

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, March 10, 2026.

NAME OF GROUP: PLANNING COMMISSION

DATE, TIME, AND PLACE OF MEETING: Wednesday, March 18, 2026, 1:00 p.m., Hearing Room 112, on the first floor of the County-City Building, 555 S. 10th Street, Lincoln, Nebraska.

IN ATTENDANCE: Lorenzo Ball, Dick Campbell, Maribel Cruz, Gloria Eddins, Bailey Feit, Cristy Joy, Rich Rodenburg, Ben Callahan, Dávid Cary, Steve Henrichsen, Shelli Reid, Jacob Schlange, Laura Tinnerstet, and George Wesselhoft of the Planning Department, media, and other interested citizens.

STATED PURPOSE OF MEETING: 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 March 4, 2026.

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

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

Chair Joy asked the Clerk to call for the consent agenda items.

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

March 18, 2026

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

The Consent Agenda consists of the following items: Text Amendment 26003 and Special Permit 26007.

There were no ex parte communications disclosed.

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

The clerk asked whether anyone wanted to speak on the consent item. One individual requested to testify regarding **Special Permit 26009** and **Miscellaneous 26002**. Chair Joy stated that these items will be pulled from the Consent Agenda and moved to a public hearing.

Campbell moved approval of the Consent Agenda; seconded by Eddins.

Consent Agenda approved 7-0: Ball, Campbell, Cruz, Eddins, Feit, Joy, and Rodenburg, voting “yes”; Ebert and Ryman Yost absent.

Note: This is Final Action on Special Permit 26007, Special Permit 26008 and Special Permit 26009 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 April 1, 2026, Planning Commission hearing of item 2.1 **Text Amendment 26004**, in which to allow staff additional time to finalize the text amendment package.

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

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

SPECIAL PERMIT 26009- FOR THE BLACKHORN RESERVE AG CUP (COMMUNITY UNITY PLAN) TO ALLOW FIVE SINGLE- FAMILY DWELLING UNITS ON PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF W BRANCHED OAK RD, APPROXIMATELY 1 MILE EAST OF NW 140TH STREET

AND

MISCELLANEOUS 26002-REQUEST TO VACATE THE PRESERVE AT BRANCHED OAK ADDITION FINAL PLAT, ON PROPERTY GENERALLY LOCATED ON THE NORTH SIDE OF W BRANCHED OAK RD APPROXIMATELY 1 MILE EAST OF NW 140TH STREET.

PUBLIC HEARING: _____

March 18, 2026

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

Staff Recommendation: Special Permit 26009- Conditional Approval
Miscellaneous 26002- Approval

There were no ex-parte communications disclosed.

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

Staff Presentation:

Steve Henrichsen, Planning and Development Services, 555 South 10th Street, Lincoln, NE, presented an application for a special permit for Blackthorn Preserve, located on the north side of West Branched Oak Road and east of Northwest 140th Street. Henrichsen noted that Branched Oak Park surrounds the site to the north, east, and generally to the south. Henrichsen explained that the property currently consists of four approved lots, established through an administrative agricultural preservation final plat, which allowed the lots to be clustered while preserving over 70% of the land as unbuildable outlot area.

Henrichsen stated that the new property owner is proposing to reconfigure the development as a community unit plan with a private roadway, allowing for the addition of a fifth lot. As a result, the request before the Commission would increase the total number of lots from four to five if approved. Henrichsen further explained that a companion miscellaneous application has been submitted to void the previously approved final plat; if the special permit is not approved, the existing final plat would remain in place with four lots.

Henrichsen also noted that the application was coordinated with the Nebraska Game and Parks Commission, which recommended a 600-foot non-buildable setback along the northern portion of the property. Henrichsen stated that the applicant agreed to the setback because the proposed lots are located outside that area. Henrichsen added that Game and Parks did not object to the proposal but expressed some concern regarding potential impacts from activities such as dog training or events. Henrichsen stated that these items comprise the request being considered by the Commission.

Applicant:

Noah Chestnut, REGA Engineering Group, 601 Old Cheney Road, Suite A, Lincoln, NE, came forward and stated that Henrichsen had accurately summarized the project. Chestnut explained that the proposal adds one lot to the original 80-acre site and that the project team coordinated with all relevant departments. Chestnut invited questions from the Commission and noted that due diligence had been completed.

Staff Questions-

Commissioner Eddins asked whether the land adjacent to the project site was part of a wildlife management area or a state park.

Chestnut explained that Game and Parks owns the land to the east. Chestnut stated that the primary concern was noise from dogs. Chestnut noted that Game and Parks confirmed the six-foot non-buildable setback to the north was sufficient and declined to request an additional setback on the east side. Chestnut explained that hunting is permitted only if the land is a wildlife management area

and is prohibited if it is a state park. Chestnut added that no concerns were raised by adjacent landowners regarding hunting.

Commissioner Eddins clarified that hunting is permitted only on wildlife management areas, not on state park land, which prompted the question.

Chestnut confirmed that adjacent landowners' primary concern was dogs on the property.

Commissioner Eddins thanked him for the clarification.

Commissioner Campbell asked about the land to the north.

Chestnut stated that Game and Parks' primary concerns were related to dogs or hunting trials, including the potential discharge of blanks during events. Chestnut noted that the distance from the residential lots is approximately 700 feet. Chestnut stated that Game and Parks requested that the HOA or future lot owners be informed of potential heavy activity involving animals. Chestnut added that no concerns were raised regarding firearms or ammunition.

Proponents:

No one approached in support.

Neutral:

No one approached in a neutral capacity.

Opposition:

Jonathan Beins, 13200 West Branched Oak Road, Raymond, NE, came forward and stated that his home is approximately a half mile west of the site entrance and spoke regarding the proposed five-lot development. Beins explained that he first learned of the plan through online research and a conversation with staff, but sought clarification after receiving official notice.

Beins inquired whether additional houses could be built south of the 600-foot Game and Parks setback, noting that he would oppose development in that area. Beins acknowledged hunting activity to the north and east, as well as dogs on the property, and noted hunting south of his own home.

Beins clarified that he was not opposed to the proposed development but wanted information about the extra land outside the planned lots and buffer area. Beins also expressed concerns about traffic on West Branched Oak Road during busy periods, emphasizing that his questions were primarily for clarification.

