MINUTES
PUBLIC HEARING FOR THE LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN 2025
WEDNESDAY, MAY 8, 2002
COUNTY BOARD/CITY COUNCIL CHAMBERS, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
6:00 P.M.

Present: Colleen Seng, City Council; Annette McRoy, City Council; Jonathan Cook, Chair of the City Council; Jon Camp, Vice Chair of the City Council; Terry Werner, City Council; Ken Svoboda, City Council; Bob Workman, Chair of the Board of Commissioners; Bernie Heier, Vice Chair of the Board of Commissioners; Kathy Campbell, County Commissioner; Larry Hudkins, County Commissioner; Ray Stevens, County Commissioner; Bruce Medcalf, County Clerk; Kent Morgan, Assistant Director of the Planning Department; Steven Henrichsen, Special Projects Manager in the Planning Department; Mike DeKalb, Planner and Allan Abbott, Director of Public Works

Absent: Glen Friendt, City Council

The joint meeting of the Lancaster County Board and the Lincoln City Council was called to order and continued by Bob Workman at 6:02 p.m.

Bill Siefert, 7220 Hickman Road and a farmer in southeastern Lancaster County, appeared and said he wanted to focus the Board's and Council's attention on the independent study that was recommended in the review draft that examines acreage policy and other land uses in the County and their economic impacts. He referenced pages 79 and 82 and wanted to concentrate on the issue of acreages.

Siefert first asked why the Lincoln City Council should be concerned about acreages since they are a rural issue. Acreages that are inside a city or a small town create planning problems and acreages outside the 3-mile limit may be within the City in a few years. What may now be considered a rural acreage that is 2, 5 or 10 or more miles outside the city limits may in fact become an urban acreage or completely urbanized in the future. Poorly planned or placed acreages increases City's costs of extending services to those areas. Studies from Penn State University and the American Farmland Trust suggest that commercial and industrial and agricultural land uses in rural areas provide more tax revenue than they demand in services such as roads and education. The studies conclude that rural acreages overall do not pay enough tax revenue to offset the services that they demand. What does the present acreage policy cost the taxpayers of Lincoln, the small towns and the rural areas?

Siefert indicated many argue that acreages add valuation. He contends that acreages add valuation to a particular parcel of property, but they do not add to the overall valuation of the County and the City. Many also contend that they need to provide acreage areas to satisfy the demand and offer a choice to the public. He wanted to know what it would cost the 94% of the population that does not live on an acreage to provide that choice and isn't the 94% entitled to know what the cost of the choice is.

Siefert also noted the accelerated costs of the current draft plan proposals. He said the costs of growth and development in Lincoln are enormous and the infrastructure financing strategy report released March 19, 2002 suggested a $230 million revenue gap for the next 10 years for the City of Lincoln for infrastructure improvements. He strongly feels the City Council and County Board should take the first step to properly manage acreage policies, just as a successful business strives to increase profits and government should strive to reduce taxpayers costs. The Comprehensive Plan should strive for the common good of the whole community which implies that Lincoln, the small towns and the rural areas should cooperate for the public's benefit and should not create conflicts. He also said if they are to manage the future, it is their responsibility to facilitate appropriate growth at the appropriate time in the appropriate place because growth is very expensive. Siefert said the first step is to know the costs and to manage the policies accordingly by means of an independent study of land uses and acreage issues. He also strongly recommended that the independent study of rural land uses be completed and used as a guide to know for certain that we are indeed properly planning for the next 25 years, 50 years and beyond.

Workman suggested keeping the meeting open for public testimony in case someone decides to testify.

Hudkins asked the County Clerk to read and enter into the record a letter addressed to the County Board from Tydd Rohrbough, President of Cornhusker Energy LLC (Exhibit "6"), which outlines his concerns for an ethanol facility between Waverly and Greenwood.

Medcalf reported Rohrbough wanted to reiterate his interest in the project and asked the Board to not list the property near the intersection of Highway 6 and 162nd Street under the Agricultural Stream Corridor designation. In siting an ethanol facility, Rohrbough noted the following key siting criteria:

* Direct access to a mainline rail, with minimal elevation differences and no rail curvature
* Close proximity (one mile) to a natural gas pipeline with firm capacity, in the pressure and quantities sufficient to fuel the facility
* Redundant electricity
* Close proximity to Interstate and highways
* Ample quantities of water
* Sufficient distance down wind from populated areas, such as towns and residential developments
* Feasible wastewater treatment options

The letter also indicated that an ethanol facility of this type generally will:

* Create more than 30 jobs with a payroll exceeding $1 million
* Expand and diversify the tax base (approximately $800,000 in property taxes to Lancaster County)
* Establish additional markets for local agricultural producers

Campbell asked Kent Morgan, Planning Department, if the letter would be referred to the 13 individual requests.

Morgan said it would be up to the Board to take action for or against it.

