

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, June 18, 2024.

NAME OF GROUP: PLANNING COMMISSION

DATE, TIME AND PLACE OF MEETING: Wednesday, June 26, 2024, 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, Maribel Cruz, Brett Ebert, Gloria Eddins, Bailey Feit, Cristy Joy, and Cindy Ryman Yost. Rich Rodenburg absent. David Cary, Steve Henrichsen, Shelli Reid, Jennifer McDonald, Emma Martin, George Wesselhoft, Steve Dush, and Stephanie Rouse with the Planning Department; media and other interested citizens were present.

STATED PURPOSE OF MEETING: Regular Planning Commission Hearing

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 June 5, 2024.

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

Minutes approved 6-0: Campbell, Cruz, Eddins, Feit, Joy, and Ryman Yost voting "yes"; Rodenburg absent. Ball and Ebert abstained.

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

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

June 26, 2024

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

The Consent Agenda consisted of the following items: Annexation 24006, Change of Zone 24015, Annexation 24007, Change of Zone 16038A, Special Permit 17022B, County Special Permit 24014, Text Amendment 24006.

There were no ex-parte communications disclosed.

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

Clerk noted that Items 1.1a and 1.1b, Annexation 24006 and Change of Zone 24015 are removed from the consent agenda and moved to public hearing.

Campbell made a motion for approval of the Consent Agenda; seconded by Joy.

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

Note: This is **Final Action** on the following item **County Special Permit 24014, County Preliminary Plat 24001, and Use Permit 15F** unless appealed by filing a Notice of Appeal with the **City Council** or the **County Clerk within 14 days**.

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

Clerk stated that written communication was received from the applicant requesting a 2-week deferral to the July 10, 2024, Planning Commission Hearing for continued public hearing and action on items 5.1a through 5.1d – Annexation 24001, Comprehensive Plan Amendment 24001, Change of Zone 24001, and Use Permit 24001.

ANNEXATION 24001

TO ANNEX APPROXIMATELY 37.43 ACRES OF PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF SOUTH 84TH AND VAN DORN STREETS.

AND

COMPREHENSIVE PLAN AMENDMENT 24001

TO AMEND THE FUTURE LAND USE PLAN OF THE LINCOLN LANCASTER COUNTY 2050 COMPREHENSIVE PLAN, TO CHANGE THE FUTURE LAND USE DESIGNATION FROM URBAN-DENSITY RESIDENTIAL TO COMMERCIAL ON PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF SOUTH 84TH AND VAN DORN STREETS.

AND

CHANGE OF ZONE 24001

FROM AG (AGRICULTURAL DISTRICT) TO B-2 (PLANNED NEIGHBORHOOD BUSINESS) OVER APPROXIMATELY 37.43 ACRES ON GENERALLY LOCATED ON THE NORTHEAST CORNER OF SOUTH 84TH AND VAN DORN STREETS.

AND

USE PERMIT 24001

TO ALLOW UP TO 175,000 SQUARE FEET OF COMMERCIAL FLOOR AREA AND UP TO A 100 ROOM HOTEL WITH WAIVERS TO SETBACKS, HEIGHT, BLOCK LENGTH, AND LIGHTING DESIGN STANDARDS ON GENERALLY LOCATED ON THE NORTHEAST CORNER OF SOUTH 84TH AND VAN DORN STREETS.

BEFORE PLANNING COMMISSION:

June 26, 2024

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

Staff Recommendation: Two-week deferral

Campbell moved to approve the request for deferral to the July 10, 2024, Planning Commission Hearing; seconded by Joy.

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

Clerk stated that a written request from the applicant was received to delay Item 5.4, Change of Zone 24013. This item will be on hold for continued public hearing and action until further notice.

**CHANGE OF ZONE 24013
FROM R-4 (RESIDENTIAL) TO H-3 (HIGHWAY COMMERCIAL), ON PROPERTY GENERALLY
LOCATED AT 5555 S. 27TH STREET
BEFORE PLANNING COMMISSION:** **June 26, 2024**

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

Staff Recommendation: Denial

Campbell moved to approve the request for Change of Zone 24013 to be placed on hold; seconded by Joy.