Staff Questions-

Commissioner Campbell asked Beins to verify if his house is on the southwest corner of the section. Beins confirmed that it is.

Commissioner Eddins asked whether additional land within or adjacent to the CUP area could support more residential lots.

Henrichsen explained that the dark line on the CUP map shows the full boundary of the application. Henrichsen stated that most of the northern area is an outlot, unbuildable under both the CUP and AG zoning. The CUP permits five lots in total, with no additional lots permitted within that boundary.

Chair Joy asked about the properties to the east and west of the CUP.

Henrichsen responded that the land to the east and north is largely Branched Oak Lake and Branched Oak Park. Henrichsen noted that the parcel immediately east of the CUP is privately owned but is not planned for residential development under the Comprehensive Plan. Henrichsen added that the 75-acre tract to the west could pursue AG Preservation lots as previously described.

Commissioner Feit asked whether any land north of the five lots could be developed under the current zone.

Henrichsen confirmed that the northern area, including the 600-foot Game and Parks setback and a drainage easement, is not buildable. Henrichsen explained that future development would require rezoning to AGR and a new approval process. Henrichsen also stated that the private roadway would terminate in a temporary turnaround until such rezoning occurs.

Henrichsen further explained that the adjacent 75-acre privately owned tract to the west is not part of the application but could be created as three lots through an administrative AG Preservation Final Plat, or divided into three 20-acre tracts, both allowed under AG zoning. Beins noted that such plats are administrative, do not require Planning Commission approval, and could, in theory, create additional lots west of the private roadway. Henrichsen added that a natural drainage way on the property would need to be considered.

Applicant Rebuttal:

Chestnut stated that the applicant's intent aligns with the staff's explanation that the northern portion of the CUP area is an unbuildable outlot. Chestnut stated that the owner has no plans for any additional development beyond the five proposed lots. Chestnut added that drainage patterns and grading constraints make further development difficult, supporting the decision to maintain the area as open space.

Staff Questions-

Commissioner Eddins asked about the applicant's outreach to nearby residents and noted that developers should engage neighbors early whenever possible.

Chestnut responded that the applicant sent the required 300-foot notification letters and remained available for communication but acknowledged the recommendation to improve outreach in future applications.

Commissioner Cruz asked whether the applicant had considered a safety berm or other ballistic mitigation measures, citing neighborhood concerns about stray projectiles during hunting seasons on nearby public lands.

Chestnut replied that Nebraska Game and Parks raised no such concerns. He noted that firearm discharge is regulated under Nebraska state law and that the adjacent eastern area is not a designated firearm use zone.

Chestnut added that the applicant had discussed adding a tree line along the eastern boundary for visual separation and privacy. Still, Game and Parks did not require ballistic mitigation or provide feedback indicating it was necessary.

Chestnut concluded that the proposal remains limited to five homes, maintains the 600-foot setback, and preserves the northern outlot as open space.

**SPECIAL PERMIT 26009 AND MISCELLANEOUS 26002
ACTION BY PLANNING COMMISSION**

March 18, 2026

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

Campbell moved to approve Special Permit 26009 and Miscellaneous 26002; seconded by Eddins.

Commissioner Eddins stated that the request represents allowed use of the land and that the proposed 600-foot setback provides adequate separation from adjacent parkland activities. Eddins noted that prior Game and Parks guidance referenced a 500-foot distance for firearm discharge near residences, and while standards may have changed, the proposed setback is sufficient. Eddins added that the application is supportable but that the developer could have improved outreach to neighbors.

Commissioner Campbell agreed with Eddins and reiterated that the proposal represents appropriate use of the land. Campbell noted that the surrounding parkland and lake areas provide a buffer and that the five proposed lots are suitable and consistent with the area. Campbell expressed support for the application.

Motion for approval of Special Permit 26009, carried 7-0, with Ball, Campbell, Cruz, Eddins, Feit, Joy, and Rodenburg voting “yes”. Ebert and Ryman Yost absent.

Motion for Miscellaneous 26002, carried 7-0, with Ball, Campbell, Cruz, Eddins, Feit, Joy, and Rodenburg voting “yes”. Ebert and Ryman Yost absent.

**COMPREHENSIVE PLAN COMFORMANCE 26001- TO REVIEW AS TO COMFORMANCE WITH THE
2050 LINCOLN LANCASTER COUNTY COMPREHENSIVE PLAN, THE UNIVERSITY PLACE
NEIGHBORHOOD REDEVELOPMENT PLAN, DESCRIBING PROPOSED REDEVELOPMENT
ACTIVITIES WITHIN THE REDEVELOPMENT AREA INCLUDING THE COMMERCIAL FAÇADE
RESTORATION AD STREETScape ENHANCEMENT PROJECT, GENERALLY BOUNDED BY NORTH
33RD STREET ON THE WEST, CORNHUSKER HIGHWAY ON THE NORTH, NORTH 56TH STREET
ON THE EAST, AND HOLDREGE STREET ON THE SOUTH.**

PUBLIC HEARING:

March 18, 2026

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

Staff Recommendation: In Conformance with the Comprehensive Plan

Ex-Parte communications disclosed.

Commissioner Eddins disclosed prior discussion of the project at a Clinton Neighborhood Organization meeting, due to adjacency and potential long-term effects on North 33rd Street.

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

Staff Presentation:

Dan Marvin, Director of Urban Development, 555 S. 10th Street, Lincoln, NE, came forward and presented the redevelopment plan and referenced the previously adopted University Place subarea plan and subsequent blight determination.

Marvin described the use of tools such as tax increment financing (TIF) to support commercial façade restoration, streetscape and pedestrian improvements, lighting enhancements, placemaking, and activation of City-owned parking lots for community events, including farmers markets and band stand or stage opportunities.

Marvin stated that the initial focus would be on North 48th Street and nearby public lots, noting that design phases and installation would proceed in prioritized steps over multiple years.

Staff Questions-

Commissioner Feit asked staff to elaborate on the accessibility of the area and whether the proposed improvements would help attract customers to existing storefronts.

