

## 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 22, 2022.*

**NAME OF GROUP:** PLANNING COMMISSION

**DATE, TIME AND PLACE OF MEETING:** Wednesday, March 30, 2022, 1:00 p.m., Hearing Room 112, on the first floor of the County-City Building, 555 S. 10<sup>th</sup> Street, Lincoln, Nebraska.

**MEMBERS AND OTHERS IN ATTENDANCE:** Lorenzo Ball, Dick Campbell, Tracy Corr, Maribel Cruz, Gloria Eddins, Cristy Joy, Rich Rodenburg, Cindy Ryman Yost; Tracy Edgerton absent. Tom Cajka, Ben Callahan, Steve Henrichsen, Shelli Reid, Andrew Thierolf and George Wesselhoft of the Planning Department; media and other interested citizens.

**STATED PURPOSE OF MEETING:** Regular Planning Commission Hearing

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

Ryman Yost requested a motion approving the minutes for the regular meeting held March 16, 2022. Motion for approval of the minutes made by Campbell, seconded by Joy and carried 8-0: Ball, Campbell, Corr, Cruz, Joy, Eddins, Rodenburg and Yost voting 'yes'; Edgerton absent.

### **CONSENT AGENDA**

#### **PUBLIC HEARING & ADMINISTRATIVE ACTION**

##### **BEFORE PLANNING COMMISSION:**

**March 30, 2022**

Members present: Ball, Campbell, Corr, Cruz, Joy, Eddins, Rodenburg, and Ryman Yost; Edgerton absent.

**The Consent Agenda consisted of the following items: Annexation 22004, Change of Zone 22006, Special Permit 1855A, and Special Permit 22004.**

There were no ex-parte communications disclosed.

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

Campbell moved approval of the Consent Agenda items, seconded Ball carried 8-0: Ball, Campbell, Corr, Cruz, Joy, Eddins, Rodenburg and Ryman Yost voting 'yes'; Edgerton absent.

**Note:** This is **Final Action** on **Special Permit 22004** unless appealed by filing a letter in the **Office of the County Clerk** within **14 days**.

Commissioner Ryman Yost called for **Requests for Deferral**.

**PRELIMINARY PLAT 04011A**

**FOR A PRELIMINARY PLAT AMENDMENT TO SHOW A REVISED STREET LAYOUT, WITH ASSOCIATED WAIVER, ON PROPERTY GENERALLY LOCATED AT WATERFORD ESTATES DRIVE AND LINWOOD LANE**

**PUBLIC HEARING:**

**March 30, 2022**

Members present: Ball, Campbell, Corr, Cruz, Joy, Eddins, Rodenburg, and Ryman Yost; Edgerton absent.

**Staff Recommendation:** Two- week deferral

The Clerk noted that the applicant had requested a deferral on Item 5.1 – Preliminary Plat 04011A – for **two weeks** to the regular Planning Commission on April 13, 2022.

There were no ex-parte communications disclosed.

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

Campbell moved to grant the request for 2-week deferral, seconded Rodenburg and carried 8-0: Ball, Campbell, Corr, Cruz, Joy, Eddins, Rodenburg and Yost voting 'yes'; Edgerton absent.

**COMPREHENSIVE PLAN AMENDMENT 22001**

**TO AMEND THE LINCOLN-LANCASTER COUNTY 2050 COMPREHENSIVE PLAN TO REVISE THE FUTURE LAND USE MAP, GROWTH TIERS MAP, AND FUTURE SERVICE LIMIT, TO INCLUDE A NEW COMMERCIAL AREA ON THE EAST SIDE OF HIGHWAY 77 NEAR WEST PIONEERS BLVD, ON PROPERTY GENERALLY LOCATED AT HIGHWAY 77 AND WEST PIONEERS BLVD.**

**AND**

**ANNEXATION 21013**

**TO ANNEX APPROXIMATELY 141.46 ACRES, MORE OR LESS, ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF HIGHWAY 77 AND WEST PIONEERS BLVD.**