Heier asked if there was a letter sent by the Ethanol group to approve the new facility.

Mike DeKalb, Planning, said the Ethanol Group and the State Department of Economic Development came in and talked to Planning and DeKalb himself and the landowners sent a letter to the Planning Commission as part of that hearing and that request was made which is why it is in the group of 13. He said another letter was sent to the County Board which Workman responded to and DeKalb was asked to respond to the letter, which he did and gave a copy to the County Board. He said the discussions have been positive except for the fact that the land they are looking at is 100% covered by floodplain. He did talk to Building and Safety who told the Ethanol group they need to go back and take a look at the elevations of the site of the land to see if it is 6" under water or 6 feet under water because the County Zoning Code under the floodplains says that flammable production and storage is not permitted in the floodplain.

Heier asked if the existing anhydrous tanks in Greenwood are in the floodplain?

DeKalb said they are not.

Terry Werner, City Councilman, asked DeKalb if he was aware of any other sites in Lancaster County that would meet the Ethanol group's criteria.

DeKalb said they were looking for a place away from populated areas along the highway. He said the natural gas line is a fuel source and there is a rail line and along that corridor on the south side of the road he believes there are some sites that would be appropriate to fit their needs.

Hudkins asked if the site is immediately north of the railroad tracks along 162nd Street and wondered if the floodplain maps were accurate with regard to that site.

DeKalb said he believes it is 162nd Street, just north of the railroad tracks. He said they were 100% sure that the area the Ethanol group was looking at is in the 100-year floodplain.

Colleen Seng, City Councilwoman, asked about the memo regarding the corrections that need to be made to the plan in regards to the floodplain and if something needed to be adopted now or at a later point.

Morgan suggested taking action later on the amendments later in the month.

Kathy Campbell, County Commissioner, proposed extending the deadline for one week and meeting on May 21, 2002. She said she visited with Morgan on two items that are technical in nature and on some language that she would like to be changed. Campbell said one of those items include the Human Services statement that is at the end of the plan, which has been included on page F172, but she would like Kit Boesch, Human Services Coordinator, to review the statement because she believes there are a few words that might need to be changed.

The second item Campbell referred to was on page F141 and she said there might need to be some inclusion regarding Mental Health. She said the reason it would be important from the County's prospective is there is a Mental Health clinic that serves the entire City and County and there is also a Crisis Unit inside it, which is a specific facility that also serves other facilities. The other question she will be proposing is on page F154, under the Strategies, that the Historic Preservation Commission include all of Lancaster County. She is not opposed to that, but believes it should be through an interlocal agreement with the City of Lincoln because she doesn't know if the Historic Preservation Commission has any authority outside the City boundaries. She said they need to clarify that with legal authority because the County Board has not reviewed the strategy at all.

Werner agreed with Campbell about extending the deadline one more week.

Jonathan Cook, City Councilman, asked how the Planning Department is planning to put together amendments.

Morgan said they need to work with the City, County Clerk and the Law Department to make sure they are comfortable with whatever comes forward because the Board's standards may be different than what the Planning Commission has in terms of written materials, but it may be in similar format. Morgan said usually they are listed in a row by number in the plan.

Seng agreed that going in a row would be the easiest way to handle the amendments.

Workman said on page F79 on the third paragraph where it says, "Provide more bonuses and a lower threshold size for the proven technique of "cluster" development using the Community Unit Plan," he suggested using a statement that reads, "provides more bonuses in a minimum threshold size of 40 acres for the proven technique of cluster".

He also noted in the following paragraph where it says "higher density AGR rural acreage development" he suggested striking out the word AGR and replacing it with AG.

Campbell and DeKalb did not agree.

Workman also said on page F119 under proposed studies he said the Wild Rose Lane Closure was still in the plan.

Allan Abbott, Public Works, said the County Board wrote a letter to the Planning Commission requesting to change the Wild Rose Lane Closure and the item was never moved by the Planning Commission, so no action was taken. He said if the Board/Council wants to change the Lane Closure, a motion will need to be made.

Heier reported on page F77 he does not like the negative approach in the first few paragraphs under Guiding Principles for Rural Areas.

Stevens suggested dropping the first two paragraphs entirely and start the third paragraph by saying "The interest of those various parties must be balanced given the continuing strong consumer demand."

Heier concurred.

Seng asked about all of the mail that has been received by the City Council from groups regarding Wilderness Park and if the amendments will be listed.

Morgan said it will only include the one from Rosemary Brown.

There being no further testimony, the Chair adjourned the public hearing at 6:45 p.m.

MOTION: Moved by Seng and Campbell seconded to adjourn. On call Camp, Campbell, Cook, Heier, Hudkins, McRoy, Seng, Stevens, Svoboda, Werner and Workman voted aye. Motion carried.

_____

Bruce Medcalf
Lancaster County Clerk