Marvin responded that one of the goals of the redevelopment plan is to enhance the walkability and visual appeal of North 48th Street so that it becomes more inviting for pedestrians and customers, thereby supporting existing businesses. He noted that façade improvements and streetscape enhancements are expected to strengthen the commercial corridor and attract more storefront activity.

Jennifer Hiatt, Urban Development, 555 S. 10th Street, Lincoln, NE came forward and further described the engagement conducted with business owners. Hiatt confirmed that construction phasing would be coordinated to maintain access to businesses throughout the project. Hiatt explained that many businesses currently rely on rear entrance access due to inhospitable pedestrian conditions along North 48th Street and stated that the improvements would help reestablish the front façades as functional customer entrances. Hiatt affirmed that public input opportunities will continue during the design and implementation phases.

Chair Joy asked about street calming elements, noting that neighborhood groups had expressed traffic calming as a “number one” priority. Joy inquired how quickly such improvements could be

placed in the implementation queue and what opportunities would exist for public review of potential configurations.

Hiatt responded that the City will continue engaging directly with the public as the design work progresses. Hiatt stated that traffic calming concepts would be informed by public feedback and incorporated as feasible during phased implementation.

Marvin added that several NDOT-supported exercises and community workshops have already been conducted, with strong attendance and engagement, and that continued collaboration with neighborhood groups would guide refinement of traffic calming and streetscape elements.

Chair Joy commended staff for extensive community engagement and the responsiveness shown throughout the process.

Proponents:

No one approached in support.

Neutral:

No one approached in a neutral capacity.

Opposition:

No one approached in opposition.

**COMPREHENSIVE PLAN CONFORMANCE 26001
ACTION BY PLANNING COMMISSION**

March 18, 2026

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

Campbell moved to approve Comprehensive Plan Conformance 26001; seconded by Eddins.

Commissioner Campbell stated that the redevelopment plan represents a thoughtful, step-by-step approach and expressed support for the project's phased implementation. Campbell noted that the plan reflects the incremental progress previously discussed with the neighborhood and that the improvements will benefit the area over time.

Commissioner Ball stated that the Commission hears updates on University Place "almost every quarter" and expressed excitement to see the project moving forward. Ball commented that the area will be beautiful once improvements are made and that the redevelopment plan positions the district for long-term success.

Commissioner Eddins stated support for the project while emphasizing the importance of ensuring that traffic calming measures do not unintentionally create new street problems elsewhere in the neighborhood.

Commissioner Cruz stated that the plan represents an important opportunity to reinvest in a vital part of Lincoln, adding that the project will help strengthen both the commercial corridors and the surrounding residential areas. She expressed enthusiasm for the long-term potential of the district.

Commissioner Ball added that the improvements will help transform the area into a true destination within the city, creating a more cohesive and welcoming commercial environment.

Chair Joy stated that this represents an exciting step for University Place and commended staff for their extensive engagement efforts and collaboration with the community throughout the process.

Motion for approval of Comprehensive Plan Conformance 26001, carried 7-0, with Ball, Campbell, Cruz, Eddins, Feit, Joy, and Rodenburg voting “yes”. Ebert and Ryman Yost absent.

SPECIAL PERMIT 26008 - TO ALLOW FOR A RESIDENTIAL HEALTHCARE FACILITY FOR UP TO 12 RESIDENTS AT 929 S. COTNER BLVD.

PUBLIC HEARING:

March 18, 2026

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

Ben Callahan, Planning and Development Services, 555 South 10th Street, Lincoln, NE, came forward and described the Special Permit, a request to allow a residential healthcare facility at 929 South Cotner Street for up to 12 residents specializing in memory care. Callahan noted that the property is located along South Cotner, with Valley Road to the south and Randolph and South 56th Street nearby. Callahan explained that the site is zoned R1, mainly surrounded by R1 zoning, and contains an existing single-family house. Any property in a residential district can apply for a special permit for residential healthcare.

Callahan explained that the code defines a residential healthcare facility as a building or structure used in a residential manner, licensed or approved by the state, which may include assisted living, nursing care, memory care, hospice, or independent living. Callahan noted that this application is for on-site memory care.

Callahan stated that the lot is over 25,000 square feet, double the minimum R1 lot size, which allows one resident per 3,000 square feet, normally permitting eight residents. Callahan added that the permit includes a condition allowing occupancy to increase up to 50% if barrier-free standards are met at the building permit stage, which would allow up to 12 residents.

Regarding parking, Callahan noted that the code requires one space per four residents plus two spaces per three employees on the largest shift. For 12 residents and three staff on the largest shift, a minimum of five spaces is required. Callahan stated that an existing garage in the side-yard setback would be removed as a pre-existing condition, but the minimum five spaces will remain.

Callahan described South Cotner as a minor arterial roadway, with roughly 5,000–5,500 trips per day. Callahan compared this to typical residential use—around 10 trips per day for a single-family home or 20 for a duplex—and stated that the facility would remain residential in nature. Residents will not have cars on site, so traffic will primarily consist of staff, visitors, and deliveries.

Callahan affirmed that Planning finds the proposal in conformance with the comprehensive plan, supporting goals related to complete neighborhoods, providing aging-in-place options, different styles of healthcare, and diverse dwelling types. Callahan stated he is happy to answer any questions.

Staff Questions-

Commissioner Feit asked how many rooms there are in the house.

Callahan responded that the house currently has five rooms and noted that this information should have been included in the site plan. Callahan added that the applicant is proposing an addition at the back of the house through the building permit process and can clarify the number of proposed rooms.

Commissioner Rodenburg noted that the county reports three rooms.

Chair Joy asked if there were any further questions for staff, and there were none.

Applicant:

Travis Klein, 410 Madison Creek, Cedar Creek, NE, came forward and provided handouts for the Commission (see Exhibit 1). Klein thanked the Commission for their time and consideration regarding Special Permit 26008 and noted that from the outset, the project team prioritized being proactive, transparent, and accessible to the surrounding neighborhood.

Before submitting the application, they conducted door-to-door outreach with immediate neighbors, followed by an open house the next weekend for anyone interested in learning more. During these conversations, questions were answered, preliminary plans were shared, and concerns were addressed directly. Klein indicated that, despite providing contact information on the neighborhood letter and permit application, no neighbors had reached out since that time, and they only became aware of opposition letters within the past week. Klein emphasized that many of the letters were based on misinformation or assumptions and wanted to provide accurate information to the commission and neighbors for their consideration.

