

## MEETING RECORD

**NAME OF GROUP:**

PLANNING COMMISSION

**DATE, TIME AND  
PLACE OF MEETING:**

Wednesday, September 17, 2003, 1:00 p.m., City  
Council Chambers, First Floor, County-City Building, 555  
S. 10th Street, Lincoln, Nebraska

**MEMBERS IN  
ATTENDANCE:**

Jon Carlson, Steve Duvall, Gerry Krieser, Roger  
Larson, Dan Marvin, Cecil Steward, Mary Bills-Strand and  
Tommy Taylor; Marvin Krout, Ray Hill, Brian Will, BeckyJ

Note: This is final action on Comprehensive Plan Conformance No. 03009 and Waiver No. 03011,



**Meeting Minutes**



**CHANGE OF ZONE NO. 3418**  
**FROM R-2 RESIDENTIAL TO H-2 HIGHWAY BUSINESS**  
**ON PROPERTY GENERALLY LOCATED**  
**1/2 BLOCK EAST OF NORTH 48<sup>TH</sup>**



**SPECIAL PERMIT NO. 1423H,**  
**AN AMENDMENT TO THE HIMARK ESTATES**  
**COMMUNITY UNIT PLAN,**  
**ON PROPERTY GENERALLY LOCATED**  
**A T S . <sup>TH</sup>83 STREET AND OLD CHENEY ROAD.**  
**PUBLIC HEARING BEFORE PLANNING COMMISSION:**

S e p t e

M e m b e r s





Response by the Applicant

With

Bills-Strand commented that she understands the 100' and 120' and would assume that the city will leave the trees there for as long as possible. She also vividly remembers Normal Blvd. when they went to widen that and everyone tied ribbons around the trees. If potential property owners know it now before they buy the property, and if we can leave the trees as long as possible, she thinks that is the best way to go.

Motion



move  
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## **Meeting Minutes**

**2. J.D. Burt of Design Associates** submitted letters in support from Lincoln Public Schools, Lincoln Benefit Liw , and various property owners in the general area. He also submitted information about the issues raised by the abutting property owners. The developer has met with the core group of neighbors and individuelle 15

In addition, Slosburg reiterated that the intersection of 84<sup>th</sup> & Rockledge will have a traffic signal which this developer will build and bear the cost. This signal should be in operation before the apartments are open.

Steward



**2. Cheryl Dahl**, 2810 Crown Pointe Circle, commended the staff for their efforts in bringing this difficult issue together. There are so many issues concerning the traffic, and the Crown Pointe neighbors support the traffic signal at 84<sup>th</sup> & Rockledge.

Staff questions

Marvin asked for a staff response to the proposed amendment regarding the traffic signal. Dennis Bartels of Public Works stated that Public Works has agreed that when the traffic signal is warranted, it will be installed. If not warranted at the time of the first building permit, Bartels suggested that the Commission could change the language such that it be “as recommended by the City Traffic Engineer”. Bartels does not know when it will be warranted. The Traffic Engineer is legally required to evaluate before installing a signal, so the discretion should

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Marvin inquired whether the measurement would be from the clubhouse. Peo has not been involved in the discussion so he did not know whether the clubhouse was included in the measurements.

Taylor noted that the developer is still requesting that the pedestrian easement be eliminated. Is there any sufficient justification to which the staff would agree for granting that waiver? Czaplowski stated that the staff position is still that that waiver be denied and the pedestrian easement be maintained. There is an existing easement on an adjacent single family lot that has already been paved that connects to this easement. This easement has been dedicated on a previous final plat.

Steward asked whether staff agrees with the proposed amendment to Condition #6.6 regarding the LES easements. Czaplowski advised that the staff would be opposed to this change. This has been discussed with LES, and they are willing to discuss some alternative easement corridors. Czaplowski suggested that the Commission could add language that would minimize disruption to any landscaping, etc. He understands the concern for maintaining landscaping, but a wholesale elimination of easements in that corridor is not acceptable to the city.

Steward wondered whether the Commission could require that the traffic signal be “installed as soon as feasible and with the recommendation of the City Traffic Engineer”. Bartels indicated that to be more acceptable than the applicant’s proposed amendment.

Response by the Applicant

Rierden responded to the alcohol sales issue, stating that the developer knows that they have to deal with the 100' and they are prepared to do so and will not be seeking any waivers or variances.

With



**SPECIAL PERMIT NO. 1423G,  
AN AMENDMENT TO THE HIMARK ESTATES  
COMMUNITY UNIT PLAN,  
ON PROPERTY GENERALLY LOCATED  
AT S. 84<sup>TH</sup> STREET AND OLD CHENEY ROAD.**

**CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION:** September 17, 2003

Members present: Larson, Bills-Strand, Carlson, Krieser, Duvall, Marvin, Taylor and Steward.

Staff recommendation: Conditional approval.

Ex Parte Communications: None.

Mr. Greg Lewski of Planning Staff submitted a letter in opposition

Hunzeker agreed with the previous

in 8-24 cars at a point within only 120' from the centerline of Old Cheney Road. For someone coming off of Old Cheney Road, cars are going by at exorbitant speeds coming out of the undeveloped area. Someone going off of Old Cheney Road and onto 90<sup>th</sup> Street is likely to have to make that corner quickly. If Sandhills Court is immediately on the edge, he believes there is great chance for impact. The provisions for 120' are not necessarily anticipating this much traffic and congestion, and even 150' is not appropriate with that many cars coming into that intersection.

**2. Tim O'Neill** testified on behalf of the **Vintage Heights Homeowners Association** in opposition. Their concern is not the quality of the housing project. The problem and the reason

issue

Steward observed

