

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 28, 2023.

NAME OF GROUP: PLANNING COMMISSION

DATE, TIME AND PLACE OF MEETING: Wednesday, April 5, 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, and Cindy Ryman Yost. Tracy Edgerton absent. David Cary, Steve Henrichsen, Paul Barnes, Shelli Reid, Ben Callahan, George Wesselhoft, Andrew Thierolf, Tom Cajka, and Jennifer McDonald of the Planning Department; media and other interested citizens.

STATED PURPOSE OF MEETING: Regular Planning Commission Hearing

Chairperson 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 22, 2023.

Motion for approval of the minutes made by Campbell, seconded Joy and carried 7-0: Campbell, Corr, Cruz, Eddins, Joy, Rodenburg, and Ryman Yost, voting "yes"; Ball abstained, Edgerton absent.

Ryman Yost asked the Clerk to call for the Consent Agenda Items.

The clerk noted that that Agenda Item 1.3 Special Permit 23016 is being removed from the Consent Agenda and scheduled for public hearing.

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

April 5, 2023

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

The Consent Agenda consisted of the following items: Change of Zone 23018 and Preliminary Plat 23002.

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 8-0: Ball, Campbell, Corr, Cruz, Eddins, Joy, Rodenburg, and Ryman Yost, voting “yes”; Edgerton absent.

Note: This is Final Action on Preliminary Plat 23002, Special Permit 23016 and Preliminary Plat 22004 unless appealed by filing a letter to the City Council or Office of the County Board within 14 days.

Chair Edgerton called for **Requests for Deferral**

MISCELLANEOUS 23001

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

BEFORE PLANNING COMMISSION:

April 5, 2023

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

Staff Recommendation: Pending until further notice

The Clerk noted that staff is recommending Item 5.2 - Miscellaneous 23001 to be placed on pending until further notice.

There were no ex-parte communications disclosed.

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

Campbell moved to grant the request of staff that Miscellaneous 23001 be placed on pending until further notice, seconded Joy.

Motion carried 8-0: Ball, Campbell, Corr, Cruz, Eddins, Joy, Rodenburg, and Ryman Yost, voting “yes”; Edgerton absent.

SPECIAL PERMIT 23016

TO ALLOW FOR A CUP (COMMUNITY UNIT PLAN), FOR UP TO 3 LOTS WITH ASSOCIATED WAIVERS, ON PROPERTY GENERALLY LOCATED AT 3505 MILL ROAD

PUBLIC HEARING:

April 5, 2023

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

Tom Cajka, Planning Development, 555 South 10th Street, Lincoln, NE approached and stated that this application is for three lots with associated waivers. The property is located on Mill Road between North 27th and North 40th Street. This is within the City of Lincoln 3-mile zoning jurisdiction, but within Lancaster County. Cajka stated that each lot must show it can split into one acre size lots in the future and open space. Planning Department is recommending approval.

This area is reserved for future development. Cajka stated that the applicant is showing a private street along the west boundary. One of the conditions that the Planning Department has is to change to a public street that the applicant is opposing. The Planning Department is requesting this due to future use.

Steve Henrichsen, Planning Department, 555 South 10th Street, Lincoln, NE approached and stated that there is a cost factor in a private roadway versus a public street. Residential streets with 10 lots or less should not be private roadways. Henrichsen stated that a private street will require the landowners to maintain the street due to the Lancaster County policy. Henrichsen stated that himself and Bob Simmering, with Lincoln Transportation and Utilities get calls from property owner's years down the road with the changing of ownership or just deciding not to pay to maintain the street. There is also the inexperience level that the public has with how to maintain the road or the resources to maintain the street. Henrichsen stated that the private roadway, is not private, the public can use it. It has a public access easement on it. This type of development should be discouraged to eliminate future problems. Henrichsen showed an example of a private roadway at 105th and A street. There are four houses supporting and paying for a private roadway. There are also three new houses that have access to this roadway and are not paying for it. This becomes an example of becoming problems of a private roadway.

Corr asked if there is a set process to convert a private roadway to public. Henrichsen stated in the city it is discouraged. But in the county, the CUP would have to be amended, there would be cost to get the roadway up to standards, then talks to county engineers, and a long period of

time can elapse while doing this and it is also not a guarantee. Corr asked if the public would need to pay for this to get the roadway up to standards. Henrichsen stated that this is up to the public to get up to standard. This makes more sense to have it be a public street up front and avoid all the potential long-term headaches.

