration in this matter.

Bert and Angela Neukirch

09/18/2025



## 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  
Special Permit #25036

FINAL ACTION?  
Yes

DEVELOPER/OWNER  
Sower Church

PLANNING COMMISSION HEARING DATE  
October 15, 2025

RELATED APPLICATIONS  
None

PROPERTY ADDRESS/LOCATION  
2640 R Street

### RECOMMENDATION: CONDITIONAL APPROVAL

#### BRIEF SUMMARY OF REQUEST

This is a request for a Special Permit to allow a parking lot to be located within the front yard setback. The request is for the existing Sower Church located at 2640 R Street and zoned R-6 Residential. The church parking lot is undergoing an improvement project to pave an existing gravel area and improve the existing parking layout. To maximize the parking area and provide sufficient room for vehicle circulation, the church is requesting the special permit with a waiver for the parking lot to extend up to 6 feet from the property line within the three front yards of this property on N 26<sup>th</sup>, N 27<sup>th</sup> and R Street.



#### JUSTIFICATION FOR RECOMMENDATION

The request for the Special Permit and waiver to reduce the required 20-foot front yard setback to 6 feet for parking is compatible with the existing site and surrounding neighborhood. The existing parking area is part concrete and gravel today, which has slowly expanded without building permits to the property line today. The parking lot will continue to be associated with the Sower Church. With this project, the parking area will be completely paved, removing the gravel surface. This will create a uniform parking lot and spaces which will increase the distance from the property line to where parking exists currently. The striping of the lot will also help with keeping the existing alleyway which dissects the parking lot clear for north/south traffic access. As part of the approval, additional landscaping beyond the standard parking lot screening requirements will be required to help reduce the visual impacts within the residential neighborhood.

#### APPLICATION CONTACT

Nate Burnett, REGA Engineering, (402) 484-7342

#### STAFF CONTACT

Ben Callahan, (402) 441-6360 or [bcallahan@lincoln.ne.gov](mailto:bcallahan@lincoln.ne.gov)

#### COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The request is compatible with the 2050 Comprehensive Plan. The 2050 Future Land Use map continues to show this site as future urban residential. A place of religious assembly is a permitted use within all residential districts. The proposed project will ultimately increase areas of green space and landscaping along N 26<sup>th</sup> Street and R Street as portions of the existing gravel parking will be removed from the current location along the property line.

#### WAIVERS

1. To LMC 27.72.020(a) to allow parking up to 14 feet within the 20-foot front yard setback. (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.

## ANALYSIS

1. This is a request for a Special Permit for parking located at 2640 R Street in relation to an existing place of religious assembly, operated as the Sower Church. The property is zoned R-6 residential with the Sower Church owning the south half of this block and utilizing an existing pavement and part gravel parking lot. The Lincoln Municipal Code 27.63.170 allows for a special permit for a parking lot which can be associated with a place of religious assembly. With this special permit the applicant is requesting a waiver to allow the parking lot to extend up to 14 feet within the three 20-foot front yard setbacks on the property, keeping a 6-foot area from the parking to the property for greenspace and landscaping.
2. The site, which consists of the south half of this block owned by the Sower Church abuts a mix of single and two family residential zoned R-6 Residential to the north, to the south, and to the west across both N 26<sup>th</sup> Street and R Street. Also to the south is an automotive repair shop zoned B-3 Commercial. To the east across N 27<sup>th</sup> Street is a multitenant commercial building zoned B-3 Commercial.
3. The proposal meets the criteria set in LMC 27.63.170 which allows parking lots within 360 feet of a place of religious assembly to be considered for a special permit, provided the parking lot is primarily used in connection with the main use. Sower Church is working to improve the existing parking lot by removing a portion of the gravel parking area on the west half of the site and making it one paved lot. This site is limited by having three front yards, requiring a 20-foot front yard setback on all three sides. With the proposed parking layout, the improvement would provide approximately 51 striped parking spaces and assist with circulation on this site. The site will continue to have access on N 27<sup>th</sup> Street and access through the north-south public alleyway between R and S Street that will continue to provide full access north and south.
4. The special permit will include a waiver to allow the parking lot to extend up to 14 feet into the 20-foot front yard setbacks. The waiver is justified as the parking lot will be allowed within the front yard setback, with the condition that additional landscaping will be required around the parking lot to help minimize the visual impact for the surrounding properties. The waiver will assist with providing additional space, allowing better circulation and ensuring the alleyway remains unblocked with new striping.
5. As part of the Conditions of Approval a Landscape Plan will be required to be submitted to show the existing and proposed landscaping to be located around the property, as the north property line abuts single family residential. The existing condition along the north side of the property will be improved as the applicant is not asking for a waiver to the side yard which is required at 5 feet. Today, the parking area and gravel lot have encroached to the property line, allowing this site plan to correct the parking areas and relocate it back to the required 5 foot minimum. As part of the Conditions of Approval, Lincoln Transportation & Utilities Watershed Management is requesting verification that the proposed changes will not increase stormwater runoff onto the adjacent properties to the north.
6. The request is compatible with the 2050 Comprehensive Plan as the site is shown to continue as future urban residential. The use as a place of religious assembly is a permitted use within a residential district. The proposed parking lot improvement will increase the setback from the current lot today, allowing for additional green space and landscaping to return between the property line and sidewalk along N 26<sup>th</sup>, N 27<sup>th</sup>, and R Street. Similar requests have been previously approved for other places of religious assembly, such as the Temple Baptist Church at 51<sup>st</sup> & Randolph Street and Sacred Heart Catholic Church on N 32<sup>nd</sup> & S Street, in which the sites justified reducing the required setback by increasing the landscaping around the parking area. The improved parking area

with striping will also assist in keeping the existing north-south alley open and safe for thru traffic.

**CONDITIONS OF APPROVAL:** See attached.

**EXISTING LAND USE & ZONING:** Sower Church & R-6 Residential

**SURROUNDING LAND USE & ZONING**

North: Single Family Residential	R-6 Residential
South: Single Family Residential/Automotive Repair	R-6 Residential & B-3 Commercial
East: Multitenant Commercial	B-3 Commercial
West: Single Family Residential	R-6 Residential

**APPROXIMATE LAND AREA:** 1.2 acres, more or less

**LEGAL DESCRIPTION:** Portion of Lot 3, Lots 7 & 8, and remaining portion of Lots 9-13, and the vacated east-west alley adjacent to Lot 10 and south half of the vacated east-west alley adjacent to Lots 11-13, and vacated north-south alleys adjacent to Lots 10 & 11, Block 2, Keystone Addition, located in the SE 1/4 of Section 24-10-6 East of the 6th P. M. Lincoln, Lancaster County, Nebraska.

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

Date: September 18, 2025

Owner/  
Applicant: Sower Church  
2640 R Street  
Lincoln, NE 68503

Contact: REGA Engineering  
Nate Burnett  
601 Old Cheney Road  
Lincoln, NE 68512

## CONDITIONS OF APPROVAL - SPECIAL PERMIT #25036

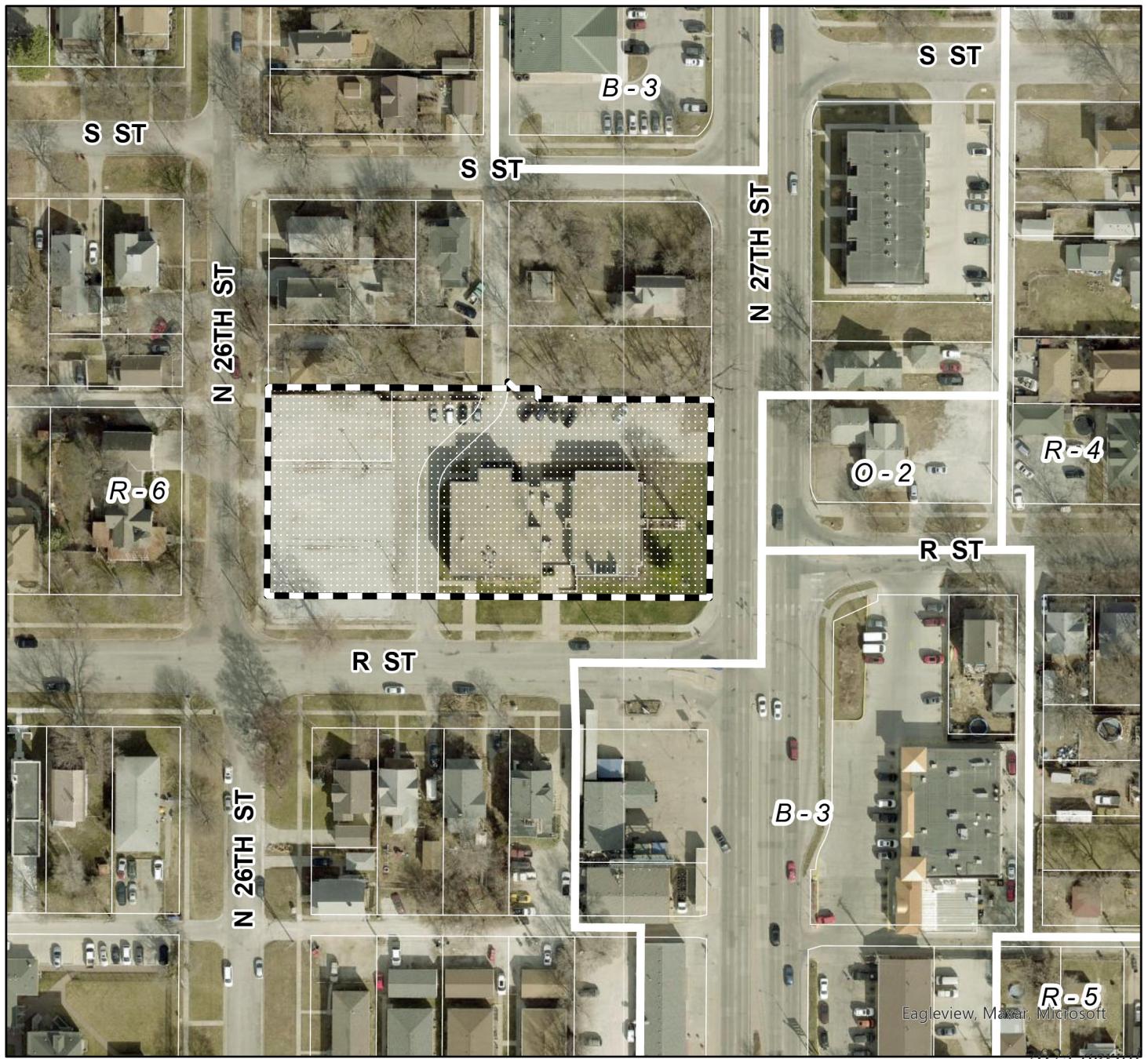
Per Section 27.63.170 this approval permits a parking lot in the R-6 Residential District for a Place of Religious Assembly with a waiver to allow parking to be located within 6 feet from the property line within the front yard setback.

### Site Specific Conditions:

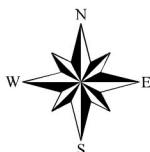
1. Before receiving building permits (if no final plat is required) or before a final plat is approved (if final plat is required) the permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 2 copies with all required revisions and documents as listed below:
  - 1.1 Revise title to state "Special Permit" not "Use Permit".
  - 1.2 Update the legal description to match legal provided on ProjectDox review.
  - 1.3 Provide a legend or note to show abbreviations "PL" & "BOC" as referred to on the site plan.
  - 1.4 Provide a landscape plan showing double the amount of the required parking lot landscaping to the satisfaction of the Planning Department around the parking lot area.
  - 1.5 Show a 6-foot front yard setback to the concrete along N 27<sup>th</sup> Street.
  - 1.6 Submit a waiver to Lincoln Transportation & Utilities for parking stalls requiring a backing movement into the existing alleyway.
  - 1.7 Please provide a sheet showing the improvements will not increase any direct runoff onto the abutting properties to the north to the satisfaction of LTU-Watershed Management.
  - 1.8 Label the 5-foot side yard setback along the north property line.

### Standard Conditions:

2. The following conditions are applicable to all requests:
  - 2.1 Before starting the operation all development and construction shall substantially comply with the approved plans.
  - 2.2 All privately-owned improvements, including landscaping, shall be permanently maintained by the Permittee.
  - 2.3 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.
  - 2.4 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
  - 2.5 The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all prior resolutions approving this permit remain in full force and effect as specifically amended by this resolution.



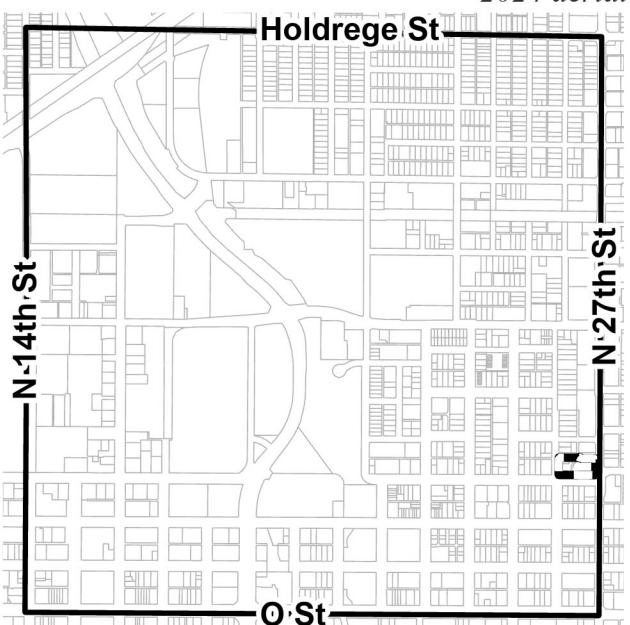
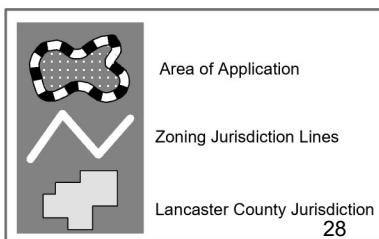
**Special Permit #:** SP25036  
**N 27th St & R St**



### 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**



LAND SURVEYOR'S CERTIFICATE:

THIS IS TO CERTIFY THAT THIS SURVEY WAS DONE UNDER MY SUPERVISION, THAT THE SURVEY WAS DONE ON THE GROUND IN ACCORDANCE WITH THE MOST RECENT MINIMUM STANDARDS FOR PROPERTY BOUNDARY SURVEYS, AS SET FORTH BY THE NEBRASKA STATE BOARD OF EXAMINERS FOR REGISTERED LAND SURVEYORS AND THAT THE ACCURACY SPECIFICATION AND POSITION TOLERANCE ARE IN ACCORDANCE WITH RURAL AREA SURVEYS.

DATE: \_\_\_\_\_

KYLE E. CATT LS - 609

LEGAL DESCRIPTION:

LOTS 7 AND 8, TOGETHER WITH PART OF LOTS 9 AND 10, LOTS 11 AND 12, PART OF LOT 13, AND THAT PART OF VACATED ALLEY ADJACENT, BLOCK 2, KEYSTONE ADDITION, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 24, TOWNSHIP 10 NORTH, RANGE 06 EAST OF THE 6TH P.M., LINCOLN, LANCASTER COUNTY, NEBRASKA.

# SOWER CHURCH PARKING LOT EXPANSION

USE PERMIT #25036

2640 R ST.

LINCOLN, NEBRASKA 68503

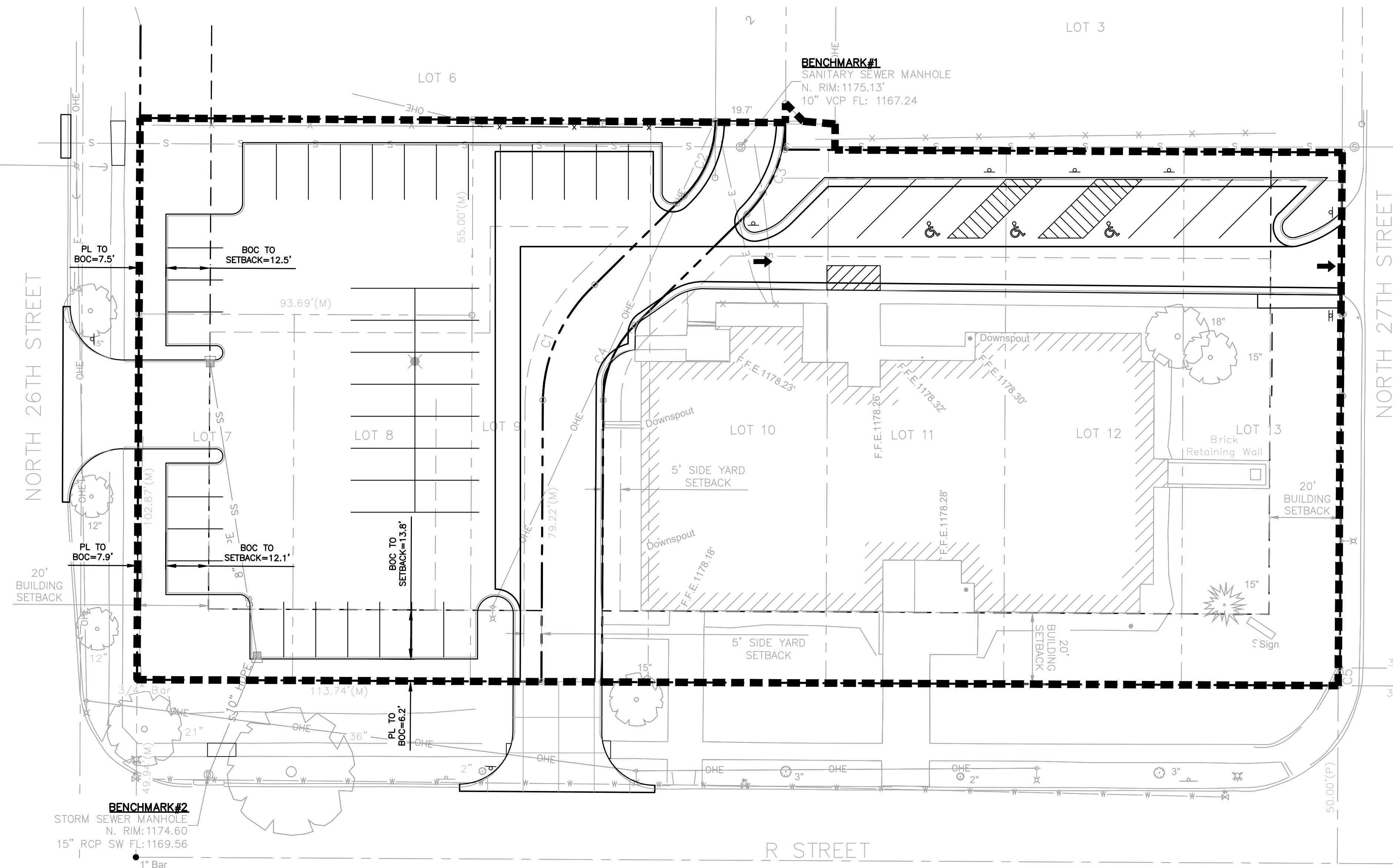


NORTH  
SCALE 1" = 20'

LEGEND

- PROPERTY LINE
- BOUNDARY OF USE PERMIT

20 0 20 40 60 Feet



R6E HOLDREDGE STREET		PROJECT 211288
		REGA ENGINEERING 601 OLD CHENEY RD., SUITE A LINCOLN, NEBRASKA 68512 (402) 484-7342
<ul style="list-style-type: none"> <li>● ENGINEERING</li> <li>● PLANNING</li> <li>● LANDSCAPE ARCHITECTURE</li> <li>● LAND SURVEYING</li> <li>● IRRIGATION</li> </ul>		ISSUED FOR DATE
<p><b>GENERAL NOTES</b></p> <ol style="list-style-type: none"> <li>1. THIS USE PERMIT CONTAINS 1.20 ACRES</li> <li>2. ZONING IS R-6.</li> <li>3. THE OWNER/DEVELOPER RESERVES THE RIGHT TO BUILD ANYWHERE WITHIN THE SETBACKS AS PER R-6 ZONING DISTRICT WITH EXCEPTION OF APPROVED WAIVERS.</li> <li>4. TOPOGRAPHIC GRADING CONTOURS AT NAVD 1988</li> </ol> <p><b>WAIVERS</b></p> <ol style="list-style-type: none"> <li>1. PARKING SHALL BE ALLOWED WITHIN EXISTING FRONT YARD SETBACK. (27.67.030a)</li> </ol>		
<p><b>OWNER</b> SOWER CHURCH 2640 R ST LINCOLN, NE 68503</p> <p><b>DEVELOPER</b> SOWER CHURCH 2640 R ST LINCOLN, NE 68503</p> <p><b>ENGINEER:</b> NATHANIEL P. BURNETT REGA ENGINEERING GROUP, INC. 601 OLD CHENEY ROAD, SUITE 'A' LINCOLN, NE 68512 (402)484-7342</p> <p><b>SURVEYOR:</b> KYLE E. CATT, LS. 609 REGA ENGINEERING GROUP, INC. 601 OLD CHENEY ROAD, SUITE 'A' LINCOLN, NE 68503 (402)484-7342</p> <p><b>Section Corner Ties</b> SE CORNER Sec. 24-T10N-R6E FND. 1 5/8" IRON PIN IN POT RING, SE 100.0' SET P.K. NAIL 5.32' SOUTH OF S.W. COR BRICK BLD. WINTER DRUG BLD. AN 2.35 EAST OF BACK OF SIDEWALK. SW 100.0' SET CHISELED '+' IN CONC. APPROX 0.6 EAST OF EASE SIDE OF BLD.</p>		
<p><b>BENCHMARK</b></p> <p>BENCHMARK #1: SANITARY SEWER MANHOLE NORTH RIM = 1175.13'</p> <p>BENCHMARK #2: STORM SEWER MANHOLE NORTH RIM = 1174.60"</p>		
<p><b>Nebraska 811</b> Know what's below. Call before you dig.</p>		SHEET NO. 1 of 1



September 3, 2025

Mr. David Cary  
Director of Planning  
Benjamin M. Callahan, Planner  
City of Lincoln/Lancaster County  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508

Reference:      Sower Church  
                    Special Permit #1276  
                    REGA Engineering File: 211288

Dear Mr. Cary,

On Behalf of Sower Church, we are submitting an amendment to the Special Permit #1276.

The amendment requests a waiver of parking code 27.67.030a to allow parking within the front yard setback. Currently the site already has a gravel parking lot where parking is already available within the front yard setback. The client is looking to revitalize the current gravel parking and install concrete parking which will provide improvements in quality of life to the patrons of the church. There will also be better accessibility for those who may have issues walking on gravel parking.

Sincerely,

A handwritten signature in blue ink that reads "Dan Rosenthal".

Dan Rosenthal, PE  
Senior Project Manager

Cc:              Sower Church  
Enclosed:      Application Form  
                    Application Fee \$1,142.00



**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 Text Amendment #25012	FINAL ACTION? No
PLANNING COMMISSION HEARING DATE October 15, 2025	RELATED APPLICATIONS None

**RECOMMENDATION: APPROVAL**

**BRIEF SUMMARY OF REQUEST**

The proposed application is to amend and codify in Ordinance form the existing temporary pump station policy that was adopted by Resolution in 2004. While the existing policy aided the ability to efficiently and effectively serve the community using a gravity based sanitary sewer system, the utilization of the existing policy was limited. So, a reexamination of the policy was initiated with the objectives of ensuring that the intent of the existing pump station policy is maintained while providing the city and the development community a tool that is more usable while advancing additional city interests and goals. Some notable elements of the proposed ordinance include:

- Reduces the required minimum number of acres from 500 to 150;
- Requires downstream sub-basin capacity that does not take away any capacity for undeveloped land that is expected to be served by gravity within the subject sub-basin;
- Requires a minimum density of 5 du/acre for the overall project;
- Requires a minimum of 10% of the proposed single-family units to be on lots <= 4,000sf;
- Permits Accessory Dwelling Units (ADU's) to be allowed as a permitted use by right;
- Provides a funding methodology to ensure costs are paid for by those served by the pump station; and
- Promotes innovative land planning, building form, open space preservation and connectivity

**JUSTIFICATION FOR RECOMMENDATION**

This text amendment codifies the use of a temporary pump station, advances the comprehensive plan, captures costs, creates a more usable development tool to benefit the entire community, captures a better return from existing community infrastructure investments through the efficient use of available capacity, and promotes innovative land development and physical design.

**APPLICANT/STAFF CONTACT**

Steve Dush, (402) 441-5662 or  
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**COMPATIBILITY WITH THE COMPREHENSIVE PLAN**

The Comprehensive Plan allows for the Future Land Use and Priority Growth Area maps to be flexible and responsive to development needs, further refinements and the proposed Ordinance advances adherence to the Comprehensive Plan.

## KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

### Element 1: Complete Neighborhoods and Housing

A complete neighborhood is more than housing - great neighborhoods combine all the elements of parks, education, commercial areas, environmental resources, and housing together in one place. A complete neighborhood is one where residents have safe and convenient access to goods and services needed for daily life activities... Fundamental elements of a complete neighborhood include a mix of housing options, open spaces, schools and childcare, access to food, and commercial goods and services.

### Policy 18: Conservation Design - Promote conservation design principles with both new growth and redevelopment projects.

Conservation design is a type of development where buildings are grouped together on part of the site while permanently protecting the remainder of the site from development. This type of development provides great flexibility of design to fit site-specific resource protection needs. Conservation design creates the same number of residences under current zoning and subdivision regulations or may offer incentives, such as a density bonus, to encourage this type of development. There is a savings in development and maintenance costs due to less road surface, shorter utility runs, less grading and other site preparation costs. The preserved land may be owned and managed by a homeowners association, a land trust, or the City.

Conservation-focused design can help to reduce the heat island effect, increase shade, protect habitat, slow stormwater runoff, and improve mental health. Site designs that are compatible with the natural characteristics of the site, conservation design for new subdivisions, clustering development, minimizing grading and impervious surfaces, and preserving site hydrology to the maximum extent possible are encouraged.

### Policy 53: Gravity Flow Collection System - The City'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.

A gravity flow wastewater collection system encourages orderly growth within the natural drainage basin boundaries and is an efficient and reliable way to serve urban areas. The proposed Ordinance aligns with this policy as orderly growth and efficacy of the system is ensured through the funding methodology, using existing capacity that would otherwise be unused, and as such captures a better return on the City's existing infrastructure investment through the full utilization of available capacity.

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

## ANALYSIS

1. The text amendment, by codifying the parameters by which a temporary pump station may be utilized, will allow for development that would otherwise be delayed. This is achieved through reducing the required number of acres to be served yet ensuring costs are captured from those benefitting from the service of a lift station.
2. The proposal allows for the maximization of unused capacity within the existing gravity flow system that would otherwise be unused. Utilization of unused capacity is prudent fiscal policy that benefits the entire community by maximizing the city's return on existing infrastructure expenditures.
3. Additionally, the proposed ordinance incentivizes and advances innovation in land development and the physical form of the built environment through the ability to construct ADU's, increasing density, and including at least 10% of small single-family lots. Increased density and smaller lots allow for the costs associated with land development to be spread over more units than normally yielded from the existing development/density pattern that has been established in the City.
4. The proposal therefore provides opportunities to add to the overall housing availability in the community by allowing additional housing development to occur earlier than otherwise allowed. This proposal also increases the

likelihood of lower price point housing costs through the use of smaller lot sizes and additional density requirements.

5. The proposed amendment is attached.

Prepared by Steve Dush, AICP  
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Date: October 1, 2025

Applicant: Lincoln-Lancaster County Planning Department  
555 S 10<sup>th</sup> Street, Suite 213  
Lincoln, NE 68508

ORDINANCE NO. \_\_\_\_\_

1           AN ORDINANCE amending Lincoln Municipal Code Chapter 26.07 Definitions to add a  
2 definition for Wastewater Lift Station; by amending Section 26.11.039 Requisites for Final Plat  
3 Approval, Section 26.11.095 Wastewater Collector Responsibilities, Section 26.15.015  
4 Information on a Preliminary Plat, Section 26.23.100 Utility Installations, Section 26.23.120  
5 Easements, and Section 26.27.040 Wastewater Disposal to add conditions for wastewater lift  
6 stations; by amending Section 27.02.240 W. to add a definition for Wastewater Lift Station; by  
7 amending Section 27.60.020 Requirements and Section 27.65.020 Requirements to add conditions  
8 for wastewater lift stations for planned unit developments and community unit plans; by amending  
9 Section 27.65.070 Form of Community Unit Plan in the R-1 through R-8 Zoning Districts and AG  
10 and AGR Zoning Districts Not Within BTA Overlay District to include wastewater lift station as  
11 a proposed method of providing sanitary sewer service if permitted; and repealing Sections  
12 26.11.039, 26.11.095, 26.15.015, 26.23.100, 26.23.120, 26.27.040, 27.02.240, 27.60.020,  
13 27.65.020, and 27.65.070 as hitherto existing.

14           BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

15           Section 1.       That Chapter 26.07 of the Lincoln Municipal Code be amended by adding  
16 a new section numbered 26.07.235 to read as follows:

17       26.07.235 Wastewater Lift Station.

18       Wastewater Lift Station shall mean a facility used in wastewater collection systems to move sewage from  
19 lower to higher elevations when gravity flow sanitary sewer is not available to transport the wastewater  
20 to a treatment plant or another destination.

1                   Section 2.     That Section 26.11.039 of the Lincoln Municipal Code be amended to read  
2                   as follows:

3                   **26.11.039 Requisites for Final Plat Approval.**

4                   Before any final plat may be approved, provisions for the installation of the minimum improvements set  
5                   out in Chapter 26.27 shall be made in one of the following manners:

6                   a. Improvements have been installed and approved. This is the only method available for community  
7                   wastewater works and community water systems.

8                   b. Petitions for assessment districts and if necessary formal petitions with required signatures, have  
9                   been filed with the Planning Director. Such assessment districts may be created for public  
10                  improvements within the corporate limits of the city at the sole option of the city, and shall be used  
11                  for only the completion of street paving, public water systems, public wastewater works, and street  
12                  lighting. Provided, however, the approved final plat shall not be recorded in the office of the Register  
13                  of Deeds until the city has created all such petitioned assessment districts.

14                  c. A bond, escrow, or security agreement approved by the City Law Department has been furnished in  
15                  an amount sufficient to guarantee the installation of the required improvements which may be  
16                  installed without an executive order issued by the Mayor authorizing the construction of said  
17                  improvements, except as otherwise provided herein.

18                  d. An executive order has been issued by the Mayor authorizing the construction of public streets, public  
19                  water, public sanitary sewer, public storm drainage, and public ornamental street lighting.

20                  e. A cash contribution to the City has been furnished in an amount sufficient to pay the cost to install  
21                  sidewalks and street trees along major streets that have not been improved to an urban cross section.  
22                  When there is not adequate space along the major street for the installation of street trees a surety  
23                  shall be required as stated in (c) above. The cash contribution shall be held and spent only to fund  
24                  installation of street trees and sidewalks abutting said final plat in conjunction with construction of

1 the major street(s) to an urban cross section. The cash contribution will be deposited in the Street  
2 Construction Fund in a separate project account for each final plat for which a cash contribution has  
3 been furnished to install sidewalks and street trees along such major street.

4 f. A cash contribution to the City has been furnished to pay the wastewater lift station operating cost  
5 for the subdivision according to Section 26.11.095c.

6 ~~f.g.~~ A cash contribution to the City in lieu of a bond, escrow, or security agreement may be furnished for  
7 street trees on final plats. Said cash contribution to be used to pay for the planting of street trees by  
8 the Parks and Recreation Department.

9 ~~g.h.~~ An agreement is signed by the subdivider guaranteeing that on-site wastewater treatment  
10 systems and individual water well systems will be approved by the City-County Health Department  
11 before a building permit is issued and are completed before an occupancy permit is issued.

12 ~~h.i.~~ Prior to the approval of the final plat, the appropriate city department shall estimate the cost of  
13 completing the improvements. The surety amount for sidewalks shall be twenty-five percent of the  
14 estimated cost of construction, excluding sidewalks along major streets. No surety, bond, escrow, or  
15 security agreement is required for sidewalks along non-major streets abutting residential lots. The  
16 amount of the bonds or escrow or security agreement shall be established by the city and may be  
17 increased or decreased according to current conditions. If the amount of the bond or escrow or  
18 security agreement is less than the actual cost of the installation of the improvements, the subdivider  
19 shall be responsible for the payment of any such additional costs of the improvements. No surety  
20 bond or other security shall be accepted unless:

- 21 1. It is enforceable by or payable to the city;
- 22 2. It provides that any extension of time, change, alteration, or addition, which may be approved by  
23 the city for construction or completion of the improvement for which the bond is given, shall in no

1 manner affect or relieve the obligation of the surety, regardless of whether or not the surety is given  
2 notice of any such extension of time, change, alteration, or addition;  
3 3. It cannot be terminated without written authorization of the Mayor;  
4 4. It is written by a corporate surety company authorized to do business in the State of Nebraska, or  
5 approved security deposits have been made to an institution licensed to do business in the State of  
6 Nebraska; and  
7 5. It is a form with surety and conditions approved by the City Attorney.

8 Section 3. That Section 26.11.095 of the Lincoln Municipal Code be amended to read

9 as follows:

10 **26.11.095 Wastewater Collector Responsibilities.**

11 a. The subdivider shall be responsible for the entire cost and expense for the construction of all  
12 wastewater collector systems; provided, however, if the collector serves other land upstream beyond the  
13 subdivision, the city may agree to contribute to and pay up to the difference in cost between an equivalent  
14 eight-inch diameter pipe system and the required size pipe system. This contribution is only available to  
15 plats located within the city limits or annexed with final plat approval. The dollar amount of city  
16 participation for a particular subdivision shall be certified to the commission by the Director of  
17 Transportation and Utilities prior to the date of approval of the final plat of such subdivision and shall be  
18 set forth in the commission resolution approving such final plat. The city's agreement to make such a  
19 contribution shall lapse if the construction is not completed by the subdivider within two years after the  
20 date of approval of the final plat of the subdivision.

21 b. The subdivider shall be responsible for the entire cost and expense for the construction of any  
22 wastewater lift station necessary to serve the subdivision. This shall include, but is not limited to, the  
23 costs of designing and constructing said lift station and the associated force mains. The City shall not  
24 contribute to the cost of the wastewater lift station or any associated force mains, but any sewer

1 connection fee collected by the City pursuant to Lincoln Municipal Code Section 24.52.010 shall consider  
2 the cost of the wastewater lift station and shall be paid by the City to the permittee who constructed the  
3 city sewer and wastewater lift station serving the benefitted property.

4 c. The subdivider shall also be responsible for paying the wastewater lift station operating cost  
5 calculated as set forth in Chapter 17.60 when the first final plat to be served by a wastewater lift station  
6 in lieu of gravity sewer is approved within a planned unit development or community unit plan.

7 Section 4. That Section 26.15.015 of the Lincoln Municipal Code be amended to read  
8 as follows:

9 **26.15.015 Information on a Preliminary Plat.**

10 The preliminary plat shall be accurately and legibly drawn to a scale that clearly shows all pertinent  
11 information required in this chapter. The proposed layout and design of all the features of the subdivision  
12 shall conform to this title and to the design standards adopted by the city.

13 The following required information shall be identified and shown on the preliminary plat:

14 a. Name of the subdivision. The name of the subdivision shall not duplicate or approximate the name of  
15 an existing subdivision within Lancaster County unless the subdivision is adjacent to that existing  
16 subdivision and is an expansion thereof. The distinction shall be made by adding the suffix "1st  
17 addition" to the first duplication of the name, and then continuing in sequence.

18 b. North arrow, scale of drawing, date prepared, the sheet number and total number of sheets included  
19 within each set of the preliminary plat submittal.

20 c. Labelled contour lines based on NAVD 1988 and at sufficient intervals, not to exceed two feet, to  
21 duplicate adequately the existing and proposed topography and land form within and adjacent to the  
22 subdivision. The scaled distance between contour lines shall not exceed 200 feet.

23 d. Existing and proposed streets and private roadways within and adjacent thereto. This shall include the  
24 right-of-way and pavement width, tangent length, the centerline radius of each curve and its interior

1 angle, the angle of intersection with all other streets and private roadways and the name or number  
2 of each.

3 Where the preliminary plat submitted covers only a portion of the subdivider's tract, a sketch of the  
4 prospective future street system of the unsubmitted part of the tract shall be furnished; and the street  
5 system of the part being platted shall be considered in connection with the proper projection of streets  
6 into the portion of the tract not being presently platted.

7 e. All lot lines and their dimensions. The dimensions along curvilinear lines shall be noted as being either  
8 chord or arc length.

9 f. Lot and block numbers and outlot letters with the total number of each. All lots shall be numbered in  
10 sequence beginning with the number one and continuing consecutively through each block with no  
11 omission or duplication. All blocks shall be numbered in the same manner. Outlots shall be assigned an  
12 alphabetical letter beginning with the letter "A" and continuing through the alphabet. The proposed  
13 use of the outlot shall be designated on the plat. Areas, except streets, to be dedicated or reserved for  
14 public or private parks or other public areas shall be outlots.

15 g. Areas for schools, parks, playgrounds, fire stations, libraries, and other common areas for public use,  
16 along with any requested consideration for such areas.

17 h. The proposed method of providing wastewater collector service to each lot:

18 1. If a public or community wastewater collector system is proposed, the size, direction of flow,  
19 location of the wastewater collectors, manholes, necessary extensions of the system within or  
20 beyond the limits of the subdivision to connect to the city's existing wastewater collector system  
21 or to the community wastewater treatment facility, and the location of the community  
22 wastewater treatment facility.

23 2. If the use of individual wastewater systems is permitted, pursuant to Section 26.27.040 of this  
24 title, and a septic tank system is proposed, soil and percolation data and plans which show the

1       location of one main subsurface disposal field for each lot which is proposed to be served by a  
2       septic tank system, are required. Where the subdivider will permit individual sewage lagoons and  
3       the lot area is three acres or more, percolation tests and the location of the subsurface disposal  
4       field are not required.

5       3. If the use of a wastewater lift station is permitted to serve the subdivision, the size, area to be  
6       served including those areas within and beyond the limits of the subdivision that will connect to  
7       the wastewater lift station, location of the wastewater lift station, manholes, and the route by  
8       which the subdivision will connect to the city's future wastewater collector system.

9       i. The proposed method of providing water supply to each lot:

10      1. If a public or community water system or rural water district is proposed, the location and size of  
11       all water mains, hydrants, and necessary extensions of the system within or beyond the limits of  
12       the subdivision to connect to the existing water mains or to the community well.

13      2. If a community water system other than a rural water district is proposed, data on the quantity  
14       and quality of the water shall be obtained from one or more test wells within the immediate  
15       vicinity of the proposed water supply well.

16      3. If an individual water well system for each lot is proposed, data on the quantity and quality of the  
17       water shall be obtained from test wells which shall be drilled on the ratio of one to each ten acres  
18       on a grid system. Where geological and hydrological data and sodium and chloride tests are  
19       available and the results are satisfactory to the health department, the test wells may be waived.

20      4. The results of the preliminary tests required above shall in no way be construed to constitute a  
21       guarantee by the city of the quantity or quality of water to individual lots in the proposed  
22       subdivision, and the data obtained from these tests shall not be used to imply that an adequate  
23       quantity or acceptable quality of water is available in the proposed subdivision.

1       j. The location and size of all existing wastewater collectors and wastewater treatment facilities, storm  
2       drains, culverts, water mains and fire hydrants, power lines, cables, and other underground structures  
3       within or adjacent to the subdivision.

4       k. The location, width, and purpose of all existing and proposed easements within or adjacent to the  
5       subdivision.

6       l. The location of all existing and proposed sidewalks, pedestrian ways, and bikeways with required  
7       easements and setbacks.

8       m. The location of all existing structures and buildings within and adjacent to the subdivision, their  
9       existing and proposed use.

10      n. A certified accurate boundary survey showing sufficient linear, angular, and curve data to determine  
11       the bearing and length of all boundary lines of the subdivision, a legal description thereof, and the  
12       number of acres therein. (This survey shall be field measured and shall mathematically close with an  
13       error of not more than one in twenty-five thousand (1/25,000).) This survey shall also locate and  
14       identify all section corners and section lines. Where the subdivision abuts on an existing plat or other  
15       surveyed tracts, the distances, angles, and bearing of any common lines shall be shown; and any  
16       differences along common lines of the original survey and the survey of this subdivision shall be noted.

17           Section 5.       That Section 26.23.100 of the Lincoln Municipal Code be amended to read  
18       as follows:

19       **26.23.100 Utility Installations.**

20       Provisions shall be made in accordance with Chapter 26.11 of this title for the installation of street  
21       surfacing; ornamental street lights; the installation of a complete system of sanitary sewers, including the  
22       extensions of the sanitary sewer to the appropriate existing public sanitary sewer and any wastewater lift  
23       stations necessary to serve the subdivision; a complete system of storm sewers, including the extensions  
24       to the appropriate existing storm sewer or to a point where the storm sewer can be properly discharged;

1 and a complete system of water mains, including extensions from the appropriate existing public water  
2 main to the subdivisions.