Motion carried 8-0: Ball, Campbell, Cruz, Ebert, Eddins, Feit, Joy, and Ryman Yost voting "yes"; Rodenburg absent.

**ANNEXATION 24006
TO ANNEX APPROXIMATELY 1.3 ACRES ON PROPERTY GENERALLY LOCATED AT NW
19TH STREET AND W HOMER DRIVE.
AND
CHANGE OF ZONE 24015
FROM AG (AGRICULTURAL) TO R-3 (RESIDENTIAL) FOR 1.3 ACRES WITHIN THE HIGHLAND
VIEW PRELIMINARY PLAT, ON PROPERTY GENERALLY LOCATED- AT NW 19TH STREET
AND W HOMER DRIVE.
PUBLIC HEARING** **June 26, 2024**

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

Staff Recommendation: Annexation 24006 Approval
Change of Zone 24015 Approval

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

Staff Presentation:
Emma Martin, Planning Department, 555 S. 10th Street, Lincoln, NE came forward and stated the Annexation 24006 and Change of Zone 24015 application are similar to other Annexation and Change of Zones in this area. The proposed will encourage new residential development at urban densities that are contiguous to the Lincoln City limits. There will also be public utilities, and this complies with the requirements of the zoning ordinance and the comprehensive plan.

Applicant
Mike Eckert, Civil Design Group, 8535 executive Woods Drive, Suite 200, Lincoln NE came forward and stated that this area is an additional area that is to add three additional lots to the existing subdivision.

Campbell stated that there appears to be four lots on the map that was shown. Eckert stated that is correct and it is three lots being requested.

Proponents:

No one approached in support.

Neutral:

No one approached in neutral.

Opposition:

Doug Beck, 7110 NW 19th Street, Lincoln, NE came forward and stated that he is in opposition, then realized that this is not the item that he is in opposition of.

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

Motion carried 8-0: Ball, Campbell, Cruz, Eddins, Ebert, Feit, Joy, and Ryman Yost voting "yes"; Rodenburg absent.

ANNEXATION

ACTION BY PLANNING COMMISSION:

June 26, 2024

Campbell moved to approve Annexation 24006; seconded by Joy.

Motion carried 8-0: Ball, Campbell, Cruz, Eddins, Feit, Joy, and Ryman Yost voting "yes"; Rodenburg absent.

Campbell moved to approve Change of Zone 24015; seconded by Joy.

Motion carried 8-0: Ball, Campbell, Cruz, Eddins, Feit, Joy, and Ryman Yost voting "yes"; Rodenburg absent.

Clerk noted Commissioner Ebert has declared a conflict of interest on Item 4.1 – Comprehensive Plan Amendment 24005, therefore, will recuse herself from the public hearing and voting of this item.

COMPREHENSIVE PLAN AMENDMENT 24005

TO AMEND THE LINCOLN-LANCASTER COUNTY 2050 COMPREHENSIVE PLAN TO REVISE THE FUTURE LAND USE MAP FROM URBAN RESIDENTIAL TO INDUSTRIAL AND COMMERCIAL ON PROPERTY GENERALLY LOCATED AT NW 27TH STREET AND PURPLE HEART HIGHWAY

PUBLIC HEARING:

June 26, 2024

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

Staff Recommendation:

Approval

There were no ex-parte communications disclosed.

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

Staff Presentation:

Emma Martin, Planning Department, 555 S. 10th Street, Lincoln, NE came forward and stated that the request for a Comprehensive Plan Amendment for property generally located at NW 27th Street and Purple Heart Highway is to revise the Future Land Use Map. The requested revision will change the existing designation of future Residential Urban Density to a designation of future Industrial and Commercial over a portion of the site. The 300 feet of Future Residential use is also proposed to remain along the eastern portion of the site, directly adjacent to the existing Residential uses. Prior to the 2050 Comprehensive Plan update, the site was shown for future Industrial use. The Comprehensive Plan requires 300 feet of buffer between Residential and Industrial uses. There are no improvements or agreements required at this time for the Comprehensive Plan Amendment, the site will need to go through an Annexation and Change of Zone, and the developer will need to provide a preliminary plan to the City of Lincoln. Martin stated that she would also like to note that the first map sent out to owners of the surrounding properties had an error that showed the whole site as Future Industrial. The error was corrected, and a new map and explanation was sent out, showing that there would be 300 feet of Future Urban Residential remaining on the eastern side of the site.