Traffic and parking concerns were addressed first. Klein stated that, as noted in the planning department's analysis, the expected traffic impact is minimal. The facility will have three employees on the largest shift, with arrivals and departures limited to shift times. Residents will not have vehicles. Deliveries will be comparable to those of a typical household, including groceries and small household supplies. Hospice nurses may visit occasionally during weekdays, and family visits will occur during evenings and weekends, though not frequently. Based on other Legato homes, no more than two visitor vehicles are expected in addition to employee vehicles. Ample on-site parking is available, eliminating the need for side street parking. Emergency vehicle activity is not expected to increase, and staff are trained to call emergency services only in true emergencies.

Klein then discussed zoning and residential character. Klein stated that the property will remain R1 residential, and the request is solely for a special use permit to operate a residential memory care home for individuals living with dementia. Klein noted that the request is consistent with previously approved special use permits in Lincoln. While the application allows up to 12 residents, the operational target is 10 residents, which Klein described as ideal for safety, comfort, and quality of care.

A modest addition at the rear of the house is proposed to expand dining and living space for residents. Klein noted that the addition maintains the residential layout and preserves the homelike environment central to the Legato Living model. Klein presented images of the house as it currently exists and artistic renderings of the proposed addition, highlighting that the roof line and material design will remain consistent with the original house. Klein also shared a conceptual rendering of a future vision for the property, showing alignment with neighborhood characteristics and updated housing styles.

To address concerns about future uses of the property, Klein stated that the applicants are willing to place a deed restriction limiting future use to senior living, memory care, or a single-family residential home. Additional landscaping or fencing is also offered if the commission feels it would be beneficial. Finally, Klein addressed resident safety, stating that high-quality magnetic lock systems will ensure exterior doors remain secure, and all entry and exit will be accompanied by staff. Klein noted that the system has been used successfully in other Legato Living homes and has proven safe and reliable.

In closing, Klein thanked the commission for their consideration. Klein emphasized that Legato Living homes do not generate more traffic than a typical household, will not impact side street parking, and will not diminish neighborhood character, design, or property values. Klein stated that as future owners, the applicants are committed to maintaining and enhancing the property. Klein concluded that the primary intent of the project is to provide a safe environment, proper care, and dignity for residents.

Staff Questions-

Commissioner Rodenburg asked Klein to clarify staffing levels, noting that if three staff members were present during shift changes, there could be as many as six vehicles on site at one time.

Klein responded that the site plan provides sufficient room for staff parking and that not all shift transitions involve three employees; the overlap is limited.

Commissioner Ball asked about shift structure and whether the home would operate on a 24-hour staffing model.

Klein confirmed that staffing is 24/7, with the highest staffing level occurring during the daytime period when residents are awake and most active.

Commissioner Ball asked about food deliveries and whether large or frequent supply trucks should be anticipated.

Klein stated that staff cooks all meals on site, so deliveries are limited to normal household-scale grocery or household supply orders rather than commercial catering trucks.

Commissioner Feit inquired how many bedrooms the renovated home would contain.

Klein stated that the home would have six bedrooms and four bathrooms once the addition is constructed.

Commissioner Cruz asked whether the home would be fully ADA-compliant.

Klein confirmed that the design would meet ADA and barrier-free requirements.

Commissioner Cruz responded positively and expressed appreciation for the clarification.

Commissioner Feit asked how many similar Legato homes exist.

Klein indicated that Erin Render of Legato Living could provide additional detail.

Erin Render, 18157 Hampton Drive, Omaha, NE, came forward and stated that she is the CEO of the Legato Living franchise and has operated smaller homes in the Omaha area since 2015, with prior experience managing a larger facility. Render explained that while the applicant had covered the technical aspects, she wanted to address the operational reality of the Legato model.

Render acknowledged that neighbors may have concerns about an unfamiliar concept but emphasized that she would not risk her professional reputation by supporting a model that would create ongoing issues within a neighborhood. Render stated that Legato Living homes are designed to be quiet, respectful, and well-maintained, blending into neighborhoods without altering their single-family character.

Render explained that traffic impacts are minimal, as residents do not drive and visitor patterns are limited, with shorter visits and little to no evening traffic. Render noted that while larger facilities such as Tabitha serve an important role, memory care is not a one-size-fits-all solution, and additional options are needed due to increasing demand. Render added that the model provides a safer, more controlled environment for residents, reducing behaviors such as wandering through smaller, less stimulating settings.

Render emphasized that the proposal is about providing housing for a small number of seniors in a residential setting and allowing them to remain part of the community. Render referenced protections under the Fair Housing Act, stating that individuals cannot be excluded from housing based on disability.

Render concluded by urging approval of the permit to allow seniors to live with dignity, provide peace of mind for families, and offer additional care options within the community.

Staff Questions-

Commissioner Feit asked whether the example facilities shown were located within neighborhoods similar to an R-1 zoning district.

Render confirmed that the examples shown are in residential neighborhoods in Omaha. She explained that this model is somewhat unique in senior housing, noting that she chose a franchising approach to expansion after observing instability in traditional facilities, where frequent staff turnover could negatively impact residents. Render stated that the franchising model allows for more consistent management and operations, rather than attempting to directly manage multiple locations. Render added that under this model, individual operators manage and own their respective homes, including the proposed locations in Lincoln.

Commissioner Feit asked whether Render had researched the Lincoln area to determine if there was a demonstrated need for this type of facility.

Render explained that the goal is to provide a smaller-scale option, serving roughly 8 to 12 beds, rather than a large facility with 100 beds. Render noted that many residents come from larger memory care facilities because those environments can be overwhelming, causing increased anxiety and agitation when residents cannot easily access assistance. Render emphasized that families often seek this model specifically for the smaller, more manageable environment, and she highlighted the noticeable improvement in residents' demeanor when care is provided in close, personalized settings.

Chair Cruz asked Render to describe the specialized training required for individuals working in memory care facilities.

