

FACTSHEET

TITLE: COMPREHENSIVE PLAN AMENDMENT NO. 05009 by the Director of Planning at the request of Mark Hunzeker, to amend the 2025 Lincoln/Lancaster County Comprehensive Plan for a change from Agricultural to Industrial and Regional Commercial; for inclusion in the 2025 Lincoln/Lancaster County Future Service Limit; and to change from Tier II to Tier I, Priority A on the northwest corner of the interchange of Interstate 80 and Highway 77 (North 56th Street.)

STAFF RECOMMENDATION: Approval of inclusion in the Future Service Limits; approval of the change from Tier II to Tier I, Priority A; approval of the Light Industrial "employment center" designation; and **denial** of the Regional Center "commercial" designation.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 05/18/05
Administrative Action: 05/18/05

RECOMMENDATION: Approval of staff recommendation, which denies the site specific Regional Center "commercial" designation (6-0: Carlson, Sunderman, Krieser, Larson, Carroll and Bills-Strand voting 'yes'; Pearson and Taylor absent).

FINDINGS OF FACT:

1. The staff recommendation as set forth above is based upon the "Status/Description", "Comprehensive Plan Implications" and "Conclusion" as set forth on p.2-10. The staff recommends that the site specific designation of a Regional Center at this location does not meet the criteria for said designation and there are sufficient Regional Centers for the community designated at this time.
2. The minutes of the Planning Commission public hearing and action are found on p.11-12.
3. Testimony by Mark Hunzeker as the applicant is found on p.11-12. In response to the staff's recommendation of denial for the site specific Regional Center designation, Mr. Hunzeker stated that there is a need to be able to develop retail uses which are likely to have immediate and high demand in order to finance the infrastructure improvements for the industrial sites.
4. There was no testimony in opposition.
5. On May 18, 2005, the Planning Commission voted 6-0 to agree with the staff recommendation as follows: (Also See Minutes, p.12):
 - Approval of the inclusion in the Future Service Limits
 - Approval of the change from Tier II to Tier I, Priority A
 - Approval of the site specific Light Industrial "employment center" designation
 - Denial of the site specific Regional Center "commercial" designation.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: June 6, 2005

REVIEWED BY: _____

DATE: June 6, 2005

REFERENCE NUMBER: FS\CC\2005\CPA.05009

2005 COMPREHENSIVE PLAN ANNUAL REVIEW

Comprehensive Plan Amendment No. 05009

Northwest corner of N.56th (US-77) & Interstate 80:

Applicant	Location	Proposal
Mark Hunzeker	Northwest corner of N. 56 th Street (US-77) and Interstate 80	see below
<p>Recommendation - The addition of a new “employment center” is as follows: Include in the Future Service Limit: Approval Change from Tier II to Tier I Priority A: Approval Designate a site specific Light Industrial “employment center”: Approval Designate a site specific Regional Center “commercial”: Denial The plans for area are in the early stages, but this location is generally appropriate for Light Industrial uses and infrastructure planning should occur to determine how to serve the area with urban infrastructure.</p>		

Status/Description

The applicant proposes the following for land on the northwest corner of North 56th Street (US-77) and Interstate 80:

- 1) Include the proposed property within the City’s Future Service Limit,
- 2) Change the designation from Tier II to Tier I Priority A,
- 3) Add a Light Industrial designation for a future “employment center” to specifically designate an area northwest of N. 56th Street (US-77) and Interstate 80 as Light Industrial, and
- 4) Add a Regional Center designation for a future “commercial center” to specifically designate an area northwest of N. 56th Street (US-77) and Interstate 80 as a Regional Center.

As a result of this application, the Planning Department recommends in addition:

- 5) Include land north of the applicants’ proposed area that is within the sub-basin to the City’s Future Service Limit, and change the designation from Tier II to Tier I Priority A.

This request is to add land within the City’s 25-year Future Service Limit and change the urban growth designation from Tier II to Tier I Priority A for approximately 208 acres of land on the northwest corner of N. 56th Street (US-77) and Interstate 80. This land is currently shown as Agricultural in the Plan and designated as a Tier II, Priority Area. In reviewing this application the entire 225 acres within the sub-basin was evaluated as part of this application. The land to the south (across Interstate 80) is designated Tier I, Priority A. The land to the east of this application is in a different sub-basin and is designated Tier II. A small area (49 acres) to the north in is the same sub-basin and designated Tier II. The remaining land west is designated Tier III, for development beyond the planning period (50 years) – this area includes the City of Lincoln Bluff Road Landfill Facility.

The application includes approximately 208 acres of the land from a ½ mile west of N. 56th Street (US-77), from Interstate 80 to a ½ mile south of Bluff Road. Land to north of the proposal was **not** included in the application but was added to the review since it would be logical to serve this area, if the area to the south were changed to Tier I, Priority A. Thus, the following review is of the entire, roughly 225 acres.

The Comprehensive Plan acknowledges that as urbanization occurs over the planning period, the demand for new, additional Commerce and Industrial Centers will increase. The Plan currently identifies a generalized “not site specific” location for a new Community Center south of Interstate 80 in the vicinity of N. 56th Street and Arbor Road. It is anticipated that the Center will develop somewhere within ½ mile of the location shown in the Plan. The Plan also identifies a “site specific” approved Heavy Industrial Center east of N. 56th Street, south of Interstate 80. As part of major development proposals that include proposed Commerce and Industrial Centers, the exact location of these Centers should be determined and a Comprehensive Plan Amendment forwarded for consideration.

Comprehensive Plan Implications

Change designation from Tier II to Tier I, Priority A:

There is no prescriptive criteria included in the Comprehensive Plan to evaluate changes from Tier II to Tier I Urban Growth areas. However, the intent of the policy, which is to use a criteria to evaluate changing land from Tier I, Priority B to Priority A, can be reasonably applied to Tier II areas, so that requests to amend the Urban Growth Tiers are treated in a comparable manner. The Plan states that Tier II Priority Areas should be considered first for addition to Tier I. The Comprehensive Plan states the following about priority areas on page F 29:

“Top Priority Area

Area generally within the city limits at the beginning of the planning period. There are still significant infrastructure needs within the existing city and areas currently under development. Some larger projects, such as Antelope Valley, will be ongoing throughout the planning period and will require significant infrastructure resources.

Priority A of Tier I

Areas designated for near term development are generally contiguous to existing development and should be provided with basic infrastructure within 12 years of the adoption of the plan. Some of the infrastructure required for development may already be in place. This area includes some land already annexed, but is still undeveloped and without significant infrastructure. Areas with this designation are the next priority for infrastructure programming. Some infrastructure improvements may be done in the near term while others, such as road improvements that are generally more costly, may take longer to complete.