Campbell asked if the 300 feet will have any anticipation of residential in that area. Martin stated that it is a possibility, but the applicant currently is requesting a change for future land use in that area.

Ball asked what the buffer would look like. Martin stated that the buffer will be along the perimeter and that there currently is a building there that is under the Historic Preservation permit and a buffer will be placed around that also.

Campbell asked where the current residential exists today, is the area to the north set to be residential. Martin stated that it is part of the annexation and change of zone.

Joy asked what the protection is within the I-1 zone. Martin stated that this is zoned for future industrial which can be between an I-1 to an I-3. Martin stated that as of right now, the buffer is 300 feet from any vulnerable populations. There are setbacks for additional uses that can increase.

Ball stated that if a plan is to come forward, will there be additional conditions or requirements based on zoning that will be included. Martin stated that is correct, there will be required buffers as part of the zoning or annexation agreement. This could include restrictions of what can and can't be done within the buffer zone next to residential uses.

Applicant

DaNay Kalkowski, Seacrest & Kalkowski, 1128 Lincoln Mall, Lincoln NE came forward and stated she is appearing for the owners of the Comprehensive Plan Amendment. Kalkowski stated that an industrial designation is being requested. This can include light to heavy industrial along with a range of zoning. Kalkowski stated that the first step is to keep residential adjacent to existing residential. This is what the developer is intending to do. Kalkowski stated that this designation will provide the highest and best use of the site. Kalkowski stated that this is adjacent to a major roadway and can accommodate a large number of users. Kalkowski stated that letters were sent out to the adjacent neighbors and had three calls with questions. Kalkowski stated that the 2040 Lincoln Area Future Land Use map was updated in 2016 and then amended by December 2019. In November 2021, the 2050 Lincoln Area Future Land Use went into effect. Kalkowski stated that most of the homes were in place when the comp plan came into effect. Kalkowski discussed the impact and that a buffer will be provided between the industrial designated area and the Highland View Homes.

At this stage, industrial use will provide the highest and best use. This is returning the Comp Plan to what it was in the 2040 Comp Plan.

Feit asked what acronym LPHEAD stands for. Kalkowski stated the acronym stands for Lincoln Partnership for economic development. This is the group that is part of the Lincoln Chamber of Commerce that works with businesses in the community that wants to grow or businesses that want to come to the community looking for a site.

Campbell asked what the height limit is in an "I" district. Kalkowski stated that it may be 75 feet, but is not sure.

Joy stated that it was mentioned that the residential is on the higher portion of the site. Joy asked what the drop from the residential site to the industrial site is. Kalkowski stated that she does not know the height but is significant. Kalkowski stated that road work will need to be done to connect both sites.

Proponents:

No one approached in support.

Neutral:

No one approached in neutral.

Opposition:

Doug Beck, 7110 NW 19th Street, Lincoln, NE came forward and stated that the buffer is not huge, and this will have an increase in traffic, increase pollution, and property values may go down. Beck does not believe that everyone within a mile radius was notified. Beck stated that without knowing what is going in for industrial, he feels that this will still affect him.

John Hastings, 7209 NW 19th Street, Lincoln, NE came forward and stated that the 300-foot buffer will not elevate the impact from light, noise and odor pollution. The impact can be felt. Hastings does not feel that this is significant enough. There are two historical sites on the property. Only one historical site was mentioned. Hastings stated that not all the lots are at a higher elevation than the property. A lot of the lots are flat lots. Hastings stated that it needs to be looked at as to how to preserve the residential view of Highland View neighborhood. Hastings that a change in the zoning with two historical sites on the property, is a shame.

Tammy Wissing, 1901 W Big Sky Road, Lincoln, NE came forward and stated that she is opposed to this due to the traffic, and to add a row of townhomes in the area would lower the property values of the homes in the area.

Eddins asked Martin if there is a burial site on the property. Martin stated there is and is not part of the application or owned by the property owners. The property is owned by Lancaster County.