Render explained that their homes consist of nurse aides, medication aides, and nursing oversight. Render noted that the State of Nebraska holds a higher standard for operators seeking memory care endorsement, which includes an application process to ensure safety measures such as secured doors and locked sharps. Render emphasized that proper training is often lacking in the industry due to immediate staffing needs, so her team includes a nurse educator who provides structured training. Staff complete an online dementia care training module based on Teepa Snow's Positive Approach to Care methods before beginning work in the home. Once on-site, additional training must be completed within 14 days of hire, with ongoing monthly education provided to maintain competency.

Render also addressed staffing and shift changes, noting that shifts have varied throughout her career, with both eight- and twelve-hour shifts being used. Render explained that not all staff leave at the same time, and that the facility maintains a one-to-four staff-to-resident ratio. During times when the home has fewer residents, such as eight people, there may only be two staff on duty. Render emphasized that there will never be three staff leaving and three arriving simultaneously. Render added that residents typically settle in and sleep well at night once acclimated, meaning fewer staff are needed during evening hours.

Tracy Klein, 410 Madison Creek, Cedar Creek, NE, spoke on behalf of herself, her husband, and her partner. Klein explained that her motivation to open the facility is deeply personal, as both her parents live with dementia and had negative experiences in larger care facilities. After moving them multiple times to find safe, respectful care, Klein emphasized how Legato Living's person-centered model restored dignity and quality of life for her family.

Klein expressed a strong commitment to providing the same level of care in Lincoln, ensuring residents are safe, heard, and treated in a homelike environment. Klein concluded that their goal is to create a nurturing and dignified home for individuals with dementia.

Staff Questions-

Commissioner Rodenburg asked if the facility would accept Medicaid or if it is self-paying, noting that his own mother is self-paying at South Lake and receives a different room than those on Medicaid.

Klein responded that Legato Living currently does not accept Medicaid and is entirely self-pay, which allows residents to receive a higher level of care and a better home environment.

Commissioner Rodenburg then asked whether residents who start as self-pay and later need Medicaid would be required to leave.

Klein explained that while she is not certain of all the details, residents are typically not asked to leave, and this policy would be addressed more fully during the applicant rebuttal.

Proponents:

No one approached in support.

Neutral:

No one approached in a neutral capacity.

Opposition:

Lance Perez, 920 Piedmont Road, Lincoln, NE, came forward and testified that the proposal would convert a historic residence at 929 South Cotner Boulevard into a business. Perez noted that his backyard abuts the property and that he is one of 40 residents submitting written objections, with over 78 signing a position opposing the permit. Perez clarified that the opposition is not directed at the residents themselves, but at potential neighborhood impacts.

Perez highlighted that the proposed use would harm the historic and residential character of the 100-year-old Piedmont neighborhood, referencing the Piedmont Redevelopment Plan (2014) regarding large lots, historic building styles, deed restrictions, and traditional setbacks. Perez emphasized that residents purchased homes expecting continued single-family use, invested in property maintenance and restoration, and that converting the property to commercial use is incompatible with the neighborhood. Perez stated that the proposed use threatens property values, emergency response, and undermines the overall character without addressing a demonstrated local need. Perez concluded by respectfully requesting that the Planning Commission deny the special permit.

Jason Laessig, 5440 Valley Road, Lincoln, NE, came forward and testified on behalf of himself and other Piedmont residents. Laessig noted that while they do not oppose a memory care facility in

concept, the proposed scope and location raise significant safety concerns. Laessig highlighted that a full staff, visiting families, deliveries, and home health traffic would spill onto Valley Road, a narrow 22-foot-wide cut-through carrying over 700 cars daily, creating hazards at the Valley Road and South Cotner Boulevard intersection. Laessig cited peak traffic periods during school commutes and blind spots at the marked crosswalk, emphasizing that on-street parking for staff and visitors would exacerbate congestion and increase accident risk. Laessig referenced similar facilities with insufficient on-site parking and stressed that the issue is neighborhood and commuter safety, not resident safety, asking the commission to consider the practical impacts of traffic on this already busy intersection.

Jeff Peetz, 940 Piedmont, Lincoln, NE, came forward and introduced himself as an estate and trust attorney, speaking on behalf of himself and Piedmont residents. Peetz provided a list of objections from residents and property owners. (See Exhibit 2). Peetz emphasized that while he supports memory care services, the proposed 12-person facility in a three-bedroom house raises safety and traffic concerns. Peetz highlighted speeding on Cotner Boulevard, heavy use of Valley Road as a cut-through, and the potential for congestion and accidents at the intersection near Lefler Middle School. Peetz noted that residents are compassionate and experienced with dementia in the community, citing neighbors personally affected. Peetz referenced the 2014 Piedmont Redevelopment Plan and argued that the facility conflicts with historic neighborhood planning. Peetz also stressed that existing facilities like Tabitha provide adequate care. Peetz concluded that the project is inappropriate for the site, threatens neighborhood safety, and that accusations of discrimination against residents are unfounded and offensive.

Suzanne Wise, 1111 Piedmont Lincoln, NE came forward and testified that she was not informed of the open house and shared a personal experience with dementia in her family, including her late husband and mother-in-law. Wise expressed concern about the proposed facility's capacity, noting that memory care residents require wheelchairs, special equipment, and stimulation, and questioned how a three-bedroom house could safely accommodate more than six residents. Wise also raised concerns about bathing facilities and accessibility, and emphasized that if the franchise were sold or changed hands, the house could not easily revert to a single-family home without significant expense.

Traci Beasley, 1111 South Cotner Boulevard, Lincoln, NE, came forward and testified that she did not receive an invitation to the open house and raised concerns about Legato Living's franchise model. Beasley highlighted that the website promotes ownership without prior healthcare experience and emphasizes profitability over compassionate care. Beasley questioned staffing numbers, noting inconsistencies between the proposed 10–12 staff and the six typically required for similar-sized homes. Beasley emphasized that residents in Piedmont actively maintain their historic homes and that passive investment, as advocated by Legato, does not align with the neighborhood's character and values.

Chris Buback, 919 S. Cotner Blvd, Lincoln, NE, came forward and testified that he and his wife purchased their home from the original owner and invested significant effort and resources to preserve the house's historic character. Buback emphasized that their investment was made with the expectation of continued residential use and consistent zoning. Buback stated that the proposed memory care facility would be acceptable in another location but is not appropriate in their backyard and urged the city to uphold the neighborhood's established character and zoning.