**AND**

**CHANGE OF ZONE 21057**

**FROM AG (AGRICULTURAL DISTRICT) TO R-3 (RESIDENTIAL DISTRICT) PUD (PLANNED UNIT DEVELOPMENT FOR THE WILDERNESS CROSSING) PUD FOR UP TO 575 RESIDENTIAL UNITS AND 30,000 SQUARE FEET FOR COMMERCIAL FLOOR AREA WITH ADJUSTMENTS TO THE ZONING AND SUBDIVISION ORDINANCE REGULATIONS ON PROPERTY GENERALLY LOCATED AT 4575 SOUTH 1ST STREET AND WEST PIONEERS BLVD.**

**PUBLIC HEARING:**

**March 30, 2022**

Members present: Ball, Campbell, Corr, Cruz, Joy, Eddins, Rodenburg, and Ryman Yost; Edgerton absent.

<b><u>Staff Recommendation:</u></b>	Comprehensive Plan Amendment	Approval
	Annexation	Conditional Approval
	Change of Zone	Conditional Approval

There were no ex-parte communications disclosed. Campbell stated that he has other business relationships with Manzitto, but they haven't discussed these items.

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

**Staff Presentation:**

**Andrew Thierolf, Planning Department, 555 South 10<sup>th</sup> Street, Lincoln, NE,** stated that the Comprehensive Plan Amendment (CPA) has various items, and some are related to Wilderness Crossing and some are not. Thierolf stated that there are some growth tier changes and some future land use changes. He stated that for the growth tier, as a part of the Comprehensive Plan Amendment, there is a map that represents the general phasing of when urban infrastructure is going to be provided to rural areas. The map also shows when those areas would possibly be annexed. Thierolf noted that there are minor changes to the map. He stated that Tier 1 represents growth by 2050. Within Tier 1 there is Priority 'A' which is immediate development areas that have urban services or approved plans. Priority B is expected to have urban services by 2035 and Priority C is expected to have urban services by 2036 to 2050. Thierolf stated that the Comprehensive Plan Amendment application moved some of the growth tiers around. He stated that one of the most notable changes is to Wilderness Park, which was originally shown as Tier 2 is growth after 2050 to Tier 1. Thierolf stated that the change to Tier 1 will not provide urban services to Wilderness Park, but it is acknowledging that Wilderness Park could possibly be annexed into city limits within the next 30 years. The northern area of Tier 1 was Priority 'C' (after 2035) but now is Tier 1, Priority 'B' (by 2035 or before 2035). Thierolf referenced the Future Service Limit map that shows where the Planning Department expects to have urban services or be in the city limit by year 2050. He stated that the map shows the Wilderness Park change from Tier 2 to Tier 1. Thierolf referenced to the Land Use Change map and pointed out an area acquired by Lincoln Public Schools (LPS) will be changed from Urban Residential to Public. He pointed out an area adjacent to Foxtail Meadows is being refined to match the sports complex boundary.

Thierolf stated that the main change in relation to Wilderness Crossing is moving the commercial center from the east side of Highway 77 to the west side of Highway 77. He stated that the commercial center was approved as part of Foxtail Meadows and the Foxtail Meadows site plan showed a small commercial center about one acre. Thierolf stated that the Planning Department normally shows 5 or more acres under the future land use map. He stated that Wilderness Crossing is showing a commercial center within their site plan. Thierolf stated that a part of the Comprehensive Plan is the idea of complete neighborhoods, and that the development of new neighborhoods meets complete neighborhood standards. A complete neighborhood is a mix of housing types, price points, easily accessible commercial services, such as parks and schools. He stated that placing the commercial center on the west side of the highway is crucial to making sure the neighborhood is considered to be complete. Thierolf addressed the comments from the public regarding environmental concerns. He referenced the Comprehensive Plan as it talks about some environmental concerns such as resiliency and sustainability. He mentioned that Nine Mile Prairie, located northwest Lincoln, is a good example of how environmental concerns were integrated into the Comprehensive Plan. Thierolf pointed out that the dark green section on the map represents environmental resources on the Future Land Use Map, meaning that it will not be developed for urban uses and its being preserved for its environmental and recreational features. He stated that there is an additional buffer, not shown on the map around Wilderness Park to prevent development. Thierolf also pointed out that preexisting development surrounding Wilderness Park to support that development can be done while still preserving Wilderness Park, such as urban residential, light industrial, a school and a golf course with urban residential uses. He stated that the area on the west side of Wilderness Park has been urban residential for the past 20 years and the Wilderness Crossing development aligns with the comprehensive plan.