Campbell stated that this was industrial through the 2040 plan and adopted in the 2050 plan. Campbell wanted to know what brought on the change to industrial. Martin stated that at the time of the 2050 comp plan update, there was a concern about the support of residential growth that would be available through 2050. Martin stated that the spot was amended to show Urban Residential Use, and it was not changed because of incapability of the site but to allow growth. Martin stated that as of today, there is plenty of residential areas designated for the future without this site for growth. Campbell asked if there was any notification about the changes to the neighbors. Martin stated that generally there is not a required notification, and

because the Planning Department was aware of this having an impact, a notification was sent out to owners within 200 feet of the area of application. Campbell asked what the height restriction for industrial. Martin stated 55-75 feet for I-1 to I-3.

Kalkowski approached and stated that 300 feet does allow another street with an additional row of houses. Kalkowski stated that there will not be done anything with the cemetery that is there or the other historical site. Kalkowski stated this site is more appropriate for industrial type development than it is for single family development.

Campbell asked if this would need to come back through once the developer wants to build. Kalkowski stated that zoning, annexation and some type of development plan will need to be presented to the Planning Commission, City Council and the neighbors in the future proposal.

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

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

COMPREHENSIVE PLAN AMENDMENT 24005
ACTION BY PLANNING COMMISSION:

June 26, 2024

Campbell moved to approve Comprehensive Plan Amendment 24005; seconded by Joy.

Campbell stated that he was originally opposed to this being industrial, but having researched more, the 40-foot elevation, the buffer and that any project that is going to go forward, must go through the Planning Commission, Campbell is more acceptable to approval. What convinced Campbell is that this was originally industrial before and if researched had been done prior, the homes being built would have known that it was industrial land next to them.

Joy stated that she agrees with Campbell and from a standpoint, the developer is allowing the roads to complete into the housing development and respects that plan. Joy stated that as this is the beginning of the process will be in support.

Eddins stated that she does not support this due to the historical markers on the property. Eddins also lives in a neighborhood that has industrial next to houses and it takes decades to correct that error of changing from industrial to commercial. Eddins stated that it exposes neighbors and people because there is not a major through fare to separate.

Ball agrees with some of the comments from fellow commissioners. Ball stated that there has been transitional districts and zoning bumped up to residential and industrial and understands the buffering, but this is not clear to him at this time why it was not considered. Ball will not be supporting this.

Feit stated that this is early in the process and there is a chance the change the zone, with potential to office, commercial or townhomes. Feit is encouraging neighbors to follow and stay involved with the process. She will be supporting this.

Joy mentioned that an I-3 is where Sandhill Publishing is located and across the street is a B-2 with the businesses. Joy stated that an I-3 gives this development flexibility. Joy feels that the recommended approval from staff seems appropriate.

Campbell mentioned that all the letters and emails were sent in were read by the Commissioners.

Ryman Yost stated that she appreciates all the work from the Planning Department and applicant. Ryman Yost does feel that it is early in the process. The buffer that is being proposed helps mitigate some of the issues. Ryman Yost will be supporting this.

Motion carried 5-2: Campbell, Cruz, Feit, Joy, and Ryman Yost voting "yes". Ball and Eddins dissenting; and Ebert declared a conflict of interest. Rodenburg absent.

**CHANGE OF ZONE 24002
FROM AG (AGRICUTLURAL DISTRICT) TO I (INDUSTRIAL DISTRICT FOR D.C. ADDITION
AND
PRELIMINARY PLAY 24001
TO PLAT TEN LOTS ALONG WITH OUTLOTS AS PART OF D.C. ADDITION, A PROPOSED
INDUSTRIAL SUBDIVISION, ON PROPERTY GENERALLY LOCATED AT THE SW CORNER OF
THE INTERSECTION OF MILL ROAD AND N. 162ND STREET *FINAL ACTION*
PUBLIC HEARING: June 26, 2024**

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

Staff Recommendation: Change of Zone 24006 Conditional Approval
Preliminary Plat 24001 Conditional Approval

There were no ex-parte communications disclosed.