3 Section 6. That Section 26.23.120 of the Lincoln Municipal Code be amended to read  
4 as follows:

5 **26.23.120 Easements.**

6 Easements shall be provided and dedicated where necessary for wires, cables, conduits, fixtures and  
7 equipment for distribution of electric power, wastewater collectors, wastewater lift stations and  
8 appurtenant force mains, storm drains, overland stormwater flow routes, sidewalks, pedestrian ways,  
9 bikeways, private roadways, and water mains at such locations and widths as determined by the city. The  
10 width of easements required for public wastewater collectors, wastewater lift stations and appurtenant  
11 force mains, storm drains, and/or water mains shall be as specified in the design standards for the  
12 particular improvement adopted by the city. It is the policy of the city to locate all necessary utilities in  
13 the right-of-way or in easements abutting rear or side lot lines, except on double frontage lots. Deviations  
14 from this policy may be made when it is demonstrated that the utility is necessary and no practical  
15 alternative locations exist. Easements shall be provided along each side of a stream, watercourse, or river  
16 for the purpose of preserving area designated for compensatory storage where required in the floodplain  
17 or floodprone area, or for establishing a minimum flood corridor or a surface drainage course along that  
18 stream, watercourse, or river when the area adjacent thereto is being subdivided; such easements shall  
19 be of a width deemed necessary by the city. The easement is for the purpose of widening, deepening,  
20 sloping, improving, cleaning, or protecting the stream, watercourse, or river for drainage purposes. Said  
21 easement shall be provided in appropriate locations as determined by the city for the purpose of  
22 permitting the flow and storage of flood water. Minimum flood corridors shall be preserved and dedicated  
23 along drainage ways which drain an area greater than 40 acres, for purposes of preserving riparian  
24 vegetation and preventing encroachment within the corridors by buildings, fill, or structures; provided,

1 however, that encroachments within the corridors will be permitted in accordance with Chapter 2.05  
2 (Stormwater Drainage Design Standards) of the City of Lincoln Design Standards and Flood Design Criteria.  
3 Within the Existing Urban Area, minimum flood corridors shall not be required within the FEMA-mapped  
4 floodplain.

5 In any dedication of an easement, the city may prohibit or restrict buildings, fences, driveways and other  
6 improvements; may enter for construction, reconstruction, replacement, repair, operation, and  
7 maintenance purposes; and will be held harmless for the cost of replacement or damage to any  
8 improvement or vegetation within the easement and may make any other appropriate or necessary  
9 requirements.

10 Section 7. That Section 26.27.040 of the Lincoln Municipal Code be amended to read  
11 as follows:

12 **26.27.040 Wastewater Disposal.**

13 a. All subdivisions within the corporate limits of the city or within the future urban area designated in  
14 the comprehensive plan shall have a wastewater collection system constructed in accordance with  
15 the design standards of the city. All subdivisions located within the corporate limits of the city must  
16 connect to the city wastewater collection system if the system is reasonably accessible. The city  
17 wastewater collection system shall be extended to enable each lot to make a connection in  
18 accordance with Titles 17 and 24 of the Lincoln Municipal Code. The community wastewater works  
19 shall be extended to enable each lot not having reasonable access to the city wastewater collection  
20 system to make a connection to a community wastewater works. However, as soon as the city  
21 wastewater collection system is available, each lot shall be connected to the city wastewater  
22 collection system. Subject to applicable design standards of the city and other requirements of Lincoln  
23 Municipal Code Titles 26 and 27, subdivisions located within the corporate limits of the city may,  
24 under certain conditions, utilize a wastewater lift station in order to connect to the city wastewater

1        [collection system.](#)

2        b. In any subdivision beyond the city limits or the future urban area as designated in the comprehensive  
3        plan, where more than four lots of three acres in size or less are created for building purposes, a  
4        community wastewater works shall be constructed to serve all the lots within the subdivision.

5        c. In any subdivision, other than those designated in Section 26.27.040(b), located beyond the city limits  
6        or the future urban areas as designated in the comprehensive plan, on-site wastewater treatment  
7        systems may be permitted if each disposal system is in conformance with Chapter 24.38 of this code  
8        and is approved by the City-County Health Department.

9        d. In any subdivision where a community wastewater works is required, the subdivider, his successors  
10       and assigns, shall enter into an agreement with the city, whereby the operation and maintenance of  
11       the community wastewater works shall be in compliance with the rules and regulations of wastewater  
12       treatment works of the State of Nebraska, a discharge permit has been received from the State of  
13       Nebraska, and the operator of the system has been trained to operate the system and possesses a  
14       certificate of competency issued by the State of Nebraska.

15            Section 8.        That Section 27.02.240 of the Lincoln Municipal Code be amended to read

16        as follows:

17        **27.02.240 W.**

18        **Warehouse** Warehouses shall include the storage, wholesale and distribution, and dispatching of tangible  
19        products within an enclosed structure and may include incidental outside storage. Such use of buildings,  
20        portions of buildings, or accessory uses to such buildings shall not be deemed a warehouse when direct  
21        retail sales to the public is the primary use or where less than 50% of the floor area is for storing tangible  
22        products for distribution to retailers, industrial, commercial, institutional, or other businesses, or to other  
23        wholesalers.

1     **Wastewater Lift Station** Wastewater lift station shall mean a facility used in wastewater collection  
2     systems to move sewage from lower to higher elevations when gravity flow sanitary sewer is not available  
3     to transport the wastewater to a treatment plant or another destination.

4     **Wind Energy Conversion System (WECS)** Wind energy conversion system shall mean any device, such as  
5     a wind charger, windmill, or wind turbine, which converts wind energy to a form of usable energy.

6     Section 9.     That Section 27.60.020 of the Lincoln Municipal Code be amended to read  
7     as follows:

8     **27.60.020 Requirements.**

9     a. General Requirements.

10    1. The City or owners of any tract of land, at least three acres in size, may apply for a planned unit  
11    development designation in any district except the AG Agriculture and AGR Agricultural  
12    Residential districts.

13    2. All regulations of the underlying zoning district shall apply, except as provided herein and/or  
14    specifically modified by the City Council through the adoption of a development plan.

15    3. The maximum residential density of a planned unit development shall be determined by the City  
16    Council in order to permit flexibility in private and public development or redevelopment. In  
17    those instances where no maximum is established, the maximum residential density shall be in  
18    accordance with the City of Lincoln Design Standards for community unit plans, or the lot area  
19    requirements of the underlying zoning district. Planned unit developments which comply with the  
20    City of Lincoln Design Standards for Density Bonuses may receive dwelling bonuses per those  
21    standards.

22    4. Signs shall conform to Section 27.69.340, unless modified by the City Council.

23    5. All development must meet the intent and spirit of the comprehensive plan.

24    6. In the R-1 through R-4 districts where Neighborhood Design Standards govern, the maximum

1       height of multifamily structures shall not exceed a height of 45 feet. In the R-1 through R-4 districts  
2       where Neighborhood Design Standards do not govern, maximum height of multi-family structures  
3       shall not exceed 55 feet. In all other zoning districts, the maximum height of multi-family  
4       structures shall not exceed 55 feet, unless the underlying zoning district permits a greater height.

5       b. Development Plan Requirements.

- 6       1. The applicant shall submit a development plan for the proposed planned unit development.
- 7       2. The development plan may propose and the City Council may approve any permitted use,  
8           conditional permitted use, or special permitted use allowed under the zoning code.  
9           Notwithstanding any regulation to the contrary, a separate special permit or use permit is not  
10          necessary to permit any such use.
- 11       3. The development plan may propose and the City Council may approve area, height, sign, parking,  
12           landscaping, screening, traffic access, and setback regulations for the project as a whole or for  
13          subareas or components of the project different from those within the underlying zoning district.  
14           In making its determination regarding approval of such proposed standards or restrictions, the  
15          City Council shall consider the character and scale of the proposed development as it relates to  
16          other uses and structures both within the district and outside the district, the character and scale  
17          of similar development within the area of the proposal, and consistency with other adopted plans  
18          or standards. The City Council may impose alternate or additional area, height, parking,  
19           landscaping, screening, traffic access, and setback regulations as necessary to protect and  
20          enhance areas within or adjacent to the planned unit development and to ensure compliance with  
21          the comprehensive plan and protect the health, safety, and general welfare.
- 22       4. The development plan shall address the site-related impact and needs of the proposed  
23          development on existing and proposed street and utility systems. The City Council may impose  
24          conditions, restrictions, or standards as appropriate to achieve the intent of this ordinance, and

1 require dedication of necessary rights-of-way or easements. In making its determination  
2 regarding such conditions, restrictions, or standards, the Council shall consider the adequacy of  
3 existing or adjacent facilities, the timely provision of adequate facilities, the impact of the  
4 proposed development on existing and/or planned facilities, and the overall cost to the  
5 community.

6 5. Where any portion of the total land area of a land use within the planned unit development is  
7 proposed to be adjacent to the perimeter of the planned unit development and such land use is  
8 not permitted in the adjacent zoning district, then the development plan must address how the  
9 proposal will mitigate any negative impacts. The City Council may impose additional standards  
10 and requirements for perimeter treatment to protect adjoining properties from adverse effects,  
11 and to achieve an appropriate transition of land uses and densities.

12 6. For planned unit developments proposed over parcels in substantially developed areas, the  
13 development plan must include appropriate standards and regulations to assure that new  
14 development or renovations are in the scale and character of the existing neighborhood and are  
15 sensitive to adjacent properties with respect to height, scale, use, and form of the surrounding  
16 neighborhood including, but not limited to, the following: land uses (including limitations on  
17 allowed uses), design standards for new construction (related to the scale and character of the  
18 surrounding neighborhood), height, parking, and setbacks, including both minimum and  
19 maximum setbacks.

20 7. For planned unit developments proposed for residential zoning of a minimum 150 gross acres in  
21 area, the City Council may approve as a condition of the planned unit development the use of a  
22 wastewater lift station to provide sanitary sewer service to the area within the planned unit  
23 development provided the following conditions are met:

- i. The net density within the planned unit development shall be a minimum of five (5.0) dwelling units per acre.
  - A. Net density shall not include parks, trails, or open space that could otherwise be residentially or commercially developed.
- ii. Accessory Dwelling Units shall be permitted uses throughout the residential areas of the planned unit development.
- iii. At least 10% of lots shown for single family detached dwelling units shall be equal to or less than 4,000 square feet in area.

Section 10. That Section 27.65.020 of the Lincoln Municipal Code be amended to read  
as follows:

## 27.65.020 Requirements.

a. General Requirements. The owner or owners of any tract of land in the R-1, R-2, R-3, R-4, R-5, R-6, R-7, or R-8 zoning district which is one acre or more in area; in the BTA Overlay District with underlying AG zoning which is forty acres or more in area; or in the BTA Overlay District with underlying AGR zoning which is ten acres or more in area, including and up to the centerline of existing public rights-of-way abutting the tract of land may submit a plan for the use and development thereof for residential purposes or for the repair and alteration of any existing residential development. The plan may propose a modification of height and area regulations of the district in which the community unit plan is located provided that a community unit plan proposed in the BTA Overlay District with underlying AG zoning shall comply with the maximum height and minimum lot requirements of the

1 AGR district unless otherwise stated in the community unit plan for lots created that are less than 5  
2 acres in size.

3 b. Specific Requirements.

4 1. In the R-1, R-2, R-3, R-4, R-5, or R-6 zoning district:

5 i. The maximum permitted density of the community unit plan shall be calculated as in Section  
6 27.65.080.

7 ii. A community unit plan which complies with the energy conservation standards adopted by the  
8 City Council and on file with the City Clerk may receive a dwelling unit bonus in accordance with  
9 the standards adopted by resolution of the City Council.

10 iii. Additional dwelling units may be granted for each dwelling unit subsidized by the state or  
11 federal government for low-income families or as a dwelling unit bonus for the provision of  
12 barrier-free units; however, the number of additional dwelling units shall not exceed those  
13 provided in the standards adopted by resolution of the City Council.

14 2. In the R-7 or R-8 zoning district, a community unit plan may be permitted on a tract of land which is  
15 more than one acre in area. The maximum permitted density will be calculated as provided in  
16 Section 27.65.080.

17 3. In the R-1, R-2, R-3, R-4, R-5, R-6, R-7, or R-8 zoning districts, a community unit plan may be  
18 permitted that is served by a wastewater lift station in lieu of gravity sewer on a tract of land which  
19 is a minimum of 150 gross acres in area subject to the following conditions:

20 i. The net density within the community unit plan shall be a minimum of five (5.0) dwelling units  
21 per acre.

22 A. Net Density shall not include parks, trails, or open space that could otherwise be  
23 residentially or commercially developed.

1       ii. Accessory Dwelling Units shall be permitted uses throughout the residential areas of the  
2                   community unit plan.

3       iii. At least 10% of lots shown for single family detached dwelling units shall be equal to or less than  
4                   4,000 square feet in area.

5       3.4. In the BTA Overlay District the land within the community unit plan shall be divided into two  
6       components: an Acreage Development Component and an Urban Reserve Component, except as  
7       provided in subsection (ii) below. The Acreage Development Component may be subdivided in  
8       conformance with requirements of the City Land Subdivision Ordinance into residential lots for  
9       single-family dwellings. The Urban Reserve Component may not be subdivided or built upon but  
10       rather shall be reserved for future residential development until such time as City sanitary sewer  
11       and water utilities are extended to the Urban Reserve Component and the land within the  
12       community unit plan is annexed by the City of Lincoln.

13       i. In the BTA Overlay District with underlying AG zoning, the Acreage Development Component  
14       shall not exceed twenty-five percent (25%) of the total area of the community unit plan.

15       ii. In the BTA Overlay District with underlying AGR zoning, the Urban Reserve Component is not  
16       required and the total area of the community unit plan may be used for the Acreage  
17       Development Component if the single-family dwellings will utilize on-site wastewater systems  
18       and in such case the minimum lot size shall be three acres. The Acreage Development  
19       Component shall not exceed forty percent (40%) of the total area of the community unit plan if  
20       the single-family dwellings will utilize a community wastewater system and in such case the  
21       maximum lot size shall be one acre.

22       4.5. In the R-1 through R-4 districts where Neighborhood Design Standards govern, the maximum  
23       height of multi-family structures shall not exceed 45 feet. In the R-1 through R-4 districts where

1       Neighborhood Design Standards do not govern, maximum height of multi-family dwellings shall not  
2       exceed 55 feet.

3       c. A community unit plan located in the BTA Overlay District which will substantially protect an open  
4       space area as designated on the future land use plans included in the Lincoln City-Lancaster County  
5       Comprehensive Plan may receive a dwelling unit bonus provided that:

6       1. The request for a dwelling unit bonus shall be accompanied by a showing of the need for protection  
7       of the open space, a description of the proposed use of the open space and any limitations there  
8       on, and the proposed method of protecting the open space which may include, but is not necessarily

9       limited to, protective covenants, conservation or preservation easements, or similar restrictions of  
10      record.

11      2. The proposed method of protecting the open space shall expressly (i) prohibit the construction or  
12      installation of any structures or other improvements in the open space for a period of 99 years,  
13      except minimal above ground structures or improvements reasonably necessary and incidental to  
14      the proposed use of the open space; and (ii) prohibit such uses as shooting ranges, basketball courts,  
15      baseball fields, football and soccer fields, racetracks, or other stadium uses, facilities for spectator  
16      sports, and any activities that would unreasonably disturb the residents of the community unit plan  
17      or the surrounding neighborhoods.

18      3. The open space shall be accessible to, and available for use by, the residents of the community unit  
19      plan;

20      For the purposes of this subsection, "open space" shall mean land or water which is undeveloped  
21      or which is set aside for public or private outdoor recreational uses, such as parks, trail systems, golf  
22      courses, or bodies of water for swimming, fishing, or boating.

1       d. A community unit plan located in the BTA Overlay District with underlying AG zoning in consideration  
2           of providing for future subdivision of the lots within the Acreage Development Component as well as  
3           the Urban Reserve Component shall receive a twenty percent (20%) density bonus.

4       e. A community unit plan located in the BTA Overlay District with underlying AGR zoning in consideration  
5           of providing for future subdivision of the Urban Reserve Component shall receive a twenty percent  
6           (20%) density bonus.

7       f. A community unit plan located in either the AG Agriculture District or AGR Agricultural Residential  
8           District which utilizes a community wastewater disposal system rather than individual wastewater  
9           systems shall receive a twenty percent (20%) density bonus.

10      g. A community unit plan located in the R-1, R-2, R-3, R-4, R-5, R-6, R-7, R-8, or BTA Overlay zoning  
11           districts which will substantially protect floodplain or floodprone areas may receive a dwelling unit  
12           bonus if a permanent conservation easement or permanent deed restriction is dedicated to preserve  
13           the floodplain or floodprone area. The bonus allotment will be proportionally equal to the amount of  
14           floodplain preserved on the site and the size of the lot as in conformance with the design standards.

15      h. The dwelling unit bonuses permitted under subsections (c), (d), (e), and (g) of this section shall not  
16           exceed a cumulative total of twenty percent (20%) in any community unit plan.

17           Section 11. That Section 27.65.070 of the Lincoln Municipal Code be amended to read  
18           as follows:

19           **27.65.070 Form of Community Unit Plan in the R-1 through R-8 Zoning Districts and AG and**  
20           **AGR Zoning Districts Not Within BTA Overlay District.**

21           A final plot plan shall be accurately, clearly, and legibly drawn on tracing cloth or mylar in a sufficient size  
22           and scale to show the details of the plan clearly and shall contain the following information

23      a. A surveyor's certificate certifying to the accuracy of the boundary survey shown thereon, and a

1 certificate for showing the Planning Commission's approval or disapproval, including the date and  
2 resolution number;

3 b. Date prepared, north point, scale of plot plan, and location of section lines and section corners;

4 c. Contour lines at intervals not to exceed five feet based on NAVD 1988. Spot elevations on a 100-foot  
5 grid shall be required to fully indicate the topography on flat land;

6 d. Locations, name, tangent lengths, centerline radius of each curve and its interior angle, and width of  
7 all proposed and existing streets, highways, private roadways, and other public ways within and  
8 adjacent to the development;

9 e. Locations and widths of all existing and proposed easements for drainage, sewers, and other public  
10 utilities and, if appropriate, access easements;

11 f. Location, width, and direction of flow of all watercourses in and adjacent to the community unit plan,  
12 including the limits of the floodplain and floodway as defined in Chapters 27.52 and 27.53;

13 g. The location and size of all existing and proposed sanitary and storm sewers, culverts, water mains,  
14 fire hydrants, and existing power lines and other underground structures or cables within the tract  
15 of land and adjacent streets;

16 h. All lot lines, building setback lines for all lots, dimensions of all lot lines and building envelope lines.  
17 Chord distances shall be shown for lot lines abutting curvilinear streets;

18 i. Lot numbers shall begin with the number (1) and shall continue consecutively through a block with  
19 no omission or duplication. Blocks shall be numbered in the same manner. Letters shall be used to  
20 designate outlots in alphabetical order;

21 j. Proposed areas for parks and playgrounds. Any parcels other than streets which are to be dedicated  
22 or reserved for public use shall be clearly shown and said parcels shall be designated as outlots and  
23 assigned an alphabetical designation;

24 k. The location of all proposed and existing sidewalks, walkways, and other pedestrian ways;

- 1    l. Location, height, and use of proposed and existing buildings with an indication as to whether an  
2       existing building is to be removed or to remain, and signs, if any, in accordance with the provisions  
3       of Chapter 27.69;
- 4    m. A certified accurate boundary survey showing sufficient linear, angular, and curve data to determine  
5       the bearing and length of all boundary lines of the community unit plan. Where the tract of land  
6       abuts on an existing plat, the distances, angles, and bearing of any common lines shall be shown and  
7       any differences in measurement noted. The total calculated acres within the boundaries of the  
8       community unit plan shall be shown;
- 9    n. The following data shall be shown on each sheet of the community unit plan:
  - 10      1. The name of the community unit plan;
  - 11      2. The name, address, and telephone number of the person or company responsible for preparation  
12        of the community unit plan;
  - 13      3. North arrow, scale, date;
  - 14      4. Sheet number and the total number of sheets comprising the community unit plan.
- 15    o. Accompanying the community unit plan, the following information shall be submitted to the Planning  
16        Department with the number of copies requested by the Planning Director:
  - 17      1. Name, address, and telephone number of developer;
  - 18      2. Certified record owner or owners and their address;
  - 19      3. Legal description of the proposed community unit plan, including the number of acres;
  - 20      4. Statement of present zoning and proposed use or uses of the property;
  - 21      5. Profiles along the centerline of the proposed streets and private roadways which show the  
22        existing ground surface elevations and the proposed street grades including the length of vertical  
23        curves between changes in grade with the profiles for stub streets ending at the boundary of the  
24        community unit plan to be extended 300 feet beyond the limits of the community unit plan into

1 subdivided and unsubdivided land;

2 6. The proposed method of providing sanitary sewer service to the area;

3 i. If a public wastewater works or community wastewater works is established, the size and

4 location of all proposed sanitary sewers, the proposed manhole locations, any necessary

5 extension to the existing public system or to the proposed community wastewater works, and

6 the location of the proposed community wastewater works;

7 ii. If the use of an on-site wastewater treatment system is permitted, pursuant to Section

8 26.27.040 of the Lincoln Municipal Code, plans for the proposed disposal system and its

9 location on each lot must be shown. If a septic tank system is proposed, soil and percolation

10 data and plans which show the location of one main subsurface disposal field for each lot

11 which is proposed to be served by a septic tank system shall be shown.

12 iii. If the use of a wastewater lift station is permitted to serve the community unit plan area, the

13 size, area to be served, including those areas within and beyond the limits of the subdivision

14 that will connect to the wastewater lift station, location of the wastewater lift station,

15 manholes, and the route by which the area within the community unit plan will connect to

16 the city's future wastewater collector system.

17 7. The proposed method of providing an adequate potable water supply;

18 i. If a public, or community water system, or rural water district is used, the location and size of

19 all proposed water mains, the proposed hydrant locations, and any necessary extension of

20 the proposed system to existing water mains or to a proposed community well, the location

21 of the proposed community well, and the type of water treatment to be used;

22 ii. If a community water system other than a rural water district is proposed, data on the

23 quantity and quality of the water shall be obtained from a test well within the immediate

24 vicinity of the proposed water supply well. If an individual water well system for each lot is

1 proposed, data on the quantity and quality of the water shall be obtained from test wells  
2 which shall be drilled on the ratio of one to each ten acres on a grid system. The results of  
3 these preliminary tests shall in no way be construed to guarantee the quantity or quality of  
4 water to individual lots in the proposed community unit plan and the data obtained from  
5 these tests shall not be used to imply that an adequate quantity or acceptable quality of water  
6 is available in the proposed community unit plan.

7 8. A drainage study prepared in accordance with the current storm sewer design standards of the  
8 city on file with the City Clerk. The following items must be included in the drainage study:

9 i. A map showing the drainage area and resulting runoff from any land lying outside the limits  
10 of the community unit plan which discharges storm water runoff into or through the  
11 community unit plan;

12 ii. A map showing all internal drainage areas and resulting runoff;

13 iii. Proposals as to how the computed quantities of runoff will be handled;

14 iv. A copy of the drainage computations.

15 9. A map or an aerial photograph showing the proposed streets, private roadways, driveways,  
16 parking areas, buildings, and lots which includes the location, and identifies, by common name,  
17 all existing trees within the area of the community unit plan. Single trees which are three inches  
18 in diameter or larger measured five feet above the ground must be shown. However, if five or  
19 more trees are located so that each is within approximately ten feet of the edge of another tree,  
20 they will be considered a tree mass and the outline of the tree mass may be shown with a list of  
21 the common names of the trees which are within the tree mass. If the above-stated procedure is  
22 followed, the individual location of each tree within the tree mass is not necessary. An indication  
23 shall be made on the map showing which trees or tree masses are to remain and which trees or  
24 tree masses are to be removed;

1       10. A vicinity sketch showing the general location of the community unit plan in relation to existing  
2       streets, section lines, and city limits;

3       11. Site grading plan showing existing and proposed contour lines with intervals at no greater distance  
4       than five feet, and if necessary, spot elevations showing complete proposed grading of the  
5       community unit plan. Also, cross-sections may be required showing existing and proposed ground  
6       lines and buildings. Information as to where fill will be obtained and the amount of the fill shall  
7       be included if all or part of the property is located within the floodplain as defined in Chapters  
8       27.52 and 27.53. If the proposed location from which said fill is obtained is later to be changed,  
9       the developer shall inform the Transportation and Utilities Department of the location of the  
10      proposed new borrow area and obtain approval thereof from the Director of Transportation and  
11      Utilities;

12      12. All deviations from the provisions of this chapter shall be fully set forth and reasons given for said  
13      deviations;

14      13. In the event that said real property is located within a floodplain, the developer shall comply with  
15      all requirements pertaining to floodplains contained in the Lincoln Municipal Code and applicable  
16      state statutes.

17      p. A Computer-Aided-Design (CAD) file representing only the Community Unit Plan boundary survey  
18      and street centerlines shall be submitted that complies with the CAD Standards for Subdivision  
19      Submittals maintained by the Transportation and Utilities Department.

20           Section 12. That Sections 26.11.039, 26.11.095, 26.15.015, 26.23.100, 26.23.120,  
21           26.27.040, 27.02.240, 27.60.020, 27.65.020, and 27.65.070 of the Lincoln Municipal Code as  
22           hitherto existing be and the same are hereby repealed.

23           Section 13. This ordinance shall be published, within fifteen days after the passage  
24           hereof, in one issue of a daily or weekly newspaper of general circulation in the City, or posted on

1 the official bulletin board of the City, located on the wall across from the City Clerk's office at  
2 555 S. 10<sup>th</sup> Street, in lieu and in place of the foregoing newspaper publication with notice of  
3 passage and such posting to be given by publication one time in the official newspaper by the City  
4 Clerk. This ordinance shall take effect and be in force from and after its passage and publication  
5 or after its posting and notice of such posting given by publication as herein and in the City Charter  
6 provided.

Introduced by:

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Approved as to Form & Legality:

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City Attorney

Approved this \_\_\_\_ day of \_\_\_\_\_, 2025:

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\_\_\_\_\_  
Mayor

## ORDINANCE NO. \_\_\_\_\_

1           AN ORDINANCE amending Lincoln Municipal Code Section 17.60.010 Definitions to  
2    add definitions for “Wastewater Lift Station Surcharge” and “Wastewater Lift Station Operating  
3   Fee”; by amending Chapter 17.60 to add new sections for “Wastewater Lift Station Surcharge;  
4   When Applicable”, “Wastewater Lift Station Surcharge; Surcharge Formula”, and “Wastewater  
5   Lift Station Operation Fee; When Applicable”; and repealing Section 17.60.010 as hitherto  
6   existing.

7           BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

8           Section 1.       That Section 17.60.010 of the Lincoln Municipal Code be amended to read  
9    as follows:

10       **17.60.010 Definitions.**

11       The definitions set forth in Section 17.58.010 of this title shall, except as otherwise specifically defined in  
12   this section, apply with like force and effect to this chapter, together with the following definitions:

13       **Nonresidential property** shall mean any property other than residential property.

14       **Normal wastewater** shall mean wastewater which when analyzed shows by weight a daily average of not  
15   more than 300 parts per million (2,500 pounds) of suspended solids, not more than 250 parts per million  
16   (2,085 pounds) of BOD (or where biochemical oxygen demand cannot accurately be determined, a  
17   chemical oxygen demand greater than 400 parts per million (3,336 pounds)), and not more than 100 parts  
18   per million (834 pounds) of oil and grease, each per million gallons of daily flow.

19       **P.P.M.** (denotes parts per million) shall mean milligrams per liter.

20       **Residential property** shall mean a property consisting primarily, on an area basis, of one or more dwelling  
21   units.

1     **Service charge** shall mean the minimum charge per month to each property using the Lincoln Wastewater  
2     System determined by the number and size of water meters serving each property, regardless of whether  
3     a wastewater meter is used. The service charge is intended to recover proportionate operation and  
4     maintenance costs associated with the sanitary sewer and related overhead costs, including meter  
5     reading and maintenance, billing, collection and customer accounting costs and ensures wastewater  
6     service to the property.

7     **Total annual wastewater treatment and collection costs** shall mean the total amount sufficient:  
8       a. to meet the projected costs and expenses of the operation and maintenance of the wastewater  
9       system, including both the wastewater treatment and collection system facilities;  
10      b. for the amortization of the indebtedness of said facilities; and  
11      c. for additional costs as may be necessary to assure adequate waste collection and treatment on a  
12       continuing basis, all as pertaining to and reflecting the total operation of the Lincoln Wastewater  
13       System, as determined by the City Council for one fiscal year.

14    **Total annual wastewater treatment costs** shall mean the total amount sufficient:  
15      1. to meet the projected costs and expenses of the operation and maintenance of the wastewater  
16       treatment facilities;  
17      2. for the amortization of the indebtedness of said facilities; and  
18      3. for additional costs as may be necessary to assure adequate waste treatment on a continuing basis, all  
19       as pertaining to and reflecting the total operation of the treatment facilities of the Lincoln Wastewater  
20       System, as determined by the City Council for one fiscal year.

21    **Wastewater base charge** shall mean the sum of the wastewater flow charge and the service charge, and  
22    said base charge shall be made against each property connected to the Lincoln Wastewater System  
23    according to the billing cycle established by the Director.

24    **Wastewater flow charge** shall mean the charge made against each property connected to the Lincoln

1 Wastewater System for each billing cycle determined by the metered wastewater usage in 100 cubic feet  
2 of water used, or wastewater contributed if a wastewater measuring device is required or permitted and  
3 used, times the flow charge rate established by the City Council. The flow charge rate (\$/100 cubic feet)  
4 shall be determined by dividing the total annual wastewater treatment and collection costs (as defined),  
5 exclusive of costs recovered by other wastewater charges and **fees**, by the total wastewater usage  
6 metered for all users of the Lincoln Wastewater System during the most recent fiscal year.

7 **Wastewater lift station operating fee** means the contribution paid as satisfaction of the requirement in  
8 Lincoln Municipal Code Section 26.11.039e. for the purpose of paying partial costs to operate the  
9 wastewater lift station serving a subdivision before the wastewater lift station surcharge collected from  
10 said subdivision is sufficient to pay said costs entirely.

11 **Wastewater lift station surcharge** shall mean the additional charge made against each property  
12 connected to the Lincoln Wastewater System via a lift station.

13 **Wastewater surcharge** shall mean the additional charge made against each property connected to the  
14 Lincoln Wastewater System that contributes wastewater which has a running average strength in excess  
15 of that defined for normal wastewater during the billing cycle established by the Director.

16 **Wastewater use charge** shall mean the sum of all charges made against a property during a billing cycle;  
17 that is, the sum of the wastewater base charge and any applicable wastewater surcharges.

18 Section 2. That Chapter 17.60 of the Lincoln Municipal Code be amended by adding  
19 a new section numbered 17.60.055 to read as follows:

20 **17.60.055 Wastewater Lift Station Surcharge; When Applicable.**

21 When any property connects to and benefits from the Lincoln Wastewater System via a lift station, such  
22 property shall be subject to a lift station surcharge, to be determined as set forth in this chapter. The  
23 purpose of such surcharge is to help defray the extra cost to the City to operate the lift station serving  
24 that property. This surcharge shall not apply to properties served by a lift station prior to \_\_\_\_\_.

1 2025.

2 Section 3. That Chapter 17.60 of the Lincoln Municipal Code be amended by adding  
3 a new section numbered 17.60.072 to read as follows:

4 **17.60.072 Wastewater Lift Station Surcharge; Surcharge Formula.**

5 At the time of application for water service, the Director shall make a computation of the lift station  
6 surcharge for each property that will connect to a sanitary sewer main which benefits from the operation  
7 of a lift station, using the following formula:

8 Annual Cost in Year  $n$ :

9 
$$C_n = C_0 * (1.03)^n$$

10 Monthly Surcharge per Lot:

11 
$$((C_n / L) / 12) * M$$

12 Example Calculation:

13 • Year 3  $\rightarrow n=3$

14 • 400 lots  $\rightarrow L=400$

15 • 3/4-inch meter  $\rightarrow M=1$

16 
$$C_3 = 32,000 \times (1.03)^3 = \$34,967.26$$

17 Monthly Fee =  $((34,967.26 / 400) / 12) \times 1 = \$7.29$  per month

18 •  $C_0 = \$32,000 \rightarrow$  Initial annual cost

19 •  $r=0.03 \rightarrow$  Annual increase rate (3%)

20 •  $n =$  Number of years since the base year. (e.g., 0 for the first year) The base year shall in all  
21 cases be 2026.

1     •  $L$  = Total number of lots in the planned unit development or community plan where the

2       property is located.

3     •  $M$  = Multiplier based on the water meter size (see table below).

<u>Meter Size</u>	<u>Multiplier (M)</u>
<u>5/8 inch</u>	<u>1.00</u>
<u>3/4 inch</u>	<u>1.00</u>
<u>1 inch</u>	<u>1.78</u>
<u>1-1/2 inch</u>	<u>3.53</u>
<u>2 inch</u>	<u>5.65</u>
<u>3 inch</u>	<u>10.61</u>
<u>4 inch</u>	<u>17.70</u>
<u>6 inch</u>	<u>35.37</u>
<u>8 inch</u>	<u>56.60</u>
<u>10 inch</u>	<u>81.39</u>
<u>12 inch</u>	<u>81.39</u>

4           Section 4.     That Chapter 17.60 of the Lincoln Municipal Code be amended by adding

5           a new section numbered 17.60.170 to read as follows:

6           **17.60.170 Wastewater Lift Station Operating Fee; When Applicable.**

7           When the first final plat to be served by a wastewater lift station in lieu of gravity sewer is approved within

8       a Planned Unit Development or Community Unit Plan, the subdivider shall pay one-half the 10-year

9       average cost of operating said wastewater lift station within the Planned Unit Development or Community

10      Unit Plan, assuming a 4% discount rate. Payment of the lift station operating fee shall be considered to

1        be in lieu of the subdivider paying for the ongoing operation of the wastewater lift station.

2            Section 5.        That Section 17.60.010 of the Lincoln Municipal Code as hitherto existing  
3        be and the same is hereby repealed.

4            Section 6.        This ordinance shall be published, within fifteen days after the passage  
5        hereof, in one issue of a daily or weekly newspaper of general circulation in the City, or posted on  
6        the official bulletin board of the City, located on the wall across from the City Clerk's office at  
7        555 S. 10<sup>th</sup> Street, in lieu and in place of the foregoing newspaper publication with notice of  
8        passage and such posting to be given by publication one time in the official newspaper by the City  
9        Clerk. This ordinance shall take effect and be in force from and after its passage and publication  
10      or after its posting and notice of such posting given by publication as herein and in the City Charter  
11      provided.

Introduced by:

---

Approved as to Form & Legality:

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City Attorney

Approved this \_\_\_\_ day of \_\_\_\_\_, 2025:

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\_\_\_\_\_  
Mayor

RESOLUTION NO. A-\_\_\_\_\_

1                   WHEREAS, the City of Lincoln has previously adopted the City of Lincoln Design  
2                   Standards consisting of four titles (Title 1. General Provisions, Title 2. Design Standards for  
3                   Subdivision Regulations, Title 3. Design Standards for Zoning Regulations, and Title 4.  
4                   Miscellaneous Design Standards) and Appendix A – Sight Distance; and

5                   WHEREAS, the Planning Director has proposed to amend Title 2 Design Standards  
6                   for Land Subdivision Regulations by amending Chapter 2.00 Sanitary Sewer Design Standards  
7                   Section 2 Sanitary Sewer Policies, paragraph 2.1 Drainage Area Restriction to allow wastewater  
8                   lift stations to be permitted in limited circumstances; by amending Chapter 2.00 Sanitary Sewer  
9                   Design Standards by adding a new Section 4 entitled “Wastewater Lift Stations”; and repealing  
10                  Section 2, paragraph 2.1 of Chapter 2.00 as hitherto existing.

11                  NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of  
12                  Lincoln, Nebraska:

13                  1.           That Section 2, paragraph 2.1 of Chapter 2.00 Sanitary Sewer Design  
14                  Standards be and the same is hereby amended as shown on Attachment “A” which is attached  
15                  hereto and incorporated herein by this reference.

16                  2.           That Chapter 2.00 Sanitary Sewer Design Standards be and the same is  
17                  hereby amended to add a new Section 4 Wastewater Lift Stations as shown on Attachment “B”  
18                  which is attached hereto and incorporated herein by this reference.

19                  3.           That Section 2, paragraph 2.1 of Chapter 2.00 of the City of Lincoln Design  
20                  Standards is repealed as hitherto existing.

25R-xxx  
TX25012

Introduce: xx-xx-25

RESOLUTION NO. A-\_\_\_\_\_

Introduced by:

---

Approved as to Form & Legality:

---

City Attorney

Approved this \_\_\_\_ day of \_\_\_\_\_, 2025:

---

Mayor



## ATTACHMENT "A"

### **Title 2 DESIGN STANDARDS FOR LAND SUBDIVISION REGULATIONS**

#### **Chapter 2.00 SANITARY SEWER DESIGN STANDARDS**

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##### **Section 2. SANITARY SEWER POLICIES**

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###### **2.1 Drainage Area Restriction**

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The various elements of the sanitary sewer system in the City of Lincoln are designed to handle only that wastewater contribution which originates within the natural surface watershed wherein the sanitary sewer system is located. The transfer of wastewater from one watershed to another by any means, such as a wastewater lift station or construction of a sanitary sewer which cuts through the ridge separating the watersheds, shall only~~not~~ be permitted in limited circumstances as described in Title 26 and 27 of the Lincoln Municipal Code.



LINCOLN



Design Standards

## ATTACHMENT "B"

# **Title 2 DESIGN STANDARDS FOR LAND SUBDIVISION REGULATIONS**

## **Chapter 2.00 SANITARY SEWER DESIGN STANDARDS**

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### **Section 4. WASTEWATER LIFT STATIONS**

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#### **4.1 Wastewater Lift Station Preliminary Minimum Criteria**

Sanitary sewer projects eligible and approved for wastewater lift stations must demonstrate that the sanitary line receiving flow from the proposed lift station meets the following criteria:

- a. The receiving sanitary line has firm full capacity; and
- b. Additional flow will not deprive any other property projected to naturally drain to the receiving sanitary line from discharging into the receiving sanitary line.

#### **4.2 Wastewater Lift Station Design and Construction**

Wastewater lift stations must be designed and constructed to include the following components:

- a. Dual lifts pumps, each capable of lifting full build out flow, with adaptive N impellers, duplex lift controls;
- b. Backup power generator, capable of running for 24 hours, without refueling;
- c. Fiber communication components capable of integrating with City's Supervisory Control and Data Acquisition (SCADA) system;
- d. Level and alarm sensors, with float backup;
- e. Motor control panel mounted above grade in locked stainless steel box;
- f. Wet well mixer;
- g. DC battery backup for controls;
- h. Mag meter with removable sensors installed on discharge piping;
- i. Wastewater lift stations shall be designed and constructed with materials and components of satisfactory quality, lifespan, durability, and ability to integrate into City's existing Sanitary Sewer System. City shall keep and provide a list of acceptable models and brands of wastewater lift station components and shall reserve the right to reject any proposal to use inferior wastewater lift station components.

#### **4.3 Wastewater Lift Station Force Main**

Sanitary sewer projects eligible and approved for wastewater lift stations must present plans for the force main showing location, size, velocity, capacity hydraulic characteristics, and hydrogen sulfide generation.



## 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

Miscellaneous 25013

*Lincoln Cornhusker Area Blight & Substandard Determination Study*

### FINAL ACTION?

No

PLANNING COMMISSION HEARING DATE  
October 15, 2025

RELATED APPLICATIONS  
[MISC25014](#)

LOCATION  
Generally N. 48<sup>th</sup> & Adams

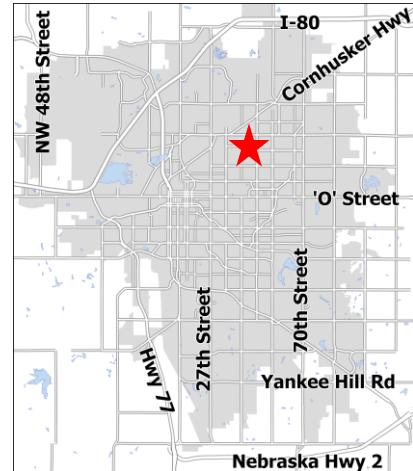
### RECOMMENDATION: FINDING OF SUBSTANDARD AND BLIGHTED CONDITIONS

#### BRIEF SUMMARY OF REQUEST

The Lincoln Cornhusker Area is generally bounded by Colfax Avenue on the North, N 56<sup>th</sup> Street on the East, Holdrege Street on the South, and N 27<sup>th</sup> Street on the West. The study area includes most of the University Place neighborhood and the N. 33<sup>rd</sup> & Cornhusker Highway corridor, along with a portion of Clinton neighborhood. The area includes a mix of residential, commercial, and industrial uses. A map of the study area is attached.

This request is to determine whether the area qualifies as substandard and blighted within the definition set forth in the Nebraska Community Development Law, Nebraska Revised Statute [18-2103](#).

The complete Blight & Substandard Study is on file with the Urban Development Department and the Planning Department. The Study can also be found online on the Planning Application Tracking System (PATS): [MISC25013](#).



#### JUSTIFICATION FOR RECOMMENDATION

The Lincoln Cornhusker Area qualifies as substandard and blighted within the definition set forth in the Nebraska Community Development Law, Nebraska Revised Statute [18-2103](#), as determined by the Lincoln Cornhusker Area Blight & Substandard Determination Study.

Nebraska Community Development Law, Nebraska Revised Statute [18-2109](#) requires the Planning Commission to review whether an area is substandard and blighted. A recommendation of the Planning Commission is required to be provided to the City Council prior to an area being declared blighted and substandard.

#### COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Comprehensive Plan identifies blight designations as part of the strategy to facilitate infill development and revitalization.

#### APPLICATION/STAFF CONTACT

Hallie Salem  
City of Lincoln Urban Development Dept  
(402) 441-7866  
[hsalem@lincoln.ne.gov](mailto:hsalem@lincoln.ne.gov)

## KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

### Elements Section

#### E2: Infill and Redevelopment

##### **Redevelopment Incentives**

Facilitating infill and redevelopment in the existing city requires both a nuanced understanding of the challenges associated with redevelopment projects and a well-thought out set of strategies to overcome them. Commonly cited challenges to infill and redevelopment include land cost and assembly, access to financing, and zoning requirements.