**Ben Callahan, Planning Department, 555 South 10<sup>th</sup> Street, Lincoln, NE,** stated that the annexation area for Wilderness Crossing is located south of West Pioneers and west of South 1<sup>st</sup> Street. The city is initiating the Annexation of one single family property east of South 1<sup>st</sup> Street and to properties south of South 1<sup>st</sup> Street, which include Lincoln City Church and a property owned by the State of Nebraska Transportation Department. Callahan stated that the total annexation area is 141 acres; he stated that the Planning Department found it appropriate to annex the additional three parcels as emergency services, water and sewer would remain available as the property extends north from Old Cheney.

Callahan stated the Change of Zone request is to change Agriculture Land (AG) to Planned Unit Development Residential (R-3), which will allow up to 575 units and up to 30,00 square feet of commercial area. He referenced a concept map drawn by the developer to show the changes made which would be moving South 1<sup>st</sup> Street to the west as it extends south. He pointed out an area that would be single family property to be annexed by the city. He stated that the three properties would not be included within the Plan Unit Development and would remain zoned Agriculture. Callahan pointed out that the map shows three different areas, which include the

southern area, which will be Residential District (R-3) single family, the middle section will permit multi-family and single-family uses and the north would be 30,000 square feet maximum or multi-family use. He stated that one of phases of the project would be the completion and improvement of South 1<sup>st</sup> Street that would allow access to the site and once South 1<sup>st</sup> Street is built, the city would vacate the existing South 1<sup>st</sup> Street and 33 feet would be designated for access to Wilderness Park from Parks and Recreation. The developer is also putting a hold until next year on the land closest to Highway 77 and South Pioneers due to extensive development. Callahan stated that the Planning Department worked with the developer that there would be no commercial developed until a second access point could be built.

Commissioner Campbell asked Ben what is going to happen to the existing South 1<sup>st</sup> Street? Ben stated that the new street would extend slightly to the west and the original South 1<sup>st</sup> Street would be vacated and split so that a portion would go to the developer and about 33 feet would go to Parks and Recreation and be used as an access point to park maintenance.

Commissioner Ball asked what will happen to South 1<sup>st</sup> Street below the Planned Unit Development? Callahan stated that the new South 1<sup>st</sup> Street will curve back into the existing South 1<sup>st</sup> Street in front of the Lincoln City Church.

Commissioner Corr asked why is South 1<sup>st</sup> Street being moved? Callahan stated that moving the street further west will allow the developers to develop residential on toward the east. Callahan also stated that moving South 1<sup>st</sup> Street will be moving it a little further away from Wilderness Park for traffic purposes.