Priority B of Tier I

The next area for development beyond Priority A, which currently lack almost all of the infrastructure required to support development. In areas with this designation, the community will maintain present uses until urban development can commence. Infrastructure improvements to serve this area will not initially be included in the City's CIP, but will be considered in the long term capital improvement planning of the various city and county departments.”

The Comprehensive Plan then addresses how the priority areas are to be used to guide infrastructure financing and utility planning. In particular, on page F 29 and 30 the Plan states:

“The principles for prioritization and the individual priority areas are described as follows:

- *The top priority for the City’s CIP is to maintain existing infrastructure, provide for new neighborhood improvements and to complete needed improvements for areas already under development..*
- *In order to implement the Plan Vision, infrastructure should generally be provided in different directional growth areas, depending upon limited financial resources and if there is development interest in the area...*
- *Funds for improvements in new major drainage basins to the southwest and to the east should provide the opportunity for development to begin in these areas within the next 12 years.*
- *Generally, adequate infrastructure improvements should be completed in all Priority A areas where there is development interest prior to beginning infrastructure in Priority B areas.*
- *It is anticipated that there may be some unique circumstances to **warrant consideration of development of land in Priority B**, prior to the full completion of improvements in Priority A. The community will consider development in a sub-basin in Priority B areas, before completing the infrastructure in Priority A areas, if all of the following conditions are met:*
 - 1) *the project is contiguous to the City and proposed for immediate annexation, and is consistent with principles of the Comprehensive Plan,*
 - 2) *the developer provides information demonstrating how the necessary infrastructure improvements to serve the sub-basin would be provided and financed. The City shall contact other public agencies to obtain their report on the infrastructure necessary to serve the sub-basin including utilities, roads, fire service, public safety, parks, trails, schools and library needs.*
 - 3) *the impact that development in the sub-basin will have on capital and operating budgets, level of service, service delivery and Capital Improvement Programs is addressed,*
 - 4) *there is demonstrated substantial public benefit and circumstances that warrant approval of the proposal in advance of the anticipated schedule.” (Emphasis added)*

Technically, the applicant is not asking for improvements in Tier II to be done prior to other Tier I Urban Growth Areas, as stated above. In this amendment, the applicant is only requesting this area be added to Tier I, Priority A. The applicant has stated that if this proposal is approved, they intend to work with the City on further details of how development on the 200 acres might be funded within the six-year Capital Improvement Program. The applicant has not provided information demonstrating how the necessary infrastructure improvements to serve the sub-basin would be provided and financed. However, the City believes that solutions for determining the needed urban services can be developed in the near-term. Addressing the issues for this land would require extensive City involvement with the applicant. Advanced infrastructure planning and study would not occur if the land remained as a Tier II Urban Growth Area.

The plan to add the proposed 208 acres of land to Tier I, Priority A is in the early stages of development, and currently lacks a detailed review of the necessary urban infrastructure required. Not all of the information required to address specific issues identified below are available to review this application at this time. It is acknowledged that by adding the proposed area to the Tier I, Priority A, Urban Growth Area, the City and the applicant can begin to direct resources to accomplish the advanced planning and detailed engineering analysis required to resolve the service implications identified. The proposed area identified for inclusion to the Future Service Limit is contained completely within the boundary of the 225 acre sub-basin. For this reason, it is determined that the area contains a fixed amount of land, which cannot be expanded beyond the boundary of the sub-basin .

Thus, it is worth considering the four criteria mentioned in the Plan in regards to this proposal for a change from Tier II to Tier I Priority A:

- 1) The land as a whole is contiguous to the city. The applicants' land is **not** contiguous to the city, but the proposed Northbank Junction development south of Arbor Road and west of N. 56th Street is currently "in-process" of approval and annexation. There are some land owners in-between who have actively sought development and annexation in the past.
- 2) The City has contacted other agencies for comments on service implications of this proposal. There are water and wastewater improvements needed to serve these 225 acres, which are not in the infrastructure financing plans for the next 6 to 10 years.

Wastewater: Public Works and Utilities notes there are no wastewater infrastructure in place to serve this area. Capacity for wastewater flow would not be available until the Little Salt Creek Trunk is installed from N. 49th Street and Alvo to the Northeast Treatment Plant (proposed for 2009) or the Stevens Creek Phase III, Regents Heights Connection is completed in 2011. Upon completion of either of these improvements, this area could be served by a sub-basin trunk sewer from N. 56th and Alvo, comprising approximately 4,200 linear feet of a 12 inch trunk sewer, which includes boring under Interstate 80. In 2005 dollars, the cost of this sub-basin trunk sewer would be approximately \$500,000. There are no plans at this time to extend wastewater service north of Interstate 80 to the applicants' land.

Wastewater improvements that will serve the development known as Northbank Junction south of Arbor Road are "in-process" of advanced planning and engineering development. The draft 2005 CIP proposes completion of these improvements in 2009. However, the financing of these improvements are based on rate increases over the six years. Service to the proposed area north of Interstate 80 must be coordinated with the wastewater improvements planned to serve Northbank Junction.

A portion of the land along the western property line of the property drains into another sub-basin, and cannot be provided wastewater from a future extension of sewer south of Interstate 80. This area is reflected in the proposed staff amendments, Exhibits B and C, which shows a revised Future Service Limit boundary that follows existing ridgelines, that surround the sub-basin.

The following wastewater issues are yet-to-be-resolved: (not a complete list)

- Timing of wastewater service
- Sizing of trunk sewers
- Capacity of trunk sewer outfall into the Northeast Treatment Plant
- Optimal location of Lift Station
- Completion and funding of Trunk Sewer Extension Study

Water: Public Works and Utilities notes there is no water system infrastructure in place to serve this area. Public Works and Utilities states that the proposed land should be served by the Belmont Pressure District, and cannot be completely served directly by the existing Low Duty pressure district that will serve land on the south side of Interstate 80. The Low Duty system can only serve to elevation 1,195 feet, and at least 80 per cent of the proposed area is above that elevation.

To serve this area, it would either require a booster pump or would need to be connected to the Belmont Pressure District located west of N. 27th Street. There are several options that may provide

water service to the applicant's land. Given the defined area of the sub-basin, and that the applicant owns the majority of the land, a booster or private in-line booster pump may be appropriate to provide necessary water service. These decisions can only be finalized with the completion of a Subarea Water Plan.

Both of these options -- service from the Belmont Pressure District or from the Low Duty Pressure District with a Booster Pump Station -- would cost in the range of \$2.0 to 3.0 million in 2005 dollars.