Ball asked if the lot to the west, was to create a CUP, would they be required to put in a public road and what does this mean to the private road? Henrichsen stated that they can not be required to bring up to public street standards, but it is a private roadway with public access. Henrichsen stated that the goal is to eliminate an issue in the future.

Eddins asked what the benefit of having a private roadway. Henrichsen stated that it starts with the view from the potential buyers that the owners who are selling the property is paying for, and years later, they find out that the county will not maintain, and it is the current landowner's responsibility. Henrichsen stated in the long term it makes more sense to be a public street.

Rodenburg asked how the standards of a private roadway are compared to the standards of a public roadway.

Bob Simmering, Lincoln Transportation and Utilities, 555 South 10th Street, Lincoln, NE approached and stated that he can only speak about the city standard and not the county standard. The city will allow a narrow street when it is private, and a subbase standard will not need to be followed. This will lower the cost between a private street and a public street. Cajka stated that the county requires the roads to be built at different levels depending upon the size of the lots. This difference can be with the types of crushed rock in public verses private, but gravel is allowed.

Campbell asked about the remarks about they could not use crushed concrete and it had to be gravel. Cajka stated that was from the county engineers regarding if it was going to be a public street.

Corr stated that there are two waivers. One waiver is for the roadway width and are they asking for it to be wider than normal? Cajka stated yes, and that this technically does not require a waiver to increase the right-of-way and in the resolution, it does not show up as a waiver. Corr asked if the pedestrian easement means a sidewalk waiver since they are in the county? Cajka stated that these are routine waivers that are approved in the county.

Applicant Testimony:

Rick Onnen, E & A Consulting, 701 O Street, Lincoln, NE approached and stated that there is a Motion to Amend because of the situation of the road. The Planning Commission members received a copy of this motion prior to the hearing. Onnen stated that the county does not want to maintain it. Onnen stated that there are three lots and the reason to take off consent agenda is because of the road. Onnen said that will be clear and upfront that the Homeowners Association would maintain and upkeep the road. The homeowners will have a clear

understanding of their role in the roadway. Onnen stated that the developer would like to use crushed concrete instead of crushed rock. This is a significant cost, and this is another one of the reasons that they would prefer a private roadway. Onnen stated that one thing not mentioned yet is the wells. There was an email from a neighboring property with concerns about this. Onnen feels like there is plenty of water in that area, but does not know the condition of the neighboring well is in.

Campbell clarified that if it were a public roadway that it would need paved versus gravel if it is a private roadway. Onnen stated that is not correct and because of the size of the subdivision, it could still be gravel.

Corr asked if the material to gravel would be different, Onnen stated that they would prefer to use crushed concrete instead of the required limestone for the county base layer.

Rodenburg stated with possible negotiations to the property to the west, what about the roadway servicing the properties to the south? Onnen stated that the property to the south is owned by the developer. Onnen stated that as this develops further, that it could later be platted as a public roadway. Rodenburg stated that they would force the west properties to join the HOA and assume the responsibilities for maintenance if private. Onnen stated if they want to have access to it, then yes.

Joy asked how many lots can be on the property. Onnen stated that the current situation would be three. If the zoning changed then the rules would change.

Proponents:

No one came forward in support.

Neutral:

No one came forward in neutral testimony.

Opposition:

No one came forward in opposition.

Staff questions:

Joy asked Cajka with three lots on the property zoned as it is, what would the process be if it became more than three lots? Cajka stated a change of zone, purchased more property would add more land and increase density. This would have to come before the Planning Commission again. Joy asked if the decision today could not enable them to add more lots. Cajka stated that is correct.

Rodenburg confirmed that the applicant does own the property to the south. Cajka stated no it was misunderstood and a different owner.

Corr stated that they are getting is a density bonus for not developing, Cajka stated yes 20% for the urban reserve.

Cajka wanted to address the public could access the road because it is public and he was not sure if they could force them to join a HOA.

