

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 2, 2026.

NAME OF GROUP: PLANNING COMMISSION

DATE, TIME, AND PLACE OF MEETING: Wednesday, June 10, 2026, 1:00 p.m., Hearing Room
112, on the first floor of the County-City Building, 555 S. 10th Street, Lincoln, Nebraska.

IN ATTENDANCE: Maribel Cruz, Brett Ebert, Gloria Eddins, Bailey Feit, Cristy Joy, Rich Rodenburg, Cindy Ryman Yost, Ben Callahan, Steve Dush, Steve Henrichsen, Tanner Hiemer, Shelli Reid, Jacob Schlange, Laura Tinnerstet, and George Wesselhoft, of the Planning Department, media, and other interested citizens.

STATED PURPOSE OF MEETING: Regular Planning Commission Hearing

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

Chair Joy requested a motion approving the minutes for the regular meeting held May 27, 2026.

Motion for approval of the minutes made by Eddins; seconded by Rodenburg.

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

Chair Joy asked the Clerk to call for the consent agenda items.

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

June 10, 2026

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

The Consent Agenda consists of the following items: Special Permit 26027.

There were no ex parte communications disclosed.

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

The Clerk asked whether anyone wished to speak on the consent agenda items. One individual requested to testify regarding **Annexation 26007** and **Change of Zone 26011**. The clerk indicated that **Annexation 26007 and Change of Zone 26011** would be removed from the Consent Agenda and moved to the public hearing agenda.

Eddins moved approval of the Consent Agenda; seconded by Rodenburg.

Consent Agenda approved 7-0: Cruz, Ebert, Eddins, Feit, Joy, Rodenburg and Ryman Yost, voting “yes”; Ball and Campbell absent.

Note: This is Final Action on Special Permit 26027 and Special Permit 26026, unless appealed by filing a Notice of Appeal with the City Council or County Board within 14 days.

ANNEXATION 26007- EAST DOMINION ESTATES 4TH ADDITION, ANNEXATION OF PROPERTY GENERALLY LOCATED AT N. 112TH STREET AND O STREET.

AND

CHANGE OF ZONE 26011- EAST DOMINION ESTATES 4TH ADDITION, FOR A CHANGE OF ZONE FROM AG AGRICULTURE TO H-4 GENERAL COMMERCIAL, AND FROM AG AGRICULTURAL TO R-3 RESIDENTIAL, ON PROPERTY GENERALLY LOCATED AT N 112TH STREET AND O STREET.

PUBLIC HEARING:

June 10, 2026

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

Staff Recommendation: Approval

There were no ex-parte communications disclosed.

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

Staff Presentation:

Jacob Schlange, Planning and Development Services, 555 South 10th Street, Lincoln, NE, came forward and presented a combined application for annexation and change of zone. Schlange explained that the request includes two related but distinct components: an annexation area and a change of zone area.

Schlange stated the annexation area totals approximately 18.87 acres and includes land along North 112th Street and Legends Lane, as well as an additional portion northwest of the intersection of O Street and North 112th Street. Schlange explained that this additional right-of-way area was added after the initial application to accommodate planned intersection improvements at O Street and North 112th Street associated with Lincoln on the Move funding.

Schlange clarified that the change of zone area does not include the right-of-way portion northwest of the intersection and stated that approximately 18.87 acres would be rezoned from AG Agricultural District to H-4 General Commercial District, and approximately 2.21 acres would be rezoned from AG Agricultural District to R-3 Residential District.

Schlange stated the subject property is located within Tier 1, Priority A of the City's 2050 Comprehensive Plan Growth Tier Map, which identifies undeveloped land within city limits and annexation-ready areas consistent with adopted planning policies.

Schlange explained that the proposal is consistent with previously approved entitlements for the property, including the East Dominion Estates Preliminary Plat and a Planned Service Commercial Special Permit.