The following water system issues are yet-to-be-resolved: (not a complete list)

- Timing of water service
- Completion and funding of Subarea Water Plan (determine preferred service option)

Arterial Streets: Public Works and Utilities state this proposed land is not adjacent to existing county or urban roadways or planned roadways. Since the land does not extend north to Bluff Road, the only major roadway access available is N. 56th Street (US-77). Access is controlled by the Nebraska Department of Roads (NDOR) and their approval would be required for commercial/industrial access. The applicant states "The site has two unrestricted access points on Highway 77, a four lane divided, limited access highway." The Highway which has capacity is maintained by the State, and site would not require any city or county roadways be improved with the 25 planning period.

Since the details of the proposal are not known and this site does not border any city or county streets and roads, the general transportation system impacts are unknown. Additional information and NDOR review may be needed prior to further planning and land uses are determined. An issue that will require additional discussion are the two access locations that will provide ingress and egress to the site. Depending on the mix of uses planned for the site, the lengths of the vehicle stacking lanes for left turning movements must be carefully reviewed, especially for the southern access point. The southern access point should not interfere with vehicle movements occurring at the Interstate 80 interchange.

The following street and access issues are yet-to-be-resolved: (not a complete list)

- Commercial / Industrial access from US Highway 77 (approval from NDOR)
- Vehicle stacking lengths/ intersection design for left turning movements

Environmental: A portion of the applicants' land naturally drains to the west into the Little Salt Creek sub-basin. The Little Salt Creek sub-basin provides habitat for the Salt Creek Tiger Beetle and Saltwort through the many Saline Wetlands located in the watershed. The Salt Creek Tiger Beetle and Saltwort are State listed Endangered Species. The Comprehensive Plan acknowledges the importance of these sensitive natural resources, and whose safeguarding for future generations is indispensable. The City, County, the Lower Platte South NRD and the State have implemented programs to protect and preserve the unique habitat offered by saline wetlands. The staff recommendation, Exhibit B and C, reflects the boundary of the sub-basin so that impacts to the Little Salt Creek sub-basin to the west are minimized.

- 3) None of these departments addressed the impact this proposal might have on operating budgets. However, the applicant's proposal contains only non-residential uses that will be comprise future developments at this site. As a result, it is anticipated to have a minimal impact on public schools, libraries, parks and other similar public services and amenities.

- 4) The applicant has stated that “.the location and the accessibility of the site are ideal for major commercial and light industrial development opportunities.” The application further noted that “.developing the I-80 corridor between Lincoln and Omaha, and stresses the value of utilizing the community’s investment in existing public infrastructure, such as Highway 77 and Interstate 80.”

The City believes the addition of the proposed area to Tier I will provide substantial public benefit, as it adds to the inventory of Light Industrial “employment centers” available in the marketplace. These “employment centers” are critical in supporting economic development efforts which are needed to provide for new jobs for Lancaster County’s growing workforce. While the timeline for providing urban services and infrastructure within the Tier I Priority A has not been determined, the goal of the Plan is to foster future employment areas, and warrants approval of the applicants’ proposal by including within the Future Service Limit.

The Plan also contains a “concurrency policy” on page F 154 that states:

“Public infrastructure — including roads, water, sewer, parks, schools, libraries — is essential to the health, safety and welfare of the community. As the community grows, it is desirable that these systems and facilities be developed concurrently, — that is, at the same time— with that growth.”

Designate Commerce and Industrial Centers:

The Comprehensive Plan states:

“Commercial and Industrial Development Strategy

The commercial and industrial development strategy presented below seeks to fulfill two notable objectives: (1) the approach is designed to provide flexibility to the marketplace in siting future commercial and industrial locations; while at the same time (2) offering neighborhoods, present and future home owners, other businesses, and infrastructure providers with a level of predictability as to where such employment concentrations might be located. Balancing these two objectives in a meaningful way will require diligence, mutual understanding, and an ongoing planning dialogue. (F 37 -38)

The Plan states that Light Industrial Centers should be a minimum of 50 acres in size with larger planned centers preferred. The proposed land is approximately 200 acres in size. These centers are primarily for lighter manufacturing uses with some additional office and retail uses located within the center, such as the Horizon Business Park at South 14th Street and Pine Lake Road. New light industrial centers should be located in new growth areas of the city and should be sited in advance in the land use plan in order to ensure the public safety and adequate infrastructure can be provided.

The Comprehensive Plan provides guidance on locational and land use considerations for new employment centers and industries seeking to expand or locate in Lincoln. The proposed site fulfills a number of the key locational criteria for industries the community is targeting to expand or locate growing businesses. Specifically, the site has existing roadway access provided by US Highway 77 and Interstate 80. Interstate 80 will be expanded to six lanes, generally between Lincoln and Omaha by the Tier I, Priority A planning period, ending in 2014. The site is adjacent the interchange of these roadways that will provide critical access for new industries that the community is targeting. The community has identified the following five target industries as:

- 1) Biotechnology
- 2) Value-Added Agriculture
- 3) Specialty Electronics
- 4) Technical Customer Support
- 5) Logistics, Distribution and Warehousing

The provision of interstate and highway access, nearby air service, and large tracts of unbuilt land makes an employment center at this location an important part of local, regional and national economic development efforts for the community. In addition, within these areas, service commercial uses focused toward highway/ interstate travelers and the general public may also be appropriate. It is recommended this area be developed under the provisions of the Employment Center District (I-3) zoning standards. It is anticipated that the employment center would be well planned and landscaped in an industrial park setting. Also, these undeveloped areas adjacent Interstate 80 provide an attractive entry into Lincoln. As future development of these areas occur, these corridors should be evaluated for further protection.

The specific land uses for the proposed site are not known at this time. It is premature to change the underlying future land use plan designation to Industrial at this time. However, it is appropriate to acknowledge the intent of the Plan by identifying an approved “site-specific” Light Industrial Center designation at this location. Additionally, it is the City’s intent to seek the Employment Center District (I-3) zoning standards to future plans, in order to provide a higher level of certainty of the mix of uses that may be permitted at this location. The allowable mix of land uses permitted under the I-3 zoning standards may prescribe the following:

Northwest Corner - North 56th Street & I-80

<u>Land Use Type</u>	<u>Acres</u>	<u>Potential Floor Area</u>
Employment Center District	225	
Industrial	–	1.0 to 2.0 million SF
Office	–	0 to 600,000 SF*
Retail	–	0 to 400,000 SF*

* Note: the I-3 Employment Center allows a maximum of 30% of floor area to be office and 20% retail.