Corr asked who is responsible for paying for the road if there are multiple developers. Cajka stated that since the road is on their property, they are responsible for paying for 100% of it. Corr stated if any of the land around changed zone, could it be bought and made a public street. Cajka stated that he does not understand the question. Henrichsen approached and stated that the HOA could stop functioning in 10 years. With the circumstances here today, what is the long-term impact of others using the roads but not paying for it. Corr asked if this was platted as a public road, then the future developer would have to pay for it at that time? Henrichsen stated that only if it was brought up to county standards. To have access to the south, a person would have to buy the land in between then this is into part of the CUP. Henrichsen stated that it could be argued that it is a public roadway.

Rodenburg asked if the outlot to be maintained could be a solar farm? Cajka stated yes.

Cajka stated that the applicant submitted information on the well situation and was reviewed by the health department, who stated that they did not have any concerns with the water quantity.

Joy asked if a roadway was needed, or could it just be a shared access driveway or does a roadway need to be put in? Cajka stated it needed to be a roadway.

Applicant Rebuttal

Onnen approached and stated that the issue comes down to who is going to maintain the road. The county is not going to maintain unless the area develops again or further. Onnen stated that is this an out lot, it must be owned by someone. Onnen stated that is owned by the developer and could be transferred to the HOA. If this is public right-a-way, then who's responsibility, is it? It is unclear who is responsible. If it is privately owned, it is clear who responsibility it is. Onnen stated that it comes down to function of fairness that responsibility needs to be there.

Rodenburg asked if it was a private roadway could a gate be put up? Onnen stated no because it has a public access easement on it.

Campbell stated if the south was developed into 10 lots, would the county be mandated to take over maintenance? Onnen stated there are factors to be considered as previously stated by Cajka. This would require to be back in front of the Planning Commission.

Rodenburg asked if the main point is if the base is of crushed stone or crushed concrete. Onnen stated that yes, but there are also requirements that the county wants.

Campbell found that a road with crushed concrete had pieces of metal in which caused many flat tires. Onnen stated that is the developer’s choice at this point.

Campbell moved to close public hearing for Special Permit 23016, seconded Corr and carried 8-0: Ball, Campbell, Corr, Cruz, Eddins, Joy, Rodenburg, and Ryman Yost, voting “yes”; Edgerton absent.

SPECIAL PERMIT 23016

ACTION BY PLANNING COMMISSION:

April 5, 2023

Campbell moved to approve the Special Permit 23016, without amendments, second by Joy.

Campbell stated that there is too many opportunities for issues in the future if this is not a public street in the beginning. The difference between crushed rock to crushed concrete is about 50 % of additional cost, but this will eliminate headaches and problems in the future. Campbell will be supporting this.

Ball stated he agrees with Campbell. But looking at future use, it could become contiguous of developing the property.

Corr stated that she learned early on about private roads and what can happen to the money and burden to the property owners. Corr has tried to minimize private roads. Corr will not be supporting this to be a private road but is supporting the application.

Motion carried 8-0: Ball, Campbell, Corr, Cruz, Eddins, Joy, Rodenburg, and Ryman Yost, voting “yes”; Edgerton absent.

COMPREHENSIVE PLAN AMENDMENT 23004

TO AMEND THE LINCOLN-LANCASTER COUNTY 2050 COMPREHENSIVE PLAN TO REVISE THE FUTURE LAND USE MAP FROM AGRICULTURE TO COMMERCIAL, ON PROPERTY GENERALLY LOCATED AT 10955, 11105, 11111, 11125, AND 11205 SOUTH 14TH STREET

AND

ANNEXATION 23003

TO ANNEX APPROXIMATELY 32.29 ACRES, MORE OR LESS, ON PROPERTY GENERALLY LOCATED AT 10955, 11105, 11111, 11125, AND 11205 SOUTH 14TH STREET

AND

CHANGE OF ZONE 23015

FROM AG (AGRICULTURAL DISTRICT) TO H-4 (GENERAL COMMERCIAL DISTRICT), ON APPROXIMATELY 23.75 ACRES, ON PROPERTY GENERALLY LOCATED AT 10955, 11105, 11111, 11125, AND 11205 SOUTH 14TH STREET.

PUBLIC HEARING:

April 5, 2023

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

Staff memo dated April 4, 2023, identifying revisions to the annexation area for the Saltillo Express Business Park.