Staff Questions-

Commissioner Rodenburg asked about protections for residents with dementia or Alzheimer's, referencing past cases involving protected classes.

Steve Henrichsen, Planning and Development Services, 555 South 10th Street, Lincoln, NE, came forward and noted that Tim Sieh from the City Attorney's Office is present to address the question.

City Attorney Remarks-

Tim Sieh, City Attorney's Office, approached and asked Commissioner Rodenburg to restate his question for clarity.

Commissioner Rodenburg asked about past instances where the city denied group homes and was subsequently sued.

Sieh clarified that this case differs, as it involves a residential healthcare facility, not a group home. Sieh advised the commissioners to focus on land use and zoning compliance rather than potential legal liability.

The commissioners thanked him for the clarification.

Staff Questions-

Commissioner Feit asked what other uses the R1 house could have besides serving as a single-family home.

Callahan explained that, by right, it could be converted into a duplex (two-family home). Conditionally, it could host a home business or office (home occupation). Historically, a home daycare would also be allowed, with zoning permitting up to 20 children. These examples illustrate that the property has several potential uses beyond a traditional single-family residence.

Commissioner Feit asked whether the site would be eligible for an Accessory Dwelling Unit (ADU) under the recently passed regulations.

Callahan responded that even before the recent changes, the site would have qualified because it has sufficient lot area for a two-family conversion and ample room for required setbacks.

Commissioner Feit acknowledged the response.

Commissioner Ball asked whether the special permit applies only to the current applicant, and if a future owner wanted to use the property differently, would a new special permit be required.

Callahan explained that the special permit runs with the property, not the owner, but it is tied to a specific use. Going forward, the permit would allow residential healthcare at the site and generally establish the maximum number of residents.

Commissioner Ball asked if the property would need to remain a healthcare business indefinitely.

Callahan responded that the use is tied to the special permit, so any new owner would need to demonstrate that the property will continue operating as a residential healthcare facility in order to obtain an occupancy permit.

Commissioner Rodenburg noted that the applicant mentioned a possible deed restriction limiting future use to either healthcare or reverting to single-family.

Callahan confirmed that this would be an option if the commission chose to proceed and noted that similar past special permits have been tied specifically to memory care or assisted living uses.

Commissioner Feit asked for clarification on the special permit, specifically whether a new owner would be required to continue using the house as a residential healthcare facility.

Callahan responded that the special permit follows the property's zoning, so a new owner could revert it to any use allowed in R1, such as a single-family or two-family home.

Commissioner Feit acknowledged that this clarified her confusion.

Commissioner Ball asked about the special permit regulations regarding capacity, specifically whether the number of bedrooms is controlled under the permit, since the facility is requesting an increase from 8 to 12 residents.

Callahan responded that the special permit regulates density based on lot area, not the number of bedrooms. State licensing and health department inspections govern occupancy and safety, so the permit itself does not specify bedroom requirements.

Commissioner Rodenburg noted that, based on lot area, the maximum occupancy would be eight residents.

Callahan responded that while the lot area limits density to eight, the special permit allows the planning commission to grant up to a 50% increase. Any such increase must comply with barrier-free standards at the time of the building permit.

Commissioner Cruz asked whether city zoning laws supersede neighborhood covenants.

Callahan responded that while neighborhood covenants exist, the city does not enforce them. Covenants are a private matter between the HOA and the property owners.

Commissioner Cruz said that historic preservation standards apply to a building's exterior, not the interior. Cruz noted that as long as the exterior remains historically accurate in look, color, and façades, you could even put a merry-go-round inside your house. The key is maintaining the exterior's historic appearance and compatibility with the neighborhood.

Callahan confirmed that the city has specific landmark designations, but this property is not designated as a landmark. Callahan noted that standard building permit requirements apply. Regarding backyards, considerations include setbacks and lot sizes.

Commissioner Cruz asked whether city zoning would supersede historical designations.

Callahan responded that the lots are relatively large for typical residential lots, providing ample backyard space. Callahan noted that, in this case, the proposed addition did not require any setback waivers.

Henrichsen came forward and presented the site plan, explaining that the 20-foot rear yard setback is required by the zoning ordinance. Henrichsen noted that the proposed addition does not extend beyond the existing house and is well within the setback, even compared to neighboring properties. Henrichsen also mentioned he was not aware of any covenant limiting how far back a structure could go.

Commissioner Ball asked about neighborhood covenants and historic design requirements for the proposed addition.

Callahan clarified that from the city's perspective, exterior design would be reviewed only under the standard building permit process, not the special permit. The city does not enforce private covenants, so any historic or design restrictions in neighborhood covenants would not be part of the city's review.

Commissioner Eddins asked for clarification on whether the addition would be treated like any other typical neighborhood addition.

Callahan confirmed that, yes, it would be reviewed like any standard addition under normal building permit procedures.

Commissioner Rodenburg asked whether Lincoln Transportation Utilities (LTU) had considered Valley Road for additional parking.

Callahan responded that LTU's review focused mainly on the site plan and ensuring ADA parking was provided. Callahan noted that because this is still considered residential use with relatively low neighborhood impact, LTU didn't conduct a broader review of traffic or parking changes on Valley Road specifically.

Chair Joy asked for a reference to the comprehensive plan and requested clarification.

Henrichsen responded that the reference was to the 2014 Piedmont Redevelopment Plan. Henrichsen explained that the plan primarily covered the Piedmont Shopping Center (outlined in red on the map in which Henrichsen presented) and its boundaries, rather than the broader Piedmont neighborhood. While the plan discussed the history of the area, its redevelopment guidance was specifically focused on the shopping center itself, not the surrounding residential area.

Chair Joy asked if there were any other questions for staff. There were none. Chair Joy then thanked Callahan for his presentation.

Applicant Rebuttal:

Klein began by addressing neighbor concerns, noting that notification letters were sent to direct neighbors within 200 feet, as required, and he hoped recipients would share the information further. Klein emphasized that many opposition points were based on assumptions rather than facts and could have been clarified with a phone call. Regarding traffic, Klein explained that the residential healthcare facility would generate traffic comparable to a typical single-family home and would not worsen conditions on Cotner. On resident safety, he assured that residents would be secure, particularly in the backyard, and would only be in the front yard when accompanied by a relative. Finally, Klein addressed future use of the property, expressing willingness to implement a deed restriction limiting it to either residential health care or reverting to single-family use, to protect the neighborhood long-term.