The surrounding land uses are generally compatible with the designation of a “site specific” Light Industrial Center. The Bluff Road Landfill is located east, across US Highway 77, and is planned to be used as an active landfill for the entire Tier I planning period. Land beyond the site to the north and west are primarily agricultural with some rural residential uses. Land to the south, beyond the Interstate is shown as Urban Residential and Commercial.

The request for a “site specific” commercial Regional Center does not meet the criteria outlined in the Comprehensive Plan. The City’s recommendation for an approved “site specific” Light Industrial Center designation provides flexibility, and reflects that this site is in the early stages of development. More information is needed before any further refinements of the land use plan will be considered. As shown above, the mix of uses permitted under the I-3 zoning standard would allow for a range of commercial and industrial uses to be located at this site. The City supports the Light Industrial proposal because it fulfills a need to support new job growth and economic development activities that will benefit the entire community. The proposed area is not intended to be primarily a retail or service destination.

The Comprehensive Plan states there are sufficient Regional Centers for the community, and that additional new Regional Center(s) are not designated at this time. The proposed “not site specific” Community Center shown in the vicinity of N. 56th Street and Arbor Road provides the necessary commercial needs for this part of the community.

Conclusion

In regards to the request to change from Tier II to Tier I Priority A, the basic questions are does this land meet the definition of the Priority A, and will including it as Priority A negatively impact the City's infrastructure plans. The City believes that solutions for determining the needed urban services can be resolved in the near-term. Addressing the issues for this land would require extensive City involvement along with input and financial support from the applicant. Advanced infrastructure planning and study would **not** occur if the land remained as a Tier II Urban Growth Area. The main reason for the addition of the proposed area to Tier I is that it will provide substantial public benefit, as it adds to the inventory of Light Industrial "employment centers" in the community that will support job creating economic development efforts. In general, the proposed area does meet the criteria for designation to Tier I Priority A, and should be **approved**.

1. Given utility planning and infrastructure financing plans is the land serviceable by 2014?

YES, given current infrastructure plans and financing, this area is not being planned for full services by the year 2014. The area does meet the definition of Priority A since it could be provided with basic infrastructure, that may be extended from the south by the period ending in 2014. Further analysis and discussions with the applicant will be needed to resolve the issues identified above. Improvements to the south of Interstate may done in the near term (water by 2006 and wastewater by 2009). No city or county road improvements are required to serve the proposed area, as access would be provided by US Highway 77, an existing 4 lane, divided roadway.

2. Will the Priority A designation negatively impact the community's infrastructure plans?

Serving this 225 acre site in the Tier I, Priority A planning period will depend on further advanced planning and engineering findings. However, given the limitations on funding to serve new areas, infrastructure needed to serve site will be balanced by the anticipated community economic development benefit. The lack of new roadway infrastructure needed to serve this site today provides substantial reductions to the overall cost to serve this site in the near term. More information will be needed prior to determining when and how infrastructure may be provided to this area. Currently, major infrastructure items required to serve this area are not identified in the draft 2005 CIP.

Approval of this amendment, at this time, is also based on the fact that:

- The community already has limited funds to serve the land already designated as Priority A in the Plan,
- The 2005 draft CIP is based on numerous water and sewer rate increases, new financing sources for the arterial streets, continued revenue from impact fees, and approval of general obligation bonds to pay for watershed, park and fire station improvements. If any of these financing mechanisms are not approved or available, then improvements and services to Priority A areas will be further delayed, and
- It is important that the community move toward the goal of concurrency in improvements — providing utilities to an area in one year, with roads, schools, fire protection and parks lagging years afterward provides citizens with poor service and is contrary to the goals of the Plan.

In regards to the "site specific" Light Industrial Center at the northwest corner of N. 56th Street (US-77) and Interstate 80, the question to be answered -- does it meet the principles identified in the Comprehensive Plan. In general the request to revise the Plan to specifically locate a Light Industrial Center at this location does meet the criteria for designation and should be **approved**.

It is acknowledged the plans for this area are in the early stages, but this location is appropriate for future Light Industrial uses. The proposed site fulfills a number of the key locational criteria for industries the community is targeting to expand or locate growing businesses. Specifically, the site has existing roadway access provided by US Highway 77 and Interstate 80. Interstate 80 will be expanded to six lanes, generally between Lincoln and Omaha by the Tier I, Priority A planning period, ending in 2014. The site is adjacent the interchange of these roadways that will provide critical access for new industries that the community is targeting.

Regarding the “site specific” designation of a Regional Center at the northwest corner of N. 56th Street (US-77) and Interstate 80, the question to be answered -- does it meet the principles identified in the Comprehensive Plan. In general the request to revise the Plan to specifically locate a Regional Center at this location does **not** meet the criteria for designation and should be **denied**.

The Comprehensive Plan states there are sufficient Regional Centers for the community, and that additional new Regional Center(s) are not designated at this time. The proposed “not site specific” Community Center shown in the vicinity of N. 56th Street and Arbor Road provides the necessary commercial needs for this part of the community. The proposed area is not intended to be primarily a retail or service destination.

Amend the Comprehensive Plan as follows:

1. Amend the “Lincoln/Lancaster County Land Use Plan”, figures on pages F23 and F25, to add a “site specific” Light Industrial Center designation on the northwest corner of N. 56th Street (US Highway 77) and Interstate 80 and to include within the City’s Future Service Limit, and other maps accordingly, as shown on Exhibit B.
2. Amend the “Urban Growth Tier”, figures on pages F27, F31, and F33, to change the land on the northwest corner of N. 56th Street (US Highway 77) and Interstate 80 from Tier II to Tier I, Priority A within the City’s Future Service Limit, and other maps accordingly, as shown on Exhibit C.
3. Amend the “Existing and Proposed Industrial Centers” map on Page F 39 to to add a “site specific” Light Industrial Center designation on the northwest corner of N. 56th Street (US Highway 77) and Interstate 80 as shown on Exhibit B.
4. Amend the list of proposed locations of “Proposed Locations” for future Industrial Centers on page F 40 to add a center as follows:
 - N. 56th Street (US Highway 77) and Interstate 80

Prepared by

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April 27, 2005

COMPREHENSIVE PLAN AMENDMENT NO. 05009

PUBLIC HEARING BEFORE PLANNING COMMISSION:

May 18, 2005

Members present: Carlson, Sunderman, Krieser, Larson, Carroll, and Bills-Strand (Taylor and Pearson absent).

Staff recommendation: Approval, except for the designation of a site specific regional center/commercial designation.

Ex Parte Communications: None.