Schlange stated the R-3 portion corresponds to residential areas shown in the preliminary plat, while the H-4 portion aligns with the approved commercial component under the special permit. Schlange further noted that the R-3 area is not intended for residential development but is instead planned for stormwater detention facilities associated with the overall development plan.

Schlange concluded that the Planning Department recommends approval of both applications, stating the request is consistent with the Comprehensive Plan, compatible with surrounding zoning districts, and aligned with previously approved development plans. Schlange offered to answer questions from the Commission.

Applicant:

DaNay Kalkowski, Seacrest & Kalkowski, 1128 Lincoln Mall, Suite 105, Lincoln, NE, appeared on behalf of White Holdings, LLC and Fund51, LLC. Kalkowski stated that Schlange provided a thorough overview and added content regarding the application history and prior approvals.

Kalkowski explained that the property has been before the Planning Commission and City Council on multiple occasions, beginning with a 2023 preliminary plat that established a master plan for grading, drainage, infrastructure, and overall land use for the site.

Kalkowski stated that a Comprehensive Plan amendment was also approved at that time, designating a portion of the property for future commercial use. Kalkowski explained that residential development was intentionally located on the western and northern portions of the site to create a transitional buffer between commercial areas and surrounding residential neighborhoods. Kalkowski noted that much of the surrounding residential development was either undeveloped or not fully constructed at the time those plans were approved, and that the buffering strategy was intended to anticipate future build-out conditions.

Kalkowski stated that approximately one year later, the applicant returned with a Planned Service Commercial Special Permit for the anticipated commercial portion of the site. Kalkowski explained that this special permit is typically paired with H-4 zoning and established the framework for future commercial development.

Kalkowski stated that the current request represents the next phase of implementation as the developer prepares to construct internal infrastructure for the commercial area. Kalkowski noted that annexation and zoning are now being requested for the remaining portion of the site included within the approved special permit area.

Kalkowski also addressed the additional right-of-way along O Street, explaining that it had previously been dedicated to the Nebraska Department of Transportation (NDOT) early in the project and was therefore excluded from the original annexation. Kalkowski stated that inclusion of this area is now necessary due to planned roadway improvements at North 112th Street and O Street.

Kalkowski further noted that the City Council recently considered an amendment to the annexation agreement to support intersection improvements at North 112th Street and O Street, including Lincoln on the Move funding participation. Kalkowski offered to answer questions from the Commission.

Staff Questions-

Rodenburg asked why annexation and zoning were completed in phases rather than in a single request.

Kalkowski responded that phased annexation is a common development practice, as annexation results in increased taxation and is typically deferred until development is imminent and infrastructure plans are in place. Kalkowski reiterated that while the phases occurred over time, the overall development concept was established through the 2023 master plan.

Proponents:

No one approached in support.

Neutral:

No one approached in a neutral capacity.

Opposition:

Dan Davenport, 602 N 112th Street, Lincoln, NE, stated concerns regarding drainage and stormwater runoff impacts to adjacent farmland. Davenport noted that roadway improvements and turning lane construction at O Street and North 112th Street could increase water flow onto agricultural property.

Davenport further referenced elevation changes on the site and potential visual impacts from future commercial development, noting that higher elevations could reduce buffering effectiveness and increase visibility from adjacent properties.

Davenport also cited concerns regarding traffic speeds along O Street and potential safety impacts associated with increased turning movements. He further raised issues related to notification and engagement with adjacent property owners and expressed frustration with the planning and public engagement process.

Krysta Hawks, 620 North 108th Street, Lincoln, NE, stated concerns regarding proposed commercial uses and potential impacts to residential character. Hawks referenced lighting impacts, including exterior and security lighting, and the potential for light spillovers onto nearby residential properties.

Hawks also addressed noise impacts, including deliveries, early-morning operations, and general commercial activity. Hawks requested clarification regarding allowable uses within the H-4 zoning district and asked whether mitigation measures could be implemented to address lighting and noise impacts.

Hawks additionally referenced potential impacts to property values and residential livability.