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

Staff Presentation:

George Wesselhoft, Planning Department, 555 S. 10th Street, Lincoln, NE came forward and stated that the Change of Zone is on approximately 3.3 acres in Lancaster County. Wesselhoft stated that it is a split jurisdiction between the City of Waverly and Lancaster County. The total property is approximately 157 acres. This was approved by the City of Waverly City Council for final approval on June 25, 2024. Wesselhoft stated that the Change of Zone is needed to accommodate the Preliminary Plat as part of an industrial subdivision. Waverly has identified this as industrial in their jurisdiction for future land use. Wesselhoft stated that the Preliminary Plat for 10 lots for industrial subdivision with industrial zoning. Two of the ten lots are partially in Lancaster County jurisdiction and 8 of the lots are in Waverly jurisdiction. There will be three outlots proposed for the preliminary plat. There will be no direct access for the lots will be permitted to Mill Road. Each of the lots will have a separate septic system and a well will provide the water.

Campbell asked that each property would have their own well that the Health Department approved; did Waverly feel that there is enough water available for that. Wesselhoft clarified that there will be individual septic systems, but there is an existing well that will be used as a water source to serve the community.

Applicant

Scott Kleinbeck, 13600 Raymond Road, Waverly, NE came forward and stated that this is for 10 light industrial lots. Small businesses are what is being looked at for which would be bringing something to the community of Waverly. Kleinbeck stated that he believes that this will be connected to the Waverly sewer system and there currently is a common well on site. Kleinbeck stated that there will be a Homeowners Association (HOA) in place for this area.

Feit asked about the streets being busy and dusty roads. Is this going to be Lancaster County or the City of Waverly question, will it be paved or heavily used? Kleinbeck stated that paving has been discussed for the past 5-10 years and is coming back to discuss in the future again.

Joy asked how the City of Waverly meeting went. Kleinbeck stated he was not at that meeting.

Proponents:

Mike Palm, 14130 Lancashire Street, Waverly, NE came forward representing the City of Waverly Inspectors and building inspectors. Palm stated that there is not a plan to connect to the sewer at this time. The lots are sized for their own septic system. The water is up to the state to monitor and regulate the well for use. This will be addressed during the building permitting process. Palm stated that this is termed limited industrial, this is an interchangeable term with light industrial. Because of the location, it will be more likely to be used for more small businesses. The roads are maintained by the County. This meets the current land use map and Comprehensive Plan for the city of Waverly. Palm stated that the recommendation to the Planning Commission was approval.

Neutral:

No one approached in neutral.

Opposition:

Doyle Brunssen, 15800 Mill Road, Waverly, NE came forward and is in opposition of the Zoning change. Doyle stated that the staff report recommended conditional approval. On the Staff report, it addresses the road and there is not a paved road in this area, it is gravel. Doyle wanted to know what the County's Maintenance plan would be and how would the traffic be handled. Brunssen asked if there is anyway the access road does not directly connect off his driveway off the south.

Feit asked Brunssen if offsetting the driveway to the street would be sufficient. Brunssen stated he would recommend the connecting roads to be moved so it does not end at his driveway.

Ryman Yost asked if there is a way to review the road going to his driveway. Wesselhoft stated that the conditions of approval met the requirements and that there is no plans that he is aware of in regard to the paving of the road.

Ebert asked since Waverly is bordering this, and Waverly is an incorporated development and not a rural area. Wesselhoft stated that if this was isolated, then the recommendation would be different.

Feit asked if the property owners were notified by the City of Waverly of the Waverly meeting. Wesselhoft stated that the two property owners are in Lancaster County.

Kleinbeck stated that everyone in the area would have received a letter and had access to the meeting. Campbell asked if any were at the meeting last night, Kleinbeck stated that he did not think so.

Joy asked if the roads were approved prior to placement, Kleinbeck stated that the roads are located where the County designed and placed them.

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

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

CHANGE OF ZONE 24002

ACTION BY PLANNING COMMISSION:

June 26, 2024

Campbell moved to approve Change of Zone 24002; seconded by Joy.

Campbell stated that a vast majority of this is under the Waverly control and feels like should go along with Waverly’s desires.

Eddins agreed with Campbell and since Waverly has already approved, she is in support.

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

PRELIMINARY PLAT 24001

ACTION BY PLANNING COMMISSION:

June 26, 2024

Campbell moved to approve Preliminary Plat 24001; seconded by Joy.