Proponents

1. Mark Hunzeker appeared on behalf of **Developments Unlimited LLP**, the applicant which is proposing to change 208 acres from Tier II to Tier I, Priority A, at the northwest corner of 56th and I-80. They are seeking a site specific regional commercial center designation as well as site specific light industrial designation. Highway 77, which runs north of I-80, is a four-lane divided highway. I-80 is soon to be a 6-lane facility. There are two unrestricted access points with turn lanes on Hwy 77 and the interchange at Hwy 77 on I-80 is scheduled to be improved along with the widening, making it ideal for both commercial and industrial uses. The cost of adding this to Tier I is very minimal. The property owners to the south of I-80 have been working for several years to bring sewer and water and to annex the property between Salt Creek and I-80. In fact, there is an annexation agreement for a portion of that property on the pending list in front of the City Council. The difficulty has been financing the infrastructure improvements, which are all scheduled within the near term of the CIP. Those improvements would have to be extended from the south side of I-80 up to this site. It may require a booster pump. There will need to be some study done on serving the area with water and sizing the sewer appropriately, but in terms of marginal cost in extending utilities to this site, Hunzeker believes it is very minimal.

Hunzeker further noted that the Comprehensive Plan places some focus on the economy and need to provide sites for employers that we wish to retain and attract to Lincoln, and the need for recognizing the growing commerce and interdependence between Lincoln and Omaha and the development of the I-80 corridor. This site lends itself very well to that emphasis and plan.

Hunzeker noted that the staff has recommended approval of a light industrial designation but denial of the regional commercial designation. Hunzeker suggested that the only real explanation for that recommendation is that the Comprehensive Plan currently does not contemplate siting additional regional commercial centers. While that may be true, Hunzeker believes there is still language which talks about the need for commercial centers and where they should be located. The market area in the Comprehensive Plan may cover the entire planning area and even counties within several hours' drive from the center. This site lends itself very well to a variety of commercial uses – retail, outlet malls, service uses, hotels, restaurants -- that can serve the region as well as north and northeast Lincoln. The city has not done a good job of exploiting our access and frontage on Interstate 80 to bring travelers off the Interstate. The only access with services for the traveling public is not particularly user friendly. Hunzeker believes this is an ideal location for the types of uses described and it would be a substantial public benefit to bring more travelers off the Interstate.

Hunzeker also submitted that it is important that people have the ability to hold onto industrial sites to provide for employers. In the short term, there is a need to be able to develop retail uses which are likely to have immediate and high demand in order to finance the infrastructure improvements for the industrial sites.

Carroll noted that the staff proposed a different drawing as far as the site which is based on drainage. Hunzeker stated that he has no objection to the addition of the land to the north. They have discussed the boundary lines with the staff. He anticipated that as they get further into the engineering of this site, the boundaries are likely to change. He has no objection to the boundaries proposed by the staff.

As far as location of the commercial and industrial on the map proposed by the staff, Hunzeker indicated that they had anticipated that the light industrial would be the area which does not necessarily have direct frontage on the two major thoroughfares. The visibility and the accessibility to Hwy 77 and visibility from the Interstate are very important to the retail users. Hunzeker cautioned that this is a very general document and the Comprehensive Plan does not get that precise; however, he would expect that the retail users would want the frontage along the highway and the Interstate, and the industrial users would not need that immediate exposure.

There was no testimony in opposition.

ACTION BY PLANNING COMMISSION:

May 18, 2005

Carlson moved to approve the staff recommendation, seconded by Carroll.

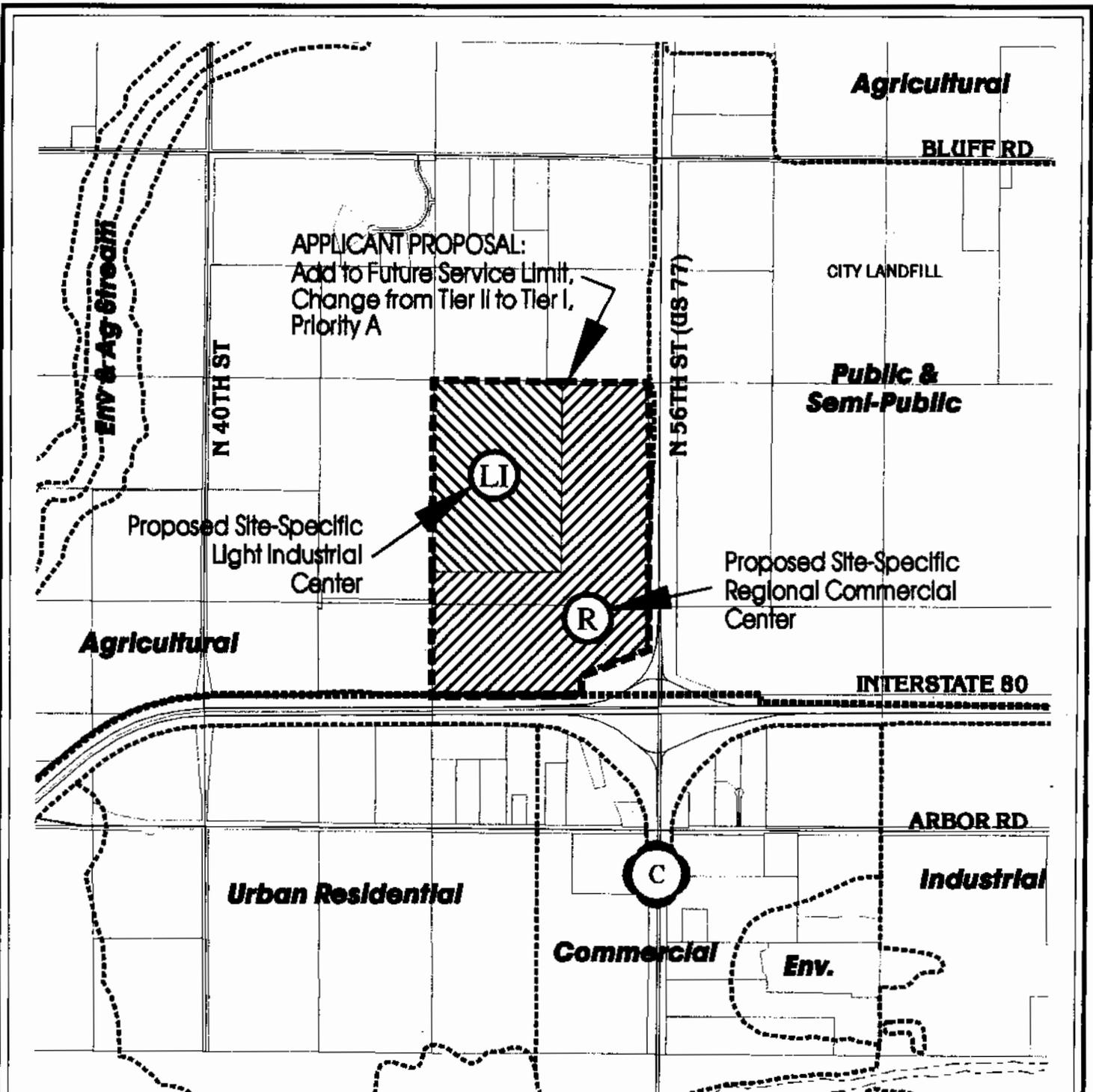
Carlson likes the idea of creating a large multi-acre parcel for a potential light industrial employment center. We need to have these sites ready, hopefully for high paying wage employers to come to town. Ideally, this would be the right spot. It could be a signature location right on the Interstate. The only concern he might have is that we have seen a lot of these employment center designations put on the map and they disappear. He understands the economic drive but it is discouraging as a community when we are trying to create these big sites for employment centers.