Staff Questions-

Eddins asked about city light restriction standards.

Schlange responded that lighting is reviewed through city policy during the building permit process, particularly to ensure that light does not cross property lines and that standards are met for light trespass. Schlange explained that compliance is evaluated as part of the development review to ensure lighting impacts are contained within the site.

Eddins asked about H-4 zoning and noise impacts.

Schlange responded that noise standards are addressed through existing city policy and enforcement processes. Schlange explained that H-4 is considered a heavier commercial zoning district but is designed to allow compatibility with residential uses in certain locations, noting that multiple areas of H-4 zoning exist adjacent to single-family residential development throughout the city.

Rodenburg asked what types of uses are allowed in the H-4 district.

Schlange responded that H-4 allows a range of commercial uses, including office and retail, as well as heavier commercial uses. Schlange specifically noted that contractor service uses and self-storage or mini-warehouse facilities are permitted within the district.

Joy asked about landscaping requirements within buffer areas.

Schlange responded that landscaping requirements are governed by city design standards, which include required screening elements such as bushes, trees, and appropriate buffer treatments depending on adjacency. Schlange confirmed that these standards are applied during development review and building permit approval.

Joy asked about the setback and buffer on the west side.

Schlange responded that the western side includes R4 zoning transitioning between the lower-density residential (R3) and the H-4 commercial district, which functions as a buffer and transitional zoning layer between residential and commercial uses.

Steve Henrichsen, Planning and Development Services, 555 South 10th Street, Lincoln, NE, provided additional clarification regarding setbacks and environmental standards. Henrichsen stated that H-4 zoning requires a 20-foot setback in the side and rear yards when adjacent to commercial uses, and a 50-foot setback when adjacent to residential zoning. Henrichsen further explained that noise standards under city ordinance generally allow approximately 65 decibels during daytime hours (7:00 a.m. to 10:00 p.m.) and approximately 55 decibels during evening hours. Henrichsen noted that enforcement is handled through the Health Department upon complaint and measurement.

Henrichsen also addressed lighting standards, stating that light trespass must be reduced to zero at the property line. Henrichsen explained that while lighting may still be visible from adjacent properties, measurable light spillover is not permitted. Henrichsen added that exterior lighting plans must be prepared by a lighting engineer and submitted during building permit review, where they are evaluated for compliance with city standards and fixture specifications.

Ryman Yost asked about grading work already completed and whether drainage or runoff concerns had been addressed, particularly in relation to the eastern neighboring property.

Schlange responded that the application was reviewed through standard watershed management processes, as is typical for developments of this type, and no specific unresolved concerns were noted.

Applicant Rebuttal:

Kalkowski stated that H-4 zoning is intended to accommodate a mix of commercial uses, including retail and contractor service operations that may include office space combined with vehicle storage or overhead doors. Kalkowski noted the envisioned development includes contractor-oriented commercial uses.

Kalkowski reiterated that all development will be required to comply with city standards related to lighting, noise, setbacks, and screening. Kalkowski further explained that the project was established through a master planning process beginning in 2023, which included grading and drainage plans for the entire site. Kalkowski stated detention facilities were incorporated as part of the overall drainage system and are required to support both the residential and commercial portions of the development.

Staff Question-

Chair Joy asked whether there had been any additional discussion regarding changes in elevation on the site and whether Kalkowski had spoken with anyone further regarding the matter.

Kalkowski responded that no additional discussions had occurred regarding site elevations. Kalkowski stated a significant amount of grading was completed early in the development process, though she noted it may not represent final grading conditions for the entire site. Kalkowski added that she could not definitively confirm whether additional grading would occur beyond what has already been completed.

ANNEXATION 26007 AND CHANGE OF ZONE 26011
ACTION BY PLANNING COMMISSION

June 10, 2026

Eddins moved to close the public hearing; seconded by Feit.

Eddins moved to approve Annexation 26007 and Change of Zone 26011, seconded by Feit.

