

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, February 14, 2023.

NAME OF GROUP: PLANNING COMMISSION

DATE, TIME AND PLACE OF MEETING: Wednesday, February 22, 2023, 1:00 p.m., Hearing Room 112, on the first floor of the County-City Building, 555 S. 10th 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, and Tracy Edgerton. David Cary, Steve Henrichsen, Andrew Thierolf, George Wesselhoft, Emma Martin, Alexis Longstreet and Jennifer McDonald of the Planning Department; media and other interested citizens.

STATED PURPOSE OF MEETING: Regular Planning Commission Hearing

Chairperson Edgerton called the meeting to order and acknowledged the posting of the Open Meetings Act in the room.

Edgerton requested a motion approving the minutes for the regular meeting held February 8, 2023. Motion for approval of the minutes made by Campbell, seconded Rodenburg. Motion carried 9-0; Ball, Campbell, Corr, Cruz, Eddins, Joy, Rodenburg, Ryman Yost, and Edgerton voting 'yes'.

Edgerton asked the Clerk to call for the Consent Agenda Items.

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

February 22, 2023

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

The Consent Agenda consisted of the following items: Comprehensive Plan Conformance 23002 and Change of Zone 23003.

Planning Commission members received a Staff Memo for Change of Zone 23003, dated February 22, 2023, identifying revisions to Conditions of Approval, agreed upon by staff and the applicant.

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 Joy. Motion carried 9-0; Ball, Campbell, Cruz, Corr, Eddins, Joy, Rodenburg, Ryman Yost, and Edgerton voting 'yes'.

Note: This is Final Action on Use Permit 23001 and Use Permit 56G unless appealed by filing a letter in the Office of the City Council within 14 days.

Chair Edgerton called for **Requests for Deferral**

**COMPREHENSIVE PLAN CONFORMANCE 23001
TO REVIEW AS TO CONFORMANCE WITH THE 2050 LINCOLN-LANCASTER COMPREHENSIVE
PLAN, A PROPOSED AMENDMENT TO THE N. 27TH STREET CORRIDOR AND ENVIRONS
REDEVELOPMENT PLAN TO IDENTIFY THE "27TH & STARR REDEVELOPMENT PROJECT" WHICH
WILL REDEVELOP TWO PROPERTIES WITH A 12-UNIT APARTMENT BUILDING, 3 TOWNHOMES
AND ASSOCIATED PARKING, ON PROPERTY GENERALLY LOCATED AT THE NE CORNER OF N.
27TH AND STARR STREETS.**

BEFORE PLANNING COMMISSION:

February 22, 2023

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

Staff Recommendation:

Staff Recommendation to defer to March 8, 2023

The Clerk noted that staff is recommending a deferral on Comprehensive Plan Conformance 23001 to the regular Planning Commission on March 8, 2023.

Corr moved to grant the request to defer for two weeks, seconded Campbell. Motion carried 9-0: Ball, Campbell, Corr, Cruz, Eddins, Joy, Rodenburg, Ryman Yost, and Edgerton voting 'yes'.

**TEXT AMENDMENT 23001
AMENDING THE LINCOLN MUNICIPAL CODE TITLE 26, RELATING TO FORM OF THE STREET
TREE PLAN AND CASH BUYOUT REQUIREMENTS.**

BEFORE PLANNING COMMISSION:

February 22, 2023

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

Staff Recommendation: Placed on pending until further notice.

The Clerk noted that applicant is recommending Text Amendment 23001 be placed on pending until further notice on Text Amendment 23001.

Campbell moved to grant the request to place on pending until further notice for public hearing and action on February 22, 2023, seconded Joy. Motion carried 9-0; Ball, Campbell, Corr, Cruz, Eddins, Joy, Rodenburg, Ryman Yost, and Edgerton voting ‘yes’.

MISCELLANEOUS 23001
TO REVOKE EXISTING SPECIAL PERMIT 21005, ON PROPERTY GENERALLY LOCATED AT 22500 SOUTH 176TH STREET.

BEFORE PLANNING COMMISSION: February 22, 2023

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

Staff Recommendation: 6-week deferral

The Clerk noted that staff is recommending a 6-week deferral on Miscellaneous 23001.