Carroll would like to see this come forward as an employment center first. At some time in the future, if there is a retail portion that needs to be brought forward, that would be the appropriate time. He wants to look at employment first.

Larson agreed – it is a great spot to have land available for employment centers.

Bills-Strand pointed out that once a developer gets it developed and the cost of holding it is really high, that's when we tend to switch it all to commercial. They are trying to carve off a section to make it commercial to fund the rest of it while they hold the industrial. She does not think that is such a bad plan.

Motion approving the staff recommendation carried 6-0: Carlson, Sunderman, Krieser, Larson, Carroll and Bills-Strand voting 'yes'; Taylor and Pearson absent. This is a recommendation to the City Council and the Lancaster County Board.



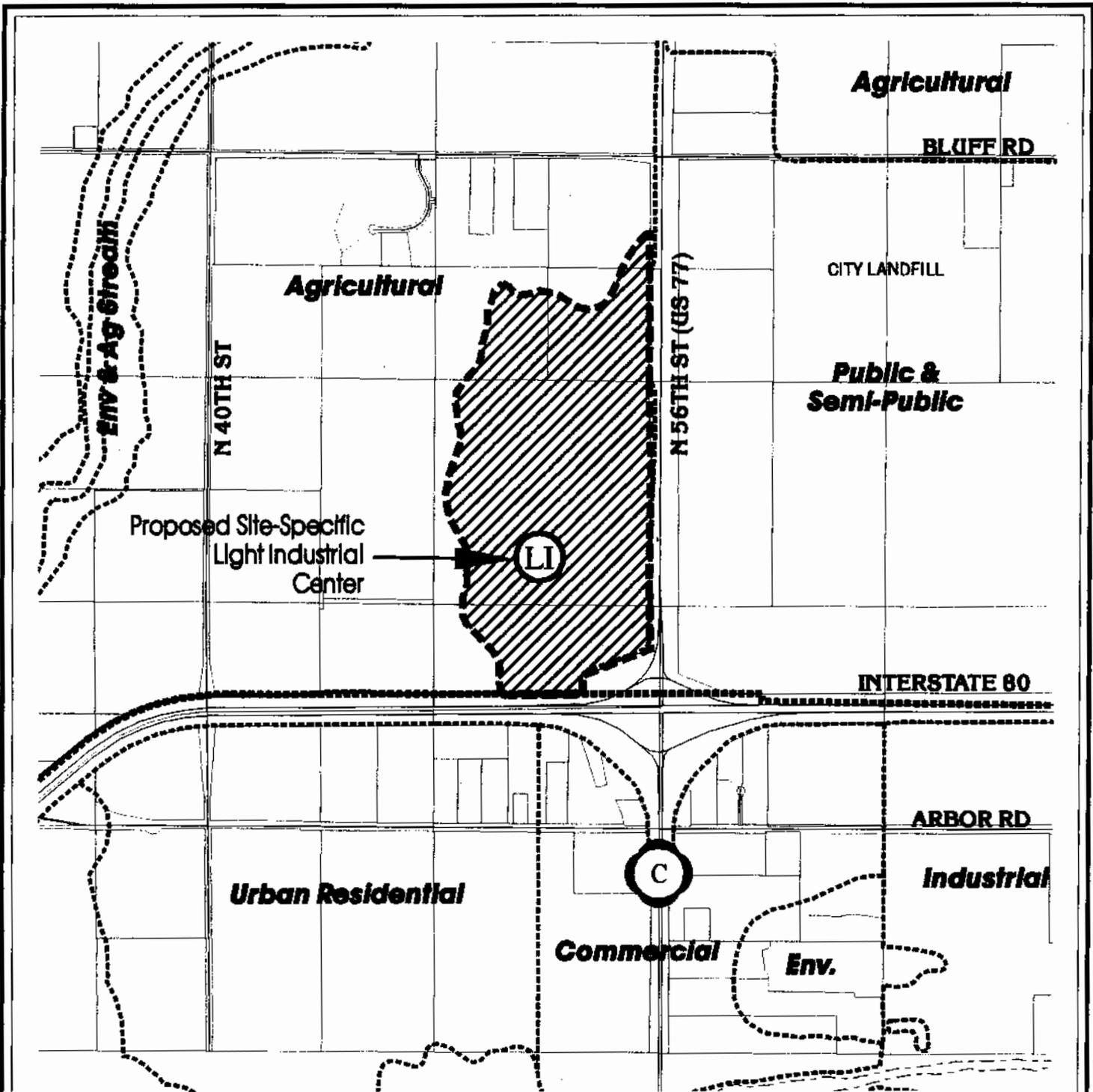
APPLICANT PROPOSAL:
 Add to Future Service Limit,
 Change from Tier II to Tier I,
 Priority A

N 56th & Interstate 80

Proposed Applicant Amendment 05009 (Exhibit A)

- Future Service Limit
- Land Use Boundary
- Res** Land Use Category
-  From Agricultural to Commercial
-  From Agricultural to Industrial