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

CHANGE OF ZONE 24006

FROM O-3 (OFFICE DISTRICT) TO B-2 (PLANNED NEIGHBORHOOD COMMERCIAL) WITHIN THE EXISTING SOUTHWOOD CENTER USE PERMIT

AND

USE PERMIT 15F

TO AMEND THE EXISTING SOUTHWOOD CENTER USE PERMIT BY REVISING THE LAYOUT

OF LOT 2 FOR UP TO 6,200 SWUARE FEET OF COMMERCIAL SPACE WITH A RELATED

CHANGE OF ZONE TO B-2, ON PROPERTY GENERALLY LOCATED AT 5555 S. 27TH STREET

FINAL ACTION

PUBLIC HEARING:

June 26, 2024

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

Staff Recommendation:

Change of Zone 24006

Conditional Approval

Use Permit 15F

Conditional Approval

There were no ex-parte communications disclosed.

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

Staff Presentation:

Steve Henrichsen, Planning Department, 555 S. 10th Street, Lincoln, NE came forward and stated that this application came forward a few months ago to the Planning Commission. This is currently zoned O-3 and is requesting a change to B-2. There is an associated Use Permit to change from office use to commercial use. This site plan was changed from two buildings to one building. This is not an increase in the overall square footage change but in the number of buildings. The overall development is below the square footage of what was originally approved for. Henrichsen stated that this will extend the right-hand turn lane. Henrichsen

stated that the Staff Report was amended to reflect the new site plan and revision of the previous Staff Report.

Feit asked if the existing building was going to be torn down. Henrichsen stated that it is already torn down.

Applicant

Eric Beiermann, Olsson, 601 P Street, Suite 200, Lincoln, NE came forward and stated he is representing the applicant. Beiermann mentioned that there are two items that he wants to discuss. One is a variance on the monument sign out front and is asking for it to be outside of the setback. Another item is on the west property line, there was a comment that a car cannot overhang the property line and is suggesting that this be waived. Beiermann is asking that this be addressed today.

Proponents:

No one approached in support.

Neutral:

No one approached in neutral.

Opposition:

No one approached in opposition.

Campbell asked Henrichsen if they can work on a sign permit following the approvals for today. Henrichsen stated that the B-2 zoning district a free-standing sign is allowed in the front yard setback. Henrichsen stated that is not something that can be adjusted today since they were not part of the request or the staff report. Campbell asked if the west curb parking overhang can be adjusted. Henrichsen stated that this cannot be addressed today but can be discussed with the applicant today. Henrichsen stated that this can be worked out administratively.

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

Motion carried 8-0: Ball, Campbell, Cruz, Ebert, Eddins, Feit, Joy, and Ryman Yost voting "yes"; Rodenburg absent.

CHANGE OF ZONE 24006

ACTION BY PLANNING COMMISSION:

June 26, 2024

Campbell moved to approve Change of Zone 24006 with the amended staff report; seconded by Joy.

Campbell stated that this is a better solution than what was proposed previously and will be supporting this.

Motion carried 8-0: Ball, Campbell, Cruz, Ebert, Eddins, Feit, Joy, and Ryman Yost voting "yes"; Rodenburg absent.

USE PERMIT 15F

ACTION BY PLANNING COMMISSION:

June 26, 2024

Campbell moved to approve Use Permit 15F with staff changes; seconded by Joy.

Motion carried 8-0: Ball, Campbell, Cruz, Ebert, Eddins, Feit, Joy, and Ryman Yost voting "yes"; Rodenburg absent.

Ryman Yost asked if anyone wishing to speak on an item not on the agenda, may do so.

Eddins moved to adjourn the Planning Commission meeting of June 26, 2024; seconded by Joy.

A question from the public was asked regarding consent item Special Permit 24014. Henrichsen stated that he will explain the appeal process outside of the hearing since the item has been passed.

Motion carried for adjournment 8-0: Ball, Campbell, Cruz, Ebert, Eddins, Feit, Joy, and Ryman Yost voting "yes"; Rodenburg absent.

There being no further business the meeting was adjourned at 2:43 p.m.