Campbell moved to grant the request for deferral for public hearing and action for 6 weeks, seconded Joy. Motion carried 9-0; Ball, Campbell, Corr, Cruz, Eddins, Joy, Rodenburg, Ryman Yost, and Edgerton voting ‘yes’.

Motion carried 9-0; Ball, Campbell, Corr, Cruz, Eddins, Joy, Rodenburg, Ryman Yost, and Edgerton voting ‘yes’.

CHANGE OF ZONE 23001
FROM R-2 (RESIDENTIAL DISTRICT) AND O-2 (BUSINESS DISTRICT) TO O-3 (BUSINESS DISTRICT), TO ADD OFFICE SPACE AND ASSOCIATED PARKING, ON PROPERTY GENERALLY LOCATED AT 5025 GARLAND STREET.

AND
USE PERMIT 23001
TO ALLOW OFFICE SPACE AND ASSOCIATED PARKING, ON GENERALLY LOCATED AT 5025 GARLAND STREET. THE PLANNING COMMISSION ACTION IS FINAL, UNLESS APPEALED TO THE LINCOLN CITY COUNCIL.

PUBLIC HEARING: February 22, 2023

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

<u>Staff Recommendation:</u>	Use Permit 23001	Conditional Approval
	Change of Zone 23001	Approval

There were no ex-parte communications disclosed.

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

Staff Presentation:

Emma Martin, Planning Development, 555 South 10th Street, Lincoln, NE stated this is a combined request for a Change of Zone and a Use Permit matching the same boundary of property. The proposed request for the O-3 zoning will allow the current occupant to expand their use. The proposed additional building will be approximately 3500 sq ft. and will house the staff, training and office uses. The expansion was requested due to the lack of space at the current location. There will be a parking lot located at Colby Street. The preexisting house has been demolished. The exterior of the new office will be designed to mimic a single-family residence. The developer will handle paving on N. 51st Street from Colby Street to Garland Street. The developer will also pave the sidewalks along both sides of N. 51st Street.

Corr asked if Colby Street East of 51st Street is a paved street. Martin stated that it is not a paved.

Edgerton clarified that the Child Advocacy Center will own the property from Garland Street to Colby Street and the whole side of the block will be part of the redevelopment. Martin stated that this is correct and will improve their services.

Campbell asked if there is a reason that they will need to pave 51st Street because of an access issue, or if they could tie the whole property together. Martin stated it is access to the parking lot and the on-street parking. Campbell stated it looks like there is refuse removal located on the back of the building. Martin stated that she did not know the status of the refuse removal.

Corr asked if on the west side of 51st Street and south side of Colby Street was a city maintenance building.

Steve Henrichsen, Planning Department, 555 S. 10th Street, Lincoln NE approached and stated that it is a Parks and Recreation Maintenance Facility. Henrichsen said that this project has been in discussion for about a year. The center will be paving 51st street and a portion of the alley. They are not being required to pave Colby Street since they are not taking access to it. Most of their clients will utilize a different route to access the buildings.

Applicant Testimony:

Matt Langston, Olsson, 601 P Street, Lincoln, NE stated that they are aware that they are encroaching into the residential area with their project. Langston stated with this, it will look residential in nature, so they are not disturbing the neighborhood. Colby Street is gravel and that they will be putting sidewalks in on that street as part of the process.

Corr asked for clarification if Lincoln Public School or Lincoln Police Department (LPD) are going to be part of this new facility. Langston stated that neither one is going to access this new facility. The Lincoln Police Department is currently in the existing building and taking more space. Corr asked the condition of the house that is being tore down and if it could be used in place of tearing down. Langston stated that he does not know the condition of the house, but it could not be kept because of needing more square footage and parking lot.

Edgerton asked if there would be a division of services between the existing building and new one. Langston stated the new building would be for staff and the existing building would be for services. Edgerton asked if there have been neighborhood meetings or conversations with the neighbors. Langston stated that there was a neighborhood meeting last night and no one showed up. This was an in-person meeting.

Eddins asked about the size of new building. Langston stated the new building is 3,000 square feet.

Campbell clarified that LPD is located at the south portion of the existing building.

Eddins stated the house being tore down is 1,407 square feet.

Proponents:

No one came forward in support.

Neutral:

No one came forward in neutral testimony.