**Steve Henrichsen, Planning Department, 555 South 10<sup>th</sup> Street, Lincoln, NE**, stated that he was coming forth to speak about the Wilderness Park sub-area that was prepared in 1999 and approved in 2000. He stated that the developer and staff met with associates of Wilderness Park to discuss the Comprehensive Plan. Henrichsen stated that Sarah Hartzell, with Parks and Recreation, is the main staff member who has been working with Wilderness Park. He stated that while the park is owned by the county, it is maintained by Lincoln City Parks and Recreation Department. He stated that Parks and Recreation is recommending approval and even though the sub-area plan is 22 years old, it is still used for reference. Henrichsen stated that the Wilderness Park plan map shows potential area of acquisition or management. He pointed out that the map starts on the north at Van Dorn Street to the south to Saltillo. Henrichsen stated there were properties adjacent to Wilderness Park on one end or the other in 2000 and several of the properties on the south end of the park were acquired by the city or the city got easements, which provided a minor buffer in the floodplain area east of the park. He pointed out the area in which the applications are addressing and stated that there is a house located on the east side of Wilderness Crossing that is not a part of PUD. The land south of the Lincoln City Church, which is in the floodplain, was another area that was identified for potential acquisition or protection in the future, but the land for Wilderness Crossing itself was not identified for acquisition or to

serve as a buffer. Henrichsen addressed that there have been comments concerning watershed impact of the development and the applicant can understand that they did not submit a grading plan like Foxtail Meadows on the west side of Highway 77. He stated that the Plan Unit Development allows the applicant to get the big concept approved and then later submit the grading plan that includes the street profiles, the utility details and meet all of the city standards. Henrichsen addressed comments regarding the traffic impact and stated that the traffic impact on Pioneers Boulevard was looked into as part of the Comprehensive Plan adopted last year. He stated that the applicant would speak more about a traffic study that was preformed but the city did a traffic model for the entire community up to the year 2020. He stated that the most recent traffic counts showed about 5,000 trips a day on Pioneers Blvd. east of Highway 77 and the traffic study projected about the 8,600 trips by the year 2035 and about 13,000 trips by the year 2050. Henrichsen addressed the comments regarding the sustainability of the development and stated that the development is an efficient use of the city's infrastructure. He stated that the Parks and Recreation Department believes that the site allows urban development, but not in a way that would negatively impact the park.

Commissioner Joy asked if Steve Henrichsen could address the questions and concerns regarding the archeological items and items as such, that would be located closer to the development. Henrichsen noted that in terms of the Comprehensive Plan, protecting things such as wetlands, endangered species, etc., there are none of those things known to be located on the site. He stated that there was mention of a Native American site that is about 1,200 feet to the northeast if this site, closer to Salt Creek. Henrichsen stated that there is a Sandstone outcropping located east of 1<sup>st</sup> Street where rare plants are growing that are not found on the Sandstone, that is located west of 1<sup>st</sup> Street. He stated that the Parks and Recreation Department felt if there is a fence on the east side of the development and moving 1<sup>st</sup> Street 150 feet west would be a positive impact from the development to the park.

**Applicant Testimony:**

**Sam Manzitto, Jr., President of Manzitto Construction Real Estate and Development, 4400 Lucille Drive, Lincoln, NE,** appeared in company with DaNay Kalkowski and Mike Eckert and requested extra time to present as they will be presenting together. Manzitto stated that his team will be the developers on the Wilderness Crossing project and that the Wilderness Crossing land is privately owned by the Catholic Bishop of Lincoln. Manzitto stated that he started working with Bishop Conley and the Catholic Diocese of Lincoln in April 2018 with plans to develop the site. Manzitto stated that as a member of the Diocese of Lincoln, he has had an interest to work with the diocese through the development of the site while assisting Lincoln in its need for additional housing. He stated that his team understands the importance of protecting the park and its attributes and the team has contacted the neighbors of the property and around Wilderness Park via mail, email, and phone. Manzitto stated that the first contact was with Adam Hintz, the president of the 'Friends of Wilderness Park', in October 2021, when Adam Hintz was informed that Manzitto had plans for developing the property and would be in contact. Manzitto