Eddins stated support for the application, noting it is consistent with the Comprehensive Plan and the long-term planned land use for the area.

Feit commented on the challenges of development at the edge of city limits, referencing personal experience living outside city limits and noting that impacts can be more difficult for nearby rural residents. Feit referenced a prior example near the Warhorse Casino site, describing frustration with grading and delayed development in transitional areas. Feit stated that while there are impacts to adjacent property owners, planning decisions must be based on adopted zoning regulations and the Comprehensive Plan.

Chair Joy discussed the role of the Comprehensive Plan as a guiding document for long-term city growth over a 10-year planning horizon. Joy encouraged public participation in the Comprehensive Plan update process and noted that input opportunities are available online and through upcoming meetings. Joy acknowledged the challenges associated with growth at the city's edge but stated support for the application based on consistency with planning policies and long-term city development goals.

Motion for approval of Annexation 26007 carried 7-0, with Cruz, Ebert, Eddins, Feit, Joy, Rodenburg, and Ryman Yost voting "yes". Ball and Campbell absent.

Motion for approval of Change of Zone 26011 carried 7-0, with Cruz, Ebert, Eddins, Feit, Joy, Rodenburg, and Ryman Yost voting "yes". Ball and Campbell absent.

ANNEXATION 26006- ANNEXATION OF PROPERTY GENERALLY LOCATED AT S. 88TH STREET
AND TALIESIN DRIVE INCLUDING LAND NORTH OF PIONEERS BOULEVARD.

PUBLIC HEARING:

JUNE 10, 2026

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

Staff Recommendation: Approval

There were no ex-parte communications disclosed.

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

Staff Presentation:

Jacob Schlange, Planning and Development Services, 555 South 10th Street, Lincoln, NE, presented a request for annexation of approximately 20 acres generally located at South 88th Street

and Pioneers Boulevard. Schlange explained that the initial application was submitted for annexation of a single lot in the northeast corner of the proposed annexation area.

Schlange stated that following staff review of the surrounding area and City annexation policies, the Planning Department expanded the annexation area to include adjacent properties shown on the annexation map. Schlange noted the expanded area includes nine existing single-family residential properties, as well as right-of-way for South 88th Street, Taliesin Drive, and Pioneers Boulevard.

Schlange explained that the expanded annexation area promotes orderly and cohesive growth and provides clarity for municipal service delivery, maintenance responsibilities, and emergency response. Schlange noted the area is largely surrounded by City limits on the west, north, and east. Schlange stated the subject property is located within Tier 1, Priority B of the City's 2050 Comprehensive Plan Growth Tier Map, identifying the area as appropriate for potential annexation within the first half of the planning horizon.

Schlange stated municipal water and sanitary sewer infrastructure exists in surrounding areas; however, connection to City water would be optional, and sanitary sewer service would not be required unless adjacent to existing mains. Schlange noted the applicant has proposed extending a city water main at their own expense to serve the property.

Schlange stated Lincoln Fire and Rescue reviewed the request and identified Fire Station 12 as the responding station, with an approximate response time of 57 seconds. Schlange noted Fire and Rescue recommended inclusion of the full annexation area to avoid jurisdictional confusion, though substandard roadway conditions were identified on Taliesin Drive.

Schlange stated that 911 Communications also reviewed the request and supported the full annexation area due to prior jurisdictional response complexity.

Schlange explained that Lincoln Transportation and Utilities would assume maintenance responsibility for public right-of-way within the annexation area, including portions of South 88th Street, Taliesin Drive, and Pioneers Boulevard. Schlange noted that existing roadway conditions are substandard in areas, but future improvements could occur through special assessment processes if initiated.

Schlange further stated that annexation of a single lot would require inclusion of adjacent right-of-way under state statute, which could create fragmented maintenance and jurisdictional issues. Schlange noted portions of the area are within a rural water district and must be released before annexation, with the city assuming responsibility for associated release fees.

Schlange concluded the Planning Department recommends approval, stating the request is consistent with the Comprehensive Plan and supports orderly municipal growth and efficient service delivery.