Tax Increment Financing (TIF), facilitated by redevelopment plans in blighted areas, has been the city's most common tool for incentivizing infill redevelopment. TIF is authorized by Nebraska Community Development Law and has been utilized by the City of Lincoln since 1982. TIF uses the added tax revenue created by the redevelopment to finance project-related costs such as land acquisition, core and shell rehabilitation, and public improvements. Traditionally, the developer takes on the debt of the project, pays their full tax burden, and then is allocated back the increment to pay down the debt on the pre-identified project-related costs.

In 2019 the State legislature revised Nebraska Community Development Law to include an “extremely blighted” designation. Areas meeting the criteria of being extremely blighted are eligible for additional Housing Trust Fund dollars and state tax credits for owner-occupied home purchases.

There are many existing and potential redevelopment incentives beyond blighting and TIF (i.e. tax abatement, land value tax, impact fee exclusions).

### Policies Section

#### P8: Infill and Redevelopment

Infill projects should target existing underdeveloped or redeveloping areas in order to remove blighted conditions and more efficiently utilize existing infrastructure.

## ANALYSIS

1. This is a request to determine whether the Lincoln Cornhusker Area should be declared substandard and blighted per [18-2103](#) (11) Nebraska Revised Statutes. After an area is declared substandard and blighted, the City has the option to proceed with the preparation and approval of a Redevelopment Plan. Redevelopment activities may include utilizing Tax Increment Financing (TIF) from private development to pay for public infrastructure and improvements.
2. This application is the same in scope as [MISC25008](#) and the associated [MISC25009](#) that were considered by the Planning Commission on July 23, 2025. In the spirit of transparency and to address concerns with the process followed at the prior public hearing, this matter is being resubmitted to the Planning Commission for its consideration. All written comments and the minutes from the prior Planning Commission meeting are included on PATS ([MISC25013](#)) for the Planning Commission to consider.
3. This Blight Study and associated Extreme Blight Study ([MISC25014](#)) are part of a broader redevelopment effort in the University Place neighborhood. The University Place Subarea Plan was reviewed by Planning Commission at the April 16, 2025 hearing ([CPA25001](#)) and unanimously recommended for approval. The Plan was unanimously approved by City Council on May 5, 2025. The Subarea Plan presents a strategic vision for the University Place neighborhood and provides a framework for achieving that vision. Items from the Subarea Plan that involve TIF expenditures are given more details in the Redevelopment Plan, which will be submitted for Planning Commission and City Council review in the near future.

4. Outreach related to this blight study was completed in several stages. Two areas within the blight study have an existing subarea plan - University Place and 33<sup>rd</sup> & Cornhusker. Both of those plans included an extensive public involvement process. Also included in this plan is a portion of the Clinton neighborhood. On June 2, 2025 City staff attended a neighborhood meeting in Clinton to provide additional information and answer questions about the blight and extreme blight study.
5. The Urban Development Department hired a consultant who conducted the study to determine whether there was a presence of substandard or blighting conditions in the study area per [18-2103](#) Nebraska Revised Statutes.
6. The Urban Development Department requests the determination study be reviewed by the Planning Commission for conformance with the Comprehensive Plan.
7. The Lincoln Cornhusker Area includes approximately 2,065 acres. According to the land use categories identified in the Blight Study, approximately 27.2% of the land (561.9 acres) is residential, 22.3% (459.6 acres) is public/institutional, 15.1% (311.0 acres) is industrial, 14.4% (296.7 acres) is public streets/alleys, 10.0% (206.9 acres) is commercial, and 4.1% (78.6 acres) is parks and recreation (page 5).
8. A **substandard** area is defined in the Nebraska Revised Statutes as containing a predominance of buildings or improvements with at least one of four conditions present:
  1. Dilapidation/deterioration
  2. Age or obsolescence
  3. Inadequate provision for ventilation, light, air, sanitation or open spaces
  4. a) High density of population and overcrowding; or  
 b) The existence of conditions which endanger life or property by fire and other causes; or  
 c) Any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, and is detrimental to the public health, safety, morals or welfare.
9. The area qualifies as **substandard** because according to the Blight study **two substandard** factors were found to have a strong presence in the study area. The strong factors are summarized below (Page 55).
  - A) Dilapidation/deterioration. Based on data from the Lancaster County Assessor, 841 structures are rated below "good" condition (32.4%), 2,243 "good" condition or worse (86.3%), and only 354 "very good" or better (13.6%).
  - B) Age or obsolescence. Based on data from the Lancaster County Assessor, 2,830 (91.7%) structures are 40 years of age or older. The average age of structures is 67.8 years.
10. A **blighted** area is defined in the Nebraska Revised Statutes as having the presence of one or more of the twelve following conditions:
  1. A substantial number of deteriorated or deteriorating structures;
  2. Existence of defective or inadequate street layout;
  3. Faulty lot layout in relation to size, adequacy, accessibility or usefulness;
  4. Insanitary or unsafe conditions;
  5. Deterioration of site or other improvements;
  6. Diversity of ownership;
  7. Tax or special assessment delinquency exceeding the fair value of the land;
  8. Defective or unusual conditions of title;
  9. Improper subdivision or obsolete platting;
  10. The existence of conditions which endanger life or property by fire or other causes;
  11. Any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations or constitutes an economic or social liability;
  12. Is detrimental to the public health, safety, morals, or welfare in its present condition and use; and in which there is at least one of the following conditions:
    - a) Unemployment in the designated blighted area is at least one hundred twenty percent of the

- b) state or national average;
- c) The average age of the residential or commercial units in the area is at least 40 years;
- d) More than half of the plotted and subdivided property in the area is unimproved land that has been within the City for 40 years and has remained unimproved during that time;
- e) The per capita income of the designated blighted area is lower than the average per capita income of the city or City in which the area is designated; or
- e) The area has had either stable or decreasing population based on the last two decennial censuses.

11. The study found **seven blighting** factors to be present to a strong extent in the study area. The strong factors are listed below (Page 54):

- A) A substantial number of deteriorated or deteriorating structures. 841 structures are rated below "good" condition (32.4%).
- B) Insanitary or unsafe conditions. Trees and large foliage are at the end of their natural life.
- C) Deterioration of site or other improvements. Majority (87.9%) of sidewalk in an "average" to "poor or missing" condition, majority (82.2%) of the street network in an "average to poor" condition, majority (86.3%) of curb and gutter in an "average" to "poor" condition, drainage is an issue during large storm events, standing water remains after storm events in certain areas, there are a considerable number of deteriorating parking lots including some that are not hard-surfaced, there is a substantial amount of utility lines that are over 40 year old and deemed inadequate.
- D) Diversity of ownership. The area contains over three thousand different Property Identification Numbers ("PIN"); within the area ownership includes many public entities.
- E) The existence of conditions which endanger life or property by fire or other causes. Standing water in parts of the area.
- F) Combination of factors which are impairing and/or arresting sound growth. US Highway 6/Cornhusker Highway splits the area and due to its control by State and Federal departments, and the volume of vehicles, impairs the development and redevelopment of the area.

12. The study finds there are two strong factors (out of four) that constitute an area as substandard within the study area, and out of 12 possible factors that constitute an area blighted, seven are strongly present in the area. Therefore, it is the conclusion of the study that sufficient conditions and factors meet the criteria of substandard and blight as evidenced in the Blight Study. These factors present a serious barrier to the planned and coordinated development of the area, have created an environment that negatively impacts private sector investment in the area, and serve as a detriment to the overall healthy economic growth and physical development of the community.

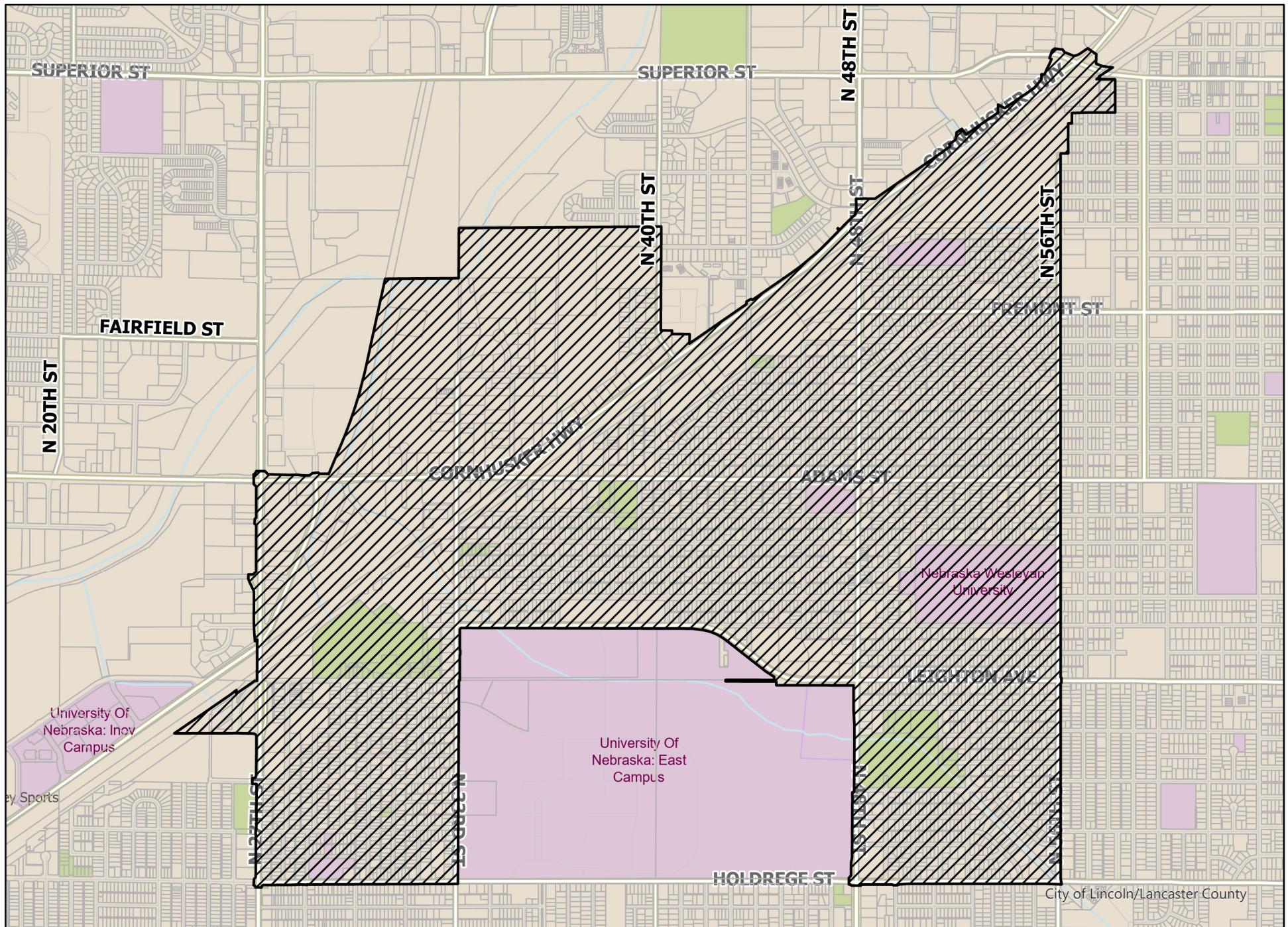
**EXISTING ZONING:** R-4, R-5, R-6 Residential, B-1 Local Business, B-3 Commercial, O-2 Suburban Office, O-3 Office Park, H-3 Heavy Commercial, I-1 Industrial, P Public

**APPROXIMATE LAND AREA:** 2,065 acres

Prepared by Andrew Thierolf, AICP  
[athierolf@lincoln.ne.gov](mailto:athierolf@lincoln.ne.gov), (402) 441-6371

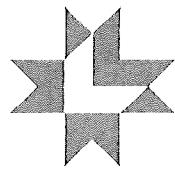
September 30, 2025

Contact: Hallie Salem  
City of Lincoln Urban Development Dept  
(402) 441-7866 or [hsalem@lincoln.ne.gov](mailto:hsalem@lincoln.ne.gov)



**MISC25013 & MISC25014**  
**Lincoln Cornhusker Area Blight and Substandard Study &**  
**Lincoln Cornhusker Area Extreme Blight Study**





**LINCOLN**  
Urban Development

September 17, 2025

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

Dear Andrew:

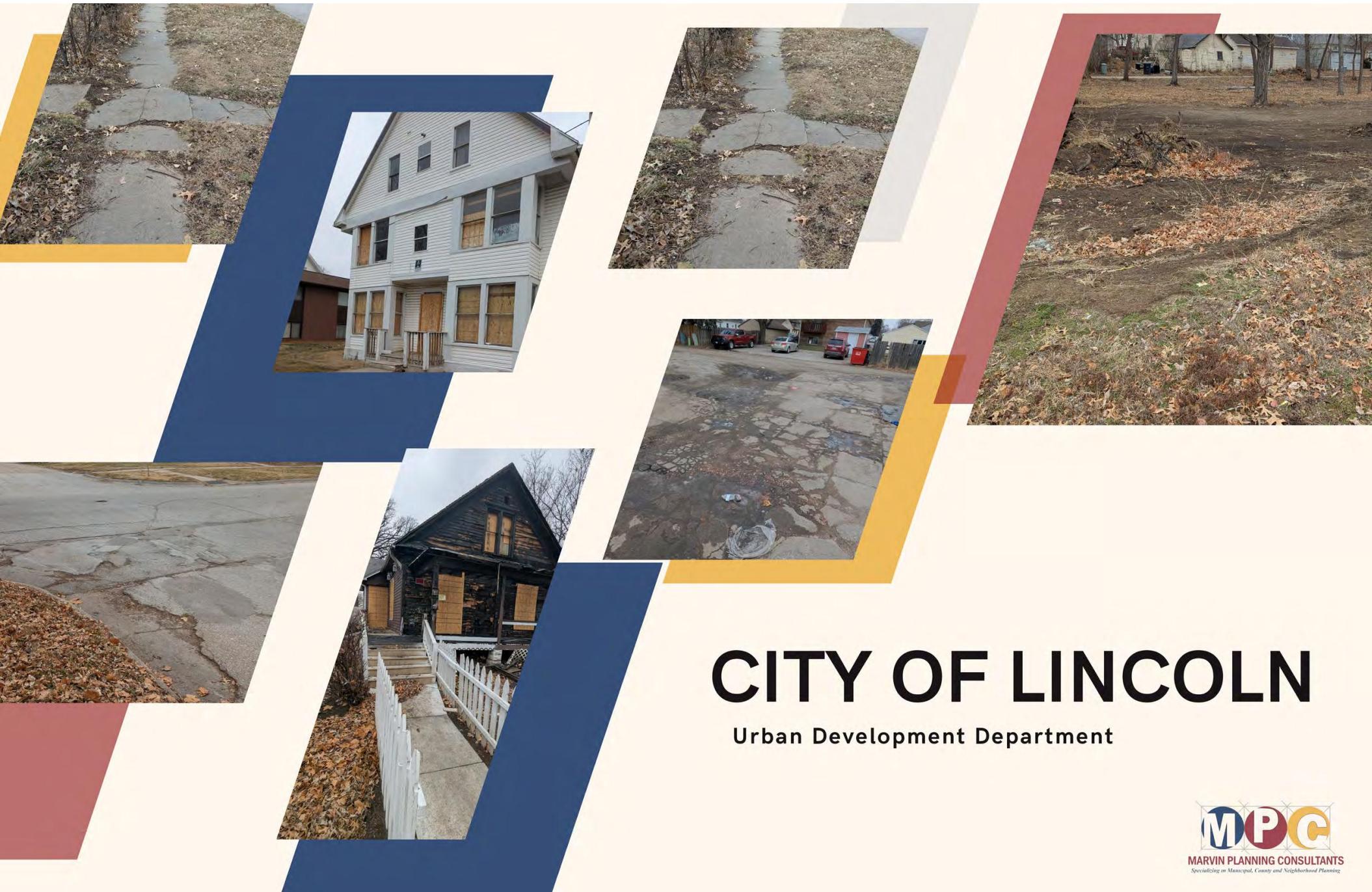
Enclosed is a copy of the Lincoln Cornhusker Area Blight and Substandard Study. This study reviews the area encompassing the University Area Subara Plan as well as the 33<sup>rd</sup> Street and Cornhusker Highway corridor.

Once submitted through Project Dox, please forward the proposed study to the Planning Commission for their consideration for Comprehensive Plan compliance at the October 15, 2025 public hearing. We request that the redevelopment plan also be scheduled at City Council for introduction on November 3, 2025 and public hearing on November 17, 2025.

If you have questions or need additional information, please contact me at 402-441-7857 or [jhiatt@lincoln.ne.gov](mailto:jhiatt@lincoln.ne.gov).

Sincerely,

Jennifer Hiatt  
Planner II | Economic Opportunity  
Urban Development



# CITY OF LINCOLN

Urban Development Department



**PURPOSE OF THE BLIGHT AND SUBSTANDARD STUDY**

The purpose of completing this Blight and Substandard study is to examine existing conditions within a specific part of Lincoln. This study has been commissioned by the City of Lincoln Urban Development Department in order to analyze the possibility of declaring the area as blighted and substandard.

The City of Lincoln, when considering conditions of Blight and Substandard, will be looking at those issues and definitions provided for in the Nebraska Community Redevelopment Law as found in Chapter 18, Section 2104 of the Revised Nebraska State Statutes, as follows:

*"The governing body of a city, to the greatest extent it deems to be feasible in carrying out the provisions of Sections 18-2101 to 18-2144, shall afford maximum opportunity, consistent with sound needs of the city as a whole, to the rehabilitation or redevelopment of the community redevelopment area by private enterprises. The governing body of a city shall give consideration to this objective in exercising its powers under sections 18-2101 to 18-2144, including the formulation of a workable program, the approval of community redevelopment plans consistent with the general plan for the development of the city, the exercise of its zoning powers, the enforcement of other laws, codes, and regulations relating to the use and occupancy of buildings and improvements, the disposition of any property acquired, and providing of necessary public improvements".*

The Nebraska Revised Statutes §18-2105 continues by granting authority to the governing body for formulation of a workable program. The statute reads,

*"The governing body of a city or an authority at its direction for the purposes of the Community Development Law may formulate for the entire municipality a workable program for utilizing appropriate private and public resources to eliminate or prevent the development or spread of urban blight, to encourage needed urban rehabilitation, to provide for the redevelopment of substandard and blighted areas, or to undertake such of the aforesaid activities or other feasible municipal activities as may be suitably employed to achieve the objectives of such workable program. Such workable program may include, without limitation, provision for the prevention of the spread of blight into areas of the municipality which are free from blight through diligent enforcement of housing, zoning, and occupancy controls and standards; the rehabilitation or conservation of substandard and blighted areas or portions thereof by replanning, removing congestion, providing parks, playgrounds, and other public improvements by encouraging voluntary rehabilitation and by compelling the repair and rehabilitation of deteriorated or deteriorating structures; and the clearance and redevelopment of substandard and blighted areas or portions thereof."*

Blight and Substandard are defined as the following:

*"Substandard areas means an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through*

*construction of prisons), and is detrimental to the public health, safety, morals, or welfare;"*

*"Blighted area means an area, which (a) by reason of the presence of a substantial number of deteriorated or deteriorating structures, existence of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility, or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use and (b) in which there is at least one of the following conditions: (i) Unemployment in the designated area is at least one hundred twenty percent of the state or national average; (ii) the average age of the residential or commercial units in the area is at least forty years; (iii) more than half of the platted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time; (iv) the per capita income of the area is lower than the average per capita income of the city or village in which the area is designated; or (v) the area has had either stable or decreasing population based on the last two decennial censuses. In no event shall a city of the metropolitan, primary, or first class designate more than thirty-five percent of the city as blighted, a city of the second class shall not designate an area larger than fifty percent of the city as blighted, and a shall not designate an area larger than one hundred percent of the as blighted;"*

The Study is intended to give the City of Lincoln Urban Development Department, Lincoln-Lancaster Planning Commission, and Lincoln City Council the basis for identifying and declaring Blighted and Substandard conditions existing within the City's jurisdiction and as allowed under Chapter 18, Section 2123.01. Through this process, the City and property owners will be attempting to address economic and/or social liabilities which are harmful to the well-being of the entire community.

The overall Study Area can be seen in page 3 of this report. Subsequent sections of this document contain a series of maps breaking down the Study Area into smaller sections. This breakdown was created to show conditions in the Study Area at a more digestible scale. A Redevelopment Plan to be submitted in the future containing, in accordance with the law, definite local objectives regarding appropriate land uses, improved traffic, public transportation, public utilities and other public improvements, and the proposed land uses and building requirements in the redevelopment area and shall include:

- The boundaries defining the blighted and substandard areas in question (including existing uses and conditions of the property within the area), and
- A list of the conditions present which qualify the area as blighted and substandard.



**BLIGHT AND SUBSTANDARD ELIGIBILITY STUDY**

This study targets a specific area within an established part of the community for evaluation. The area is indicated in page 3 of this report. The existing uses in the area include residential uses, commercial uses, industrial uses and public uses including accessory uses within the corporate limits of Lincoln. Through the redevelopment process the City of Lincoln can guide future development and redevelopment throughout the area. The use of the Community Redevelopment Act by the City of Lincoln is intended to redevelop and improve the area. Using the Community Redevelopment Act, the City can assist in the elimination of negative conditions and implement different programs/projects identified for the City.

The following is the description of the designated area within Lincoln.

*Point of beginning is the intersection of the centerlines of N 27th Street and Holdrege Street; thence easterly along the centerline of Holdrege Street to the intersection of the centerlines of Holdrege Street and N 33rd Street; thence northerly along the centerline of N 33rd Street to the intersection of the centerlines of N 33rd Street and Huntington Avenue; thence easterly along the centerline of Huntington Avenue and transitioning to the centerline of Leighton Avenue to the intersection of the centerlines of Leighton Avenue and N 48th Street; thence southerly along the centerline of N 48th Street to the intersection of the centerlines of N 48th Street and Holdrege Street; thence easterly along the centerline of Holdrege Street to the intersection of the centerlines of Holdrege Street and N 56th Street; thence northerly along the centerline of N 56th Street to the southern property line of a parcel known as "S8, T10, R7, 6th Principal Meridian, IRREGULAR TRACT LOT 67 NE, & HAVELOCK BLOCKS 108, 109, 110, 111, 112, 113 & 114 ALL THAT PART LYING NORTH OF A LINE 35' NORTH OF THE CENTERLINE OF RR ROW, & BLOCKS 38, 67, 73, & 102 & ALL VAC ALLEYS"; thence easterly along the southern property line of said lot to the eastern-most property line of said lot; thence northerly along the eastern-most property lines of said lot to the intersections of the extended property line of said lot and the centerline of Ballard Street; thence easterly along the centerline of Ballard Street to the intersection of the centerlines of Ballard Street and N 58th Street; thence northerly along the centerline of N 58th Street to the intersection of the centerlines of N 58th Street and Havelock Avenue; thence northwesterly along the centerline of Havelock Avenue to the intersection of the centerlines of Havelock Avenue and Cornhusker Highway; thence southwesterly along the centerline of Cornhusker Highway to the eastern extended property line of a parcel known as "S8, T10, R7, 6th Principal Meridian, IRREGULAR TRACT LOT 254 SW"; thence northerly along the eastern property line of said lot to the northern property line of said lot; thence westerly along the northern property line of said lot to the eastern property line of a parcel known as "S8, T10, R7, 6th Principal Meridian, IRREGULAR TRACT LOT 208 SW"; thence northerly along the eastern property line of said lot to the northern property line of said lot; thence westerly along the northern property line of said lot to the centerline of N 40th Street; thence northerly along the centerline of N 40th Street to the extended northern property line of a parcel known as "S7, T10, R7, 6th Principal Meridian, LOT 187 E1/2"; thence westerly along the northern property line of said lot to the western property line of a parcel known as "S7, T10, R7, 6th Principal Meridian, LOT 30 NE"; thence southerly along the western property line of said lot to the northern property line of a parcel known as "S7, T10, R7, 6th Principal Meridian, LOT 162 SW EX 2.79+- AC IN SW"; thence westerly along the northern property line of said lot; thence southwesterly along the western property line of said lot to the centerline of Cornhusker Highway; thence westerly along the centerline of Cornhusker Highway to the intersection of the centerlines of N 27th Street and Cornhusker Highway; thence southerly to the intersection of the centerlines of N 26th Street and N 27th Street; thence southwesterly*

approximately 1,237 feet; thence easterly approximately 1,030 feet to the centerline of N 27th Street; thence southerly along the centerline of N 27th Street to the point of beginning.

**EXISTING LAND USES**

The term "Land Use" refers to the developed uses in place within a building or on a specific lot of land. The number and type of uses are constantly changing within a community, and produce a number of impacts either benefitting or detracting from the community. Existing patterns of land use are often fixed in older communities and neighborhoods, while development in newer areas is often reflective of current development practices.

**Existing Land Use Analysis within Study Area**

As part of the planning process, a survey was conducted through both in-field observations, as well as data collection online using data from the City of Lincoln's Information Technology Services ("ITS") Division. This survey noted the use of each lot of land within the Study Area. These data from the survey are analyzed in the following paragraphs.

Table 1 on the following page includes the existing land uses for the entire Study Area. The table contains the total acres determined per land use from the survey; next is the percentage of those areas compared to the total developed land; and finally, the third set of data compare all land uses to the total area within the Study Area. The Study Area is comprised of the following overall uses:

1. Residential;
2. Commercial;
3. Public/Institutional;
4. Parks and Recreation;
5. Industrial;
6. Transportation/R.O.W., Utilities, and;
7. Vacant/Agricultural

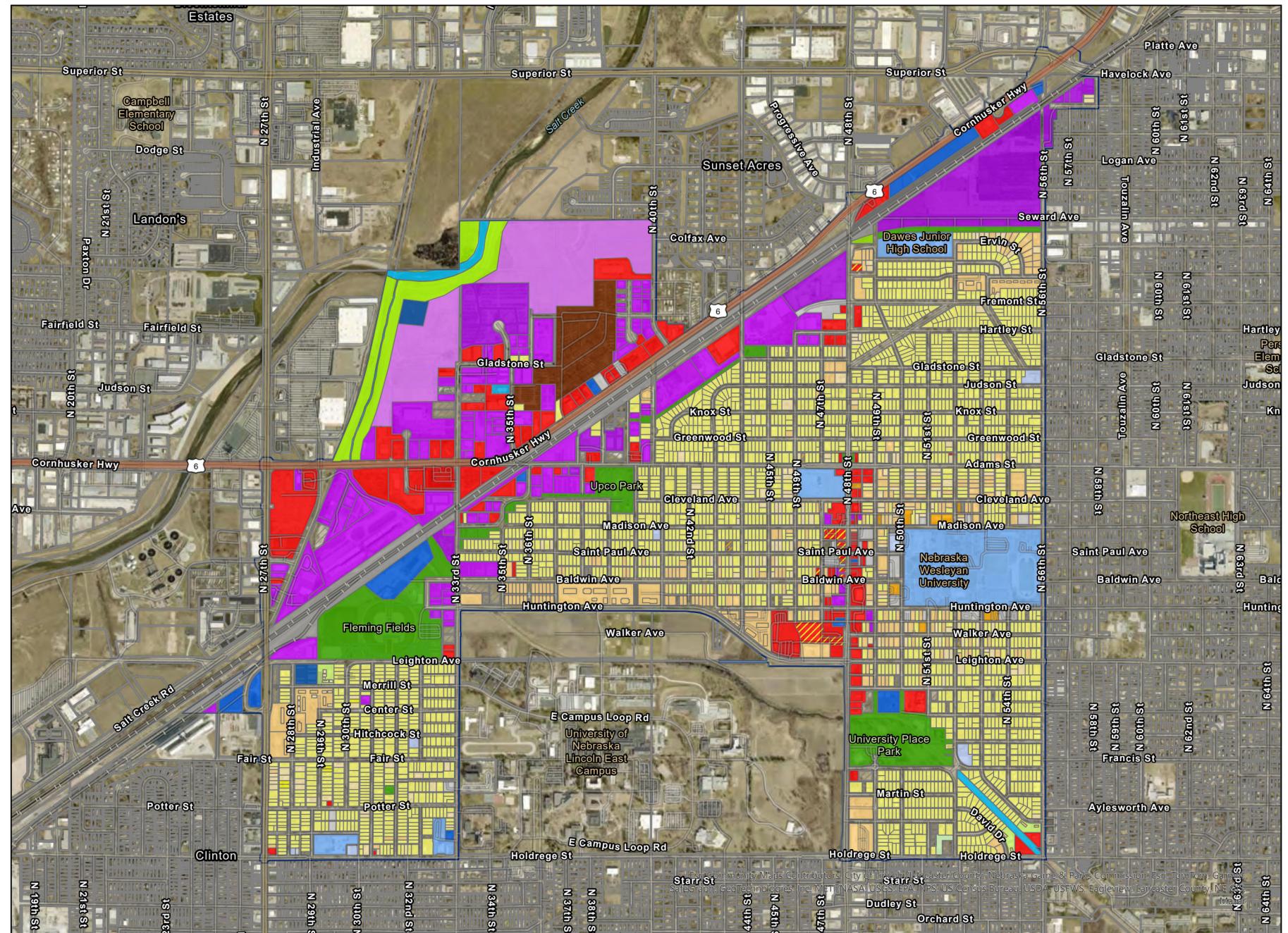
The City of Lincoln further breaks down these uses into specific categories as seen in Table 1. For example, the Residential Use is broken down into nine separate categories. The Study Area is predominantly made up of Residential uses and Public/Institutional uses. The Transportation/R.O.W., Utilities category includes parking lots in the Study Area as well as all rights-of-way on either side of streets in the Study Area.

Blight and Substandard Study - Lincoln, Nebraska, Cornhusker Highway Area

TABLE 1: EXISTING LAND USE, LINCOLN - 2025

Type of Use	Acres	Percent of Developed Land Within the Study Area	Percent of Study Area
<b>Residential</b>	<b>561.9</b>	<b>29.3%</b>	<b>27.2%</b>
Single-Family Detached	402.8	21.0%	19.5%
Single-Family Attached (Townhouse)	1.6	0.1%	0.1%
Duplex	31.8	1.7%	1.5%
Apartment (Multi-Family Dwelling)	85.5	4.5%	4.1%
Group Quarters - Fraternity/Sorority House	2.8	0.1%	0.1%
Group Quarters - Rooming Houses	0.6	0.0%	0.0%
Special Housing - Nursing Homes	0.5	0.0%	0.0%
Special Housing - Other Special Housing	0.2	0.0%	0.0%
Mobile Homes (including parks/courts)	36.1	1.9%	1.7%
<b>Commercial</b>	<b>206.9</b>	<b>10.8%</b>	<b>10.0%</b>
Commercial	201.8	10.5%	9.8%
Commercial with Residential Units Above	5.1	0.3%	0.2%
<b>Public/Institutional</b>	<b>459.6</b>	<b>24.0%</b>	<b>22.3%</b>
Churches, Synagogues, and Temples	4.8	0.2%	0.2%
Educational Institution	416.8	21.8%	20.2%
Public and Semi-Public	0.7	0.0%	0.0%
Public and Semi-Public - Without Residential	32.8	1.7%	1.6%
Utility Facility	4.5	0.2%	0.2%
<b>Parks and Recreation</b>	<b>78.6</b>	<b>4.1%</b>	<b>3.8%</b>
Park Land	0.6	0.0%	0.0%
Park Land - Public	78.0	4.1%	3.8%
<b>Industrial</b>	<b>311.0</b>	<b>16.2%</b>	<b>15.1%</b>
Agricultural Production (Crops and Tree Farms)	82.5	4.3%	4.0%
Light Industrial	151.9	7.9%	7.4%
Heavy Industrial	76.7	4.0%	3.7%
<b>Transportation/R.O.W., Utilities</b>	<b>296.7</b>	<b>15.5%</b>	<b>14.4%</b>
Parking Lot	11.4	0.6%	0.5%
Railroad	279.8	14.6%	13.5%
Vacated R.O.W. (Retained by Public Entity)	5.6	0.3%	0.3%
<b>Total Developed Land</b>	<b>1914.6</b>	<b>100.0%</b>	<b>92.7%</b>
<b>Vacant/Agriculture</b>	<b>150.4</b>	-	<b>7.3%</b>
Open Space	9.8	-	0.5%
Open Space - Private	3.0	-	0.1%
Open Space - Public	81.7	-	4.0%
Streams and Creeks	24.9	-	1.2%
Vacant Land	31.0	-	1.5%
<b>Total Area</b>	<b>2065.0</b>	-	<b>100.0%</b>

Source: Marvin Planning Consultants, City of Lincoln, 2025



## CORNHUSKER HIGHWAY AREA

## BLIGHT AND SUBSTANDARD

## LAND USE - STUDY AREA

This legend provides a key for various symbols and categories used in the map. It includes color-coded boxes for land use types and specific symbols for other features.

- Land Use**
  - Single Family Detached
  - Single Family Attached (Townhouse)
  - Duplex
  - Apartment (Multi-Family Dwelling)
  - Group Quarters - Fraternity/Sorority House
  - Group Quarters - Rooming Houses
  - Special Housing - Nursing Homes
  - Special Housing - Other Special Housing
  - Mobile Homes (including parks/courts)
  - Commercial
  - Commercial with Residential Units Above
  - Churches, Synagogues, and Temples
  - Educational Institution
  - Public and Semi-Public
  - Public and Semi-Public - Without Residential
  - Utility Facility
  - Park Land
  - Park Land - Public
  - Agricultural Production (Crops and Tree Farms)
  - Light Industrial
  - Heavy Industrial
  - Parking Lot
  - Railroad
  - Vacated R.O.W. (Retained by Public Entity)
  - Open Space
  - Open Space - Private
  - Open Space - Public
  - Streams and Creeks
  - Vacant Land
  - Study Area
- Other Symbols**
  -


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PROJECTION: NE State Plane (Ft.)

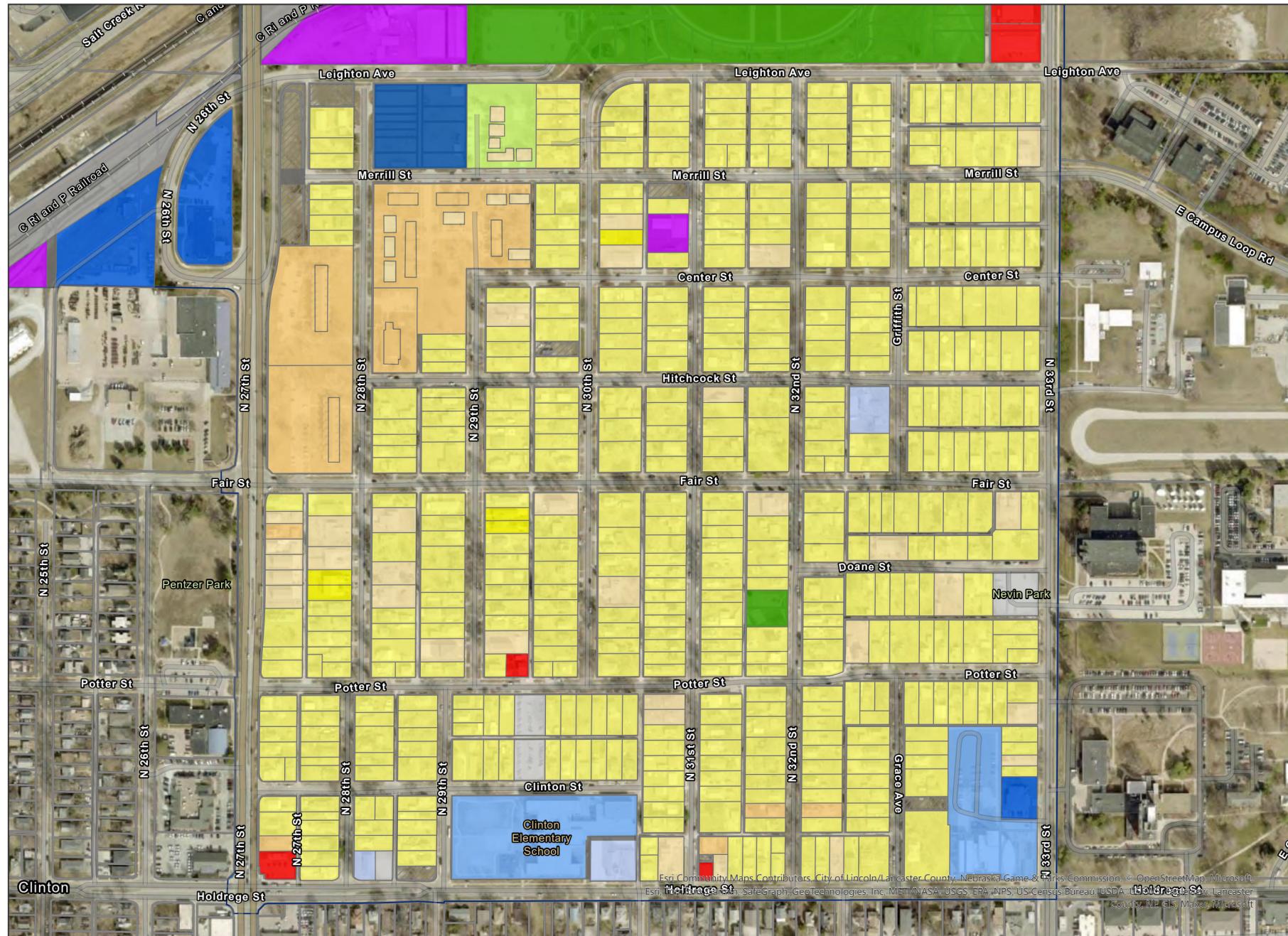
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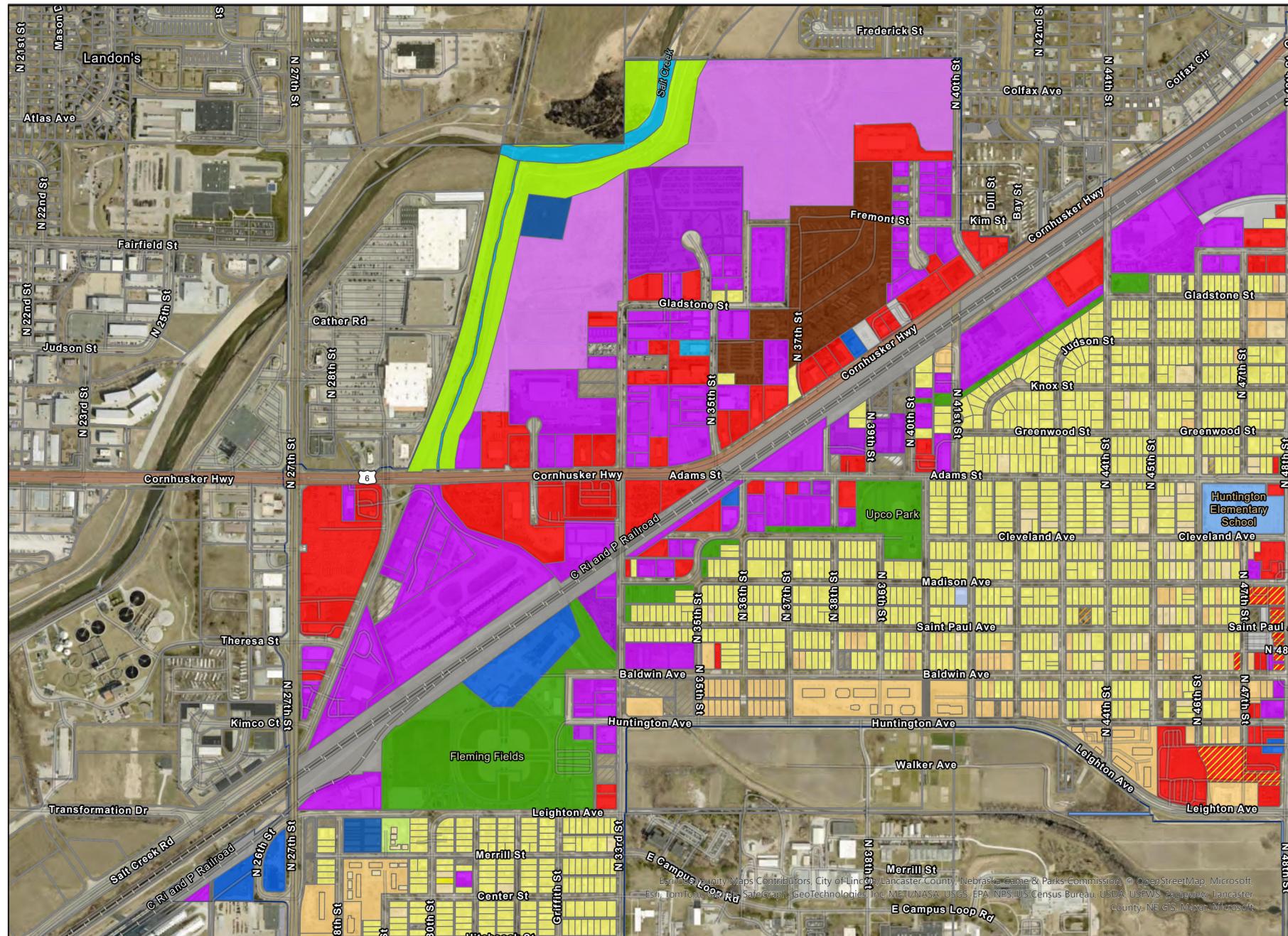
DATE: 2.6.25

0 15 30 60

0 15 30 60 Miles

Page 1 of 1





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PROJECTION: NE State Plane (Ft.)