stated that March 9<sup>th</sup>, 2022, his team met with Adam and the board of the 'Friends of Wilderness Park' to share with them the development plans. Manzitto and his team also met with Lincoln City Church on March 17<sup>th</sup>, 2022, and participated in a neighborhood meeting on March 22<sup>nd</sup>, 2022, to share plans and hear the neighborhood concerns. Manzitto stated that they had a follow-up meeting with 'Friends of Wilderness Park' to receive an update on the result of their most recent board meeting. He also stated that the developers attempted to contact the property owner located in the center of the development on February 22<sup>nd</sup>, 2022, but did not receive a response. Manzitto stated that there were five main concerns from the community which were light pollution and the effects on nocturnal animals that reside in Wilderness Park, potential of storm water runoff, creation of an additional buffer between the developed property to ease transition from the east of the development to Wilderness Park, a general concern of lots near the park and the need for fencing along the east side of the property line and creation of additional traffic. Manzitto stated that he has read all of the letters submitted by private citizens regarding the development.

**Mike Eckert, Civil Design, 8535 Executive Woods Drive, Suite 100, Lincoln, NE,** stated that South 1<sup>st</sup> Street is currently classified as a minor arterial, and it is unpaved. Eckert stated that when consideration was given to the impact on Wilderness Park, it was decided that it would be beneficial for all members of the community to shift the street and develop it internally to the site. He stated that the developers agreed to make the lots deeper to anticipate a greater distance between the relocated 1<sup>st</sup> Street and center of the unpaved road. He stated that the developers are willing to create a 10-foot outlot on the east side of the lots that would be owned by the Homeowners Association with a fence around it with some landscaping. Eckert stated that the developers will go through the full grading and hydrology process that must be reviewed by Watershed Management and meet the standard that is required of all subdivisions within the city. He stated that there will be cells within the development to help with water runoff and drainage which is a part of the conditions of the development. Eckert referenced a map based on the Salt Creek watershed basin study that shows the 142,000 acres that drains to Wilderness Park adjacent to the project. Eckert addressed the concern of traffic impact and reiterated that Lincoln Transportation and Utilities has reviewed the study and deemed it efficient. He stated that from a design perspective, they agree with the conditions that staff has put on the project.

**DaNay Kalkowski, 1128 Lincoln Mall, Suite 105, Lincoln, NE,** stated that the developers are committed to developing a neighborhood sensitive to the impacts on the park. Kalkowski stated that the developers have discussed what they are willing to do to mitigate light and noise pollution by placing that 10-foot outlot, in which they will be constructing a 6-foot-high privacy fence on the property line. She stated that the developers researched some options for placing lighting restrictions within the private covenants that will be placed with all lots within the development.

**Proponents:**

**Dustin Sutter, Executive Pastor, Lincoln City Church, 5001 South 1<sup>st</sup> Street, Lincoln, NE,** appeared in company with **Dr. Jake Kirkland, Lincoln City Church, 5001 South 1<sup>st</sup> Street, Lincoln, NE,** on behalf of Lincoln City Church. Sutter stated that they have been anxious to see the potential development of the project area and that they are in favor of the development but have a few concerns for their property. He stated that 1<sup>st</sup> Street has always been an issue regarding access to their property. Sutter stated that the remainder of South 1<sup>st</sup> Street, after development, which would remain dirt, is a concern due to the increase of traffic. He stated that the city plans to close Old Cheney to the west end of 1<sup>st</sup> Street which will route traffic down to Pioneers and South 1<sup>st</sup> Street.

Campbell asked Sutter if he had any discussions with Lincoln Transportation and Utilities on paving the section of 1<sup>st</sup> Street? Sutter stated that they did discuss that as part of their discussion with Manzitto, in which Ben Callahan was present, and they received a response stating that there were no plans to pave the road.

**Neutral:**

No one came forward in neutral testimony.

**Opposition:**

**Adam Hintz, 1919 Prospect Street, Lincoln, NE,** appeared on behalf of Friends of Wilderness Park. Hintz stated that 'Friends of Wilderness Park' is opposed to Change of Zone 21057 due to the following reasons as referenced to the Comprehensive Plan; environmental impacts, community resiliency and healthy active and connected people.