<u>Staff Recommendation:</u>	Comprehensive Plan Amendment 23004	Approval
	Annexation 23003	Conditional Approval
	Change of Zone 23015	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 Department, 555 South 10th Street, Suite 213, Lincoln, NE approached and stated that he will speak on all three items at the same time. This is coming forth today because it is a little different situation with the annexation process. The area to the east is a different application coming forward at a later time. There are two different developers at two different times and after reviewing, it was determined to proceed forward with this application. Callahan stated that with the Comprehensive Plan it is encouraged for rezoning to be in city limits, and this is a different situation. The submitted Comprehensive Plan Amendment will update this and make it compatible with the area. Grading and drainage site layout will need to come back to the Planning Commission later. Water and Sewer are not available at this site, so there is an agreement that water and sewer will be handled by the applicant. A traffic study will also be done later.

Ball asked what the proposed annexation zoning thoughts and requirements. Callahan stated to the east, would be I-3 zoning with associated use permit.

Campbell asked if the property to the north is Outdoor Solutions and zoned Ag? Callahan stated that is the property and it is zoned AG with a special permit which will remain the same. It is not included with the application.

Ball asked if there are houses or buildings in the existing map. Callahan stated he believes houses but are scheduled for demolition and may already be gone.

Applicant:

Mike Eckert, Civil Design Group, 8535 Executive Woods Drive, Suite 200, Lincoln, NE approached representing the applicant. Eckert stated that there has been a desire for commercial zoning in the past. Eckert stated that now is the time to consider moving forward in for the future. Eckert stated that it is understanding that they will have to provide their own sewer and water, and this will be addressed in the Annexation Agreement.

Christina Melgoza, Krueger Development, 8200 Cody Drive, Suite F, Lincoln, NE stated that she has been working with the property owners since last fall. This is proposed to be smaller owner

operator contractor services with 10-15K square foot buildings. Melgoza stated that they are working with the owners across the street and hope to move forward together to Council.

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 and carried 8-0 Ball, Campbell, Corr, Cruz, Eddins, Joy, Rodenburg, and Ryman Yost, voting “yes”; Edgerton absent.

COMPREHENSIVE PLAN AMENDMENT 23004

ACTION BY PLANNING COMMISSION:

April 5, 2023

Campbell moved for approval of Comprehensive Plan Amendment 23004, seconded Corr.

Campbell stated that this is logical fit with everything around it. It is an easy movement with the bypass for commercial trucks. Campbell will support this.

Ryman Yost is happy to see the development, and with the potential of the future development.

Motion carried 8-0: Ball, Campbell, Corr, Cruz, Eddins, Joy, Rodenburg, and Ryman Yost, voting “yes”; Edgerton absent.

ANNEXATION 23003

ACTION BY PLANNING COMMISSION:

April 5, 2023

Campbell moved for approval of Annexation 23003, seconded Corr.

Motion carried 8-0: Ball, Campbell, Corr, Cruz, Eddins, Joy, Rodenburg, and Ryman Yost, voting “yes”; Edgerton absent.

CHANGE OF ZONE 23015

ACTION BY PLANNING COMMISSION:

April 5, 2023

Campbell moved for approval of Change of Zone 23015, seconded Corr.

Motion carried 8-0: Ball, Campbell, Corr, Cruz, Eddins, Joy, Rodenburg, and Ryman Yost, voting “yes”; Edgerton absent.

ANNEXATION 22014
TO ANNEX APPROXIMATELY 5.59 ACRES, MORE OR LESS, ON PROPERTY GENERALLY LOCATED AT SOUTH FOLSOM STREET AND OLD CHENEY ROAD.

AND

CHANGE OF ZONE 22037
FROM AG (AGRICULTURAL DISTRICT) TO R-3 (RESIDENTIAL DISTRICT), TOTALING APPROXIMATELY 4.97 ACRES, MORE OR LESS, ON PROPERTY GENERALLY LOCATED AT SOUTH FOLSOM STREET AND OLD CHENEY ROAD.

AND

PRELIMINARY PLAT 22004
FOR A NEW PRELIMINARY PLAT, INCLUDING APPROXIMATELY 200.62 ACRES, MORE OR LESS, AND ASSOCIATED WAIVERS, ON PROPERTY GENERALLY LOCATED AT SOUTH FOLSOM STREET AND OLD CHENEY ROAD.