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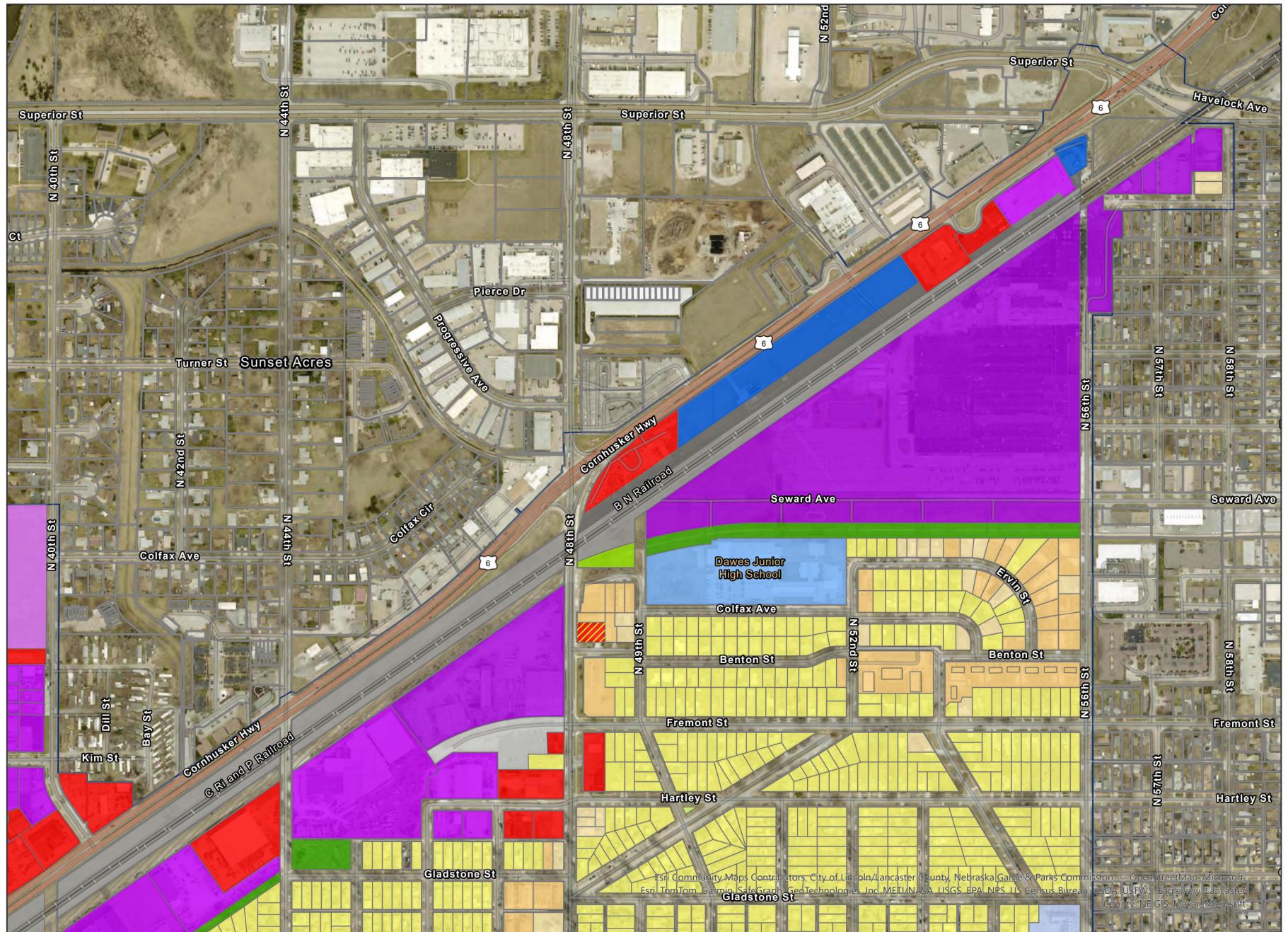
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CORNHUSKER HIGHWAY AREA

BLIGHT AND SUBSTANDARD

LAND USE - CORNHUSKER  
AND INDUSTRIAL AREAS #2



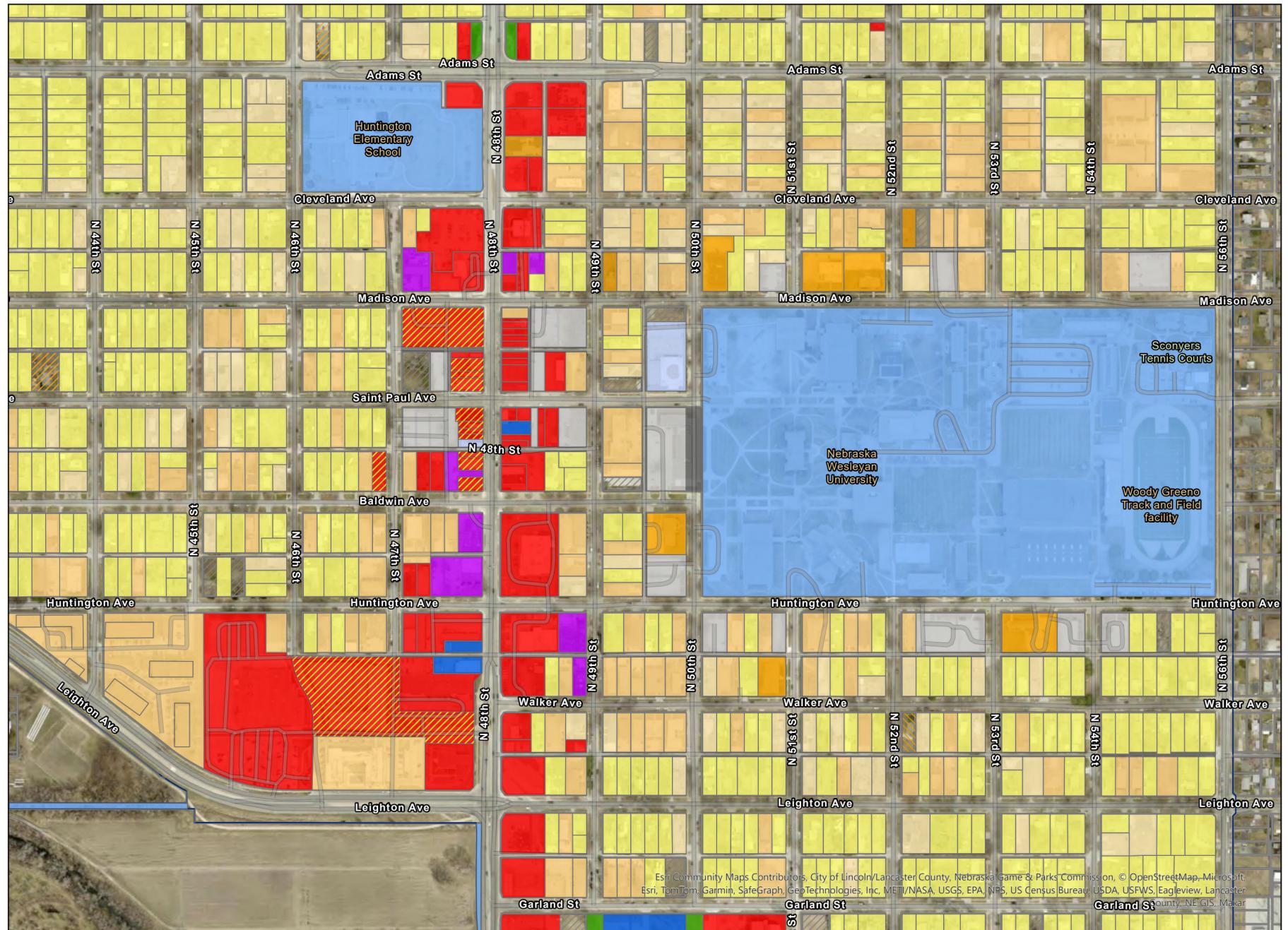
**MPC**  
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Specializing in Municipal County and Neighborhood Planning

PROJECTION: NE State Plane (Ft.)

DATUM: NAD 83

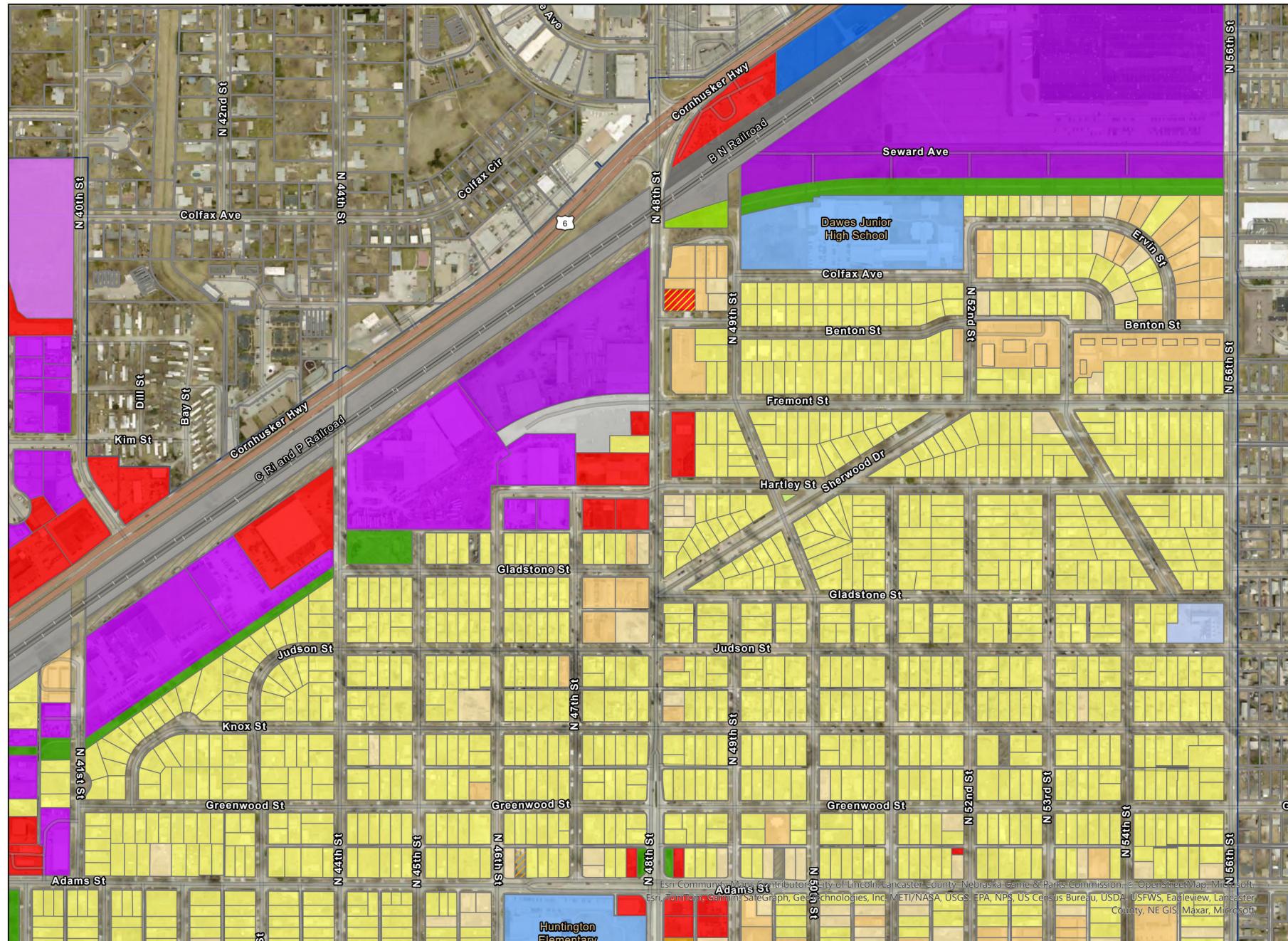
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DATE: 2.18.25

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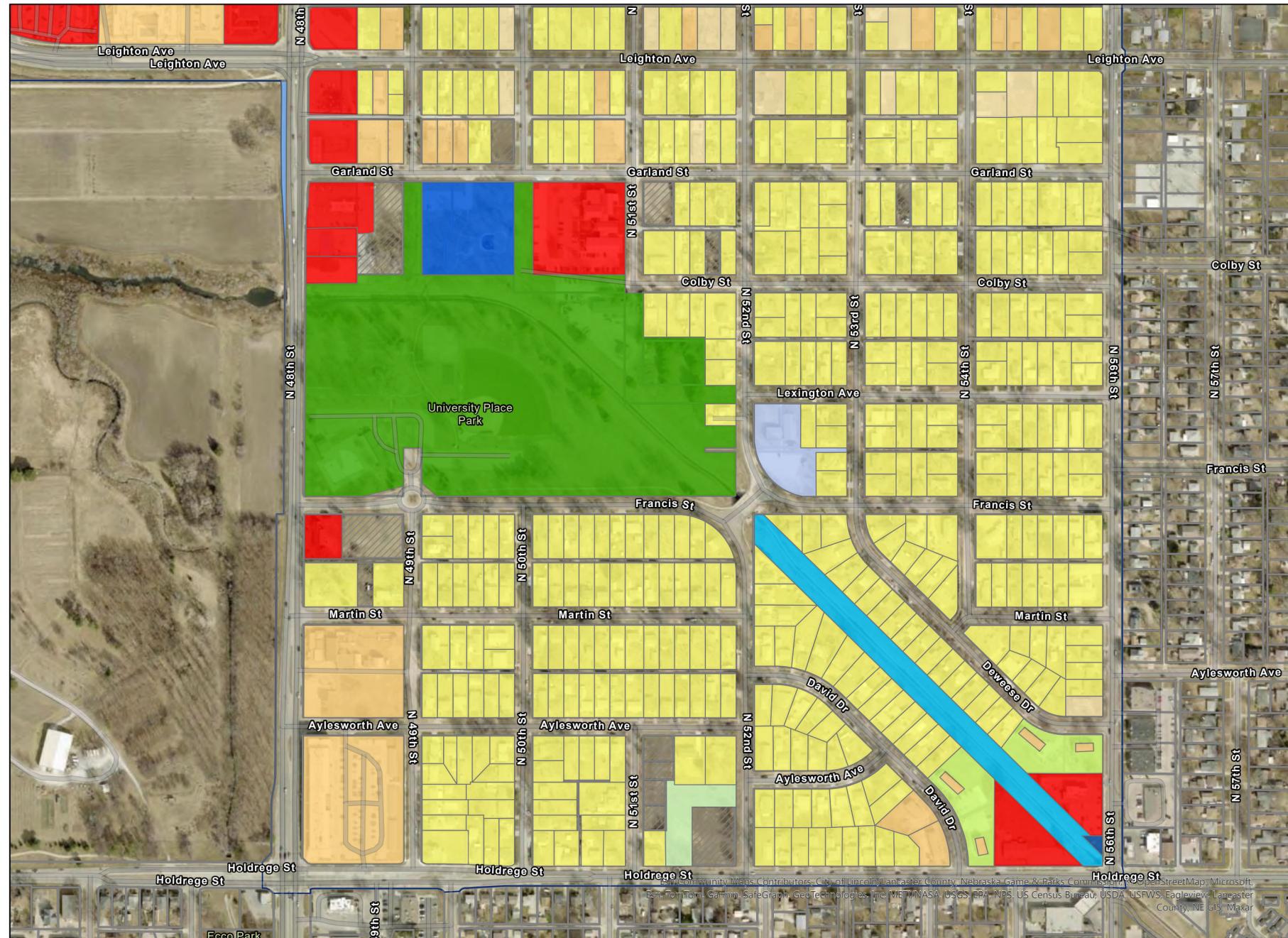


PROJECTION: NE State Plane (Ft.)

DATUM: NAD 83

DATE: 2/18/25

0 15 30 60 Miles



## CORNHUSKER HIGHWAY AREA

## BLIGHT AND SUBSTANDARD

## LAND USE - UPCO SOUTH

**LEGEND**

Land Use	Description
Single Family Detached	
Single Family Attached (Townhouse)	
Duplex	
Apartment (Multi-Family Dwelling)	
Group Quarters - Fraternity/Sorority House	
Group Quarters - Rooming Houses	
Special Housing - Nursing Homes	
Special Housing - Other Special Housing	
Mobile Homes (including parks/courts)	
Commercial	
Commercial with Residential Units Above	
Churches, Synagogues, and Temples	
Educational Institution	
Public and Semi-Public	
Public and Semi-Public - Without Residential	
Utility Facility	
Park Land	
Park Land - Public	
Agricultural Production (Crops and Tree Farms)	
Light Industrial	
Heavy Industrial	
Parking Lot	
Railroad	
Vacated R.O.W. (Retained by Public Entity)	
Open Space	
Open Space - Private	
Open Space - Public	
Streams and Creeks	
Vacant Land	
Study Area	
Parcels	

 MPC  
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#### PROJECTION: NE-SW + PL (E)

SECTION: NE State Plane (Ft.)  
DATUM: NAD 83

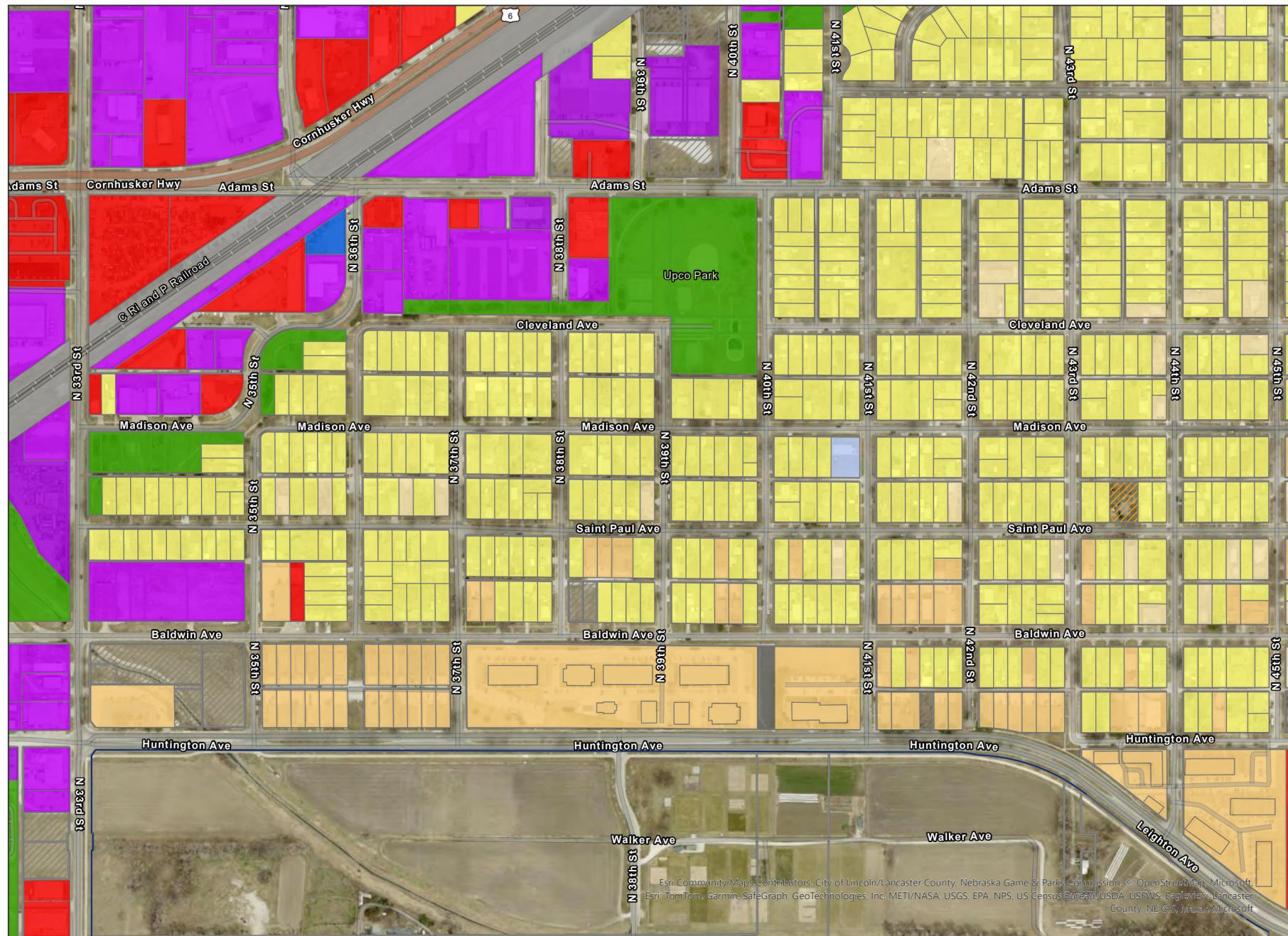
DATE: 2.18.25

0 15 30 60

0 10 20 30 40 Miles

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CORNHUSKER HIGHWAY AREA  
BLIGHT AND SUBSTANDARD  
LAND USE - UPCO WEST

**LEGEND**

**Land Use**

- Single-Family Detached
- Single Family Attached (Townhouse)
- Duplex
- Apartment (Multi-Family Dwelling)
- Group Quarters - Fraternity/Sorority House
- Group Quarters - Rooming House
- Special Housing - Nursing Homes
- Special Housing - Other Special Housing
- Mobile Homes (including parks/courts)
- Commercial
- Commercial with Residential Units Above
- Churches, Synagogues, and Temples
- Educational Institution
- Public and Semi-Public
- Public and Semi-Public - Without Residential
- Utility Facility
- Park Land
- Park Land - Public
- Agricultural Production (Crops and Tree Farms)
- Light Industrial
- Heavy Industrial
- Parking Lot
- Vacated R.O.W. (Retained by Public Entity)
- Open Space
- Open Space - Private
- Open Space - Public
- Streams and Creeks
- Vacant Land
- Study Area
- Parcels

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PROJECTION: NE State Plane (Ft.)  
DATUM: NAD 83  
DATE: 2.18.25  
0 15 30 60 Miles

## FINDINGS OF BLIGHT AND SUBSTANDARD CONDITIONS ELIGIBILITY STUDY

This section of the study examines the conditions found in the Study Area. The Findings Section will review the conditions based upon the statutory definitions.

### CONTRIBUTING FACTORS

There were a number of conditions examined and evaluated in the field and online. There are a number of conditions that will be reviewed in detail, on the following pages, while some of the statutory conditions are not present.

### Structural Conditions

This study uses the Lancaster County Assessor's (Assessor) data in determining the condition of buildings in the study area. The Assessor uses two scales for rating residential and commercial structures in the city. A scale of "Low, Fair, Average, Good, Very Good, and Excellent" is used in calculating Residential building conditions. "Poor, Fair, Average Minus, Typical, Average Plus, Good, and Very Good" is used as a scale for Commercial Structures.

For purposes of this study in determining if the condition of buildings is a contributing factor to blighted and substandard conditions in the study area, anything falling between "Low and Good" for Residential structures is considered contributing, and anything falling between "Poor and Good" for Commercial structures is considered contributing. This is because buildings that are beginning to show peeling paint, lifting of the roof, or extreme settling of the foundation are more likely to deteriorate at a quicker rate and fall into disrepair than buildings that are Very Good standard and higher.

Based upon the data provided to the planning team, the following is the breakdown for Residential structures in the Study Area. Note: any structure rated as Very Good and higher was not included in this breakdown, as they do not contribute to this being a blighted factor.

- 9 (0.3%) structures rated as Low
- 87 (3.4%) structures rated as Fair
- 745 (28.7%) structures rated as Average
- 1,402 (54.0%) structures rated as Good

Based upon the data provided to the planning team, the following is the breakdown for Commercial structures in the Study Area. Note: any structure rated as Very Good was not included in this breakdown, as they do not contribute to this being a blighted factor.

- 4 (0.8%) structures rated as Poor
- 25 (5.1%) structures rated as Fair
- 199 (40.9%) structures rated as Average Minus
- 238 (48.9%) structures rated as Typical
- 16 (3.3%) rated as Average Plus
- 4 (0.8%) rated as Good

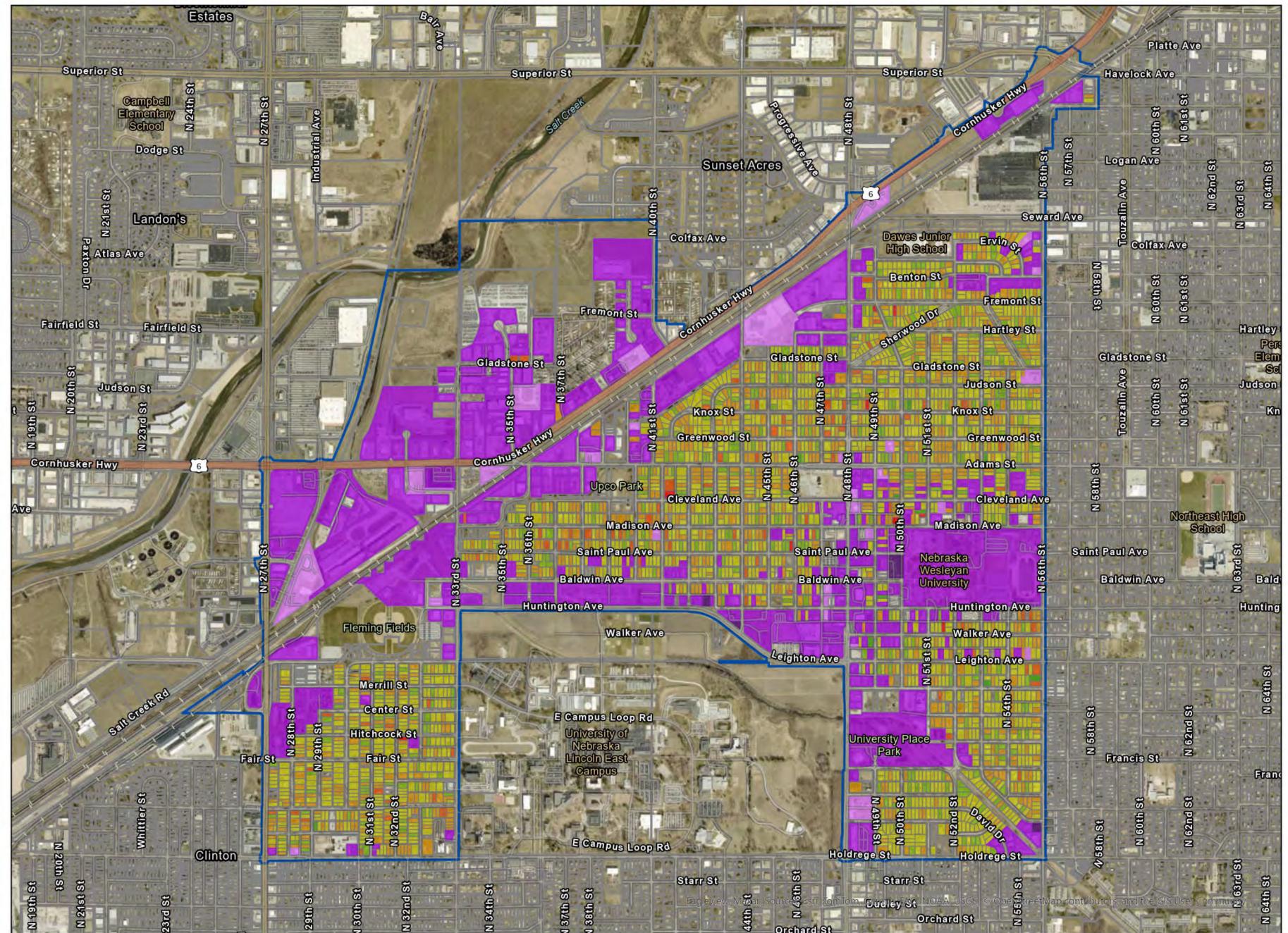
Based upon these data, an assumption has been made that good condition and less would constitute less than desirable conditions due to age and conditions. It is common for older structures to get more maintenance and upkeep in order to maintain a Very Good or higher condition. Even an average structure will show some signs of deteriorating which in turn can become a dilapidated structure in the future if it is not addressed over time. Overall, 86.3% of the

Residential structures in this Study Area are Good condition or worse, while 99.8% of the Commercial Structures are of Good condition or worse.

Due to the stated conditions found in the Lancaster County Assessor's data, the condition of the structure is a contributing factor.



Examples of Structural Conditions within the Study Area



## CORNHUSKER HIGHWAY AREA

BLIGHT AND SUBSTANDARD

## STRUCTURAL CONDITIONS - STUDY AREA

## LEGEND

Study Area  
**Commercial**  
 Poor  
 Fair  
 Average minus  
 Typical  
 Average plus  
 Good  
 Very Good

## Residential

A vertical color scale with six categories, each represented by a colored square and a label to its right:

- Low (Red)
- Fair (Orange)
- Average (Yellow)
- Good (Light Green)
- Very Good (Medium Green)
- Excellent (Dark Green)



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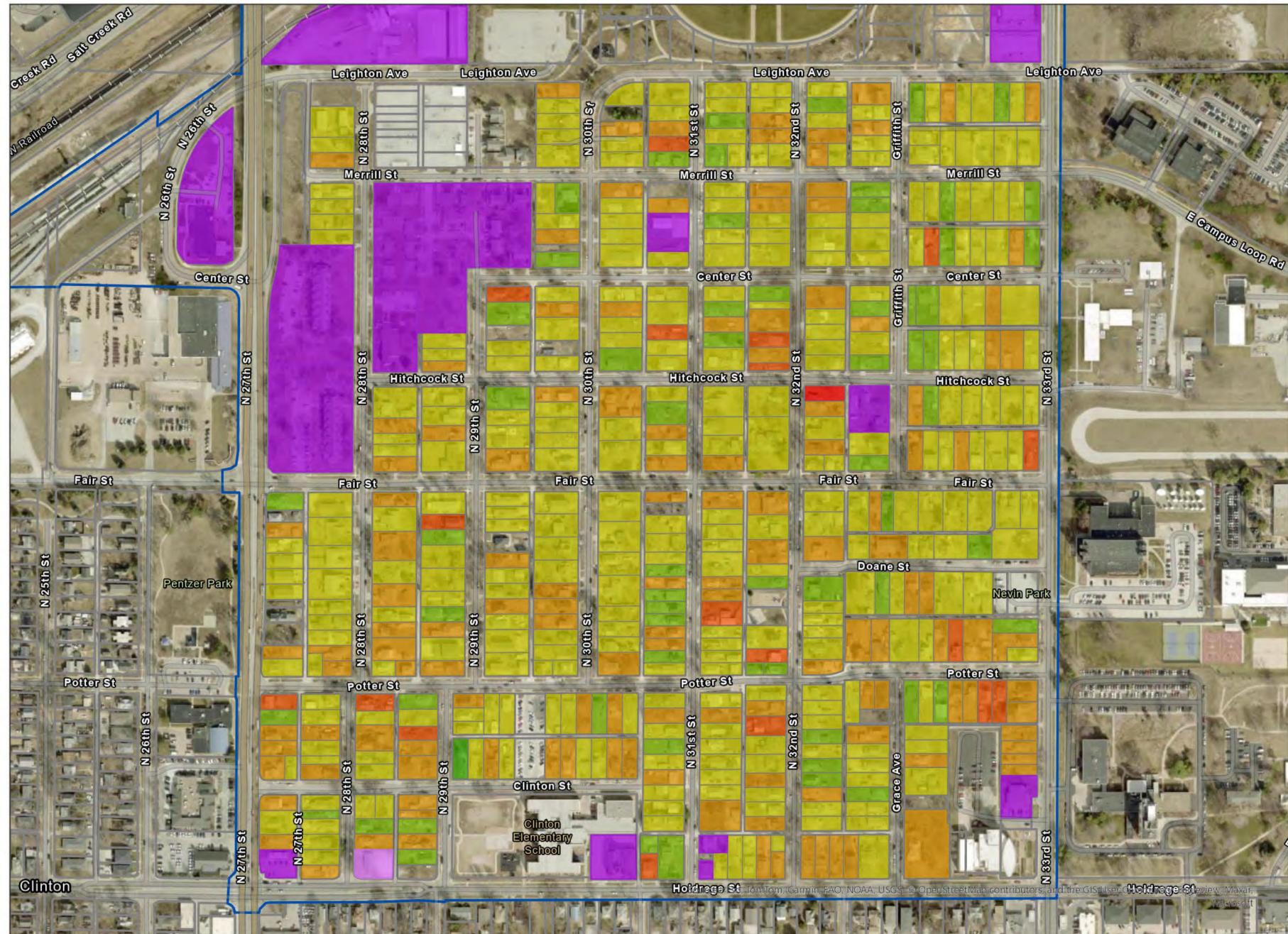
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DATUM: NAD 83

DATE: 2.11.25

15 30 60

1 Miles



**MPC**  
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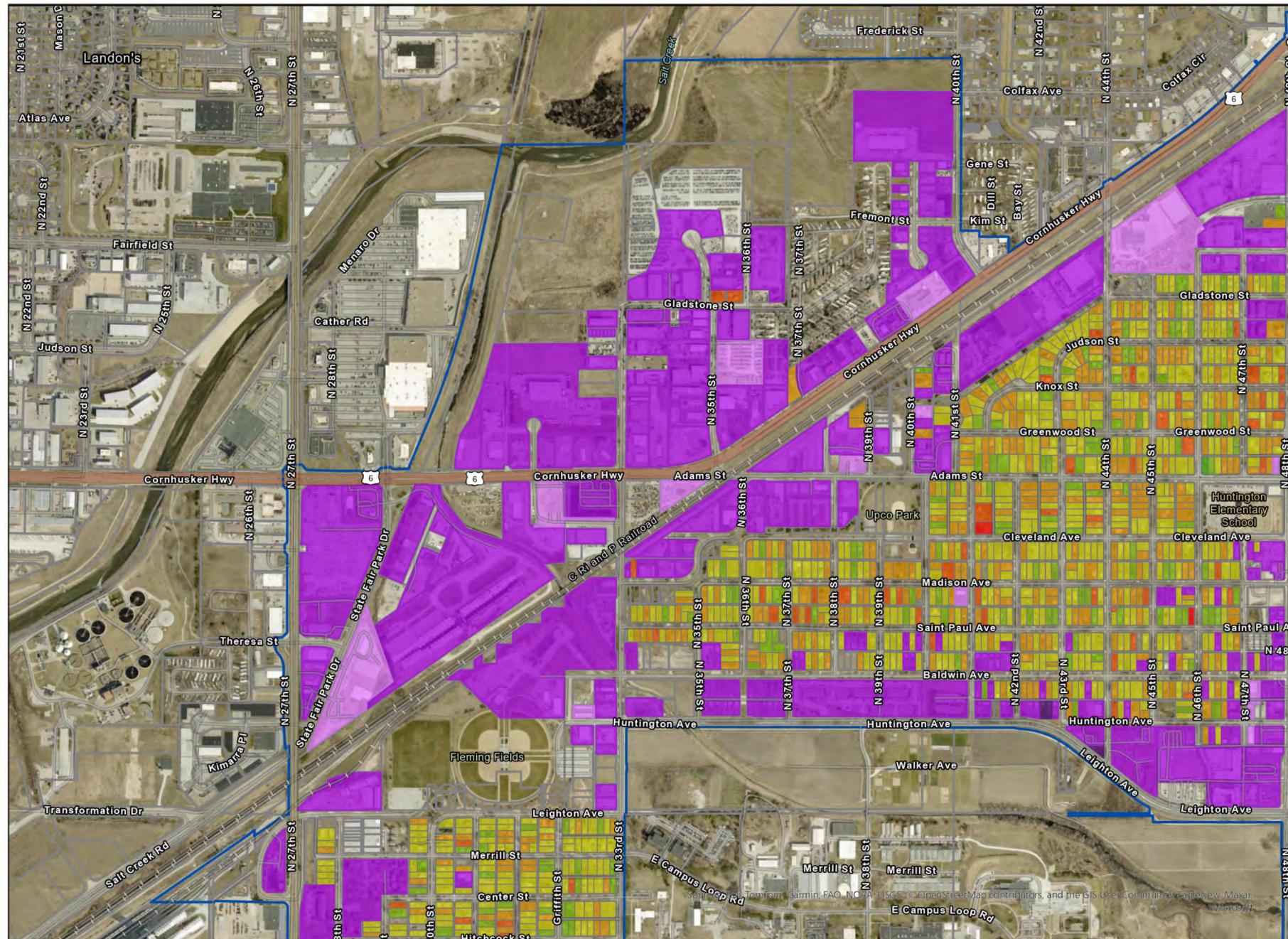
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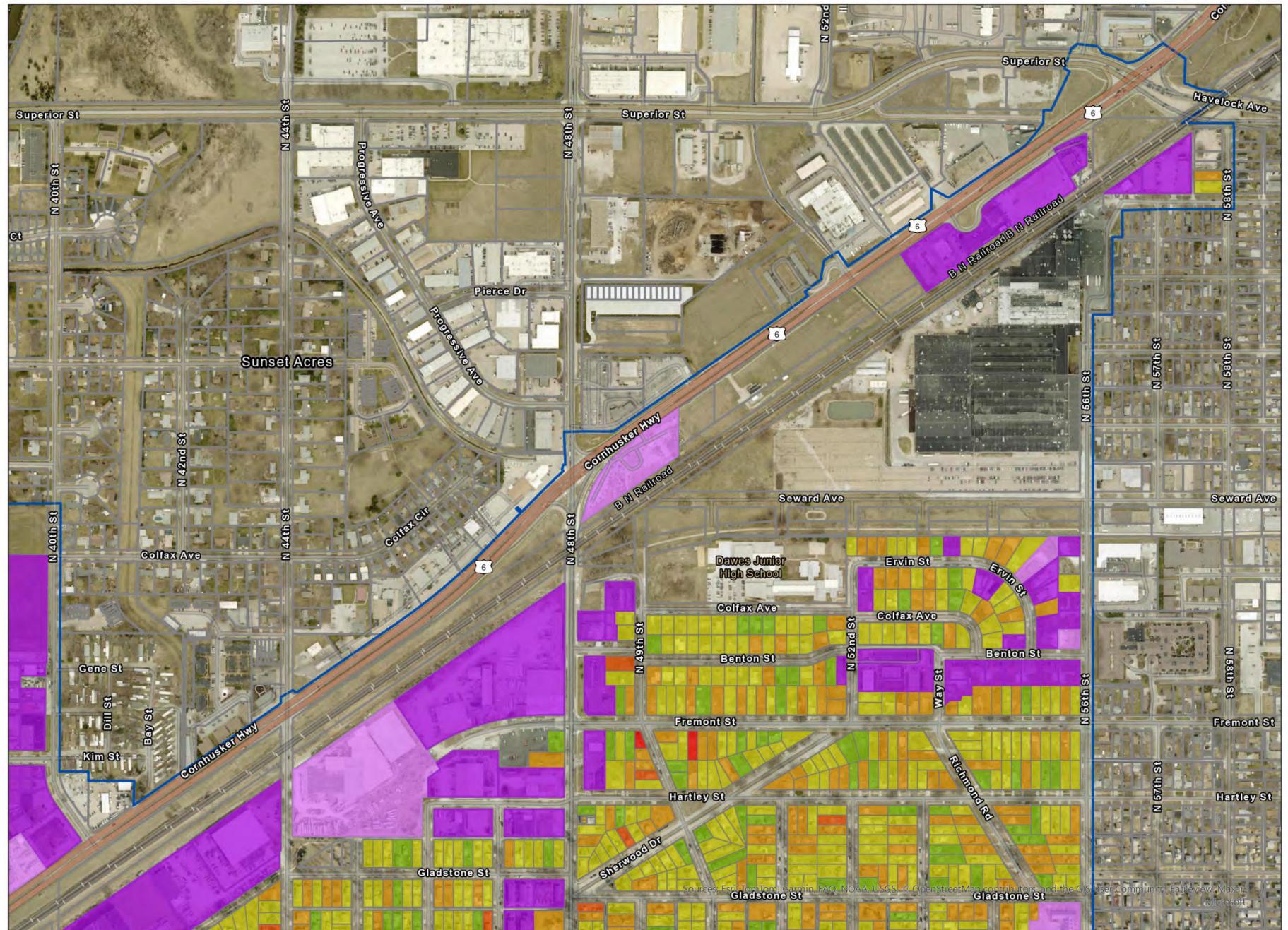
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0 15 30 60 Miles