Render addressed the Medicaid reimbursement question, noting recent changes to the pay structure for Medicaid waivers in memory care settings. Previously, facilities received the same rate for residents needing high levels of care as for those requiring minimal assistance, making it difficult to properly staff and provide care.

Render highlighted that the recent updates create an opportunity to transfer residents to Medicaid waiver programs if needed, potentially easing the cost of care. Render expressed optimism about these changes, emphasizing that they may help address the broader challenges of memory care affordability in the state, though she noted that owners have not yet applied and she is still reviewing the details.

Staff Questions-

Commissioner Ball asked about the applicant's property in Omaha (Elkhorn) and how its zoning compares to the proposed R1 site.

Render explained that the two situations are very different. The Omaha property falls under Omaha's zoning, which distinguishes between small group living (eight or fewer residents) and large group living (12 or more). That home sits on the edge of the neighborhood, has two levels, and two large driveways, allowing for more vehicles and occasional larger gatherings.

In contrast, the proposed R1 site has limited parking and a smaller lot size, so it is not conducive to large gatherings. Render emphasized that their care model is focused on individual, one-on-one activities rather than large events. While occasional family gatherings may occur, they are committed to being respectful of the neighborhood and minimizing any impact.

Commissioner Feit expressed concern about fitting 12 residents in the house and whether internal renovations would make it impossible to revert to a family home in the future.

Klein explained that the proposed renovation would add two bedrooms and a bathroom while expanding the living and dining spaces. The plan includes mostly double-occupancy rooms with two single-occupancy rooms.

Render emphasized the importance of the small-scale, home-like approach for residents with dementia. Render noted that larger memory care facilities can be overwhelming, depending on the stage of the disease. In their model, residents "rent" the entire home rather than just a room, with private sleeping quarters but shared common areas during the day, replicating a normal household

routine. This setup helps reduce anxiety and supports safety, especially as residents lose awareness of their surroundings or how to use emergency call systems.

Commissioner Feit asked about a gate connecting the applicant's backyard to a neighbor's property and how that would be managed.

Klein explained that residents would typically be on the deck rather than roaming the backyard. They would secure the area by likely installing a taller fence along the sides, noting that the back already has a six-foot privacy fence. The goal is to ensure safety while residents get outdoor time, always supervised by staff.

Render added that the gate would likely be placed to the side, depending on Fire Marshall requirements for the area of refuge and distance from the building, rather than at the rear. She emphasized that it likely would not need to be used frequently. Render also noted that in previous neighborhoods, initial opposition from neighbors eventually gave way, with families even volunteering to help, reflecting the goal of positive integration.

Commissioner Feit asked about concerns raised by opposition members regarding the owners not living in Lincoln, questioning how the property would be overseen if a major issue arose.

Klein responded that, despite the owners not residing locally, they are passionate about Legato Living and committed to oversight. Klein assured that at least one of the four owners would be on-site weekly to ensure staff are performing appropriately. Klein emphasized that the key to quality care is retaining and supporting staff, which maintains the standard of care.

Render clarified that, per Nebraska state requirements, each facility must have a licensed administrator responsible for overall oversight. Render addressed concerns about "passive" ownership, explaining that Legato Living is structured so local administrators are on-site or nearby in Lincoln. If an administrator leaves, a replacement would still be local, ensuring day-to-day operations are supervised without relying on distant corporate management.

Klein added that they are relatively close to the property—about 30 to 35 minutes away—so they could respond quickly in the event of an emergency.

Commissioner Feit asked about the employee staffing described on the website.

Render explained that at full capacity (12 residents), there would be three nurses on site at a time (1:4 nurse-to-resident ratio), but the total number of employees is higher—likely six or more—to allow coverage if someone is sick or additional support is needed. Render noted that staffing is flexible depending on residents' needs and functioning levels. The model prioritizes a smaller, consistent core staff rather than a larger team, allowing more individualized attention. Render also emphasized that the staffing arrangement is not fixed; adjustments are made as needed to ensure proper care and safety.

SPECIAL PERMIT 26008
ACTION BY PLANNING COMMISSION

March 18, 2026

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

Campbell moved to approve Special Permit 26008; seconded by Eddins.

Commissioner Campbell noted that the city has previously approved similar residential care homes, including locations on Calvert Street and near 84th Street. Since their establishment, there have been no neighborhood or police complaints. Campbell emphasized that residents with cognitive or physical challenges are always supervised when outside, ensuring their safety. Campbell shared personal experience observing that individuals in these smaller homes often receive more individualized care than in larger facilities. Campbell highlighted the importance of having both larger and smaller care options available and stated that, based on experience, such homes do not negatively impact neighborhood property values. Campbell concluded that he would support this special permit.

Commissioner Ball acknowledged having many thoughts but focused on key points. Ball emphasized the importance of applicants communicating early and consistently with neighbors, noting that much of the opposition could have been addressed prior to coming before the commission. Ball expressed confidence in the existing zoning and special permit framework, which establishes protections and limitations for the neighborhood, including provisions for what happens if the business discontinues. Ball highlighted the value of diverse care options in residential neighborhoods, providing a home-like experience and improving the quality of life for residents. Ball reminded the group that this process is not final—decisions will go to City Council and can be appealed—while acknowledging the neighborhood’s concerns.

Commissioner Eddins emphasized the importance of diversity in care and the value of smaller facilities, especially given the shortage of beds. Drawing from personal experience managing a large household, he noted that a higher number of residents is manageable and not concerning. Eddins expressed overall support for the proposal, highlighting the dignity these homes provide at the end of life. She also encouraged neighborhoods to recognize their value and hoped that, in the long term, the decision would be seen as the right one, while remaining open to feedback if issues arise.

Chair Cruz shared her perspective as someone who had a parent with dementia, emphasizing the difficulty of finding specialized memory care in Lincoln due to limited beds and long waitlists. Cruz highlighted research showing that patients thrive in homelike environments with consistent routines and proper safety measures to prevent wandering. Cruz stressed the value of integrating these facilities into neighborhoods, benefiting both residents—who feel part of a community—and neighbors, without intrusive signage or excessive traffic. From a zoning standpoint, she affirmed that the proposal is legal while underscoring the moral dimension: supporting neighbors in need is the right thing to do, even if personal interactions are limited.