Commissioner Joy asked how the Wilderness Park Masterplan completed in 2021 would work with the developers? Hintz stated that would be a question for City Parks and Recreation, but the masterplan included improvements to the park that makes it more user friendly and accessible.

**Rosina Paolini, 1850 Dakota Street, Lincoln, NE,** stated that storm drainage is one of the greatest issues. Paolini stated that the area of the Sandstone cap, it serves as an easement as there are no impervious service. She stated that she has been involved with the park (trail maintenance, drainage issues, etc.) and the water runoff from that Sandstone cap moves at a high rate and ruins infrastructure. Paolini stated that the water runoff is one of main infrastructure expenses in the 10-year plan for Parks and Recreation.

**Stephanie Walker, 3801 South 1<sup>st</sup> Street, Lincoln, NE,** stated that she understands there are multiple waivers on the Planned Unit Development Change of Zone 21013 and would like to discuss these. Walker stated that the developers are developing a large project near a natural area without considering grading, paving, and building upon the buffer zone to Wilderness Park

that supports a flood zone for the city of Lincoln is a safe and feasible addition. She stated that the developers have requested multiple waivers for the project. Walker discussed the main waiver of concern, which is municipal code 26.15.020. She stated that due to her concerns of high-risk congestion of the roadways, she finds it detrimental to those who reside and travel in the area that municipal code 26.15.020 not be waived. Walker stated that after attending the meeting on March 22, 2022, the purpose of that area was not achieved by them nor has an in-depth study of the area taken place.

**Kathleen Danker, 4700 South 1<sup>st</sup> Street, Lincoln, NE,** stated that the property that she owns was 'grandfathered' into Wilderness Park as it existed prior to the park. Danker stated that she sent a letter to the commission attached with photographs and received notice that the planning commission did receive the letter. She stated the annexation of her property into the city will cost her thousands of dollars in additional taxes. She is opposed to the Change of Zone from Agriculture, the relocation of 1<sup>st</sup> Street and the development as a whole due to the environmental impacts.

**Dale Brambila, 4111 Southwest 2<sup>nd</sup> Street, Lincoln, NE,** stated that he is opposed to Annexation 21013 and Change of Zone 21057. He stated that after reviewing the 2050 Lincoln Comprehensive Plan, he does not see a reason for developing the 75 acres as it serves a buffer. Brambila expressed his concerned about the waiver for municipal code 26.15.020. He stated the 2050 Comprehensive Plan should be amended to include the parcel of land to Wilderness Park and designate it as green space.

**Delan Lonowski, 4700 South 1<sup>st</sup> Street, Lincoln, NE,** stated that he is generally opposed to the Annexation of the area and Change of Zone 21057. Lonowski stated that the land should be in the hands of the native tribes. He referenced a map that was submitted with his public comments that highlight the Sandstone outcropping, prairie restoration, foraging ground for wildlife and pond for other wildlife animals.

**Wyatt Nelson, 1601 B Street, Lincoln, NE,** stated that there are a couple counter arguments and discussed mental health. Nelson also stated that he does not believe the 6-foot fence to protect the Sandstone would be effective and it may encourage more traffic in the prairie.

**Beaumont Bordeaux, Member of Roosevelt Sioux Tribe, 800 Glenridge Road, Lincoln, NE,** stated that the residential area owned to the east of the property was established as sacred land in 1976. He stated that ceremonies are held there often, and the natural attributes are admired. He stated that plants and natural resources are used for medicinal uses by the tribe and other natives.

Commissioner Eddins asked if the sacred site was located on the Danker Property or on the property being developed? Bordeaux stated that they consider entire area to be considered a sacred site but mainly on the residential area.

**Mark Napier, 4101 Southwest 2<sup>nd</sup> Street, Lincoln, NE**, referenced Figure G6.a from Plan Forward. Napier highlighted that there is a natural corridor that allows animals to travel and added development in that area is not beneficial. He stated that he understands the need for high density, but it does not have to be built there. He stated that developers will be doing extensive modification to the area.