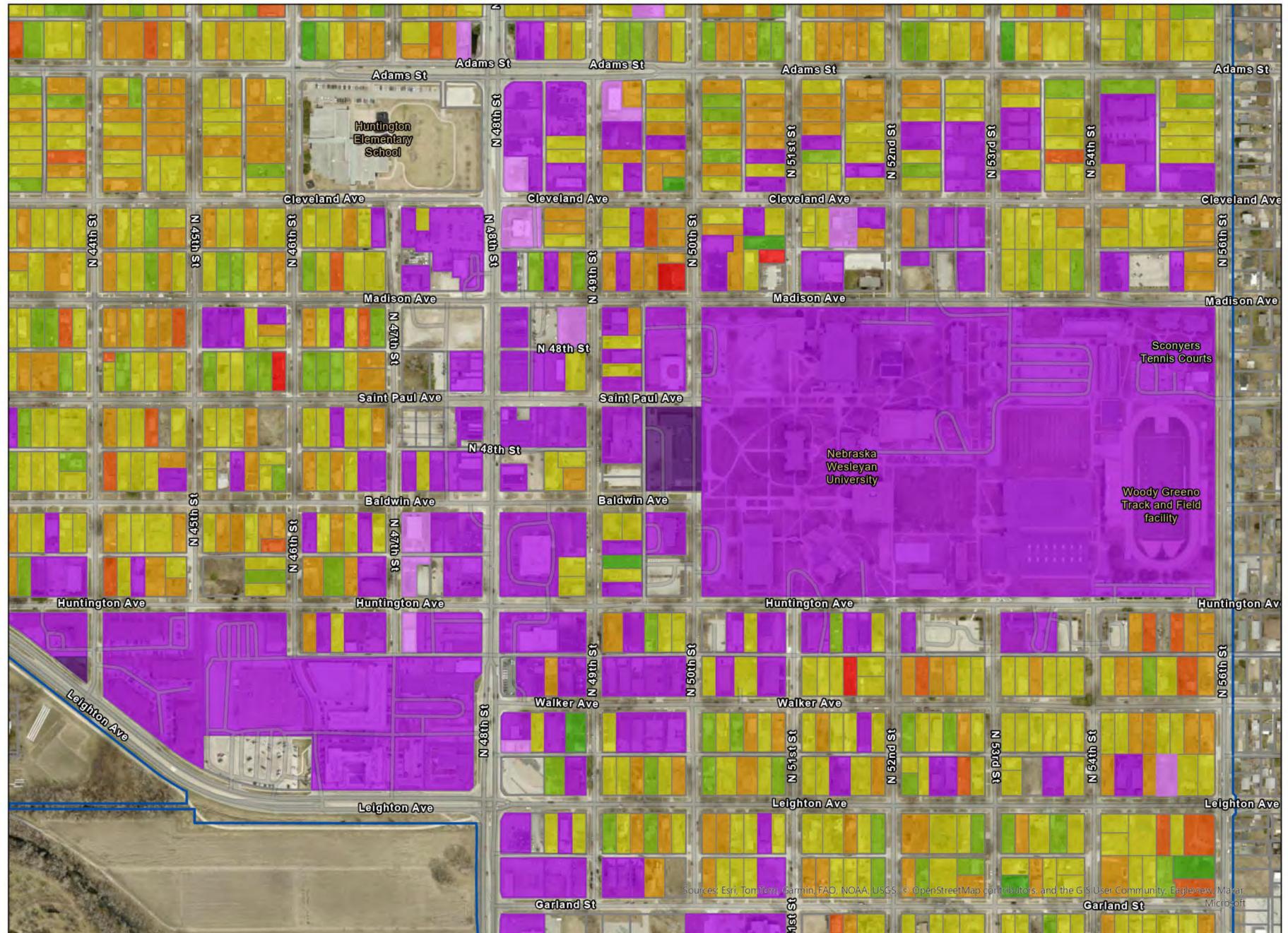
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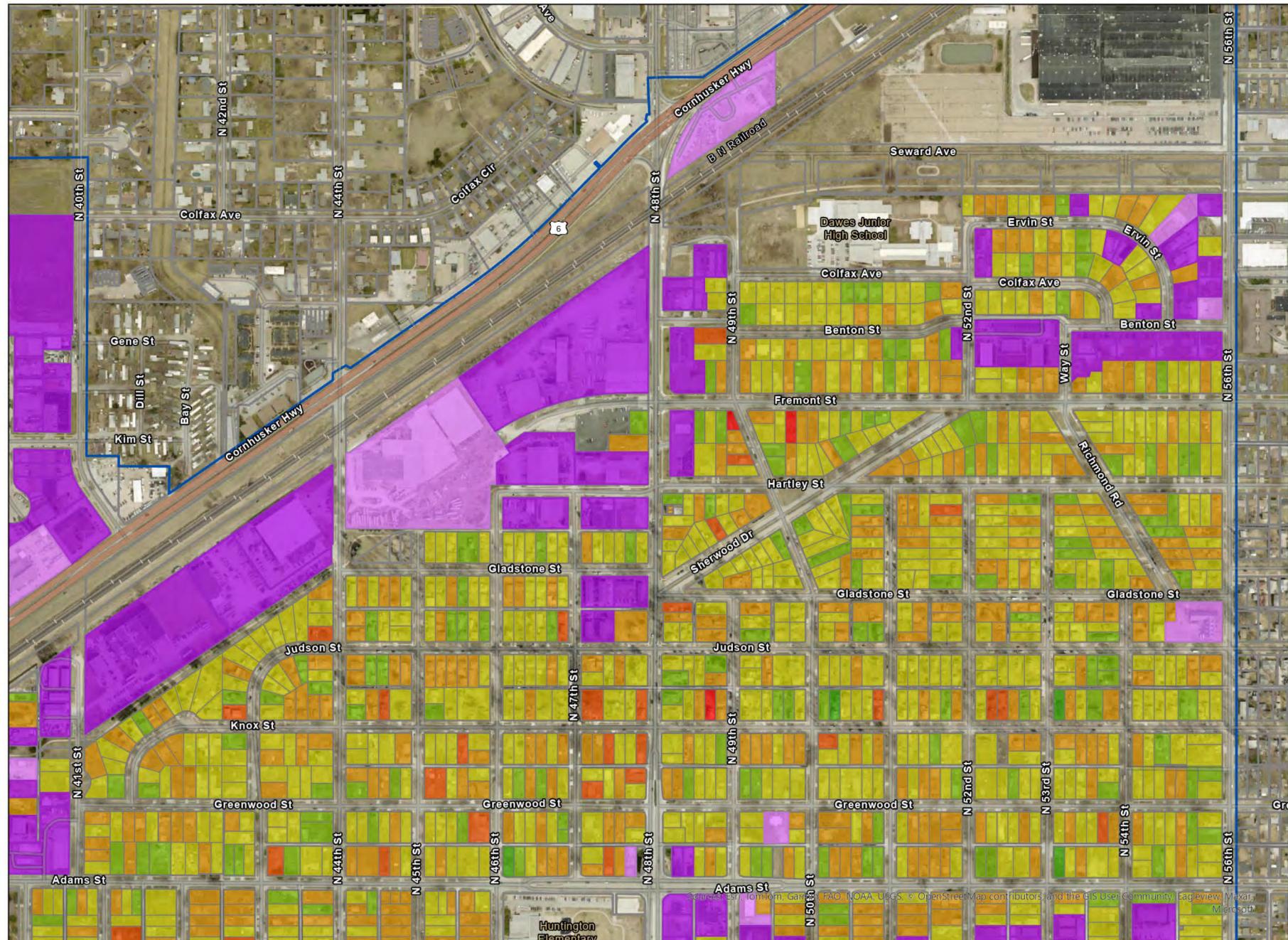
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DATUM: NAD 83

DATE: 2.6.25

0 15 30 60 Miles

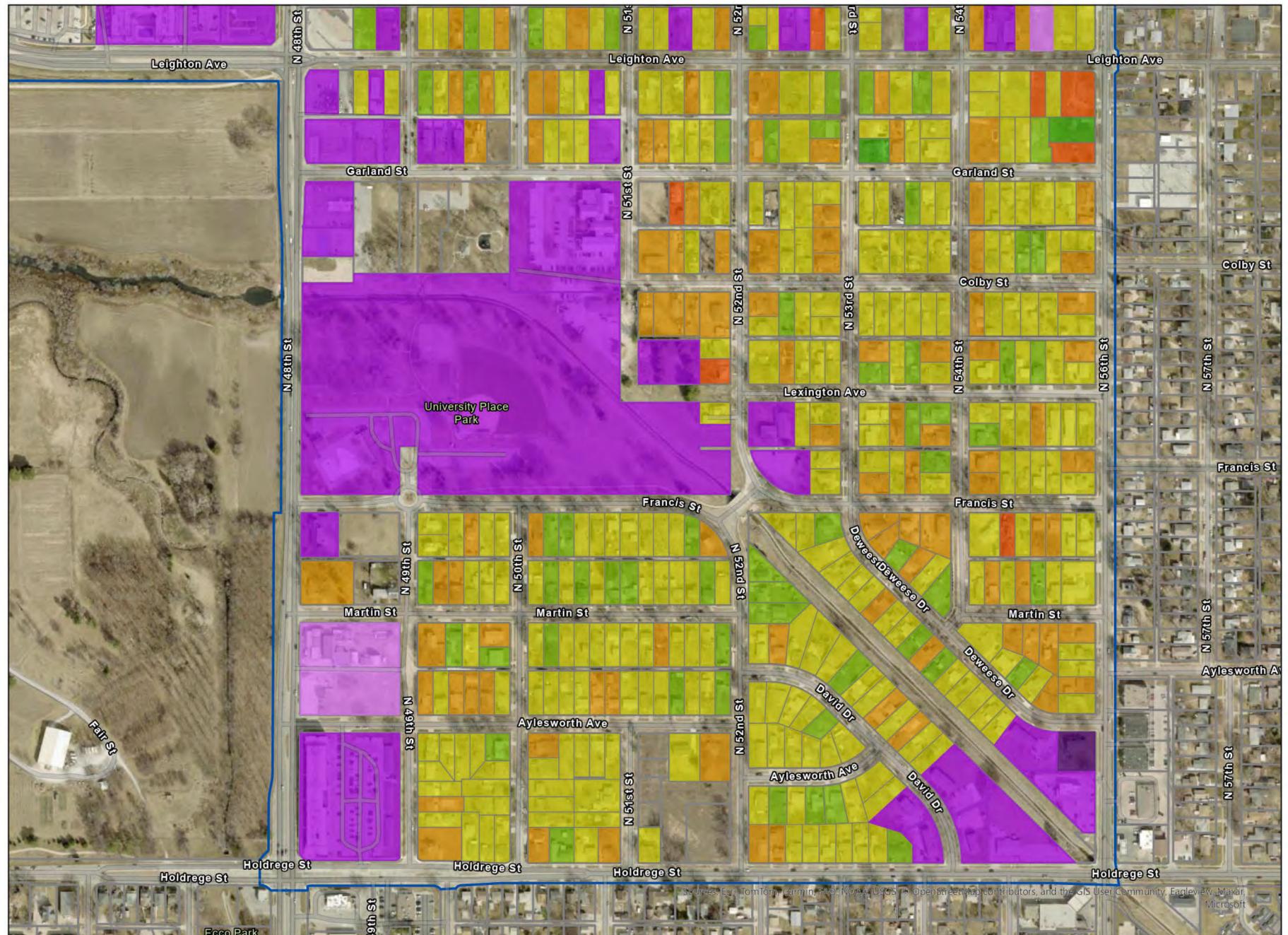


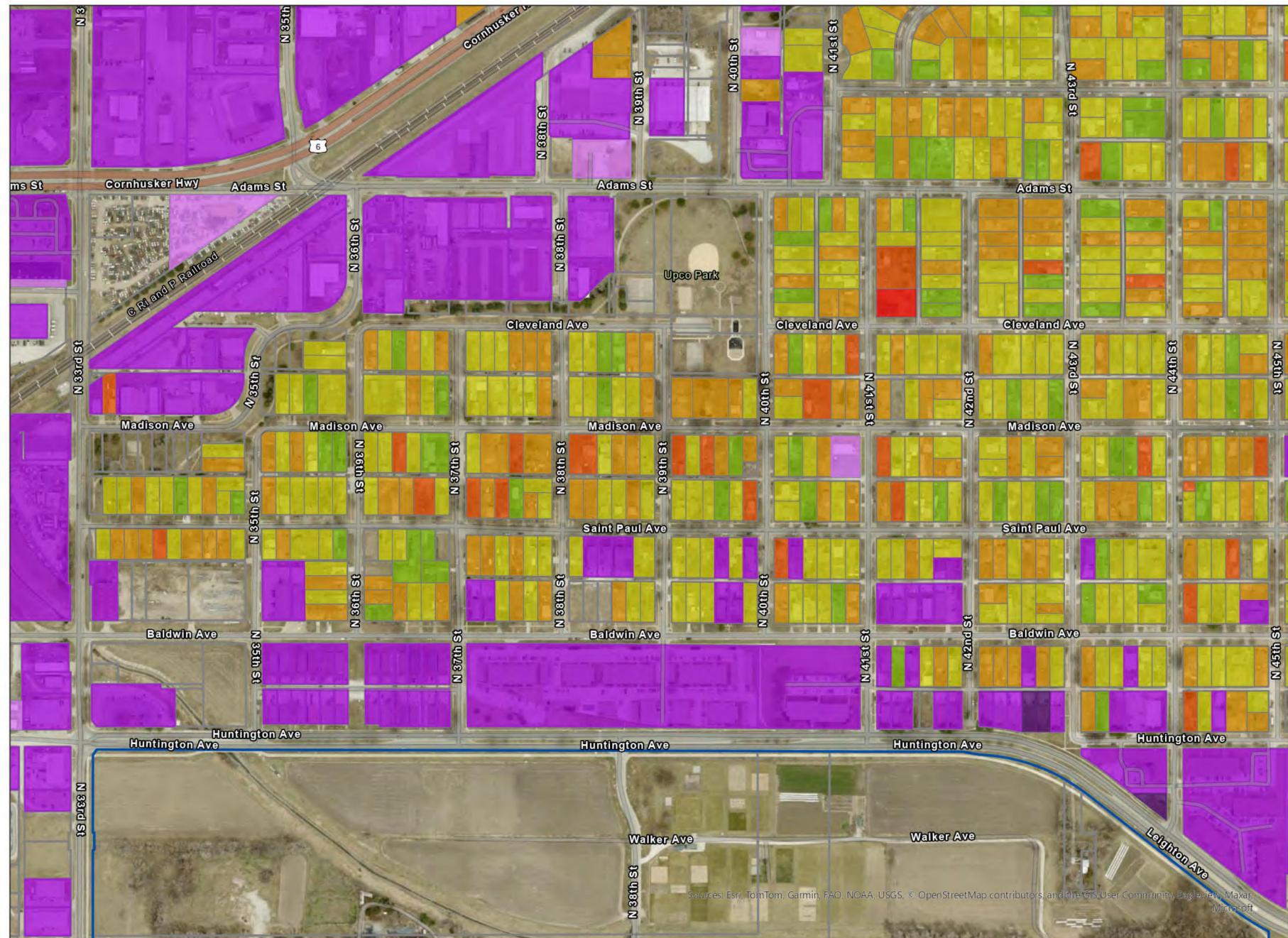


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PROJECTION: NE State Plane (Ft.)  
 DATUM: NAD 83  
 DATE: 2.6.25

0 15 30 60 Miles





## Deterioration of Site or Other Improvements

### Sidewalk Conditions

Sidewalks, regardless of the area and uses within a community, should provide a safe means of movement for pedestrians. Sidewalks become increasingly more important along transportation routes considered to be arterials and highways. A sidewalk allows for pedestrian movement while keeping people off of heavily traveled streets.

The sidewalk conditions were analyzed in the Study Area. The sidewalks were rated on three categories; good, average, and poor or missing. Again, average and lower are considered to be undesirable conditions. As with the structural conditions, once a sidewalk begins to deteriorate they will continue to get worse unless specific maintenance or replacement steps are undertaken.

Within the Study Area there is approximately 432,152 lineal feet or 81.8 miles of area where sidewalk could or should be located. The lineal feet were determined through ArcGIS Pro, an ESRI program. The following is how the sidewalk conditions breakdown within the Study Area:

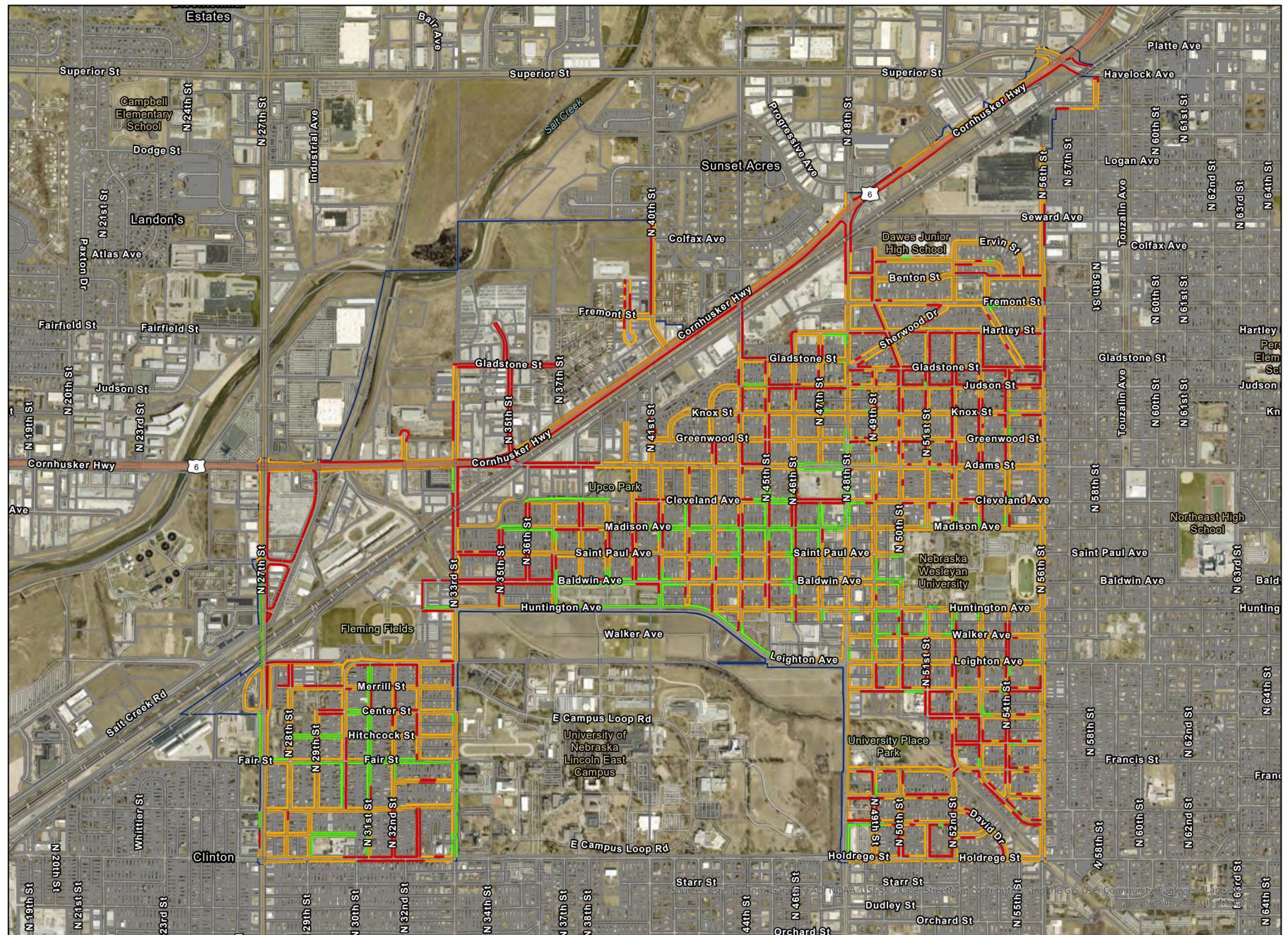
- 52,549 (12.1%) lineal feet of good sidewalk
- 258,543 (59.8%) lineal feet of average sidewalk
- 121,060 (28.0%) lineal feet of poor or missing sidewalk

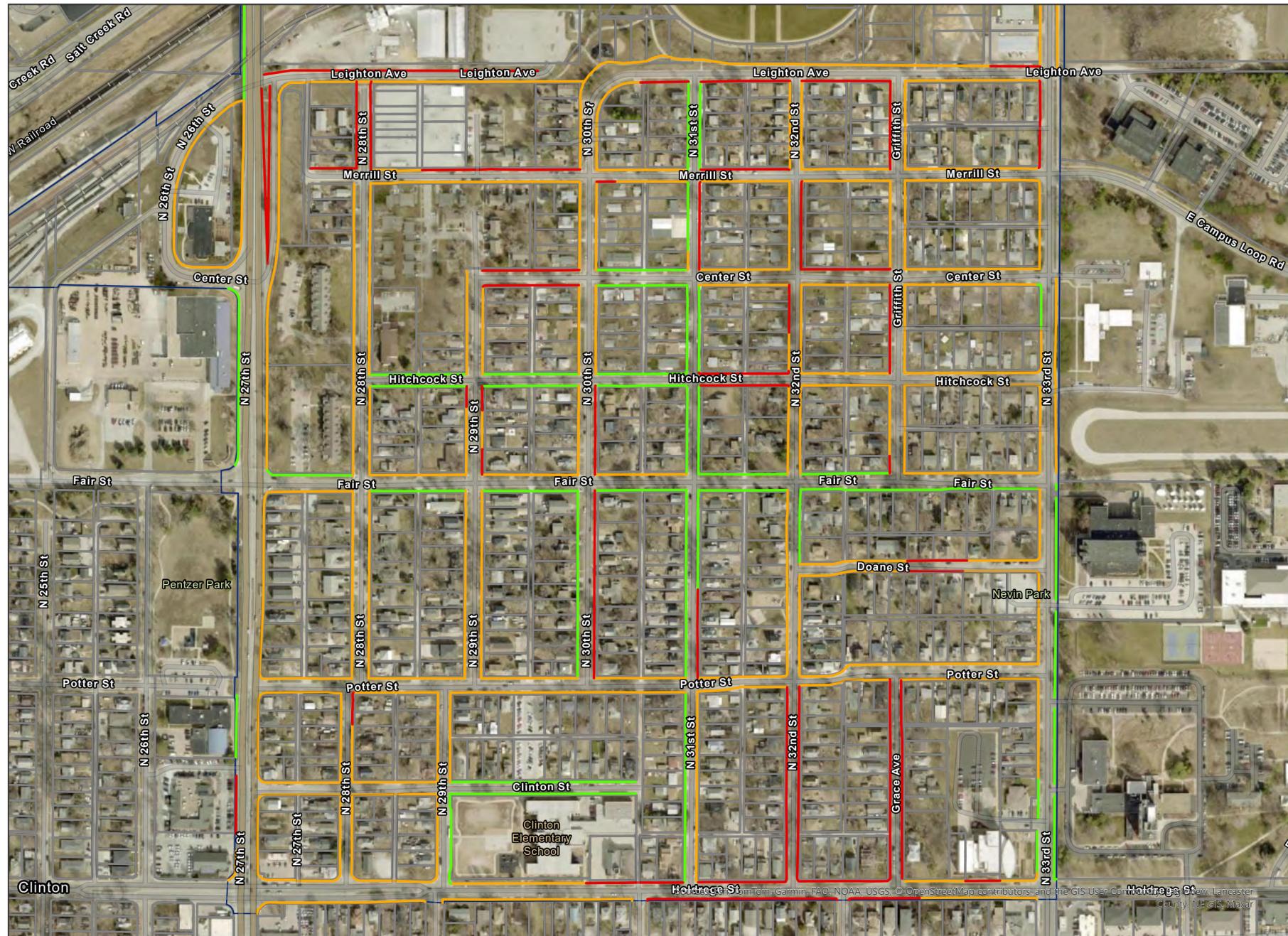
Overall, over 87.9% of the sidewalk in this Study Area is considered to be average, poor or completely missing. Even if the average sidewalk condition was factored out of the overall calculation, there would be 28.0% of the sidewalk considered poor or missing.

**Due to this the sidewalk conditions in the Study Area are considered a contributing factor to a condition of Blight.**



Examples of Sidewalk Conditions within the Study Area





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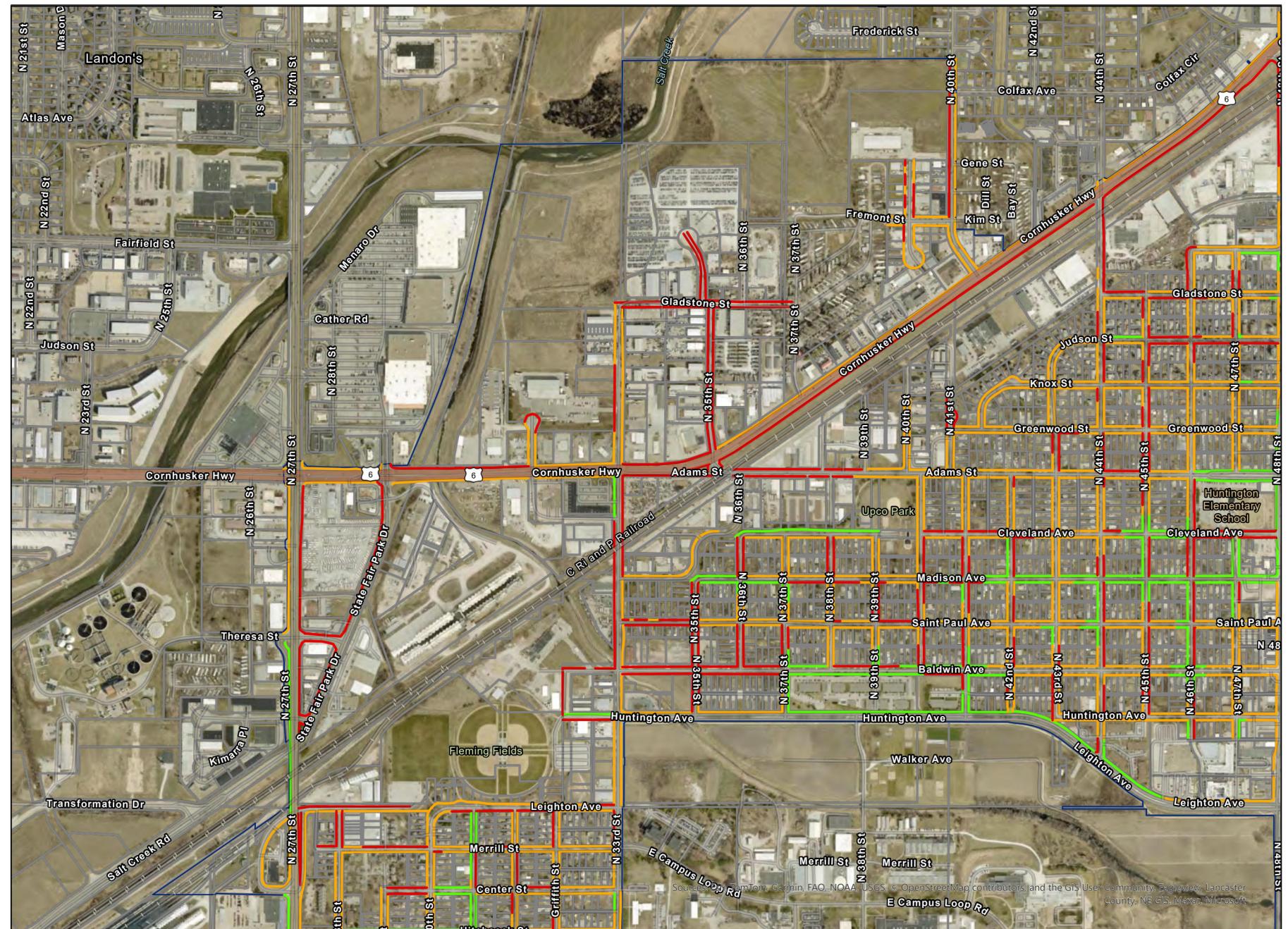
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PROJECTION: NE State Plane (Ft)

DATUM: NAD 83

DATE: 2.18.25

0 15 30 60 Miles



## CORNHUSKER HIGHWAY AREA

## BLIGHT AND SUBSTANDARD

## SIDEWALK CONDITIONS - CORNHUSKER AND INDUSTRIAL AREAS #1

## LEGEND

Study Area  
 Parcels

### Condition

- Good
- Average
- Poor or Missing

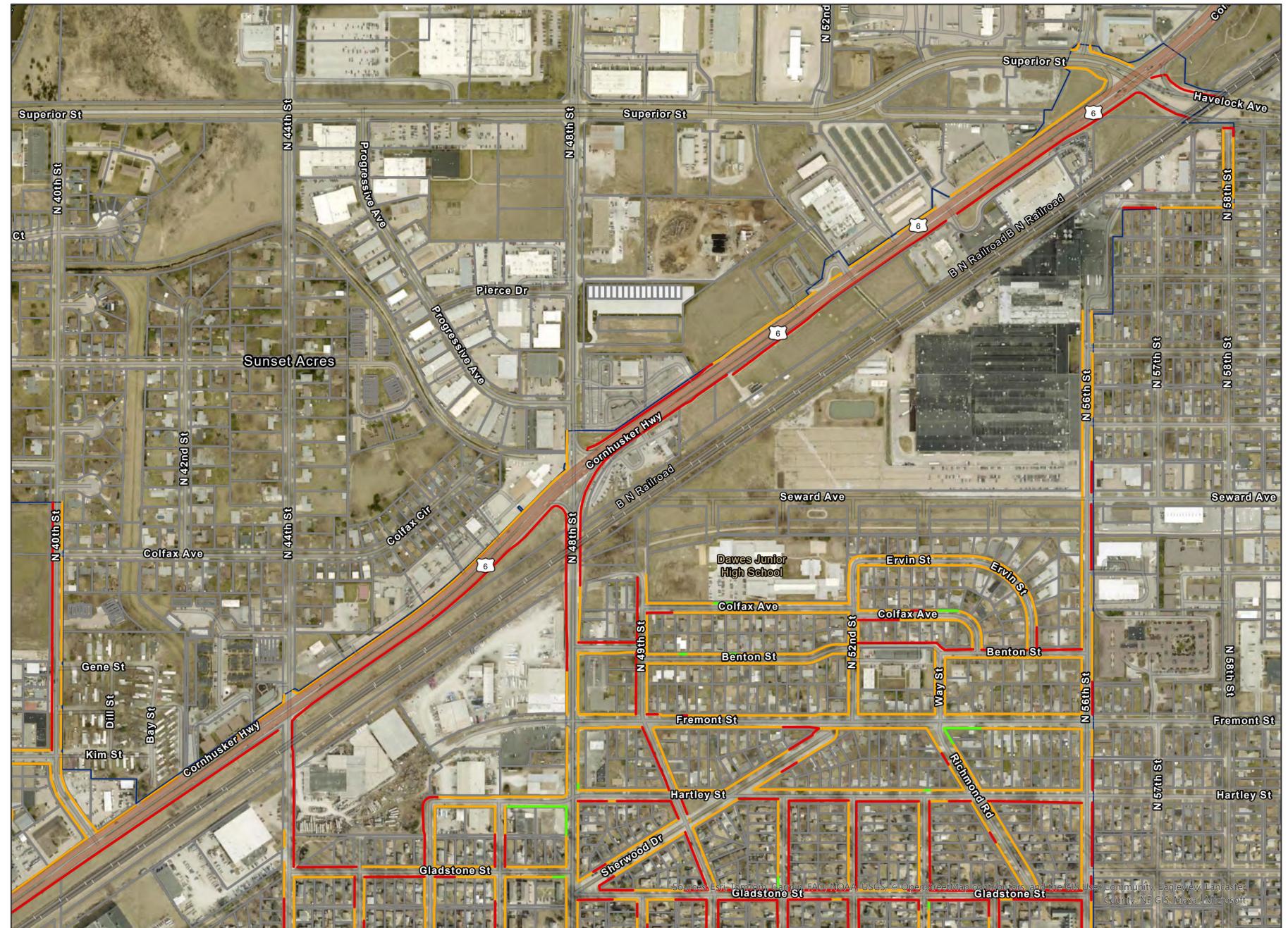


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0      15      30      60 Miles

100 Miles

---



## CORNHUSKER HIGHWAY AREA

## BLIGHT AND SUBSTANDARD

## SIDEWALK CONDITIONS - CORNHUSKER AND INDUSTRIAL AREAS #2

## LEGEND

## Study Area

### Parcels

## Condition

- Good
- Average
- Poor or Missing

PROJECTION: NE State Plane (Ft.)

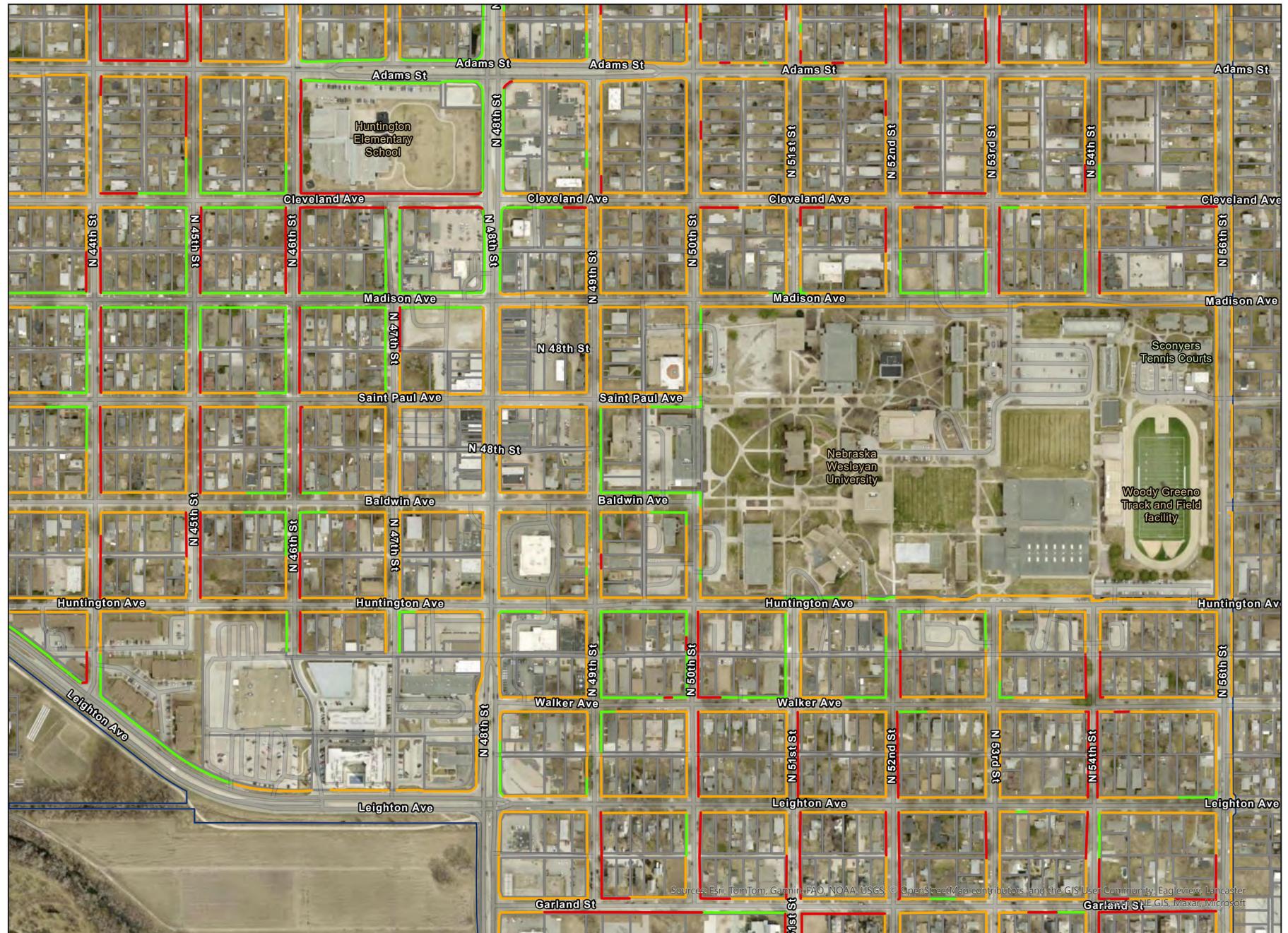
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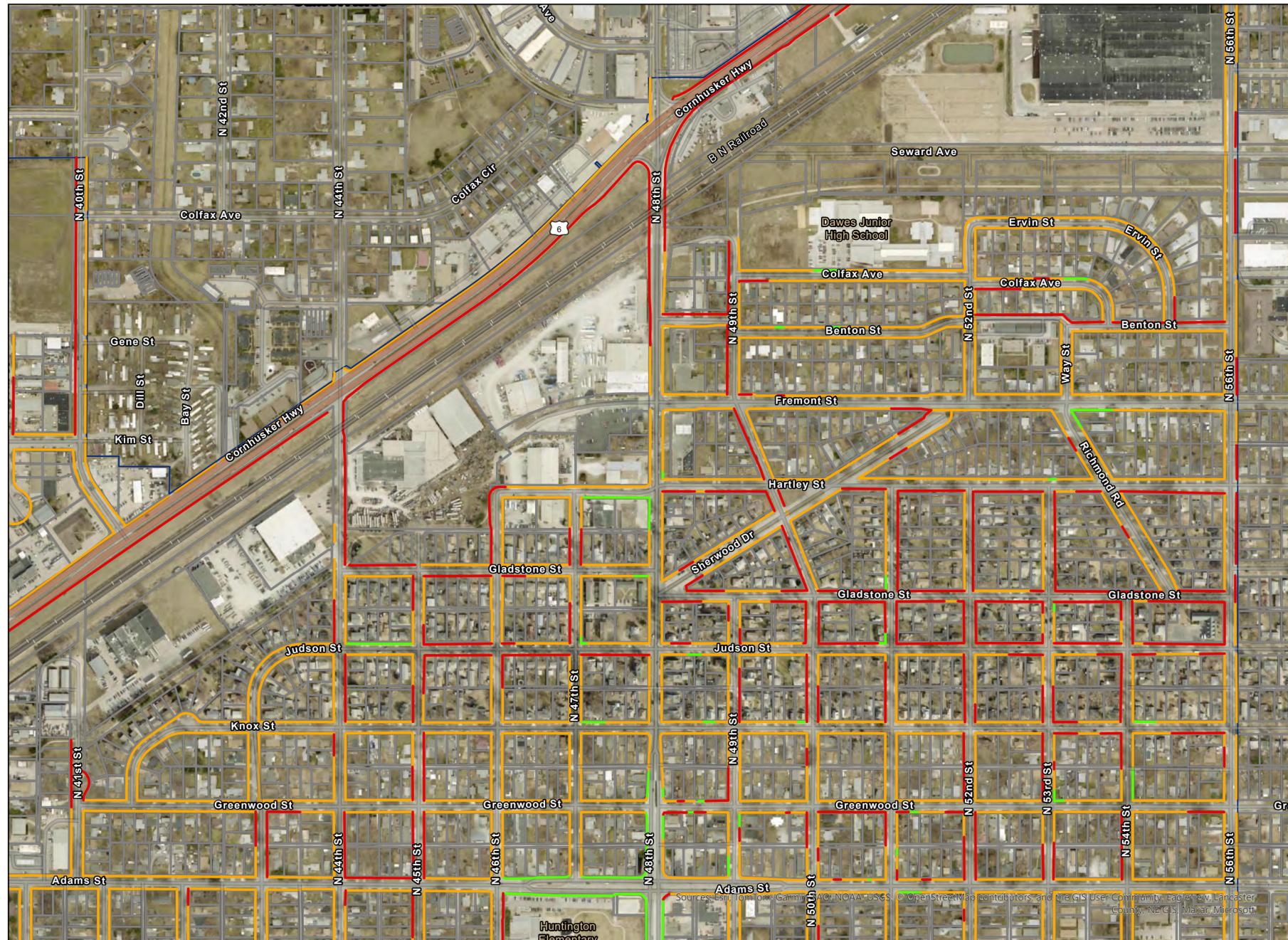
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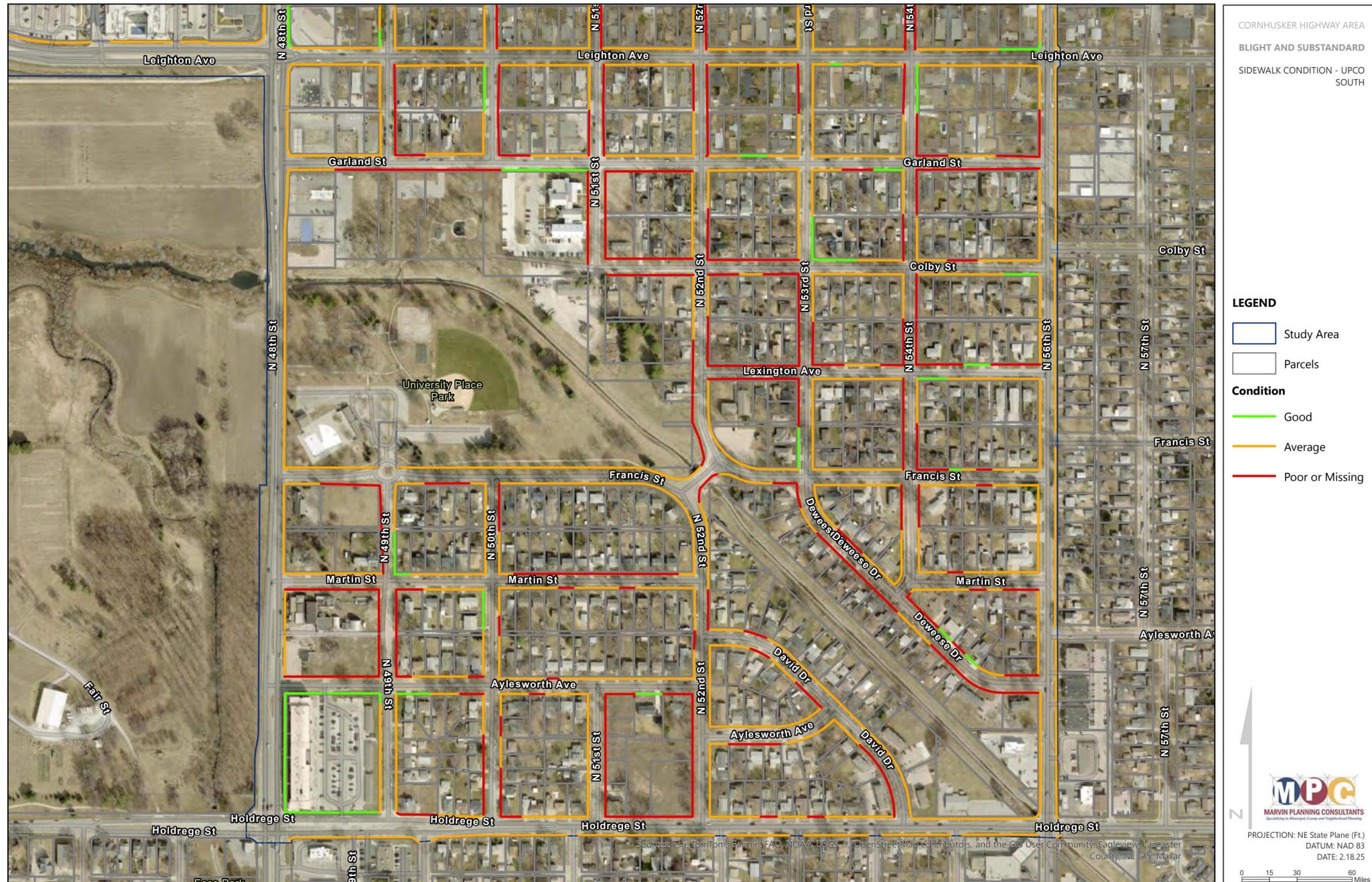
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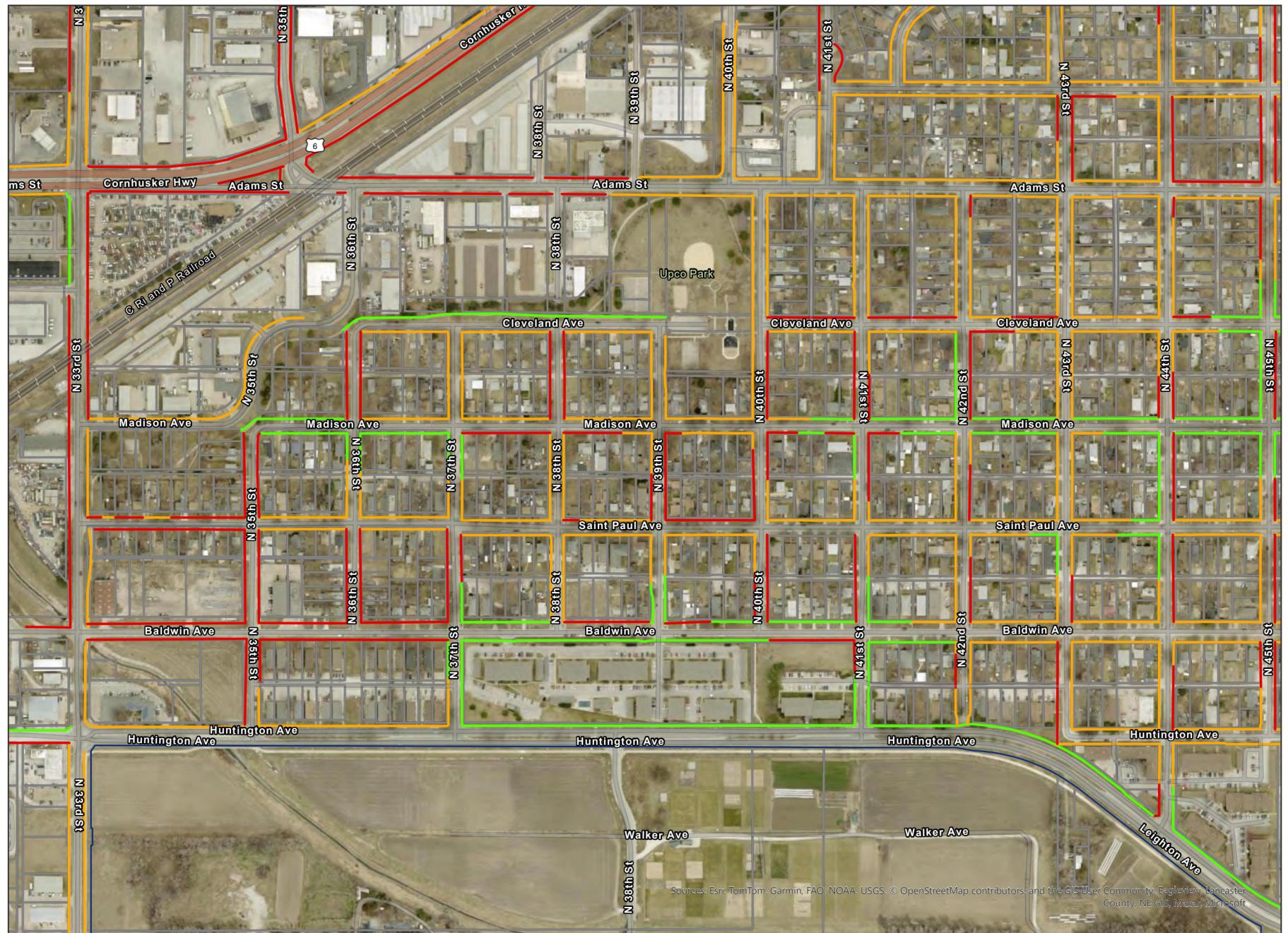
15      30      60 Miles

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PROJECTION: NE State Plane (Ft)

DATUM: NAD 83

DATE: 2.18.25

0 15 30 60 Miles

## Deterioration of Site or Other Improvements, continued

### Street Conditions

Streets are our primary means for getting from place to place, if they are in a bad state then an area is difficult to access. Streets in the Study Area were examined similarly to sidewalks. The streets were graded as either good, average, poor, or closed.