PUBLIC HEARING:

April 5, 2023

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

<u>Staff Recommendation:</u>	Annexation 22014	Conditional Approval
	Change of Zone 22037	Conditional Approval
	Preliminary Plat 22004	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 Department, 555 South 10th Street, Suite 213, Lincoln, NE approached to discuss all three items together. Callahan stated that the area is roughly 200 acres. Within the preliminary plat, this is proposed to be developed into 5 phases. There will also be 5 access points into the neighborhood. This will also have a future lot to build a new Lincoln Public School. There is a total of 497 residential lots and 23 outlots for drainage and greenspace in the neighborhood. With the associated annexation, it is recommending a change of zone for the site of phase one. Part of the Annexation Agreement with the intersection improvements is to work with Lincoln Housing and LTU on the location and construction of the access point. There is also a possible future access point for the YMCA.

Campbell asked what the area to the north hatched area is. Callahan stated it is future multifamily and single-family use. Campbell asked where the baseball field is located on the map. Callahan stated that it is on the edge of the YMCA field.

Callahan stated that on the Comprehensive Plan it is compatible with the uses of the surrounding area.

Corr asked if the waiver for the walk lanes on Block 26 will be longer to provide separation between the ball fields or is a break needed there. Callahan stated that the walk lanes will be dividing the multifamily area and felt it was better to be longer.

Applicant:

DaNay Kalkowski, appearing on behalf of Southwest Folsom Development, LLC, approached and stated that this is the same developer for the same amount of property to the south of this property and progressing nicely. Kalkowski stated that this is a preliminary plat for single family with the opportunity of multifamily to the north of the site. Kalkowski stated this allows the plan to be locked in and in place similar to what is being done by the developer on the south side. Kalkowski stated that a lot of work is being done coordinating the access points to the property to the east and to the south. Kalkowski stated that all the conditions on the staff report are acceptable except one change. Kalkowski distributed a Motion to Amend, (Exhibit 1) with the possibility to reduce the additional width and would like the opportunity to work with Public Works and LTU to approve.

Kalkowski stated that they have sold part of the site to Lincoln Public Schools and with Lincoln Housing for more affordable priced housing. This is an area with opportunity for growth and have worked on this for years to provide additional opportunities.

Proponents:

No one came forward for support.

Neutral:

No one came forward in neutral testimony.

Opposition:

No one came forward in opposition.

Corr wanted to know how LTU Staff feels about the motion to amend and how it is worded. Simmering stated that they are in support of this motion and that they have been very understanding of the needs.

Campbell moved to close the public hearing, seconded Joy and carried 8-0: Ball, Campbell, Corr, Cruz, Eddins, Joy, Rodenburg, and Ryman Yost, voting “yes”; Edgerton absent.

ANNEXATION 22014

ACTION BY PLANNING COMMISSION:

April 5, 2023

Campbell moved for approval of Annexation 22014, seconded Joy.

Campbell stated that this is a natural extension of what is already started and primary for real estate development. Campbell thinks that this makes great sense.

Rodenburg agreed that housing is needed.

Corr stated that it is nice when the developer comes in and asks for it as a big chunk in phases and some standards have been set.

Ryman Yost stated that this looking at the school and affordable housing all coming together and appreciates everyone working together.

Eddins stated that this is great with working with the developments near and around.

Motion carried 8-0: Ball, Campbell, Corr, Cruz, Eddins, Joy, Rodenburg, and Ryman Yost, voting “yes”; Edgerton absent.

CHANGE OF ZONE 22037

ACTION BY PLANNING COMMISSION:

April 5, 2023

Campbell moved for approval of Change of Zone 22037, seconded Joy.

Motion carried 8-0: Ball, Campbell, Corr, Cruz, Eddins, Joy, Rodenburg, and Ryman Yost, voting “yes”; Edgerton absent.

PRELIMINARY PLAT 22004

ACTION BY PLANNING COMMISSION:

April 5, 2023

Campbell moved for approval of Preliminary Plat 22004 with the motion to amend presented by applicant, seconded Joy.

Motion carried 8-0: Ball, Campbell, Corr, Cruz, Eddins, Joy, Rodenburg, and Ryman Yost, voting “yes”; Edgerton absent.

COMPREHENSIVE PLAN AMENDMENT 23001

TO AMEND THE LINCOLN-LANCASTER COUNTY 2050 COMPREHENSIVE PLAN TO ADD THE MAJOR STREETS AND RIGHT-OF-WAY MAP, WITH ACCOMPANYING TEXT.