Staff Questions-

Rodenburg asked whether compensation to the rural fire district had been considered.

Schlange stated staff reviewed the issue and determined there was no financial obligation to the rural fire district.

Applicant :

Winston Ostergard, 3540 Doonbeg Rd, Lincoln, NE, came forward and stated that the original annexation request was intended only for his own property and explained that the property's circumstances differ from those of neighboring properties. Ostergard stated the property was recently developed, and arrangements had been made to connect to the private Firethorn sanitary sewer system.

Ostergard explained that annexation would allow extension of city water service and would represent a long-term investment in utility infrastructure. Ostergard stated that neighboring properties are established, self-sufficient, and adequately served by existing infrastructure.

Ostergard expressed support for annexing the individual property but opposed expanding the annexation area to include the surrounding neighborhood. Ostergard stated that if annexation could not be considered on a property-specific basis, he would support neighboring property owners' opposition to annexation.

Brad Marshall, Olsson, 601 P Street, Suite 200, Lincoln, NE, came forward and provided additional information regarding utility infrastructure in the area. Marshall explained that the applicant intends to extend a water main to the property at the applicant's expense.

Marshall discussed the existing private Firethorn sanitary sewer system and stated that the system may eventually become public. Marshall explained that sanitary sewer infrastructure had previously been extended to the applicant's property and described challenges associated with extending service to other properties in the area.

Proponents:

No one approached in support.

Neutral:

No one approached in a neutral capacity.

Opposition:

Frederick Porter, 4101 S 88th Street, Lincoln, NE, stated the area is a desirable rural enclave and expressed opposition to the annexation of the neighborhood.

Staff Questions-

Rodenburg asked Porter to identify his property on the map.

Porter responded that he was located directly next to the church and behind it, specifically the parcel that juts out to the left.

Rodenburg thanked the applicant for the clarification.

Laura Bartels, 4150 S. 88th Street, Lincoln, NE, came forward and stated she had submitted a letter on behalf of neighborhood residents and that seven property owners oppose the annexation. Bartels stated the neighborhood is self-sufficient, maintains its own roadway, water system, and septic systems, and does not believe additional municipal services are needed. Bartels expressed concern regarding potential future costs associated with sanitary sewer service and stated that the existing infrastructure adequately serves the neighborhood's needs.

Roger Massey, 4130 Taliesin Drive, Lincoln, NE, stated that he has lived in the neighborhood for more than 50 years and described positive experiences with county law enforcement and rural fire services. Massey discussed the history of development in the area, including Firethorn Golf Course and utility infrastructure. Massey expressed support for allowing the applicant's individual property to access available services but opposed annexation of the entire neighborhood.

Staff Questions-

Feit asked about the annexation process and what services would be unavailable to the applicant if annexation did not occur.

Schlange stated the applicant would not have access to city water or city emergency response services.

Steve Henrichsen, Planning and Development Services, 555 South 10th Street, Lincoln, NE, came forward and added that the applicant's proposed connection to the private Firethorn sanitary sewer system would likely not be permitted if the property remained outside city limits because the system ultimately relies on city wastewater treatment.

Eddins asked whether annexation always requires an application from a property owner.

Schlange explained that the City may initiate annexation without a property owner application and stated that the original application prompted staff to evaluate the entire area.

Schlange noted the area is identified for annexation in the 2050 Comprehensive Plan and that stated staff determined annexation of the entire area was more appropriate than annexation of a single lot. Schlange emphasized that the expanded annexation area was proposed by the City rather than the applicant and noted that annexation would not change existing zoning or require changes to the neighborhood's rural character.

Eddins asked for clarification regarding the proposed annexation area and whether the applicant would be directly associated with the broader annexation request, noting concerns about how the action would be represented in the record. Eddins questioned whether the item could be approved in a way that clearly reflects that the broader annexation area was initiated by the City rather than the applicant.