The street conditions, similar to the sidewalks, were analyzed in the Study Area. The streets were rated on three categories; good, average, and poor. In most cases, if a few panels of concrete were showing signs of deterioration and the remaining sections were not newer, than an entire run was deemed to match the areas of concern. In addition, where there were streets with an asphalt overlay, any sprawling, breakups, or other noticeable issues, these were rated accordingly. Again, average to lower conditions were considered to be undesirable. As with the sidewalks conditions, once a street begins to deteriorate it will continue to get worse unless specific maintenance or replacement steps are undertaken.

Within the Study Area there is approximately 264,432 lineal feet or 50.1 miles of streets and alleys in the Study Area. After reviewing the conditions in the field, the following is how the street conditions breakdown within the Study Area:

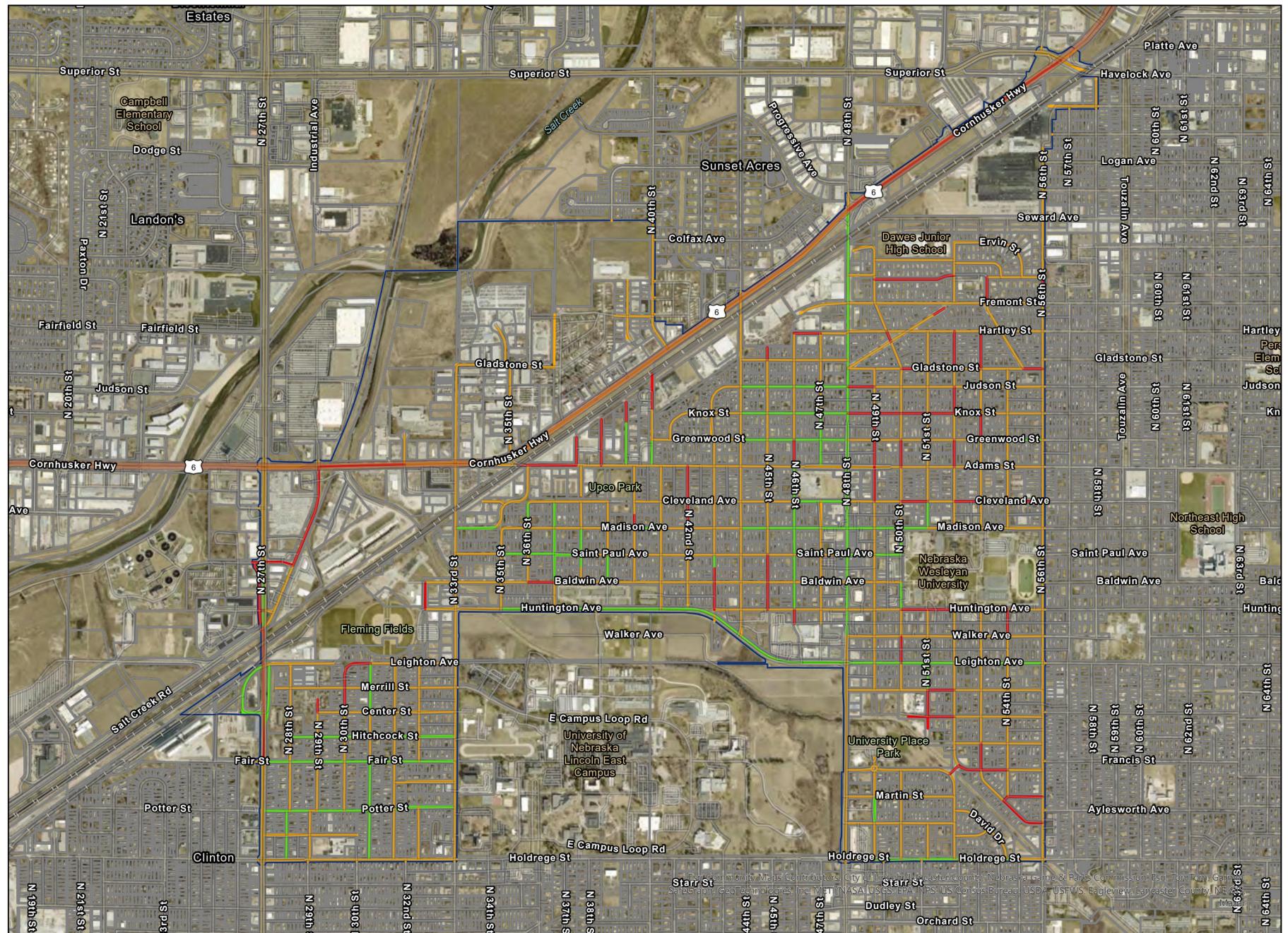
- 47,142 (17.8%) lineal feet of good street
- 184,684 (69.8%) lineal feet of average street
- 32,604 (12.3%) lineal feet of poor street

In total, 82.2% of the streets are in a average condition or worse, thus identifying them in a deteriorating state. However, if you remove the average condition streets from the calculation, the Study Area still has 12.3% of the streets in a state of deterioration.

**Due to the large amount of deteriorating streets, the street conditions would be a direct contributing factor of Blight.**



Examples of Street Conditions within the Study Area



CORNHUSKER HIGHWAY AREA

BLIGHT AND SUBSTANDARD

STUDY AREA - STREET CONDITIONS

LEGEND

- Study Area
- Parcels

Conditions

- Good
- Average
- Poor

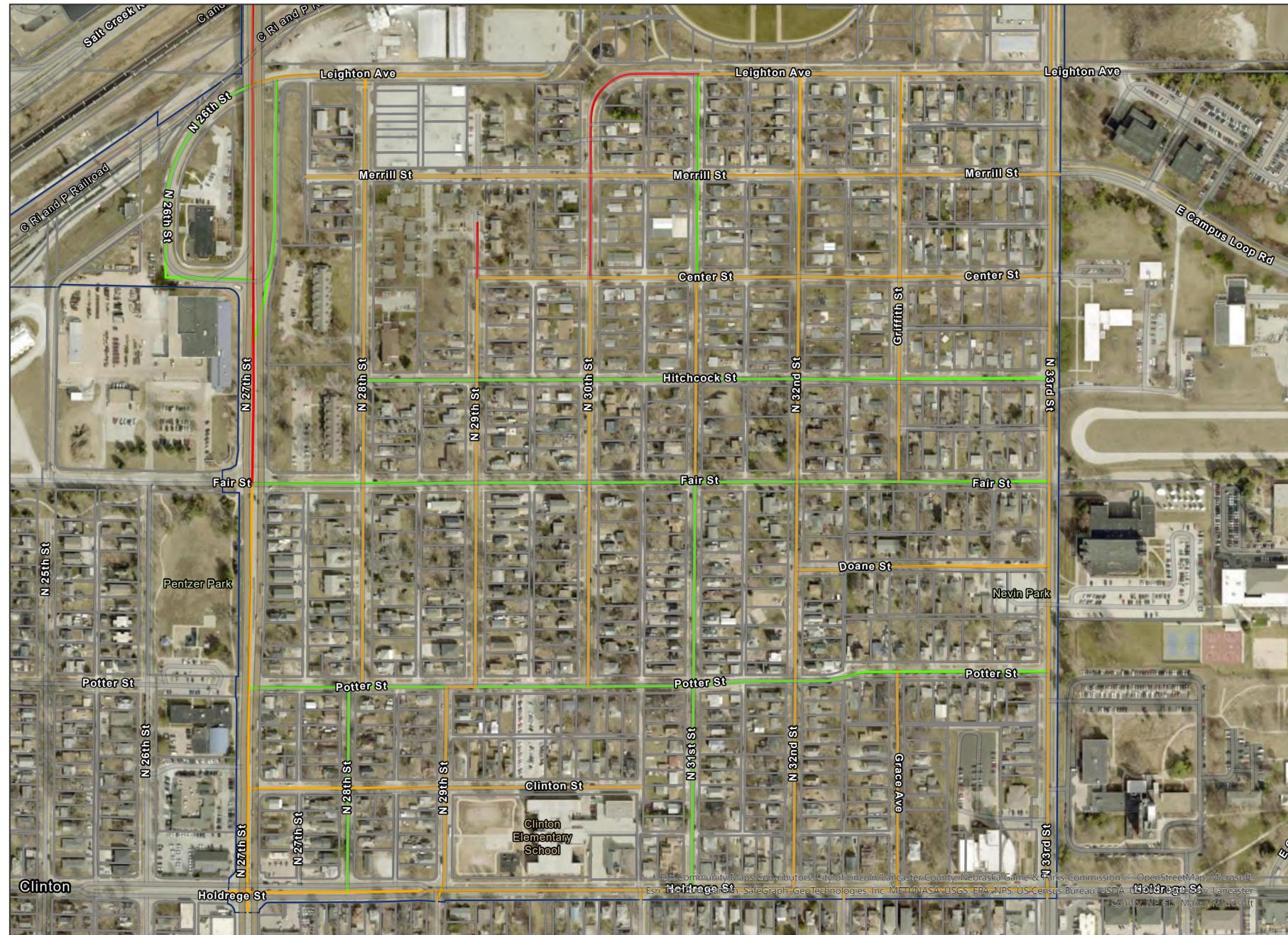


PROJECTION: NE State Plane (Ft)

DATUM: NAD 83

DATE: 2.6.25

0 15 30 60 Miles



## CORNHUSKER HIGHWAY AREA

## BLIGHT AND SUBSTANDARD

## STREET CONDITIONS - CLINTON

## LEGEND

## Conditions

- Good
- Average
- Poor
- Study Area
- Parcels



PROJECTION: NE State Plane (Ft.)

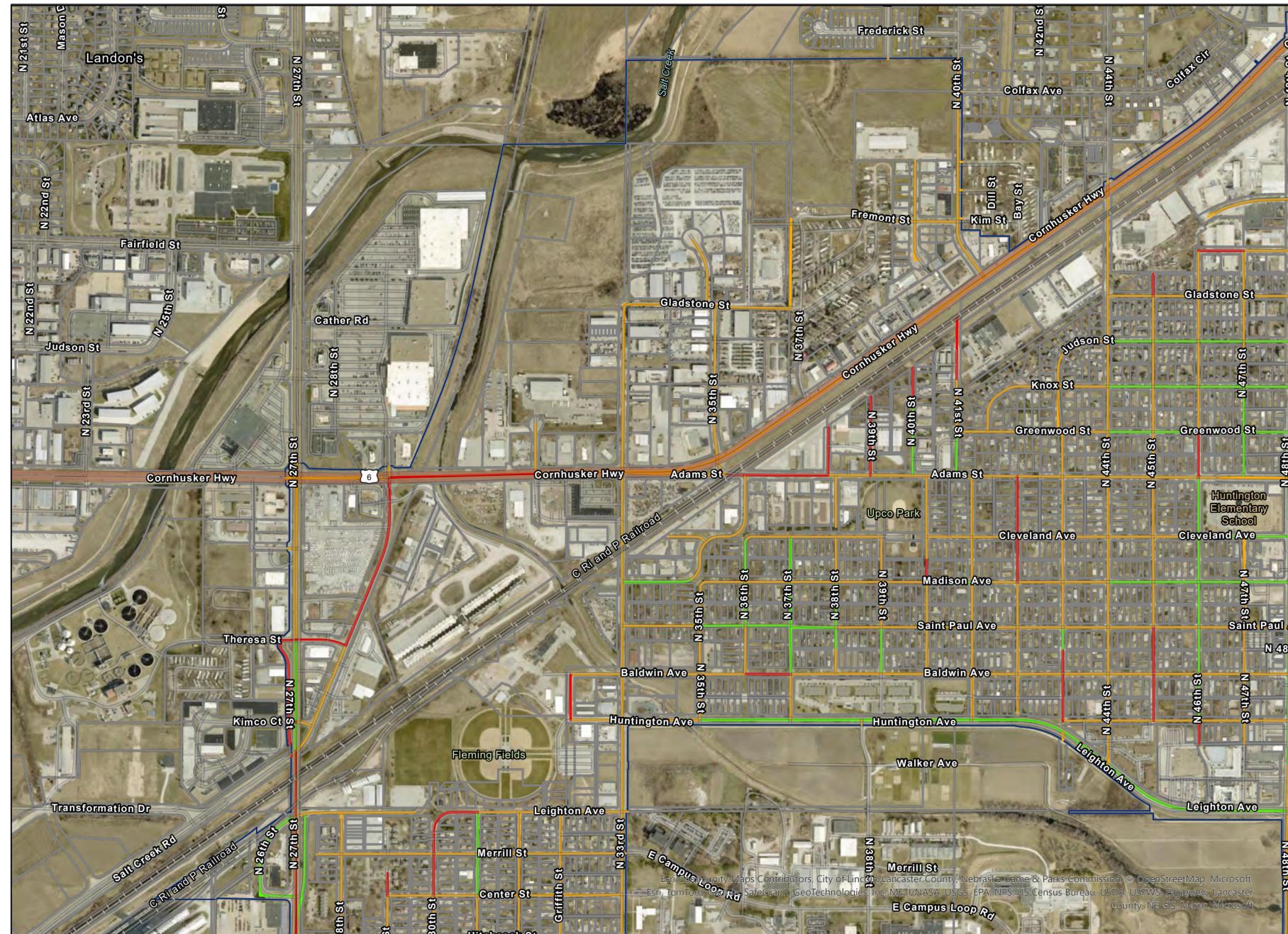
PROJECTION: NE State Plane (Ft.)  
DATUM: NAD 83

DATE: 2.18.25

0 15 30 60

0 15 30 60 Miles

ANSWER



## CORNHUSKER HIGHWAY AREA

## BLIGHT AND SUBSTANDARD

STREET CONDITIONS  
- CORNHUSKER AND  
INDUSTRIAL AREAS #1

## LEGEND

## Conditions

- Green — Good
- Orange — Average
- Red — Poor
- Blue Box — Study Area
- White Box — Parcels

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#### PROJECTION: NE State Plans (Ft.)

DIRECTION: NE State Plane (Ft.)  
DATUM: NAD 83

DATE: 2.18.25

60

3 Mile



## CORNHUSKER HIGHWAY AREA

## BLIGHT AND SUBSTANDARD

## STREET CONDITIONS - CORNHUSKER AND INDUSTRIAL AREAS #2

## LEGEND

## Conditions

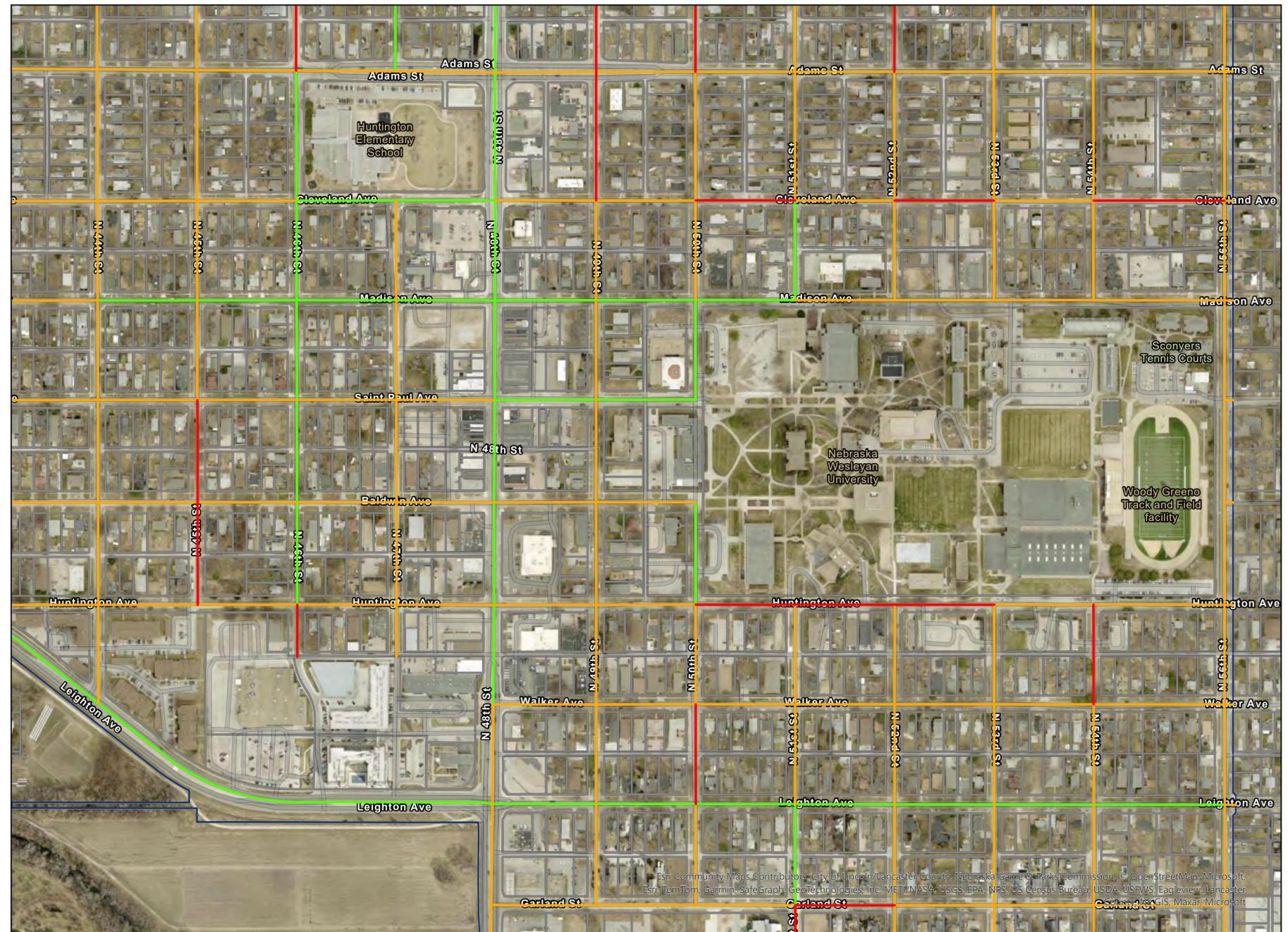
- Good
- Average
- Poor
- Study Area
- Parcels

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PROJECTION: NE State Plane (Ft.)  
DATUM: NAD 83  
DATE: 2.18.25

0 15 30 60

\_\_\_\_\_ Miles:



## CORNHUSKER HIGHWAY AREA

## BLIGHT AND SUBSTANDARD

## STREET CONDITIONS - UPCO

## LEGEND

## Conditions

- Good
- Average
- Poor
- Study Area
- Parcels



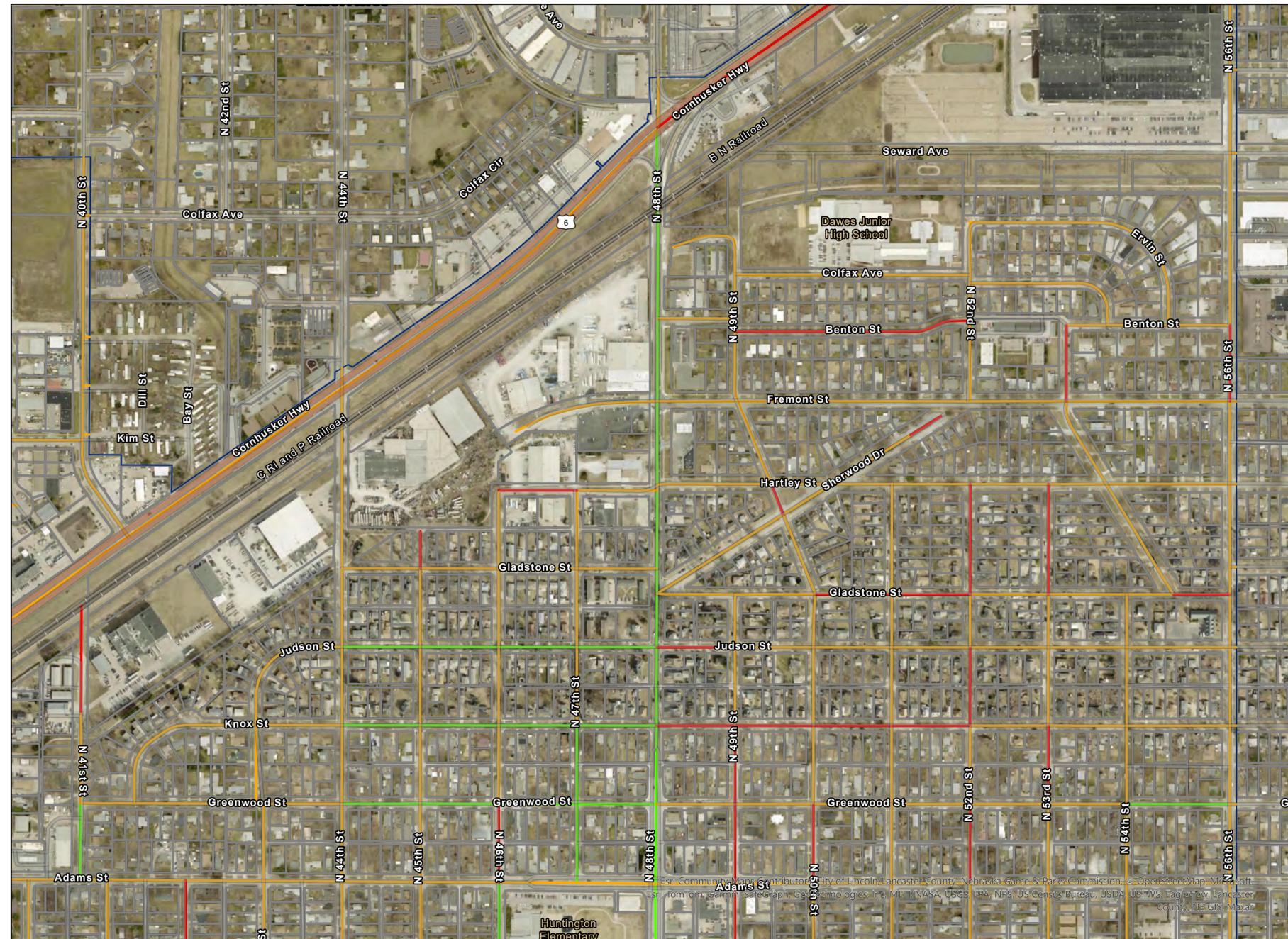
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PROJECTION: NE State Plane (FT.)  
DATUM: NAD 83

DATE: 2.18.25

0 15 30 60

— Miles



## CORNHUSKER HIGHWAY AREA

## BLIGHT AND SUBSTANDARD

## STREET CONDITIONS - UPCO NORTH

## LEGEND

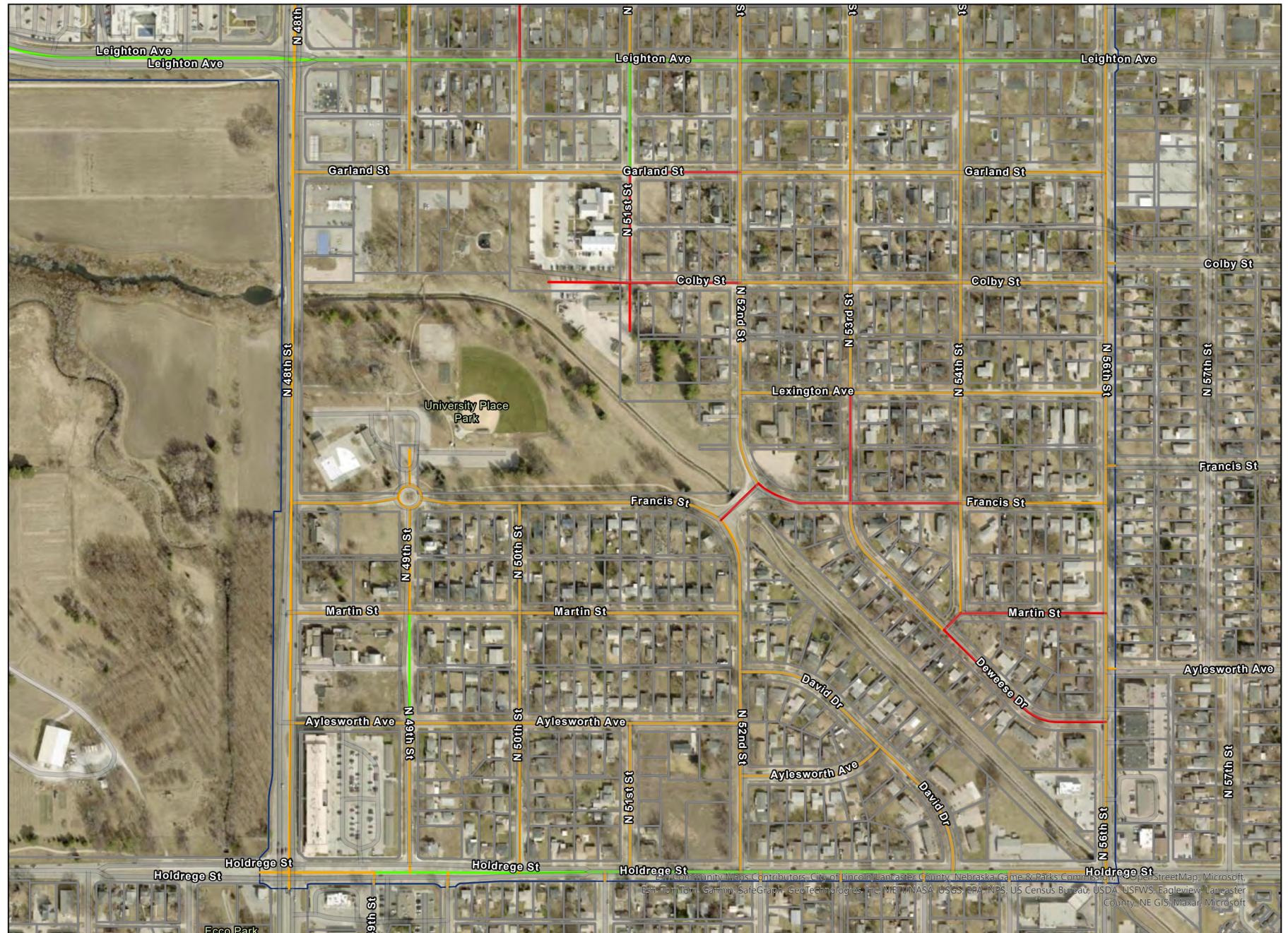
## Conditions

- Good
- Average
- Poor
- Study Area
- Parcels



PROJECTION: NE State Plane (Ft.)  
DATUM: NAD 83  
DATE: 2.18.25

112



**CORNHUSKER HIGHWAY AREA**  
**BLIGHT AND SUBSTANDARD**  
**STREET CONDITIONS - UPCO SOUTH**

**LEGEND**

**Conditions**

- Good (Green line)
- Average (Yellow line)
- Poor (Red line)

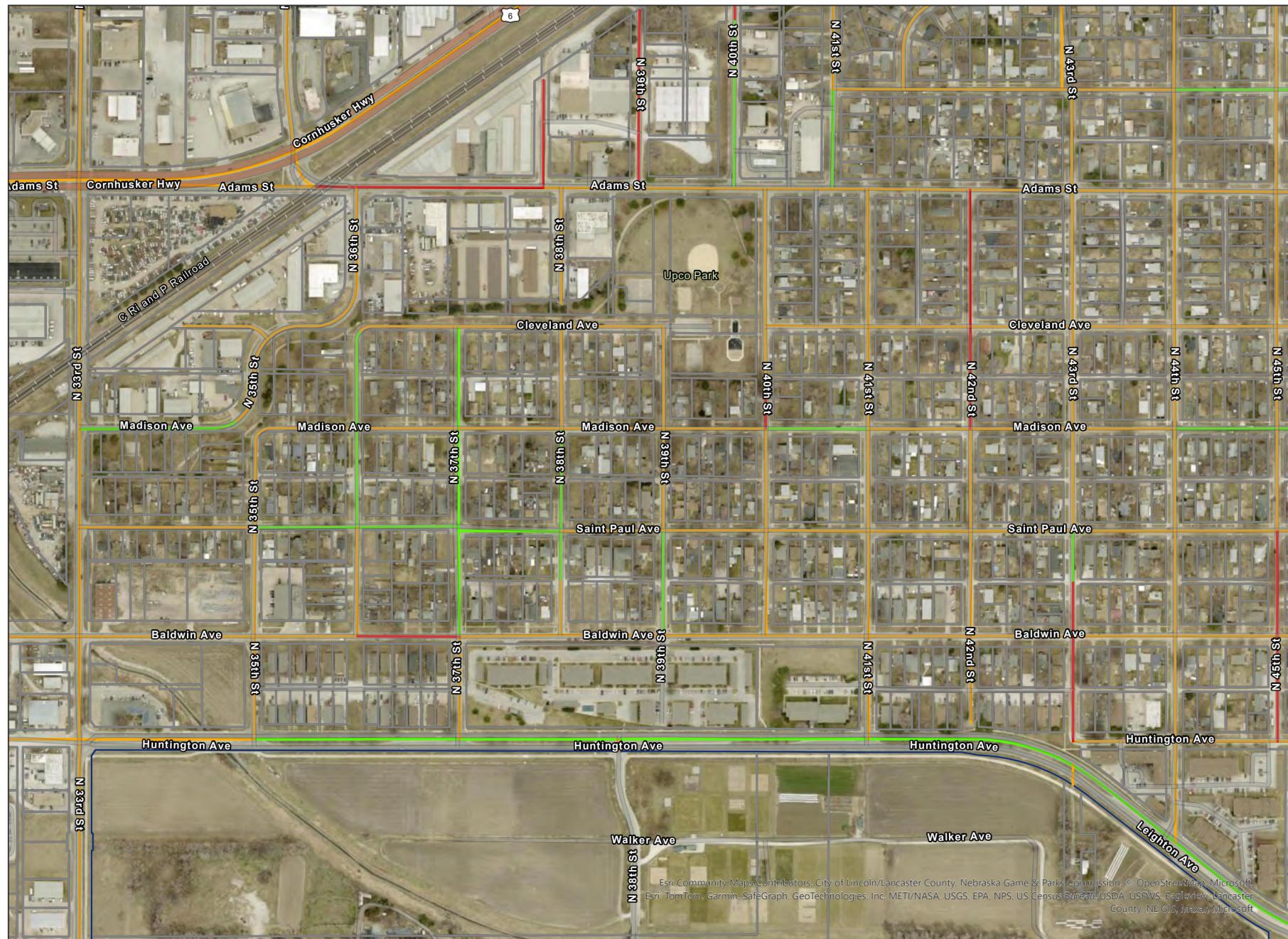
**Study Area**

**Parcels**

**MPC**  
**MARVIN PLANNING CONSULTANTS**  
*Specializing in Municipal, County and Neighborhood Planning*

PROJECTION: NE State Plane (Ft.)  
 DATUM: NAD 83  
 DATE: 2.18.25

0 15 30 60 Miles



CORNHUSKER HIGHWAY AREA  
BLIGHT AND SUBSTANDARD  
STREET CONDITIONS - UPCO  
WEST

**LEGEND**

- Study Area
- Parcels

**Conditions**

- Good
- Average
- Poor

**MPC**  
MARVIN PLANNING CONSULTANTS  
Specializing in Municipal, County and Neighborhood Planning

PROJECTION: NE State Plane (Ft)  
DATUM: NAD 83  
DATE: 2.18.25

0 15 30 60 Miles

## Deterioration of Site or Other Improvements, continued

### Curb and Gutter

Curb and Gutters have a number of direct and indirect roles in neighborhoods. Their primary function is to be a barrier and a collection and direction system for moving water to storm drains or other drainage systems so the storm water can be drained away. On a secondary level, they can help define where the streets start and stop, and they act as a physical barrier between pedestrian and vehicular traffic.

The curb and gutter conditions, similar to the others, were analyzed throughout the Study Area. The curb and gutter were rated on three categories: good, average, and poor or missing. In addition, where streets and curb and gutter meet, any spawling, breakups, or other noticeable issues, were rated accordingly. Again, average to lower conditions were considered to be undesirable. As with the streets and sidewalks conditions, once a curb and gutter section begins to deteriorate it will continue to get worse unless specific maintenance or replacement steps are undertaken.

Within the Study Area there is approximately 571,506 lineal feet or 108.2 miles of curb and gutter. After reviewing the conditions in the field, the following is how the curb and gutter conditions breakdown within the Study Area:

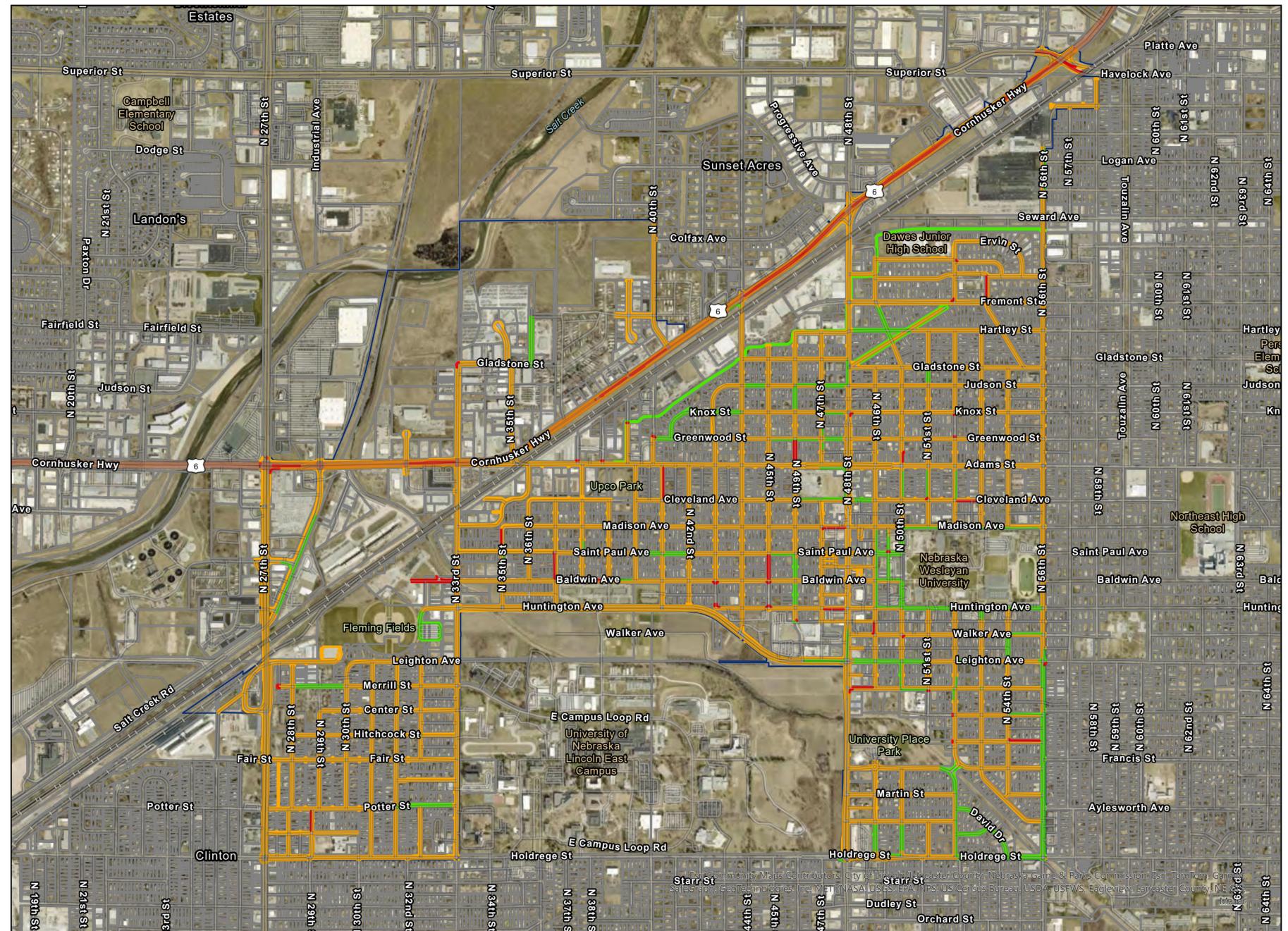
- 78,489 (13.7%) lineal feet of good curb and gutter
- 470,715 (82.4%) lineal feet of average curb and gutter
- 22,302 (3.9%) lineal feet of poor or missing curb and gutter

In total, 86.3% of the curb and gutter are in a average condition or worse, thus placing them in a deteriorating state. However, if you remove the average condition curb and gutter from the calculation, the Study Area still has 3.9% of the curb and gutter in a state of deterioration.

**Due to the large amount of deteriorating curb and gutter, the curb and gutter conditions are a direct contributing factor for Blight.**



Examples of Curb and Gutter Conditions within the Study Area



## CORNHUSKER HIGHWAY AREA

## BLIGHT AND SUBSTANDARD

## CURB AND GUTTER CONDITIONS - STUDY AREA

## LEGEND

### Condition

- Good
- Average
- Poor or Missing
- Study Area
- Parcels

**MPC**  
MARVIN PLANNING CONSULTANTS

PROJECTION: NE State Plane (Ft.)