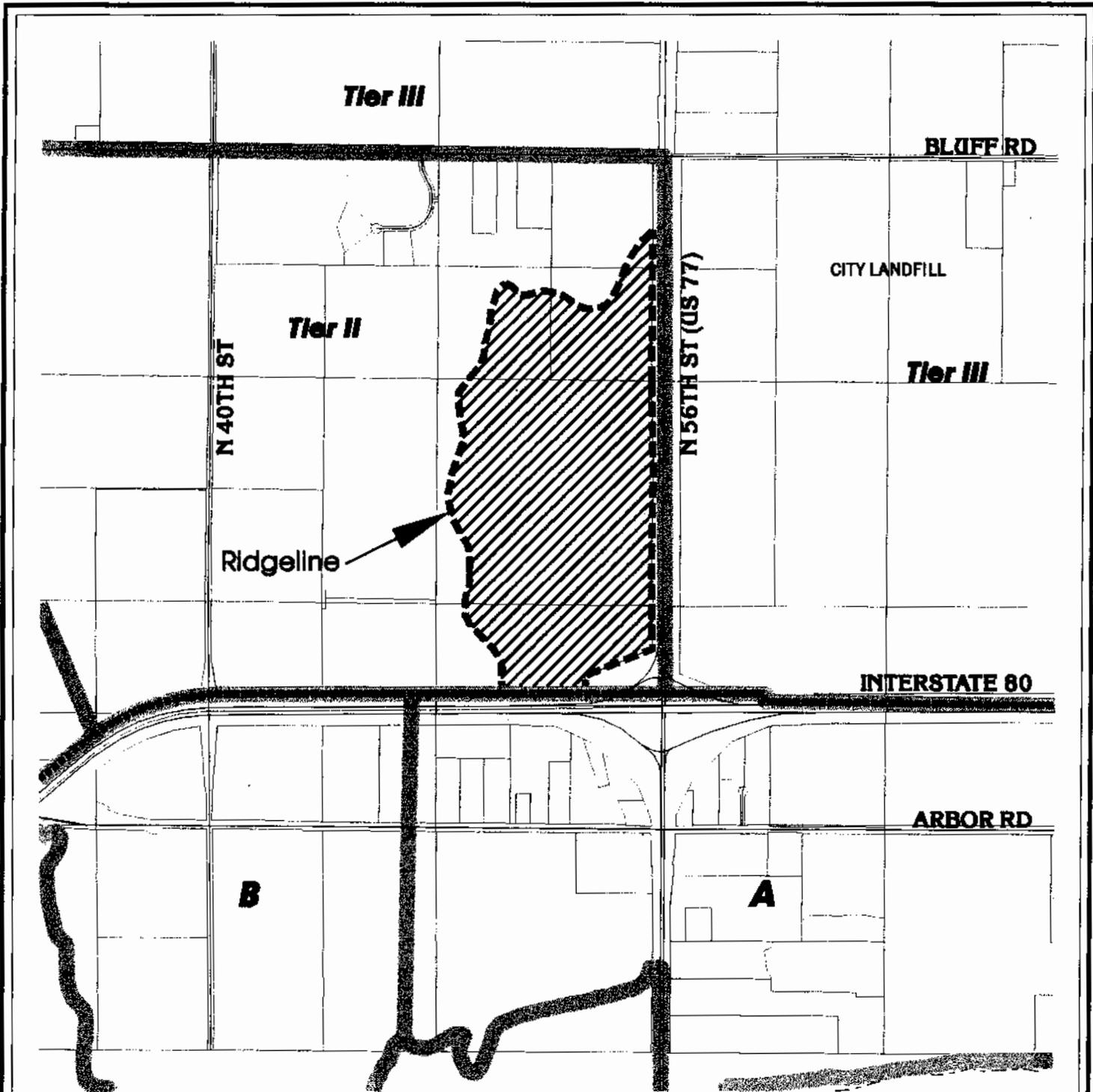
N 56th & Interstate 80

Proposed Staff Amendment 05009 (Exhibit B)

- Future Service Limit
- Land Use Boundary
- Res** Land Use Category
-  Add to Future Service Limit



014



N 56th & Interstate 80

Proposed Staff Amendment 05009 (Exhibit C)

- Future Service Limit
- ▬ Priority Area Boundary
- A** Priority Designation
-  Change from Tier II to Tier I, Priority A



015

Pierson|Fitchett
LAW FIRM

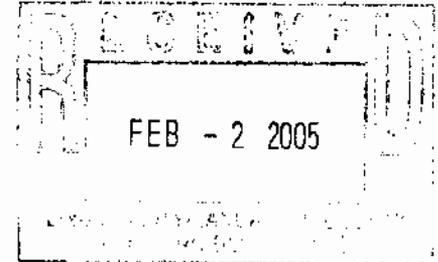
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Gary L. Aksamit
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February 2, 2005

Marvin Krout
Planning Director
City of Lincoln
555 S. 10th Street, Suite 213
Lincoln, NE 68508



Re: *Comprehensive Plan Amendment Application*

Dear Marvin:

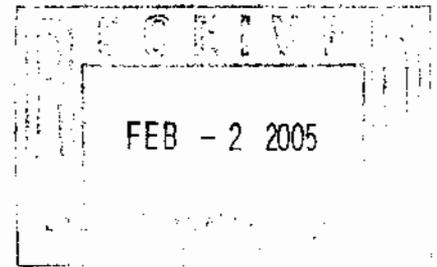
Attached is an application to amend the comprehensive plan to designate the area depicted on the attached exhibits as a regional commercial center and light industrial center, and amend the urban growth tier map and Tier 1 priority areas to include the area within Tier 1, priority A.

The land which is the subject of this application is bounded on the east by Highway 77, a four lane, divided, limited access highway. The site has two unrestricted access points on Highway 77 with existing median breaks and turn lanes. The south boundary of the site is Interstate 80, which, as you know, is scheduled to become a six lane facility in the near future.

We believe the location and the accessibility of the site are ideal for major commercial and light industrial development opportunities. Particularly as it relates to light industrial users, we believe the site meets a significant need of the City, at minimal cost. In addition to amending the urban growth tier maps, we request that the Lincoln-Lancaster County land use plan and Lincoln area detail from that land use plan be amended to reflect the above-proposed uses as shown on the attached exhibit. To the extent that portions or off takes of those maps are used elsewhere in the plan (i.e. page F39, and F41), we request those adjustments be made as well. We also request that amendments be made to the utility section of the plan to reflect extension of sewer and water services to this area. The map on page F75 which delineates "Lincoln Future Service Limits" should be amended to include this property within the future service limits. Likewise, the map on page F77 which indicates sewer lines extending northward only as far as Interstate 80, be amended to extend such sewer lines north of I-80 to serve the property.

We believe that the fiscal impacts of this proposal are minimal. Sewer and water are already in near term planning stages for the area just south of Interstate 80 along Highway 77. The additional cost involved in extending sewer and water lines north of the Interstate to serve this property would be marginal, when compared with the revenue generating potential of this project. Moreover, this area has great accessibility and will require no changes to the City's arterial street

Marvin Krout
February 2, 2005
Page 2



capital improvement program while providing excellent sites for potential employers and regional commercial enterprises a highly visible and accessible location.