**Roger Carmichael, 4000 Southwest 2<sup>nd</sup> Street, Lincoln, NE**, stated that closing Old Cheney would be an issue as people are going to travel through down South 1<sup>st</sup> Street and through residential. He stated his concerns with speed limits and traffic production.

**Mary Roseberry-Brown, 1423 F Street, Lincoln, NE**, stated that in the past Salt Creek was prone to flooding and caused damage and Wilderness Park was established to assist in flood control. Roseberry-Brown stated that Olsson completed a floodplain resiliency study in 2020 and one of the recommendations was that more studies should be performed and applied to future development. Although the area isn't located in the floodplain, there is such a high ground water level that detention ponds would not alleviate the runoff.

**Brandon Mills, 4110 Southwest 2<sup>nd</sup> Street, Lincoln, NE**, stated that the area in which he and his parents reside is peaceful and quiet. He believed that the development would ruin that peace and produce issues such as traffic, wildlife destruction and increased taxes. Mills expressed his concerns regarding the assessment of roadways and believed that the details of the traffic study conducted should be public.

**Clint Densberger, 2735 Garfield Street, Lincoln, NE**, Board Member of 'Friends of Wilderness Park', Lincoln, NE, stated that there is historical significance attached to Wilderness Park. He stated the NRD has already stated that the levee system is two feet away from a hundred-year flood.

**Deb Brambila, 4111 Southwest 2<sup>nd</sup> Street, Lincoln, NE**, stated that one of the topics not mentioned or discussed is when or if the city will develop an overpass/interchange over Highway 77. She stated that there are not traffic arrows placed on Highway 77 which is a concern for her as traffic and safety needs to be considered. Brambila stated that she does not believe that this development is not necessary.

**Richard Imig, 3428 P Street, Lincoln, NE**, stated that Wilderness Park served the community more than any development hoped to accomplish and there are many people who are satisfied with the park.

**Charles Kuhnel, Owner of Wilderness Stables, 200 West Calvert Street, Lincoln, NE,** stated that he did not receive notice of the Manzitto meeting held on March 22, 2022. He stated that his major concern is the wildlife buffer that is located in the fields of the park. One of his concerns was traffic and safety as well.

**Gail Ogden, 921 South 35<sup>th</sup> Street, Lincoln, NE,** stated that development is not always progress. She expressed her gratitude for the Wilderness Park, and she believed that a buffer should be placed for the sake of preservation. Ogden also stated her concerns with traffic and safety.

**Adam Hintz, 1919 Prospect Street, Lincoln, NE,** stated that he is opposed to Change of Zone 21057. He stated the Wilderness Park is sacred to him and holds sentimental value. He referenced the goals listed in the Comprehensive Plan to highlight that Lincoln can develop in a manner that is ecologically safe.

**Staff Questions:**

Commissioner Joy asked Ben Callahan if he could provide a synopsis on what Watershed or NRD has said regarding the proposal or permit? Callahan answered that the waiver in place is not to perform under city standards regarding grading and drainage plans and would still need to meet city standards.

Commissioner Joy asked how many times has the study been waived prior to approval of the drainage plan? Henrichsen stated that he cannot provide an exact number and that before having developers spend a lot of money, they would propose a waiver. Joy asked if the public had another opportunity to speak once the commissioners review the Planned Unit Development plan. Henrichsen stated that the submittal would be public, but if they meet all of the city standards, it would be approved administratively.

Commissioner ~~Edgerton~~ Ryman Yost asked for clarification that what is listed in the covenant is an issue with the developer? Henrichsen stated that covenants are typically private and as a part of it, a condition can be added that there is a 10-foot outlot with landscaping and a fence that has been offered by the developer.