Opposition:

No one came forward in opposition.

Campbell moved to close the public hearing, seconded Joy. Motion carried 9-0: Ball, Campbell, Corr, Cruz, Eddins, Joy, Rodenburg, Ryman Yost, and Edgerton voting ‘yes’.

CHANGE OF ZONE 23001

ACTION BY PLANNING COMMISSION:

February 22, 2023

Campbell moved for approval of Change of Zone 23001, seconded Joy.

Campbell stated Child Advocacy Center has been doing a great job and with the expansion of the Lincoln Police Department right there is very sound.

Ball stated the building design and location is very well done.

Corr expressed her gratitude of the expansion and the characteristics that the new building will have which will blend in within the neighborhood.

Eddins expressed her support for the structure design and organization expansion.

Edgerton expressed the infrastructure improvements that the applicant is putting in.

Motion carried 9-0: Ball, Campbell, Corr, Cruz, Eddins, Joy, Rodenburg, Ryman Yost, and Edgerton voting 'yes'.

USE PERMIT 23001

ACTION BY PLANNING COMMISSION:

February 22, 2023

Corr moved for approval of Use Permit 23001, second by Eddins.

Motion carried 9-0: Ball, Campbell, Corr, Cruz, Eddins, Joy, Rodenburg, Ryman Yost, and Edgerton voting 'yes'.

USE PERMIT 56G

TO ALLOW FOR THE ADDITION OF A 61,000 SQUARE FOOT MINI WAREHOUSE, ON PROPERTY LOCATED AT 3400 NORTH 27TH STREET. THE PLANNING COMMISSION ACTION IS FINAL, UNLESS APPEALED TO THE LINCOLN CITY COUNCIL.

PUBLIC HEARING:

February 22, 2023

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

Eddins recused herself from voting on Use Permit 56G due to conflict of interest.

Staff Recommendation: Use Permit 56G Conditional Approval

There were no ex-parte communications disclosed.

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

Staff Presentation:

Emma Martin, Planning Development, 555 South 10th Street, Lincoln, NE stated that Menards is proposing an amendment to an existing use permit. Due to Lincoln Municipal Code, there will not be any additional parking required. The removal of parking is not an issue in this case. The project area is located in the 100-year flood plain. The applicant is working with Lincoln Transportation Utilities and Watershed Management to develop a solution for watershed and critical levy storage. Currently, there is not any conclusion to this.

Edgerton stated that the conditional approval is reaching an agreement for the satisfactory agreement to those issues. Martin stated yes.

Applicant Testimony:

Matt Langston, Olsson, 601 P Street, Lincoln, NE approached and stated that Menards purchased the previous Shopko and has been using that area as storage. Stated that Menard's is using it for storage and will be opening a currently paved area of 1.2 acres that will be grass. Talked with watershed management and they are comfortable with the conditional approval.

Proponents:

No one came forward in support.

Neutral:

No one came forward in neutral testimony.

Opposition:

No one came forward in opposition.

Campbell moved to close public hearing for Use Permit 56G, seconded Corr. Motion carried 8-0: Ball, Campbell, Corr, Cruz, Joy, Rodenburg, Ryman Yost, and Edgerton voting 'yes'; Eddins recused herself due to conflict of interest.

USE PERMIT 56G

ACTION BY PLANNING COMMISSION:

February 22, 2023

Campbell moved for approval of Use Permit 56G, seconded Corr.

Corr expressed her support for a reuse for vacant retail space.

Campbell expressed his support to rehab an area that is in need, and this is a great direction to go,

Edgerton expressed her support and self-storage is a quick and easy use.

Motion carried 8-0: Ball, Campbell, Corr, Cruz, Eddins, Joy, Rodenburg, Ryman Yost, and Edgerton voting 'yes'; Eddins recused due to conflict of interest.

Edgerton stated that anyone wishing to speak on an item not on the agenda, may come forward and do so.

Campbell moved to adjourn the Planning Commission meeting of February 22, 2023, seconded by Corr, and carried 9-0: Ball, Campbell, Corr, Cruz, Eddins, Joy, Rodenburg, Ryman Yost, and Edgerton voting 'yes'.

There being no further business, the meeting was adjourned at 1:34 p.m.