This proposed change fits well with many other parts of the plan, including, but not limited to the chapter on the "The Economy" on pages F10 and F11 of the plan are listed key elements of the community's economic future. Among those are "Facility Site Needs", with emphasis upon "in designated sites for the types of employers we are targeting to retain and attract. Sites need to be designed for small, medium and large manufacturing; satellite locations to existing manufacturing facilities; science and technology parks; small-medium sized office parks; large office parks (campus environment). . ." Furthermore, the plan goes on to emphasize "Infrastructure Development", saying "sites with infrastructure installed or easily extended will provide the community with an important competitive advantage."

Finally, the section of the plan on the economy also emphasizes "Regional Economic Dynamics". The plan notes that commerce between Lancaster County and the Omaha area and south eastern Nebraska will increase in the future, creating greater interdependence in the region. "Locations that accommodate access to both communities will be desirable to companies in the future." The plan goes on to discuss planning activities presently underway to consider the long term planning implications of developing the I-80 corridor between Lincoln and Omaha, and stresses the value of utilizing the community's investment in existing public infrastructure, such as Highway 77 and Interstate 80.

There are numerous other portions of the plan which could be cited in support of an application such as this one. This action entitled "Future Locational and Land Use Considerations" addresses desirability of different types of locations for different land uses. Under "Manufacturing": "just in time" manufacturing processes make locations that have good road and interstate access and/or good express delivery services critical. Likewise, under "Retail Goods and Services": retail stores and services prefer locations with good access to the road network that are convenient to their customers in the neighborhood, city or region."

We think this comprehensive plan amendment makes a great deal of sense for Lincoln's immediate future. If you need further information, please contact me.

Sincerely,

Mark A. Hunzeker
For the Firm

MAH:lt

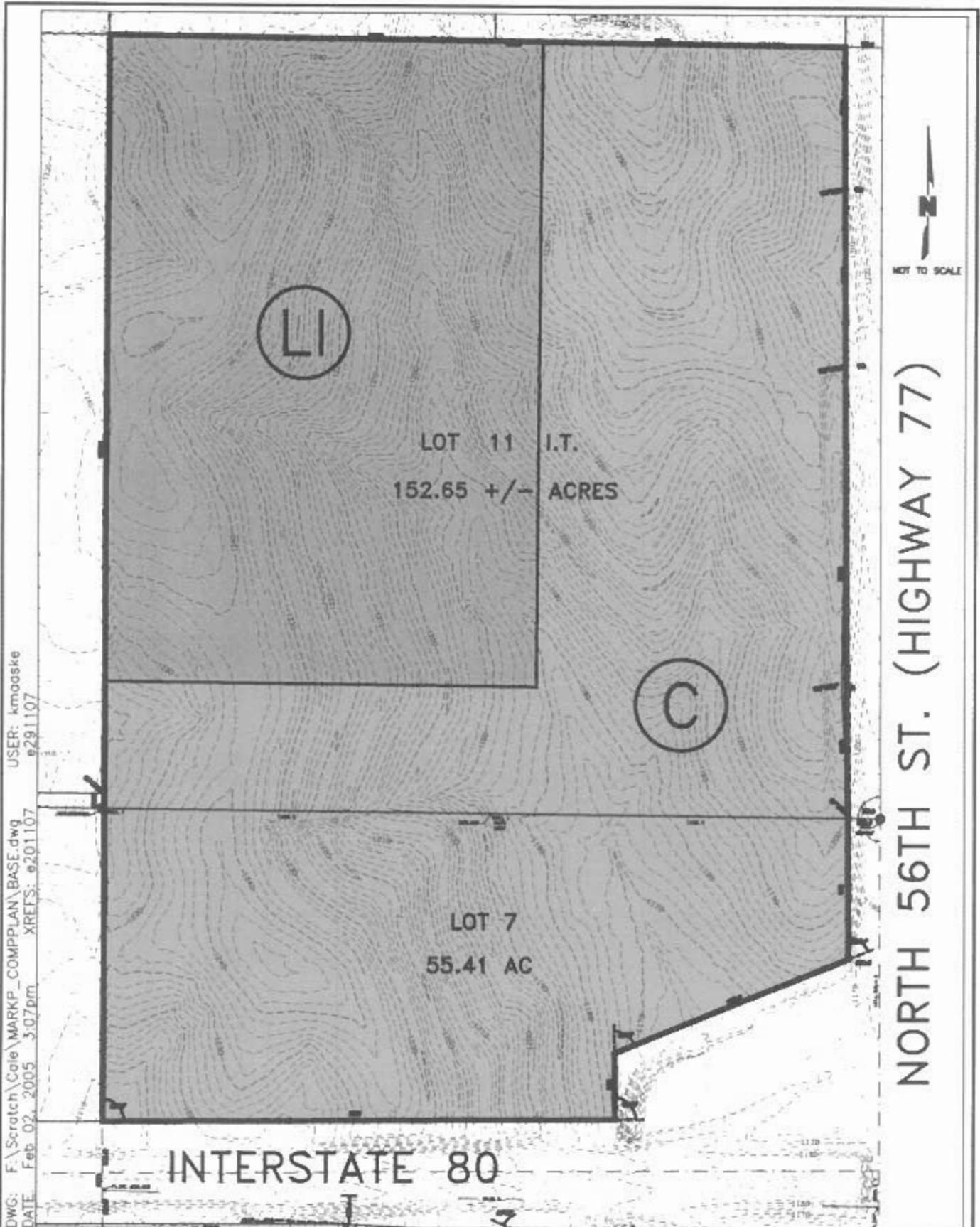
Enclosures

Marvin Krout
February 2, 2005
Page 3

FEB - 2 2005

LEGAL DESCRIPTION

LOT 7 OF THE NORTHEAST QUARTER OF SECTION 29-11-7 AND LOT 11
IN THE SOUTHEAST QUARTER OF SECTION 20-11-7, LANCASTER
COUNTY, NEBRASKA.



DWG: F:\Scratch\Cale\MARKP_COMPLAN\BASE.dwg
 DATE: Feb 02, 2005 3:07pm
 USER: kmooske
 XREFS: e201107

PROJECT NO: XXXX-XXXX
 DRAWN BY: CJL
 DATE: 02/02/05

**COMPREHENSIVE PLAN
 AMENDMENT**



OLSSON ASSOCIATES
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 TEL 402-474-8711 - FAX 402-474-6160

EXHIBIT
 1