Commissioner Rodenburg asked Bob Simmering with LTU, if the traffic study was done with the closing of Old Cheney as a component? Simmering stated that the engineer may have to answer that, but the traffic study general reaches out to those areas. Henrichsen stated that it is likely that there would not be access to Highway 77 from Old Cheney and there would not be an overpass and the traffic model did show increase of traffic on Pioneers.

Commissioner Ball asked if it was assumed that there was residential, commercial, and agricultural zoning in the intersection of Pioneers and Highway 77 in the modeling? Henrichsen

stated that in the modeling is based on what the Comprehensive Plan shows based on the project being Urban Residential.

~~Edgerton~~ Ryman Yost asked for clarification that the street paving to 1<sup>st</sup> Street would end at the Planned Unit Development. Simmering answered that is correct and LTU does not force developers to extend into neighboring properties.

Eddins asked Simmering when properties are annexed into the city, are they required to pay to get access to city water? Simmering answered that property owners are not required.

**Applicant Rebuttal:**

DaNay Kalkowski stated that this is privately owned land. She stated that it is not listed in the Comprehensive Plan for the park to be kept as a buffer or greenspace. She stated that the proposed development is in conformance with the Comprehensive Plan. She reiterated that the development is not encroaching on the park in any way.

Eddins asked for clarification regarding the distance between the park yard and property line of lots developed.

Commissioner Corr exited at 3:08 p.m.

Campbell moved to close public hearing, seconded by Rodenburg, and carried 7-0: Ball, Campbell, Cruz, Joy, Eddins, Rodenburg, and Ryman Yost voting 'yes'; Edgerton and Corr absent.

**COMPREHENSIVE PLANE AMENDMENT 22001**

**ACTION BY PLANNING COMMISSION:**

**March 30, 2022**

Campbell moved approval, seconded by Ball.

Campbell stated that the developers have put in great effort to eradicate noise and pollution issues and they are doing great things to enhance the park.

Joy stated that she empathizes with the public and support the admiration of Wilderness Park and stated that she supports the Comprehensive Plan, Annexation and Change of Zone.

Rodenburg stated that the everything falls with city standards and trust that the developers would do their best to protect the area.

Ball stated that the project is interesting and that the park will contribute to the value of homes and living.

Commissioner Cruz reiterated that the plan follows city standards, and she understands the concerns surrounding the development around the park and empathizes with the public.

Eddins expressed her empathy with the public, but it is a complex project.

Campbell stated that the plan is laid out well and this is a great use of the land.

Joy stated that the commissioners have to look at this project from a land use standpoint.

Rodenburg stated that the decision can be appealed to the city council within 14 days.

~~Edgerton~~ Ryman Yost stated that this is not final action on these items.

Motion for approval carried 6-1: Ball, Campbell, Cruz, Joy, Eddins, and Ryman Yost voting 'yes'; Rodenburg voting 'no'. Edgerton and Corr absent.

**ANNEXATION 21013**

**ACTION BY PLANNING COMMISSION:**

**March 30, 2022**

Campbell moved approval, seconded by Ball.

Motion for conditional approval carried 7-0: Ball, Campbell, Cruz, Joy, Eddins, Rodenburg, and Ryman Yost voting 'yes'; Edgerton and Corr absent.

**CHANGE OF ZONE 21057**

**ACTION BY PLANNING COMMISSION:**

**March 30, 2022**

Campbell moved approval with the amendment to provide berm, landscaping, 6-foot optic fence with 10-foot outlot, seconded by Ball.

Motion for conditional approval carried 5-2: Ball, Campbell, Joy, Eddins, and Ryman Yost voting 'yes'; Cruz and Rodenburg voting 'no'; Edgerton and Corr absent.

Motion for adjournment by Campbell, seconded by Rodenburg and carried 7-0: Ball, Campbell, Cruz, Joy, Eddins, Rodenburg, and Ryman Yost voting 'yes'; Edgerton and Corr absent.

There being no further business, the meeting was adjourned at 04:40 p.m.