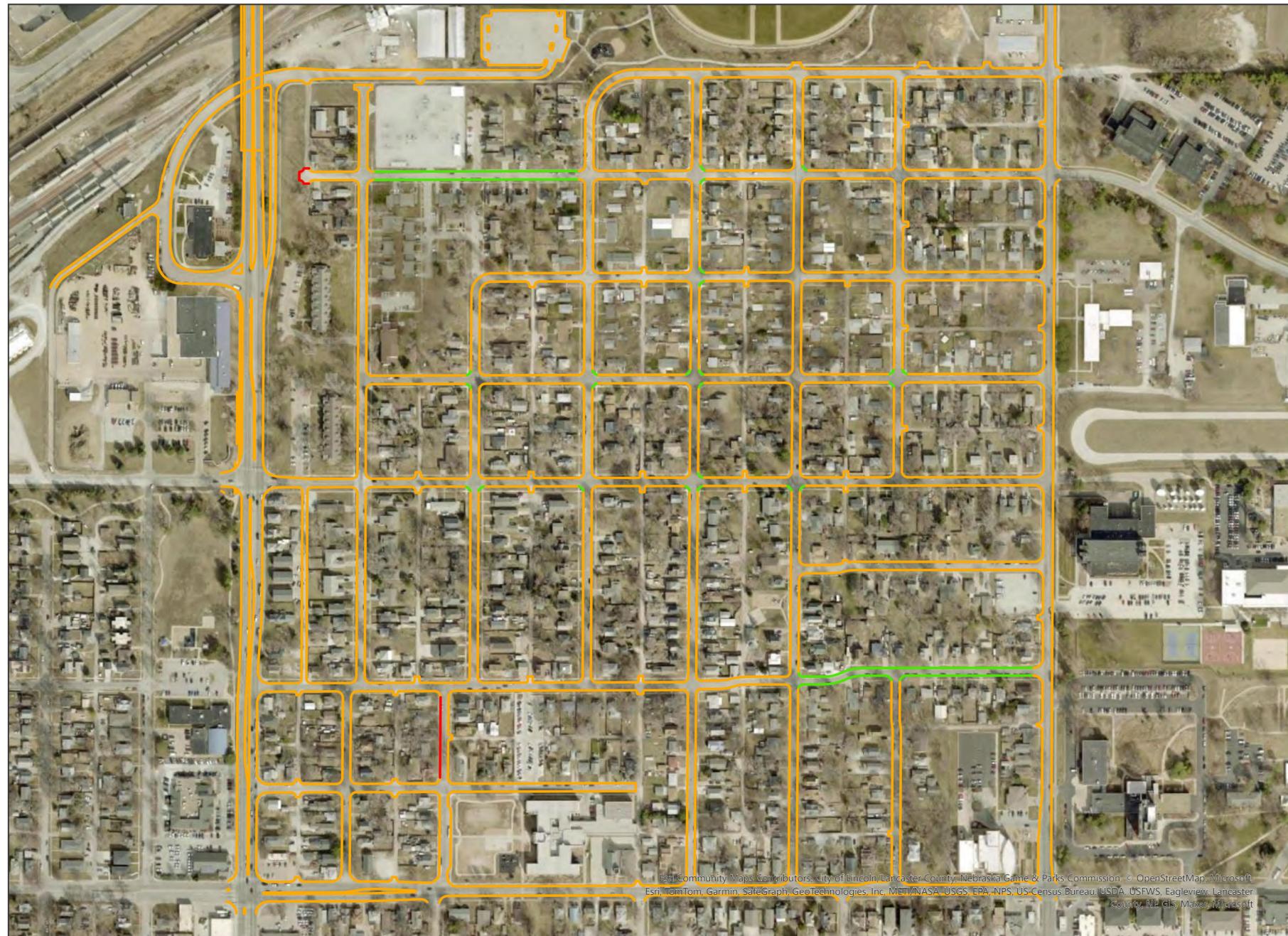
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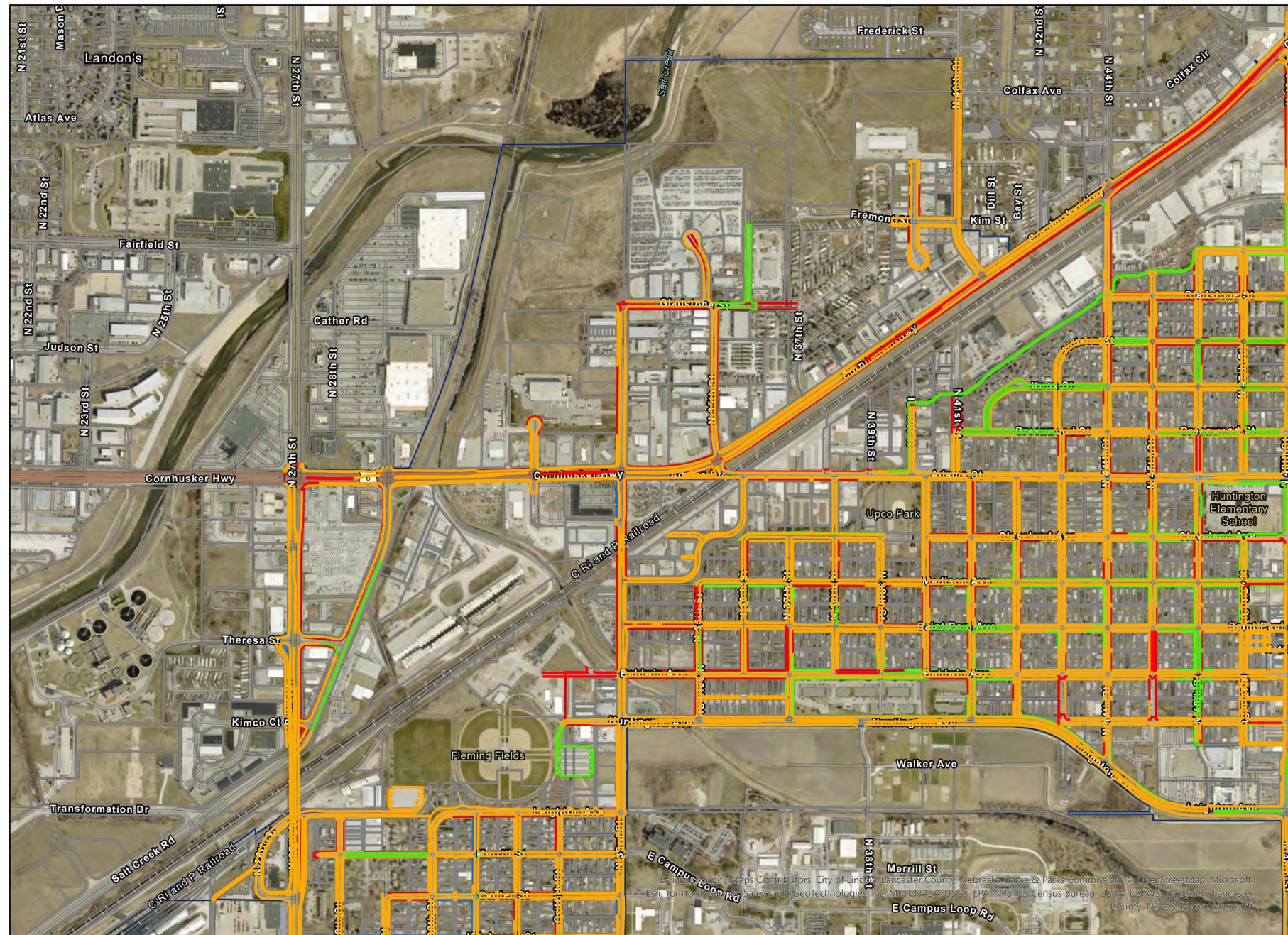
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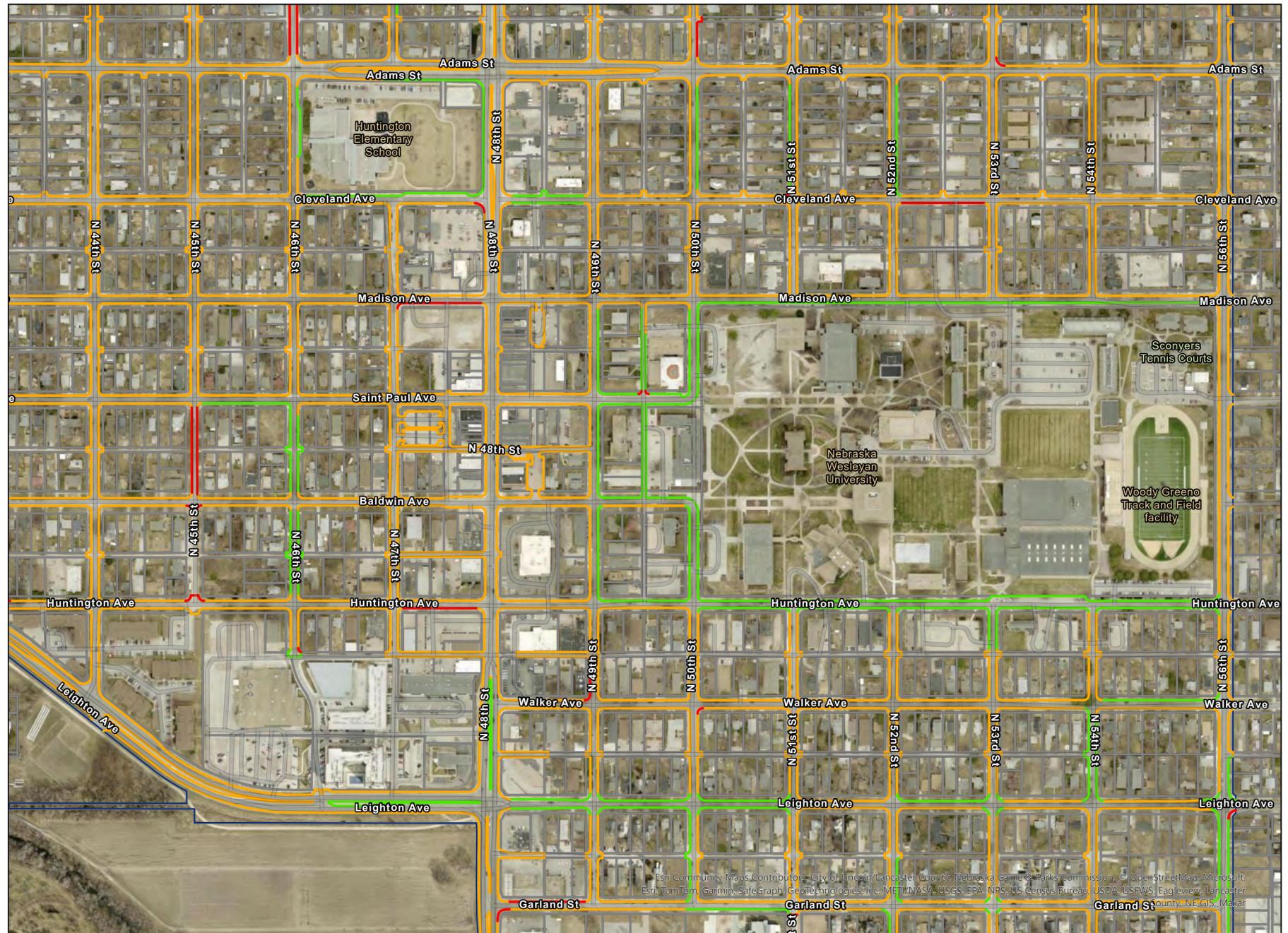
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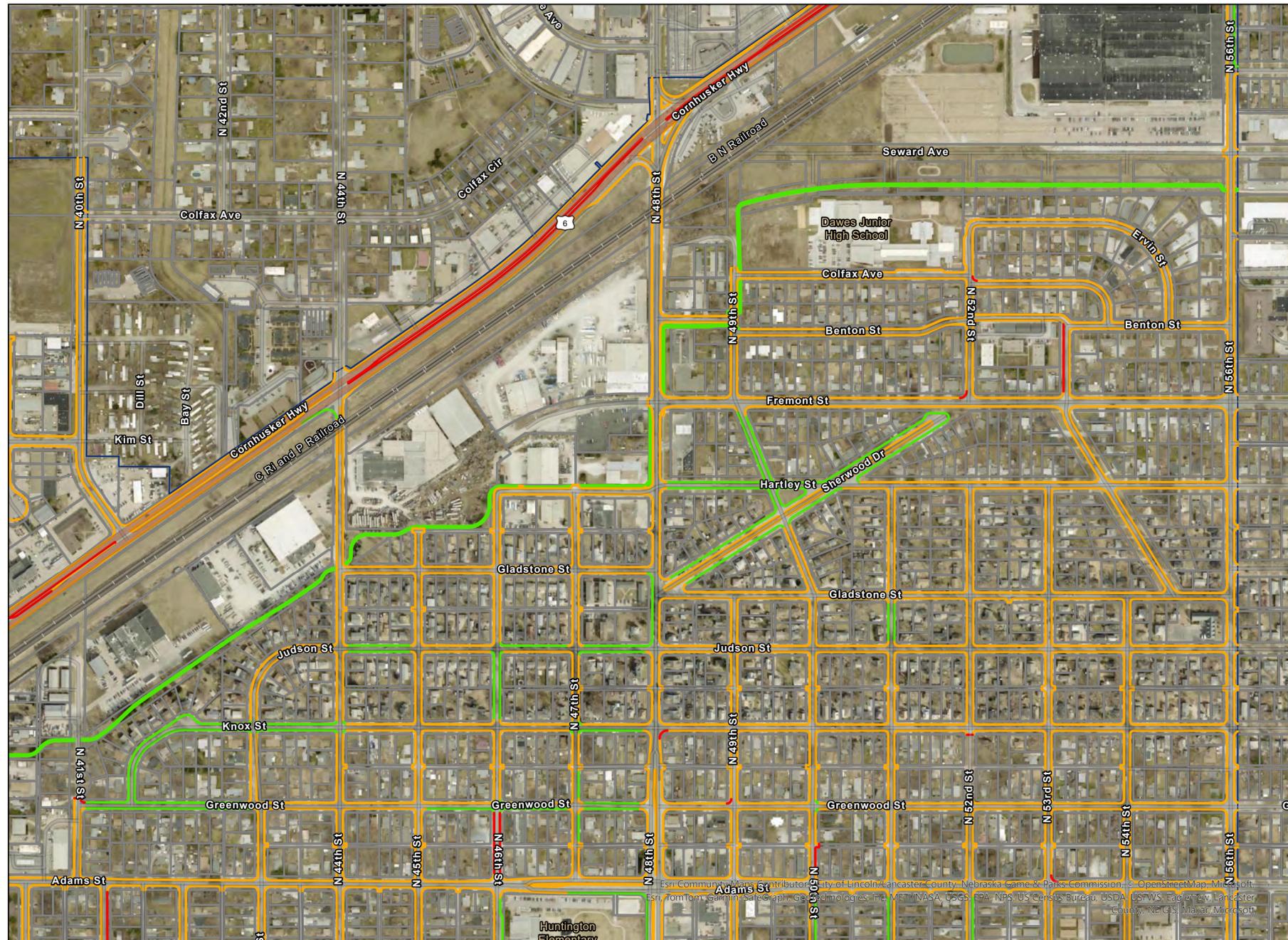
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**MPC**  
MARVIN PLANNING CONSULTANTS

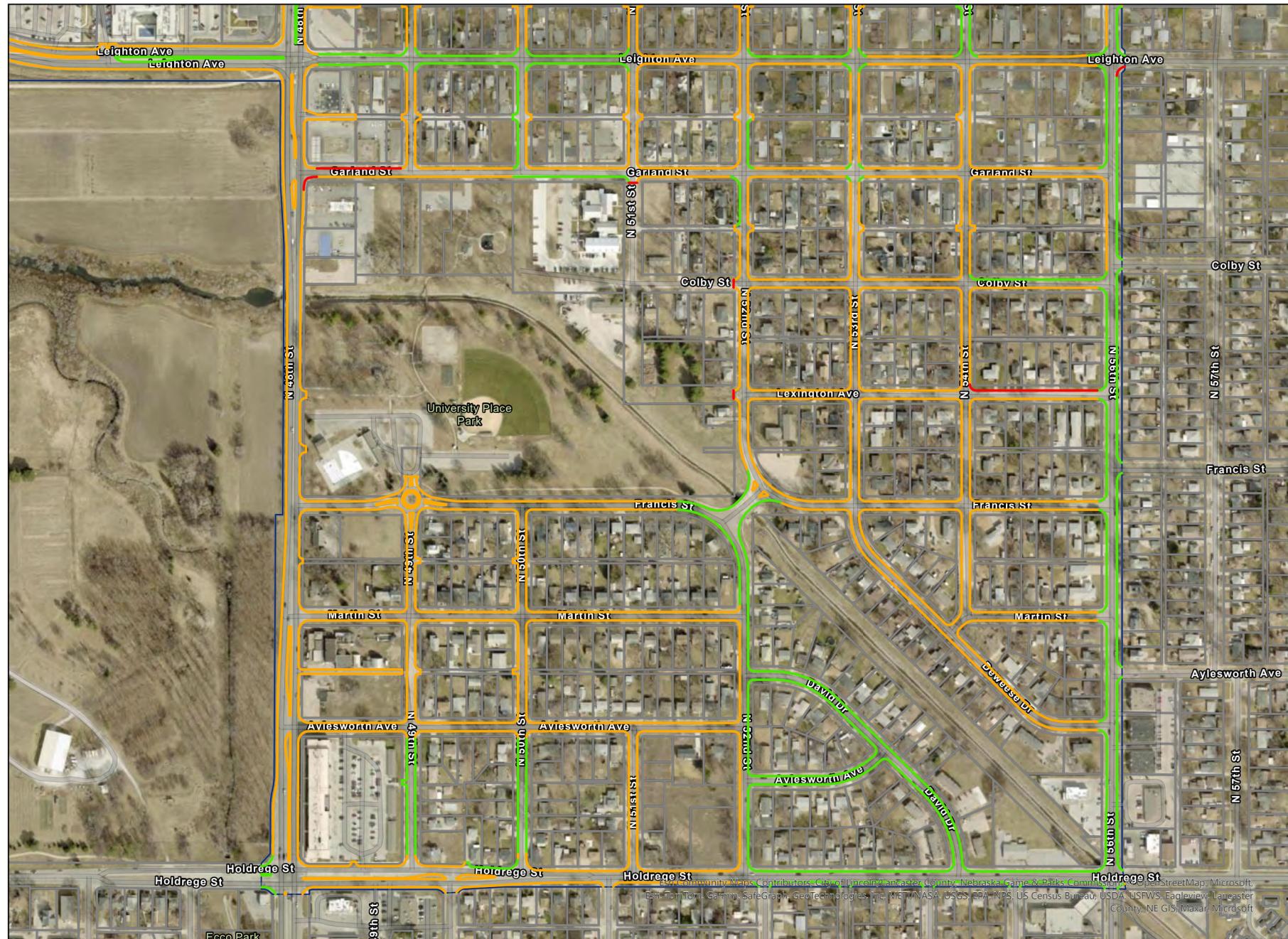
Specializing in Municipal County and Neighborhood Planning

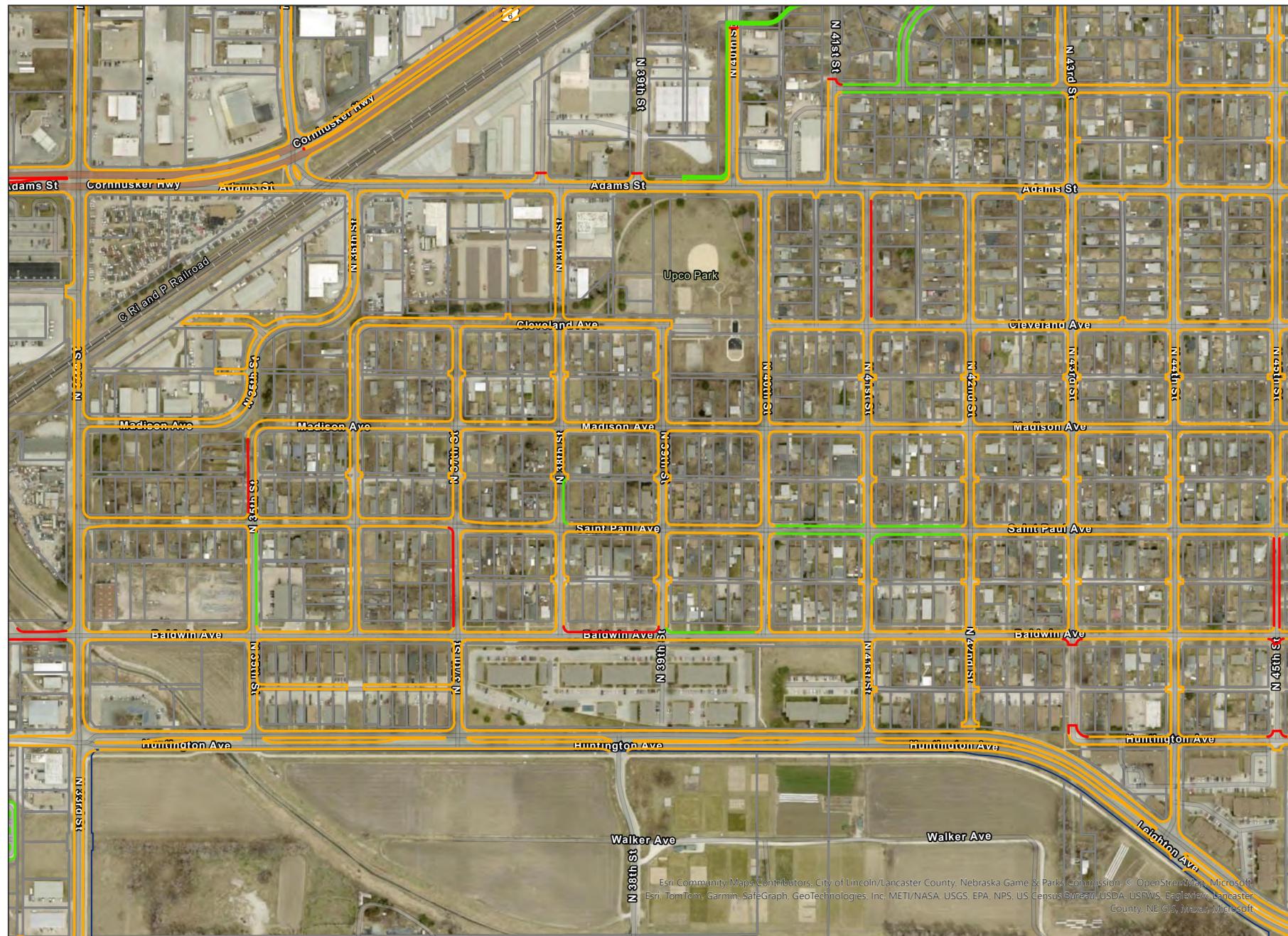
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DATUM: NAD 83

DATE: 2.6.25

0 15 30 60 Miles





PROJECTION: NE State Plane (Ft)

DATUM: NAD 83

DATE: 2.18.25

0 15 30 60 Miles

## Deterioration of Site or Other Improvements, continued

### Drainage Conditions

The Study Area is relatively flat. No matter how well the stormwater system is designed there is a point where water will have difficulty draining. Typically, stormwater systems will not deteriorate nearly as fast as the streets, curb and gutter, and sidewalks due to a lack of direct exposure.

The Study Area was observed over a month long period in January and early February of 2025. Over this period, severe weather occurred, including rain storms, snow storms, and ice storms. These storms allowed a direct observation of how the drainage system handled a larger than normal storm. Due to these events, there were multiple instances of standing water in the Study Area. Most of the standing water was due to deterioration of the curb and gutter system in the area. Over time, several key locations in the actual gutter flowline have settled and created a failure in the ability to drain water completely. Therefore, the drainage conditions in the Study Area are impacted directly by the deteriorating/poor curb and gutters throughout.

**Due to the drainage issues and in combination with the curb and gutter conditions, drainage issues are a direct contributing factor towards blighting the area.**

### Site Improvement Conditions

Throughout the Study Area there are a number of public parking lots and private parking areas for the various commercial entities in the area. One of the keys to creating a positive image of an area is how well the exterior portions of the lots are maintained. Even a perfectly maintained structure can be seen as a deteriorating part of the community if the exterior or curb appeal is less than desirable.

Part of developing a blight study for any community centers around how well different site improvements are maintained and what type of image these improvements create of the property and Study Area. Part of this analysis examines the actual condition of the site improvements, plus the drainage issue if they exist.

Within the Study Area there are a multitude of areas where the site improvements were deemed to be in poor condition. Some of these areas are far worse than others and should be improved.

**Due to the condition of multiple sites and the lack of improvements, specifically the condition and type of the paving, Site Improvements issues are a direct contributing factor towards blighting the area.**

### Public Utility Lines (Water and Wastewater Lines) Conditions

Public utility lines (water and wastewater) in the Study Area were examined based on age and construction materials. Any line over the age of 40 can be considered to be of a deteriorating condition. Along with age, certain construction materials can be considered to be inadequate for the safe supply of utilities such as water and wastewater. Table 2 breaks down the age of water lines in the Study Area by type of line. In total, 73.9% of water lines in the Study Area are over 40 years old. Table 3 breaks down the age of wastewater lines by type of line, similarly to water lines. The grand total of wastewater lines show 65.0% of lines are over 40 years old.

**Thus, when considering age, age of water and wastewater lines are a contributing factor.**

Wastewater lines were reviewed by camera by LTU to determine if they provide adequate service to users. Table 4 shows that the percent of reviewed lines that are over 40 years old is 42.5%. However, when removing age, there are 68.5% of wastewater lines in the Study Area that are deemed inadequate by LTU, regardless of age.

**Based on the standards that LTU has established, with over two-thirds of lines in the area being deemed inadequate, this is also a contributing factor to blight.**

**TABLE 2: AGE OF WATER LINES BY TYPE, LINCOLN, 2025**

Install Year	Distribution Main	Hydrant Main	Transmission Main	Grand Total
Unknown	4,920	6,113	247	11,280
Grand Total	237,961	11,256	26,514	275,730
% before 1976	74.9%	9.3%	92.5%	73.9%

**TABLE 3: AGE OF WASTEWATER LINES BY TYPE, LINCOLN, 2025**

Year Installed	CIP	DIP	HDPE	PVC	RCP	TRUSS	VCP	Grand Total
Grand Total	101	262	5,963	35,290	10,748	2,938	166,192	221,494
% before 1976, by type	0%	75.0%	0.0%	4.0%	50.0%	53.0%	82.0%	65.0%

**TABLE 4: INADEQUATE WASTEWATER LINES BY TYPE, LINCOLN, 2025**

Percent of TV'd/Reviewed line, Inadequate (Score of 80+), before 1976	42.5%
Percent of TV'd/Reviewed line, Inadequate (Score of 80+)	68.5%
Percent of TV'd/All line, Inadequate (Score of 80+), before 1976	12.6%

### Insanitary and Unsafe Conditions

#### Trees and Foliage at End of Natural Life

Trees and large foliage, including those with broken branches hanging over sidewalk and streets, were observed in the Study Area. These trees are or will be reaching the end of their natural life within a reasonable amount of time after the adoption of this document. Maintenance of these trees, up to and including their removal, would help to reduce blighted conditions in the study area.

**Due to the presence of these trees as well as large foliage, this is a contributing factor.**

## Diversity of Ownership

Within the Study Area, there are over three thousand total properties, based upon the Lancaster County Assessors data. The owners of these include several public entities, including the City of Lincoln, BNSF Railroad, Lancaster County, and Nebraska Wesleyan University, and several different religious denominations. Completing and continuing with future redevelopment efforts in this Study Area will require a coordinated effort. It is necessary that some organization similar to the Lincoln Community Redevelopment Authority continue to lead efforts in redeveloping the Study Area within the corporate limits of Lincoln.

Based upon the number of different properties and property owners within the Study Area, it is determined that the Diversity of Ownership within the Study Area is a barrier to redevelopment.

## Existence of Conditions endangering life or property due to fire or other causes

Located within the Study Area there are factors present that are a danger to life or property due to fire or other causes. A number of these factors have been previously discussed in this report.

These factors include:

- Standing water.
- Trees and large foliage at the end of their natural life

Based upon the review of the Study Area, there are sufficient elements present to meet the definition of dangerous conditions within the area.

## Combination of factors which are impairing and/or arresting sound growth

Impairing and/or arresting sound growth can be an element in the Study Area that is positive but has a major impact on how uses develop or properties are redeveloped in the future. Within the Study Area there are two factors having a major impact on development and redevelopment opportunities, thus impairing and/or arresting some growth.

These elements are:

- Even though it is a positive influence on the community, since it pulls the majority of traffic through the community, US Highway 6/Cornhusker Highway impairs growth. The primary issue involving sound growth is the number of lanes along the route, the State and Federal regulations for driveways, the City of Lincoln's Access Management Policy, and the setbacks required from the thoroughfare.

Based upon the review of the Study Area, there are sufficient elements present to meet the definition of combination of factors which are impairing and/or arresting sound growth within the Study Area.

## Part B of the Blight Definition

### Age of Structures

Age of structures is a direct contributing factor to the blighted and substandard conditions in an area. The statute allows for a predominance of units 40 years of age or older to be a contributing factor regardless of their condition.

Within the Study Area, there are 3,086 structures in some form or another. The age of structure has been determined with the assistance of Lancaster County Assessor's data. The following breakdown was determined:

- 2,830 (91.7%) units were determined to be 40 years of age or older
- 256 (8.3%) units were determined to be less than 40 years of age

The average age of structures in the area is 67.8 years. Due to the majority of structures being over 40 years old, and the average age of structures being 67.8 years old, the age of structures in the Study Area is a direct contributing factor.

TABLE 5: AGE OF STRUCTURES, LINCOLN, 2025

Construction Date	Number of Structures	Age	Cumulative Age
1862	1	163	163
1877	1	148	311
1880	5	145	1,036
1885	2	140	1,316
1887	2	138	1,592
1890	3	135	1,997
1893	1	132	2,129
1894	2	131	2,391
1895	3	130	2,781
1898	1	127	2,908
1900	184	125	25,908
1902	2	123	26,154
1903	2	122	26,398
1904	5	121	27,003
1905	9	120	28,083
1906	5	119	28,678
1907	7	118	29,504
1908	6	117	30,206
1909	1	116	30,322
1910	145	115	46,997
1911	2	114	47,225
1912	3	113	47,564
1913	1	112	47,676

TABLE 5: AGE OF STRUCTURES, LINCOLN, 2025, CONTINUED

Construction Date	Number of Structures	Age	Cumulative Age
1914	3	111	48,009
1915	38	110	52,189
1916	17	109	54,042
1917	15	108	55,662
1918	18	107	57,588
1919	2	106	57,800
1920	242	105	83,210
1921	2	104	83,418
1922	13	103	84,757
1923	9	102	85,675
1924	6	101	86,281
1925	67	100	92,981
1926	79	99	100,802
1927	9	98	101,684
1928	6	97	102,266
1929	6	96	102,842
1930	77	95	110,157
1932	9	93	110,994
1933	3	92	111,270
1934	2	91	111,452
1935	5	90	111,902
1936	3	89	112,169
1937	1	88	112,257
1938	2	87	112,431
1939	6	86	112,947
1940	13	85	114,052
1943	4	82	114,380
1944	1	81	114,461
1945	9	80	115,181
1946	17	79	116,524
1947	11	78	117,382
1948	28	77	119,538
1949	7	76	120,070
1950	207	75	135,595
1951	12	74	136,483
1952	108	73	144,367
1953	47	72	147,751

TABLE 5: AGE OF STRUCTURES, LINCOLN, 2025, CONTINUED

Construction Date	Number of Structures	Age	Cumulative Age
1954	78	71	153,289
1955	199	70	167,219
1956	79	69	172,670
1957	52	68	176,206
1958	32	67	178,350
1959	21	66	179,736
1960	111	65	186,951
1961	43	64	189,703
1962	75	63	194,428
1963	71	62	198,830
1964	67	61	202,917
1965	30	60	204,717
1966	16	59	205,661
1967	17	58	206,647
1968	13	57	207,388
1969	20	56	208,508
1970	5	55	208,783
1971	42	54	211,051
1972	49	53	213,648
1973	65	52	217,028
1974	14	51	217,742
1975	16	50	218,542
1976	49	49	220,943
1977	47	48	223,199
1978	37	47	224,938
1979	18	46	225,766
1980	25	45	226,891
1981	11	44	227,375
1982	2	43	227,461
1983	9	42	227,839
1984	13	41	228,372
1985	7	40	228,652
1986	13	39	229,159
1987	12	38	229,615
1988	15	37	230,170
1989	14	36	230,674
1990	11	35	231,059

Blight and Substandard Study - Lincoln, Nebraska, Cornhusker Highway Area

TABLE 5: AGE OF STRUCTURES, LINCOLN, 2025, CONTINUED

Construction Date	Number of Structures	Age	Cumulative Age
1991	10	34	231,399
1992	4	33	231,531
1993	6	32	231,723
1994	7	31	231,940
1995	14	30	232,360
1996	7	29	232,563
1997	10	28	232,843
1998	13	27	233,194
1999	12	26	233,506
2000	5	25	233,631
2001	7	24	233,799
2002	6	23	233,937
2003	11	22	234,179
2004	7	21	234,326
2005	1	20	234,346
2006	5	19	234,441
2007	4	18	234,513
2008	3	17	234,564
2009	2	16	234,596
2010	3	15	234,641
2011	2	14	234,669
2012	2	13	234,695
2013	3	12	234,731
2014	4	11	234,775
2015	2	10	234,795
2016	5	9	234,840
2017	4	8	234,872
2018	4	7	234,900
2019	5	6	234,930
2020	4	5	234,950
2021	1	4	234,954
2022	7	3	234,975
2023	2	2	234,979
2024	9	1	234,988

Source: Lancaster County Assessor

**Total Structures: 3,086**

**Total Cumulative Age: 234,988 years**

**Average Age of all structures: 67.8**

## **Blighting Summary**

These conditions are contributing to the blighted conditions of the Study Area.

### **Substantial number of deteriorating structures**

- Based upon the review of Lancaster County Assessor data, field observations, drone observations and other aerials there are a substantial number of Residential deteriorating structures within the Study Area:
  - 9 (0.3%) structures rated as Low
  - 87 (3.4%) structures rated as Fair
  - 745 (28.7%) structures rated as Average
  - 1,402 (54.0%) structures rated as Good
  - 343 (13.2%) structures rated as Very Good
  - 11 (0.4%) structures rated as Excellent
- Based upon the review of Lancaster County Assessor data, field observations, drone observations and other aerials there are a substantial number of Commercial deteriorating structures within the Study Area:
  - 4 (0.8%) structures rated as Poor
  - 25 (5.1%) structures rated as Fair
  - 199 (40.9%) structures rated as Average Minus
  - 238 (48.9%) structures rated as Typical
  - 16 (3.3%) rated as Average Plus
  - 4 (0.8%) rated as Good

### **Deterioration of site or other improvements**

- Majority (87.9%) of sidewalk in an Average to Poor or Missing condition.
- Majority (82.2%) of the street network in an Average to Poor condition.
- Majority (86.3%) of Curb and Gutter is in an Average to Poor condition.
- Drainage is an issue during large storm events.
- Standing water remains after storm events occur in certain places throughout the Study Area.
- There are considerable number of private and public parking lots either in a deteriorating state or simply are not hard-surfaced.
- There is a substantial amount of public utility lines over 40 years old, deemed inadequate by LTU, or some combination of both factors.

### **Insanitary or Unsafe Conditions**

- Trees and large foliage at the end of their natural life

### **Diversity of Ownership**

- The Study Area contains over three thousand different Property Identification Numbers ("PIN") on the Assessor's website; within the Study Area ownership includes many public entities.

### **Existence of Conditions endangering life or property due to fire or other causes**

- Standing water in part of the Study Area.

### **Combination of factors which are impairing and/or arresting sound growth**

- US Highway 6/Cornhusker Highway splits the Study Area and due to its control by State and Federal departments and the volume of vehicles impairs the development and redevelopment of the area.

### **Criteria under Part B of the Blight Definition**

#### **Average age of units is over 40 years of age**

- Within the Study Area 91.7% of the units meet the criteria of 40 years of age or older.
- Based upon the county assessor's assessment records, the average age of the units within the Study Area is 67.8 years.

#### **Other criteria for Blight not present in the area include:**

- Faulty lot layout
- Improper Subdivision or Obsolete Platting
- Defective/Inadequate street layouts
- Tax or special assessment delinquency exceeding fair value of the land.
- Defective or unusual condition of title
- Unemployment in the designated area is at least 120% of the state or national average.
- Over one-half of the property is unimproved and has been within the City for over 40 years.
- The per capita income of the area is lower than the average per capita income of the city or village in which the area is designated.

These issues were either not present or were limited enough as to have little impact on the overall condition of the Study Area.

### Substandard Conditions

"Substandard areas means an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by **reason of dilapidation, deterioration, age** or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or

### Predominance of Deteriorating Buildings or Improvements

Structural condition data was received from the City of Lincoln. The data and rating system comes from the Lancaster County Assessor's database. The Assessor rated structures as one of the following: Low, Fair, Average, Good, Very Good, or Excellent. The same database from the Assessor is used to value properties in the area.

Based upon the data provided to the planning team, the following is the breakdown for structures in the Study Area:

- 9 (0.3%) structures rated as Low
- 87 (3.4%) structures rated as Fair
- 745 (28.7%) structures rated as Average
- 1,402 (54.0%) structures rated as Good
- 343 (13.2%) structures rated as Very Good
- 11 (0.4%) structures rated as Excellent

Based upon these data, an assumption has been made that good condition and less would constitute less than desirable conditions due to age and conditions. It is common for older structures to get more maintenance and upkeep in order to maintain a good or higher condition. Even an average structure will show some signs of deteriorating which in turn can become a dilapidated structure in the future if it is not addressed over time. Overall, 86.3% of the structures in this Study Area are "Good" condition or worse.

Due to the stated conditions found in the Lancaster County Assessor's data, the condition of the structure is a contributing factor.

### Part B of the Blight Definition

#### Age of Structures

Age of structures is a direct contributing factor to the blighted and substandard conditions in an area. The statute allows for a predominance of units 40 years of age or older to be a contributing factor regardless of their condition.

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The average age of structures in the area is 67.8 years. Due to the majority of structures being over 40 years old, and the average age of structures being 67.8 years old, the age of structures in the Study Area is a direct contributing factor.

TABLE 6: AGE OF STRUCTURES, LINCOLN, 2025

Construction Date	Number of Structures	Age	Cumulative Age
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1904	5	121	27,003
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1961	43	64	189,703
1962	75	63	194,428
1963	71	62	198,830
1964	67	61	202,917
1965	30	60	204,717
1966	16	59	205,661
1967	17	58	206,647
1968	13	57	207,388
1969	20	56	208,508
1970	5	55	208,783
1971	42	54	211,051
1972	49	53	213,648
1973	65	52	217,028
1974	14	51	217,742
1975	16	50	218,542
1976	49	49	220,943
1977	47	48	223,199
1978	37	47	224,938
1979	18	46	225,766
1980	25	45	226,891
1981	11	44	227,375
1982	2	43	227,461
1983	9	42	227,839
1984	13	41	228,372
1985	7	40	228,652
1986	13	39	229,159
1987	12	38	229,615
1988	15	37	230,170
1989	14	36	230,674
1990	11	35	231,059

Blight and Substandard Study - Lincoln, Nebraska, Cornhusker Highway Area

TABLE 6: AGE OF STRUCTURES, LINCOLN, 2025, CONTINUED

Construction Date	Number of Structures	Age	Cumulative Age
1991	10	34	231,399
1992	4	33	231,531
1993	6	32	231,723
1994	7	31	231,940
1995	14	30	232,360
1996	7	29	232,563
1997	10	28	232,843
1998	13	27	233,194
1999	12	26	233,506
2000	5	25	233,631
2001	7	24	233,799
2002	6	23	233,937
2003	11	22	234,179
2004	7	21	234,326
2005	1	20	234,346
2006	5	19	234,441
2007	4	18	234,513
2008	3	17	234,564
2009	2	16	234,596
2010	3	15	234,641
2011	2	14	234,669
2012	2	13	234,695
2013	3	12	234,731
2014	4	11	234,775
2015	2	10	234,795
2016	5	9	234,840
2017	4	8	234,872
2018	4	7	234,900
2019	5	6	234,930
2020	4	5	234,950
2021	1	4	234,954
2022	7	3	234,975
2023	2	2	234,979
2024	9	1	234,988

Source: Lancaster County Assessor

**Total Structures: 3,086**

**Total Cumulative Age: 234,988 years**

**Average Age of all structures: 67.8**

## **Substandard Summary**

Nebraska State Statute requires that "...an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by **reason of dilapidation, deterioration, age** or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or welfare;"

This Study Area meets the definition of Substandard as defined in the Revised Nebraska State Statutes.

## **FINDINGS FOR CORNHUSKER HIGHWAY AREA**

The Cornhusker Highway Area has several items contributing to the Blight and Substandard Conditions. These conditions include:

### **Blighted Conditions**

- Substantial number of deteriorated or deteriorating structures
- Deterioration of site or other improvements
- Insanitary and Unsafe Conditions
- Diversity of Ownership
- Dangerous conditions to life or property due to fire or other causes
- Combination of factors which are impairing and/or arresting sound growth
- Average age of structures is over 40 years of age

### **Substandard Conditions**

- Predominance of structures meeting the dilapidation or deterioration criteria
- Average age of the structures in the area is at least forty years



## 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

Miscellaneous 25014

*Lincoln Cornhusker Area Extremely Blighted Study*

### FINAL ACTION?

No

### PLANNING COMMISSION HEARING DATE

October 15, 2025

### RELATED APPLICATIONS

[MISC25013](#)

### LOCATION

Generally N. 48<sup>th</sup> & Adams

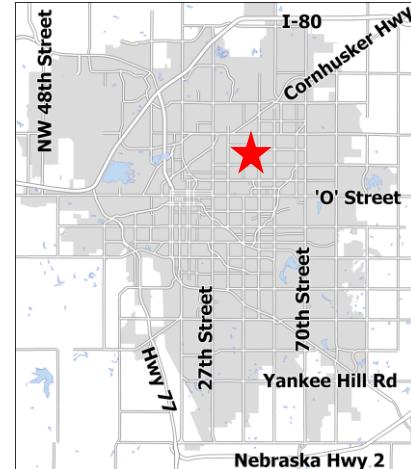
### RECOMMENDATION: FINDING OF EXTREMELY BLIGHTED CONDITIONS

#### BRIEF SUMMARY OF REQUEST

Nebraska State Statutes [18-2101](#) to [18-2154](#), Community Development Law, allows for the designation of Blighted and Substandard areas, and in 2019 added a provision for Extremely Blighted areas. An Extremely Blighted Determination Study is used to identify areas within Lincoln that meet the criteria for Extreme Blight. Properties within the Extreme Blight designation are eligible for additional Housing Trust Fund dollars and a state tax credit for home buyers.