Commissioner Feit stated that she agreed with her fellow commissioners and had nothing further to add, simply expressing her support.

Commissioner Rodenburg acknowledged Ball’s point and reiterated that the commission’s role is to assess whether the proposal fits within the zoning, which staff confirmed it does. Rodenburg noted his concern as a realtor who previously had a house for sale on the same block—during open houses, guests parked on Valley Road, which caused complaints. Rodenburg added that occasional large gatherings could create similar issues, particularly with parking on both sides of a one-way street during school hours, and stated that this is his primary concern.

Chair Joy thanked everyone for attending, as well as the applicants and staff for their hard work. Joy noted that her fellow commissioners had already covered the points she intended to make and stated that she will be supporting the proposal.

Motion for approval of Special Permit 26008, carried 6-1, with Ball, Campbell, Cruz, Ebert, Eddins, and Joy voting “yes”, Rodenburg dissenting. Feit and Ryman Yost absent.

MISCELLANEOUS 26001- A REQUEST FOR REASONABLE ACCOMMODATIONS UNDER THE FAIR HOUSING ACT AND CHAPTER 1.28 OF THE LINCOLN MUNICIPAL CODE TO THE ZONING CODE CONDITIONS FOR COLLABORATIVE LIVING FACILITY TO ALLOW EIGHT UNRELATED PERSONS TO RESIDE TOGETHER AND REDUCE THE PARKING REQUIREMENT ON PROPERTY GENERALLY LOCATED AT 1035 S. 12TH STREET.

PUBLIC HEARING:

March 18, 2026

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

Staff Recommendation:

There were no ex-parte communications disclosed.

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

Staff Presentation:

Jacob Schlange, Planning and Development Services, 555 South 10th Street, Lincoln, NE, came forward and explained the application before the commission. The request is for reasonable accommodation under Chapter 1.28 of the Lincoln Municipal Code, the Nebraska Fair Housing Act, and the Federal Fair Housing Act, to allow eight unrelated individuals with disabilities to reside at a single-family detached house known as Oxford House, located at 1035 South 12th Street, Hansen Court. The applicant also requests a reduction in the required off-street parking from four spaces to zero, as none currently exists on the lot.

Schlange described Oxford Houses as self-run, financially self-supporting homes for individuals recovering from alcoholism or drug addiction. Residents have full access to the house and live as a single housekeeping unit, with no staff or professional services on site. Schlange noted that the house has been at this location for nearly ten years without incident.

The request involves accommodation to the definition of collaborative living facility in the zoning code, which normally allows a maximum number of residents based on lot area rather than dwelling size. The property is zoned R7, which would typically allow three individuals per lot size; the requested accommodation would allow eight. Schlange explained that collaborative living facilities are conditional uses in all residential districts, require spacing from other such facilities, and normally require one parking stall per two residents. There are no other collaborative living facilities within 500 feet of the property.

Schlange briefly reviewed the eight findings. First, the residents are in recovery from alcohol or substance use and are therefore considered disabled under the FHA. Second, the requested accommodation is necessary to make communal sober living housing available. Third and fourth, alternative accommodations could include a single-family dwelling housing eight unrelated individuals, which addresses both items.

The proposal is consistent with the comprehensive plan, which designates the area as urban residential and encourages varied housing types. No physical changes to the property are proposed, and there are no active Building and Safety complaints at this address.

Regarding city resources, the Lincoln Police Department reported three calls at this property since January 1, 2024, compared to 856 within a one-block radius, reflecting high-density housing in the area rather than issues specific to the subject property.

Finally, collaborative living facilities are conditional uses in all residential zones and must be spaced at least 500 feet apart in R-7 districts. There are no nearby facilities within that distance, so no zoning, building, or safety code alterations are required. Schlange concluded by inviting any questions he could answer.

Nicole Miller, Attorney with Rembolt Ludtke LLP, 1128 Lincoln Mall, Suite 300, Lincoln, NE, came forward and summarized the applicant's request for reasonable accommodation. Miller noted that the application seeks to allow up to eight individuals to reside on the property and to reduce the required parking to zero. Miller emphasized that residents of Oxford Houses generally do not own or drive vehicles, and the location provides access to public transportation and other necessary services, making it well-suited for this type of housing.

Miller highlighted that Oxford House is a long-established program for individuals in recovery, and under the federal Fair Housing Act, residents in recovery are considered disabled. Miller noted that the owner, Mr. Reagan, is present and emphasized that this request is proactive, reflecting a commitment to making future requests efficiently and effectively. Miller stated that there are no pending complaints regarding the house and calls for service specific to the property are minimal compared to the surrounding area.

Miller confirmed that the house currently accommodates eight residents with six bedrooms and can support the proposed number of unrelated individuals. Miller concluded by offering to answer any questions from the commission.

Proponents:

No one approached in support.

Neutral:

No one approached in a neutral capacity.

Opposition:

No one approached in opposition.

Campbell exited the hearing at 3:30 p.m.

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

Eddins moved to approve Miscellaneous 26001; seconded by Feit.

Commissioner Eddins stated that she believes it is positive that the applicant is taking a proactive approach with this request, noting that the lack of opposition indicates this is the right path forward. Eddins added that proactive measures can help prevent long-standing issues in future meetings. Eddins also affirmed that the request constitutes a reasonable accommodation, as the residents qualify under federal law as having a disability, and supporting the accommodation aligns with compliance under the ADA.

Motion for approval of Miscellaneous 26001, carried 6-0, with Ball, Cruz, Eddins, Feit, Joy, and Rodenburg voting “yes”. Campbell, Ebert, and Ryman Yost absent.

Eddins moved to adjourn the Planning Commission meeting of March 18, 2026; seconded by Feit.

Motion to adjourn carried 6-0: Ball, Cruz, Eddins, Feit, Joy, and Rodenburg voted “yes.” Campbell, Ebert, and Ryman Yost absent.

There being no further business, the meeting was adjourned at 3:35 pm.