Staff memo dated March 29th, 2023, identifying updates to the Major Streets and Right-of-Way Map, which is included with the application for Comprehensive Plan Amendment 23001.

PUBLIC HEARING:

April 5, 2023

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

Staff Recommendation: Approval

There were no ex-parte communications disclosed.

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

Staff Presentation:

Andrew Thierolf, Planning Development, 555 South 10th Street, Lincoln, NE approached that this was originally included with the 2040 Comp Plan and was inadvertently left out. This is now modified with assistance from LTU, updated and is now requested to be added to the 2050 Comp Plan. This is reference to the subdivision ordinance. All the changes were small changes to the Right-of-Way needs that were removed and a few miscellaneous sections where the Right-of-Way needs were reduced based on the LTU input. There was a memo that was sent out with a letter requesting to delay this due to concern a specific section. There are some unique sections that were determined that required to be reduced. There is also some text added to this map with no real changes.

Campbell asked if Thierolf could explain why a few sections went down to 100 feet? Thierolf stated that 100 feet makes sense because it is a smaller section of the street.

Proponents:

No one came forward in support.

Neutral:

No one came forward in neutral testimony.

Opposition:

No one came forward in opposition.

Staff questions

There were no questions for staff.

Campbell moved to close public hearing for Comprehensive Plan Amendment 23001, seconded Joy and carried 8-0: Ball, Campbell, Corr, Cruz, Eddins, Joy, Rodenburg, and Ryman Yost, voting “yes”; Edgerton absent.

COMPREHENSIVE PLAN AMENDMENT 23001

ACTION BY PLANNING COMMISSION:

April 5, 2023

Campbell moved to approve Comprehensive Plan Amendment 23001 as amended as indicated in staff memo, second by Joy.

Campbell stated that this is good planning by the Planning Department and sets what the streets will be in advance.

Joy stated she will be supporting because this is a great reference point.

Motion carried 8-0: Ball, Campbell, Corr, Cruz, Eddins, Joy, Rodenburg, and Ryman Yost, voting “yes”; Edgerton absent.

**CHANGE OF ZONE 23013
FROM AG (AGRICULTURAL DISTRICT) TO R-1 (RESIDENTIAL
DISTRICT) PUD (PLANNED UNIT DEVELOPMENT) FOR HOPPE'S ECHO ADDITION, TO ALLOW
FOR UP TO 8,200 SQUARE FEET OF OFFICE USE AND A HOTEL WITH UP TO 5 ROOMS, WITH
ASSOCIATED WAIVERS, ON PROPERTY GENERALLY LOCATED AT 1620 SOUTH 84TH STREET.**

ACTION ONLY:

April 5, 2023

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

Staff Recommendation: Action Only

This Change of Zone was carried over from the March 22nd hearing for action only, as the motion to recommend approval as amended by the Planning Commission failed due to obtaining the necessary 5 affirmative votes to move it forward.

There were no ex-parte communications disclosed.

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

Campbell asked if his motion still stands or does a new motion need to be made. Ryman Yost stated that a new motion will need to be made.

Campbell moved to approve Change of Zone 23013 as amended for conditions of approval, as recommended by applicant, second Joy.

Campbell stated that he does not see this as being a hazard as it is today. This allows a headquarters office to be there and organized instead of being spread apart. Campbell stated that this company does several projects in the community and with the owner living behind it, nothing crazy will happen.

Rodenburg stated that he agrees with Campbell. The current driveway is already there. The recommendation with a turn lane is based on future traffic and that they do know what that is going to be. Rodenburg will be voting in favor of this.

Corr stated that they must think long term and for future property owners, this needs to be weighed into their thinking. She will approve the motion to amend and is opposing the motion.

Campbell stated that other major offices must take access off of 84th and that this is a good solution for a property that has been vacant for over a year. This is a good solution so there is not a deteriorating property in such a primary area. Campbell will be supporting this.

Motion carried 6-2: Ball, Campbell, Cruz, Joy, Rodenburg, and Ryman Yost, voting "yes", Corr and Eddins dissenting; Edgerton absent.

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 April 5, 2023, seconded by Joy, and carried 8-0: Ball, Campbell, Corr, Cruz, Eddins, Joy, Rodenburg, and Ryman Yost voting yes'; Edgerton absent.

There being no further business, the meeting was adjourned at 2:40 pm.