Per State Statute, designation of Extreme Blight requires action by the City Council with recommendation from the Planning Commission.

The Lincoln Cornhusker Area Extremely Blighted Determination Study 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): [MISC25014](#).



#### JUSTIFICATION FOR RECOMMENDATION

The area identified in the study meets the statutory requirements for Extreme Blight.

#### APPLICATION/STAFF CONTACT

Hallie Salem

City of Lincoln Urban Development Dept

(402) 441-7866

[hsalem@lincoln.ne.gov](mailto:hsalem@lincoln.ne.gov)

#### COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The Comprehensive Plan encourages infill development and preserving and improving housing in existing neighborhoods.

## KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

### Elements Section

#### E2: Infill and Redevelopment

##### **Redevelopment Incentives**

Facilitating infill and redevelopment in the existing city requires both a nuanced understanding of the challenges associated with redevelopment projects and a well-thought out set of strategies to overcome them. Commonly cited challenges to infill and redevelopment include land cost and assembly, access to financing, and zoning requirements.

Tax Increment Financing (TIF), facilitated by redevelopment plans in blighted areas, has been the city's most common tool for incentivizing infill redevelopment. TIF is authorized by Nebraska Community Development Law and has been utilized by the City of Lincoln since 1982. TIF uses the added tax revenue created by the redevelopment to finance project-related costs such as land acquisition, core and shell rehabilitation, and public improvements. Traditionally, the developer takes on the debt of the project, pays their full tax burden, and then is allocated back the increment to pay down the debt on the pre-identified project-related costs.

In 2019 the State legislature revised Nebraska Community Development Law to include an “extremely blighted” designation. Areas meeting the criteria of being extremely blighted are eligible for additional Housing Trust Fund dollars and state tax credits for owner-occupied home purchases.

There are many existing and potential redevelopment incentives beyond blighting and TIF (i.e. tax abatement, land value tax, impact fee exclusions).

### Policies Section

#### P8: Infill and Redevelopment

Infill projects should target existing underdeveloped or redeveloping areas in order to remove blighted conditions and more efficiently utilize existing infrastructure.

## ANALYSIS

1. Nebraska State Statutes [18-2101](#) to [18-2154](#), Community Development Law, allows for the designation of Blighted and Substandard areas, and in 2019 added a provision for Extremely Blighted areas. To be designated Extremely Blighted, an area must meet three criteria:
  - Declared blighted and substandard;
  - The unemployment rate average is at least 200% of the average state unemployment rate; and
  - Average poverty rate exceeds 20%.
2. State statute requires the completion of a study to determine if an area meets the criteria to be declared Extremely Blighted. Designation of Extreme Blight requires action by the City Council with recommendation from the Planning Commission.
3. Areas designated as Extremely Blighted are eligible for additional Housing Trust Fund dollars, and owner-occupied homes purchased in the designated areas are eligible for a \$5,000 Nebraska income tax credit.
4. The Lincoln Cornhusker Area meets the three criteria for extreme blight:
  - The area is proposed for designation as Blighted & Substandard with application [MISC25013](#);
  - The area unemployment rate is 6.18%, more than 200% of the average state unemployment rate of 2.99%; and
  - The area average poverty rate is 24.29%, exceeding the extremely blighted requirement of 20%.

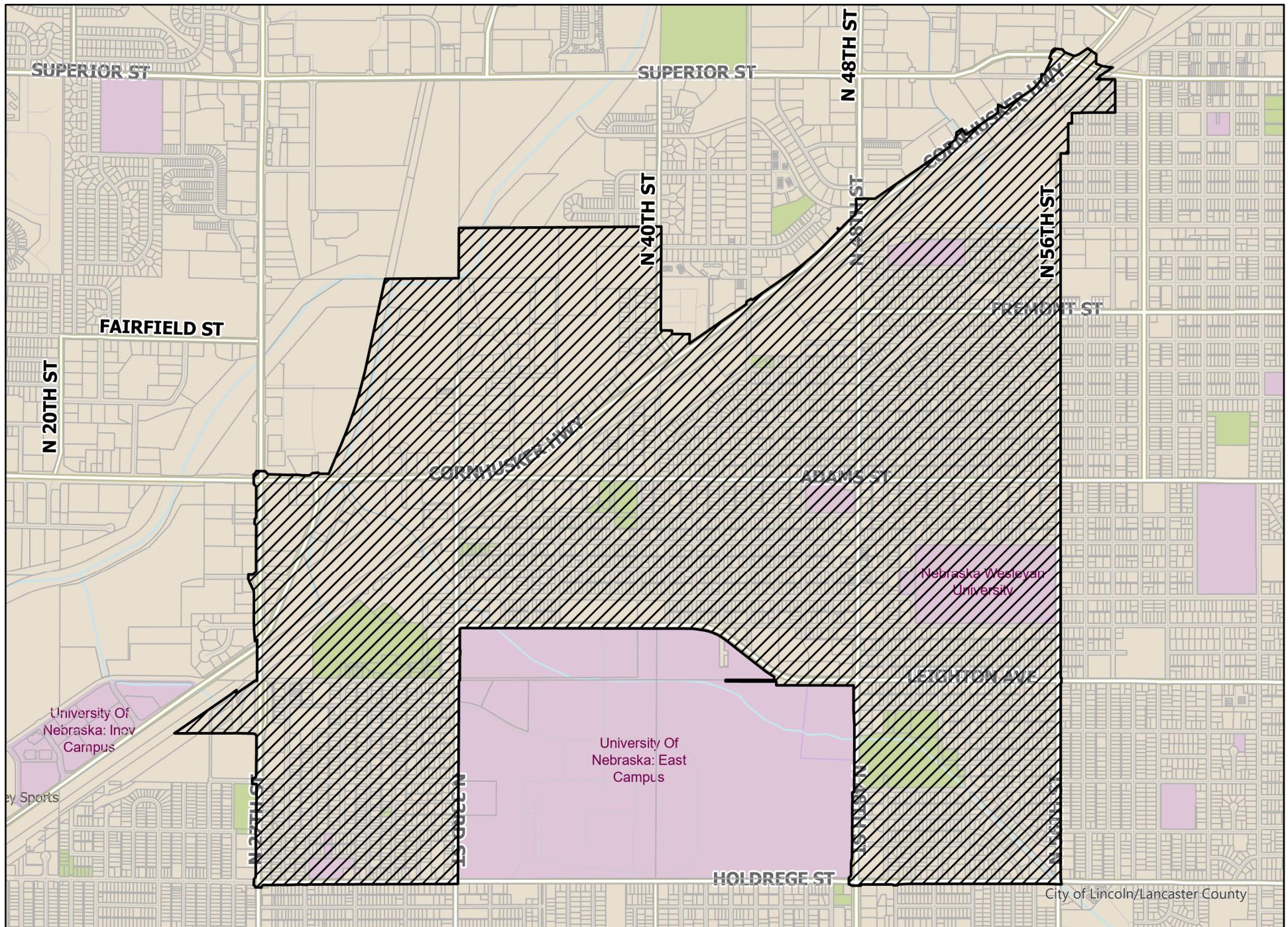
5. This application is the same in scope as [MISC25009](#) and the associated [MISC25008](#) that were considered by the Planning Commission on July 23, 2025. In the spirit of transparency and to address concerns with the process followed at the prior public hearing, this matter is being resubmitted to the Planning Commission for its consideration. All written comments and the minutes from the prior Planning Commission meeting are included on PATS ([MISC25014](#)) for the Planning Commission to consider.
6. Outreach related to this extreme blight study was completed in several stages. Two areas within the extreme blight study have an existing subarea plan - University Place and 33<sup>rd</sup> & Cornhusker. Both of those plans included an extensive public involvement process. Also included in this plan is a portion of the Clinton neighborhood. On June 2, 2025 City staff attended a neighborhood meeting in Clinton to provide additional information and answer questions about the blight and extreme blight study.

**APPROXIMATE LAND AREA:** 2,065 acres

Prepared by Andrew Thierolf, AICP  
[athierolf@lincoln.ne.gov](mailto:athierolf@lincoln.ne.gov), (402) 441-6371

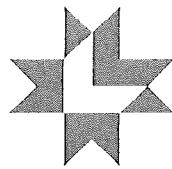
September 30, 2025

Contact: Hallie Salem  
City of Lincoln Urban Development Dept  
(402) 441-7866  
[hsalem@lincoln.ne.gov](mailto:hsalem@lincoln.ne.gov)



**MISC25013 & MISC25014**  
**Lincoln Cornhusker Area Blight and Substandard Study &**  
**Lincoln Cornhusker Area Extreme Blight Study**





**LINCOLN**  
Urban Development

September 17, 2025

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

Dear Andrew:

Enclosed is a copy of the Lincoln Cornhusker Area Extreme Blight Study. This study reviews the area encompassing the University Area Subara Plan as well as the 33<sup>rd</sup> Street and Cornhusker Highway corridor.

Once submitted through Project Dox, please forward the proposed study to the Planning Commission for their consideration for Comprehensive Plan compliance at the October 15, 2025 public hearing. We request that the redevelopment plan also be scheduled at City Council for introduction on November 3, 2025 and public hearing on November 17, 2025.

If you have questions or need additional information, please contact me at 402-441-7857 or [jhiatt@lincoln.ne.gov](mailto:jhiatt@lincoln.ne.gov).

Sincerely,

Jennifer Hiatt  
Planner II | Economic Opportunity  
Urban Development

## **EXTREMELY BLIGHTED AREA STUDY**

Conducted by: Urban Development - Kurt Elder

Member of the American Institute of Certified Planners

Member of the Certified Geographic Information System Professionals

Former Licensed Real Estate Salesperson Professional

### Standard Review

Implementation Background: In the 2020 Nebraska general election Proposed Amendment No. 2 was offered to the voters. It was a constitutional amendment to authorize the Legislature to allow cities and villages to pledge property taxes as part of a redevelopment project for a period not to exceed twenty years if, due to a high rate of unemployment combined with a high poverty rate as determined by law, more than one-half of the property in the project area is extremely blighted. As a state, voters approved the measure 530,236 FOR (61.6%) and 330,445 AGAINST. In Lancaster County, voters approved the measure 89,689 FOR (64.2%) and 49,967 AGAINST.

#### **A. Reasons for completing an extremely blighted study**

REF: Statute 18-2101 to 18-2154 and section of the act, aka Community Development Law Section 2: (1) For any city that (a) intends to carry out a redevelopment project which will involve the construction of workforce housing in an extremely blighted area as authorized under subdivision (28)(g) of section 18-2103, (b) intends to declare an area as an extremely blighted area for purposes of funding decisions under subdivision (1)(b) of section 58-708, or (c) intends to declare an area as an extremely blighted area in order for individuals purchasing residences in such area to qualify for the income tax credit authorized in subsection (7) of section 77-2715.07, the governing body of such city shall first declare, by resolution adopted after the public hearings required under this section, such area to be an extremely blighted area.

#### **B. Additional Consideration**

In Nebraska Statute 18-2103, Section #3 it states, "A redevelopment project involving a formerly used defense site as authorized under section 18-2123.01 and any area declared to be an extremely blighted area under section 18-2101.02 shall not count towards the percentage limitations contained in this subdivision;" If this area is approved our percent blighted, as a community, will decline.

#### **C. Legislative Direction**

Section 2: Prior to making such declaration, the governing body of the city shall conduct or cause to be conducted a study or an analysis on whether the area is extremely blighted and shall submit the question of whether such area is extremely blighted to the planning commission or board of the city for its review and recommendation. The planning commission or board shall hold a public hearing on the question after giving notice of the hearing as provided in section 18-2115.01. Such notice shall include a map of sufficient size to show the area to be declared extremely blighted or information on where to find such map and shall provide information on where to find copies of the study or analysis conducted pursuant to this subsection. The planning commission or board shall submit its written recommendations to the governing body of the city within thirty days after the public hearing.

## **D. Process**

Brief: In order for an area to be designated as extremely blighted and substandard two findings need to be met. These facets are defined in Nebraska statute; however, for brevity they are **(a)** areas that have been found blighted and substandard through city council action, and **(b)** have been found to be extremely blighted.

An approved blighted and substandard area is also extremely blighted if **(i)** the average rate of unemployment in the area during the period covered by the most recent federal decennial census or American Community Survey 5-Year Estimate is at least two hundred percent of the average rate of unemployment in the state during the same period; and **(ii)** the average poverty rate in the area exceeds twenty percent for the total federal census tract or tracts or federal census block group or block groups in the area.

This study primarily determines which areas meet the statutory definition through a reasonable operationalization of Nebraska statute.

## **E. Methodology & Data Tables**

City of Lincoln's base data methodology utilizes implementation strategies approved in, Omaha, Grand Island, North Platte, Norfolk and South Sioux City studies. Other community agents are currently using these strategies as they develop their studies.

Furthermore, our averaging process/interpretation received support from UNO's David Drozd Research Coordinator at the UNO Center for Public Affairs (David has since moved on to another firm), and input from Sen. Justin Wayne's office. Senator Wayne was the Chair of the Urban Affairs Committee when this legislation was passed.

All data is 2023 US Census American Community 5-year Survey data. We utilize block group level information from the census to maximize potential data points for analysis. We acknowledge that margins of error can be more significant at this geography level. We discuss this further in section 'F. Process and Outcomes'. Poverty data came from Census table: [B17021](#). Should the reader prefer a breakout by sex and age consider using Census table [B17001](#). Employment data came from Census table: [B23025](#)

*Council Approved Blight -*

The Community development law requires that an Extremely Blighted and Substandard area be an approved blighted area. The City of Lincoln has blighted areas; those studies/documents/approved areas are available for review ([Web link](#)). See 'Approved Blight Areas' in the appendix.

*Extremely Blighted Components –*

Part (i) is a state comparison. The 2023 Nebraska Unemployment rate, according to the US Census American Community Survey (Five-year estimate) was 2.99<sup>1</sup>%. Therefore, the average rate of our selected area would require an unemployment rate of at least 5.98%. Unemployment is the total number of unemployed people, expressed as a percentage of the civilian labor force ([Source](#)). A five-year estimate is used because it is directed by state

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<sup>1</sup> U.S. Census Bureau, U.S. Department of Commerce. "Employment Status for the Population 16 Years and Over." *American Community Survey, ACS 5-Year Estimates Detailed Tables, Table B23025*, 2023, <https://data.census.gov/table/ACSDT5Y2023.B23025?q=B23025&g=040XX00US31&moe=false>. Accessed on March 21, 2025.

statute. Urban Development uses familiar data sources and geography when possible.

	Nebraska Estimate	Percent Unemployed	2.99%
Total:	1,536,522	200% Rate	5.98%
In labor force:	1,056,798		
Civilian labor force:	1,050,295		
Employed	1,018,867		
Unemployed	31,428		
Armed Forces	6,503		
Not in labor force	479,724		

Urban Development developed an area with an average unemployment of 6.18% within available (i.e., data points that were in the city limits or those that intersect Lincoln's corporate limits) An area average is determined by using the sum of estimated factors and NOT the average of each piece. Furthermore, state statute does not state that all facets must be contiguous. See 'Employment Study' in the appendix. Below is a table #1 that displays data for this study area.

Table #1: Employment data

Census Tract	Census Block Group	Total Civilian Labor Force	Total Unemployed in the Labor Force
Census Tract 1	Block Group 3	506	28
Census Tract 10.01	Block Group 2	793	0
Census Tract 10.02	Block Group 1	635	61
Census Tract 10.03	Block Group 1	624	0
Census Tract 2.02	Block Group 1	817	33
Census Tract 2.02	Block Group 2	440	8
Census Tract 2.02	Block Group 3	1070	115
Census Tract 29	Block Group 1	2019	155
Census Tract 29	Block Group 2	1381	33
Census Tract 29	Block Group 3	567	75
Census Tract 3	Block Group 1	1007	20
Census Tract 3	Block Group 2	435	0
Census Tract 3	Block Group 3	1004	12
Census Tract 4	Block Group 1	936	43
Census Tract 4	Block Group 2	542	69
Census Tract 4	Block Group 3	523	0
Census Tract 4	Block Group 4	926	23
Census Tract 6	Block Group 1	563	83
Census Tract 6	Block Group 2	672	105
Census Tract 6	Block Group 3	443	42
Census Tract 6	Block Group 4	1684	269
Census Tract 7	Block Group 1	800	41
Census Tract 7	Block Group 2	943	1
Census Tract 8	Block Group 1	1029	117
Census Tract 8	Block Group 3	590	11
Census Tract 9	Block Group 1	672	42
Census Tract 9	Block Group 2	518	21
Census Tract 9	Block Group 3	1116	32
<b>Total</b>		<b>23,255</b>	<b>1,439</b>
Study Area Average Unemployment		6.188%	

Part (ii) is a local area finding. Lincoln's 2023 poverty rate was 12.63%,<sup>2</sup> but in line with state statute, Urban Development worked to develop an area with at least 20% poverty. Urban Development developed an area with a 24.29% poverty rate to meet this threshold within the available data points (i.e., data points in the city limits or those that intersect Lincoln's corporate limits). An area average is determined by using the sum of estimated factors and NOT the average of unique block group averages. Below is a table #2 that displays data for this study area.

Table #2: Poverty data

Census Tract	Census Block Group	Total Poverty Universe	Total Below Poverty
Census Tract 1	Block Group 3	1,098	173
Census Tract 10.01	Block Group 2	1,191	284
Census Tract 10.02	Block Group 1	749	162
Census Tract 10.03	Block Group 1	1,121	111
Census Tract 2.02	Block Group 1	1,273	116
Census Tract 2.02	Block Group 2	810	112
Census Tract 2.02	Block Group 3	1,077	527
Census Tract 29	Block Group 1	2,820	333
Census Tract 29	Block Group 2	1,968	540
Census Tract 29	Block Group 3	979	240
Census Tract 3	Block Group 1	1,889	399
Census Tract 3	Block Group 2	927	152
Census Tract 3	Block Group 3	1,420	234
Census Tract 4	Block Group 1	1,677	409
Census Tract 4	Block Group 2	1,152	215
Census Tract 4	Block Group 3	1,018	348
Census Tract 4	Block Group 4	1,743	1,019
Census Tract 6	Block Group 1	0	0
Census Tract 6	Block Group 2	0	0
Census Tract 6	Block Group 3	32	20
Census Tract 6	Block Group 4	398	233
Census Tract 7	Block Group 1	1,006	272
Census Tract 7	Block Group 2	1,546	370
Census Tract 8	Block Group 1	1,679	371
Census Tract 8	Block Group 3	1,308	620
Census Tract 9	Block Group 1	828	190
Census Tract 9	Block Group 2	581	91
Census Tract 9	Block Group 3	1,600	206
<b>Total</b>		<b>31,890</b>	<b>7,747</b>
Study Area Average Poverty		24.293%	

## F. Process & Outcome

State statute does not direct how to operationalize differing census geographic boundaries, use margin of errors of various like census geographies, use adjusted margin of errors when combining different levels of geography, and confidence intervals in determining fitness at disparate levels that are often inconsistent with blight areas etc.

<sup>2</sup> U.S. Census Bureau, U.S. Department of Commerce. "Poverty Status of Individuals in the Past 12 Months by Living Arrangement." *American Community Survey, ACS 5-Year Estimates Detailed Tables, Table B17021*, 2023, <https://data.census.gov/table/ACSDT5Y2023.B17021?q=B17021&g=160XX00US3128000&moe=false>. Accessed on March 21, 2025.

We recognize the need to balance a reasonable and defensible operationalization against the desire of a community to conform to an imperfect statute who voted overwhelmingly to support this concept. Through data analysis this work was achieved.

Therefore, we overlayed these three facets/areas (i.e., approved blight, 20%+ poverty, 200%+ of Nebraska's unemployment rate) and delineated areas where the three intersected as a reasonable implementation effort. Urban Development presents for consideration a proposed extremely blighted area. See 'Qualifying Area Review: Focused Area' and 'Proposed Extremely Blighted Area' in the appendix.

The proposed extremely blighted area is the same area as the proposed blight and substandard area.

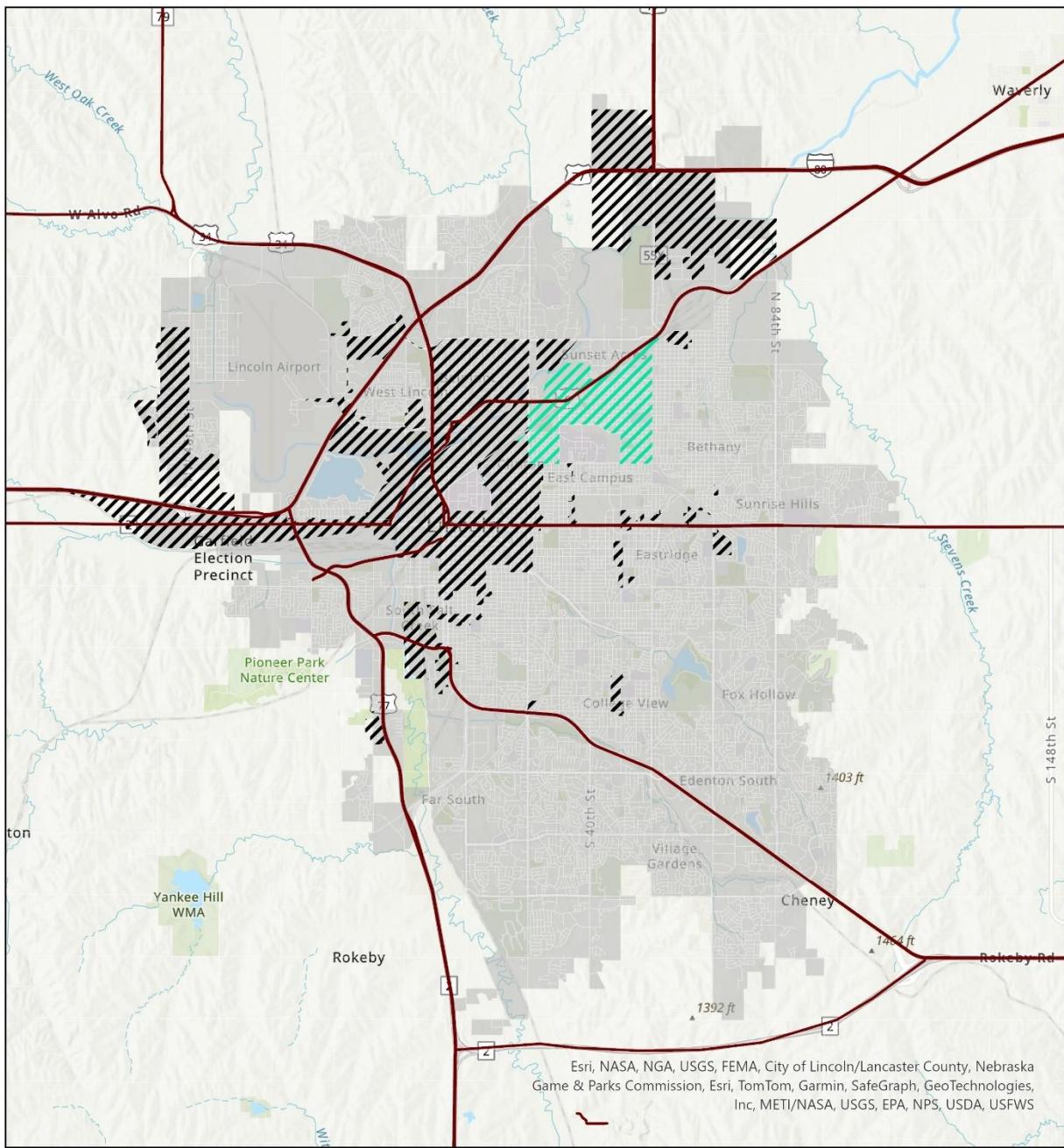
#### **G. Legislative Review**

The Legislature has the power to bring forth legislation to address/correct issues or complete an interim study to better understand issues of public importance. Neither action has occurred since the implementation of this methodology.

#### **H. Appendix Images:**

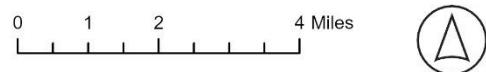
1. Approved Blighted & Substandard Areas
2. Employment Study Area
3. Poverty Study Area
4. Qualifying Area Review: Focused Area
5. Proposed Extremely Blighted Area

## 1. Approved Blighted & Substandard Areas

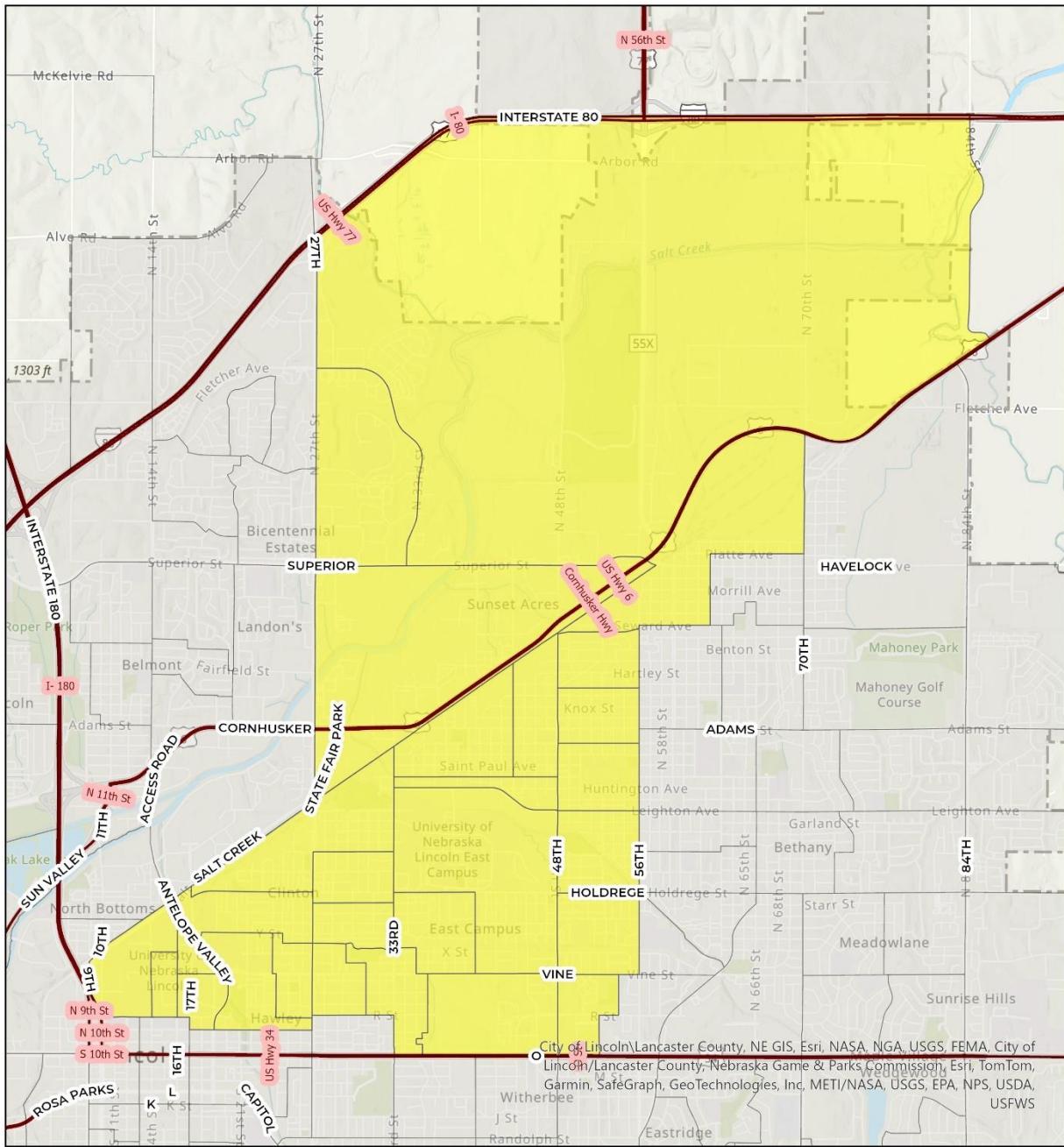


### City of Lincoln: Approved Blighted & Substandard Areas

- Primary Roads
- Approved Blighted & Substandard Area
- Proposed Blighted & Substandard Area Under Consideration
- Lincoln City Limits



## 2. Employment Study Area



City of Lincoln: Employment Review

— Primary Roads

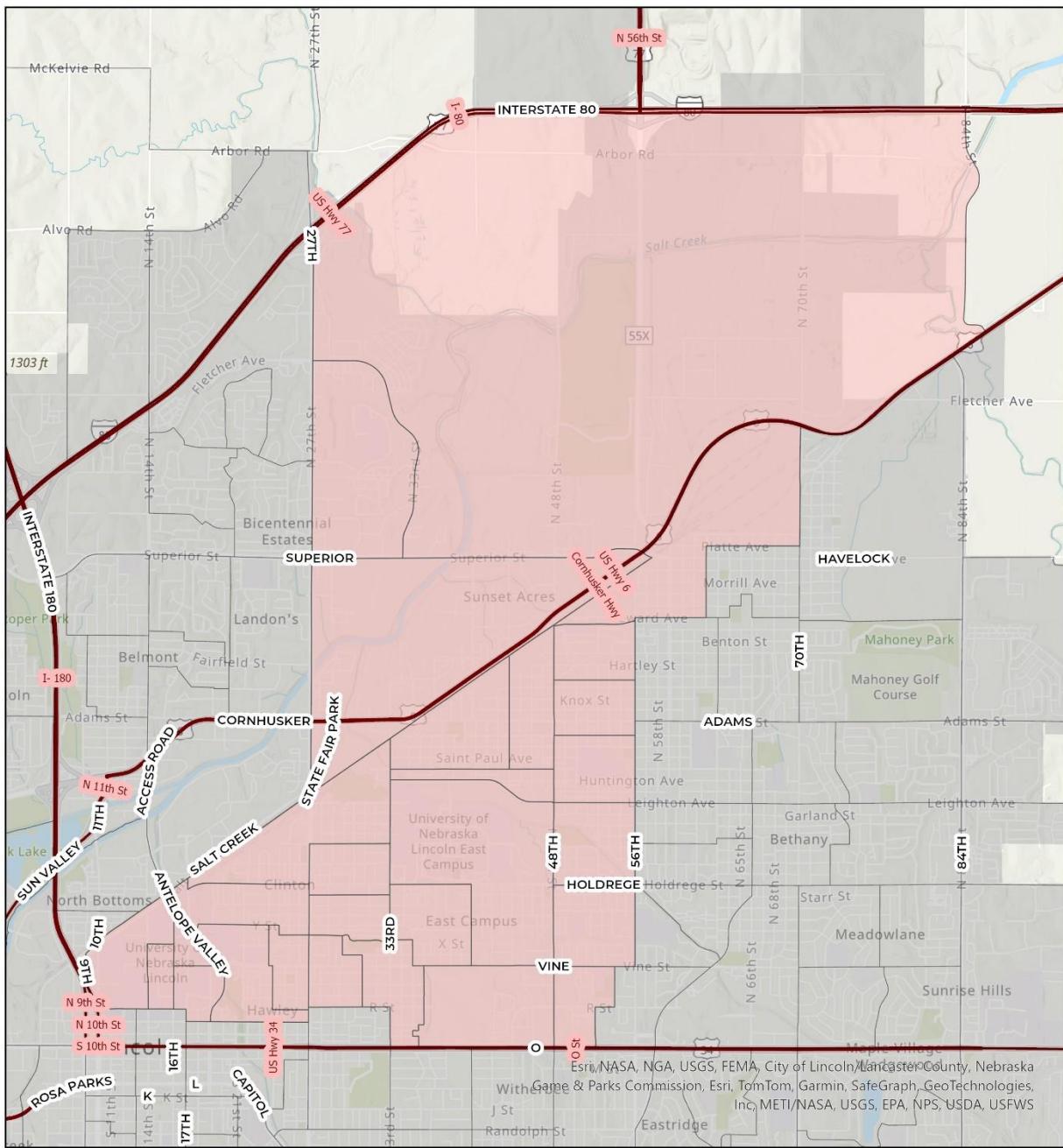
Area Avg Unemployment (6.18%) > 200% NEBR Unemployment Rate (2.99%, 200% = 5.98%) (ACS 2023)

Lincoln City Limits

A horizontal number line starting at 0 and ending at 1.6 Miles. There are 8 tick marks on the line, including the endpoints. The labels are 0, 0.4, 0.8, and 1.6 Miles. The distance between each tick mark is 0.2 units.



### 3. Poverty Study Area



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## City of Lincoln: Poverty Review

— Primary Roads

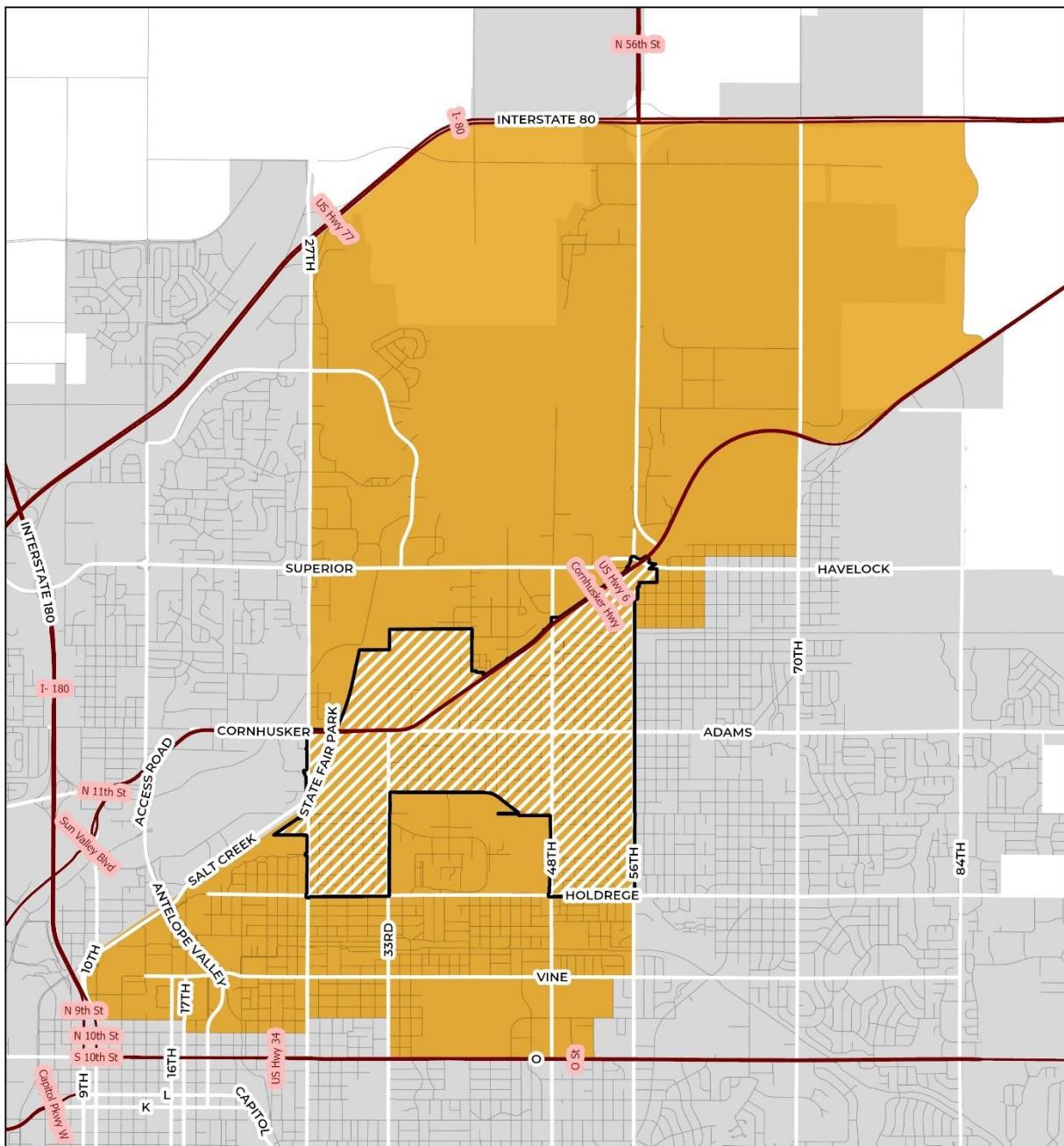
Avg Poverty >20% (ACS 2023)

## Lincoln City Limits

A horizontal number line starting at 0 and ending at 1.6 Miles. There are 8 tick marks on the line, including the endpoints. The labels are 0, 0.4, 0.8, and 1.6 Miles. The distance between each tick mark is 0.2 units.



#### 4. Qualifying Area Review: Focused Area



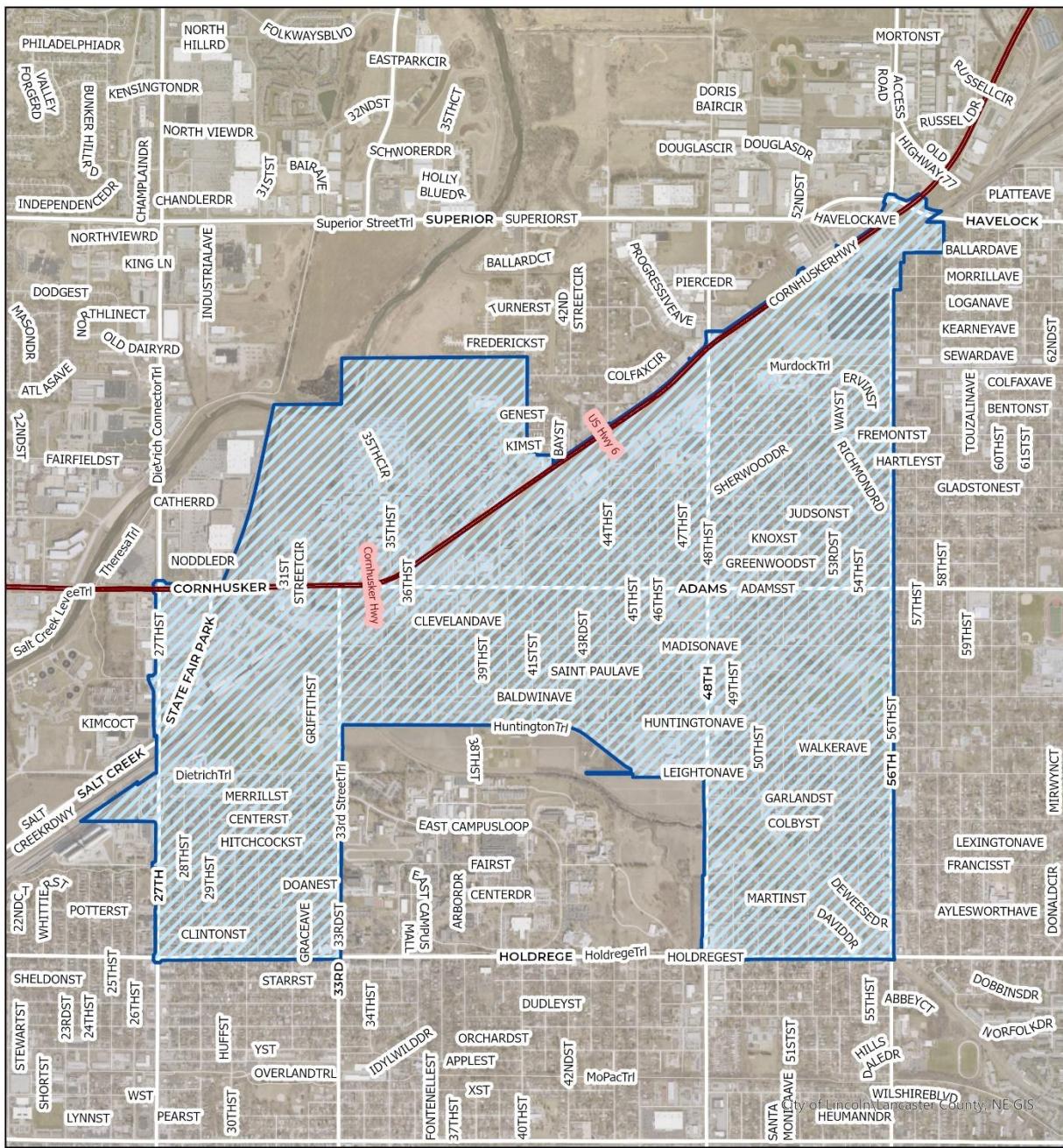
City of Lincoln: Qualifying Extreme Blight Area, Proposed Blight Area Under Consideration

- Primary Roads
- Proposed Blight Area Under Consideration
- Qualifying Extreme Blight Study Area
- Lincoln City Limits

0 0.4 0.8 1.6 Miles



## 5. Proposed Extremely Blighted Area



City of Lincoln: Proposed Extremely Blighted Area

— Primary Roads  
 Proposed Extremely Blighted Area

0 0.17 0.35 0.7 Miles