Schlange stated that the staff report was intentionally written to clarify that the applicant requested annexation of a single lot, while the City independently identified the larger area as appropriate for annexation. Schlange noted that the properties within the area already receive benefits from City services due to their reliance on City-maintained roadways for access. Schlange added that although these properties are not currently subject to certain City taxes, such as the wheel tax, they still benefit

from City infrastructure maintenance. Schlange explained that annexation would not change the rural character of the area, as no zoning change or utility connection requirements (such as water or sanitary sewer) were proposed, and existing zoning would remain in place.

Cruz asked whether the proposed annexation area was already identified in long-range planning documents and whether the action would effectively advance an annexation process that was already anticipated, questioning whether the City was “kicking the can down the road” for future action.

Schlange stated that the area is identified in the City’s comprehensive plan as a Tier 1 Priority B area, which designates it for potential annexation within the first half of the planning horizon extending to 2050. Schlange stated that the area was therefore already anticipated for possible future annexation. Schlange further stated that circumstances could change for individual property owners in the future, such as septic system failure requiring connection to City sanitary sewer services, which could necessitate annexation at that time. Schlange explained that the current proposal arose from an initial annexation application and represented an opportunity to address annexation considerations consistent with long-range planning.

Applicant Rebuttal-

Ostergard stated that it was not his intent to advance any action that was not supported by the broader neighborhood and reiterated that the area is a small, tight-knit community. Ostergard stated that while annexation timing could vary significantly and future consideration may occur consistent with the City’s long-range planning horizon, he acknowledged concern from neighboring property owners regarding the proposal. Ostergard stated that annexation on a parcel-by-parcel basis may not be feasible and expressed that, given neighborhood opposition and the potential broader implications of the request, he agreed with neighbors’ concerns. Ostergard further stated that he did not fully anticipate the extent of the City’s process once the application was submitted and recognized the unintended consequences associated with initiating the annexation request.

Staff Questions-

Rodenburg asked for clarification regarding how sanitary sewer service and related costs would be handled if the area were annexed or served through existing utility arrangements.

Ostergard responded that wastewater from the area is ultimately conveyed into the City’s sanitary sewer system through an existing utility district arrangement. Ostergard explained that the Firethorn Utility District pays a fee to discharge or pump sewage into the City system, and that this fee structure is managed through that district. Ostergard stated that, under a similar arrangement, a property owner would pay the utility district, which would in turn remit the applicable fees to the City on the property owner’s behalf.

Feit asked about concerns related to water and sewer service under the proposed arrangement.

Ostergard responded that his primary concern is not water or sewer service, noting that he currently lives in Firethorn and already pays the Firethorn Utility District for sewer service, which in turn pays the City on behalf of users within that system.

Rodenburg asked whether the situation described constituted a “workaround” to City annexation and utility service requirements.

Henrichsen said that there was no workaround. Henrichsen explained that the Firethorn annexation occurred several years earlier when the Firethorn sewer system was failing, and the most feasible solution was to connect the system to the City’s sanitary sewer system. Henrichsen stated that as part of that process, all lots benefiting from the Firethorn sewer system were annexed into the City at that time. Henrichsen noted that the Lincoln Municipal Code requires properties receiving City sanitary sewer service to be located within the City limits. Henrichsen further stated that, in this case, the property would be receiving the full range of City services and that annexation was therefore consistent with City policy and prior practice. Henrichsen added that, given the location and service considerations, staff viewed annexation as a logical extension of existing planning and utility service patterns rather than a workaround.

ANNEXATION 26006

ACTION BY PLANNING COMMISSION

JUNE 10, 2026

Eddins moved to close the public hearing; seconded by Feit.

Eddins moved to approve Annexation 26006, seconded by Feit.

Eddins stated the applicant should not be viewed as irresponsible for the annexation proposal and noted the area has long been identified for annexation. Eddins stated that delaying annexation could create additional complications in the future.

Feit agreed with her fellow commissioner Eddins. Feit stated annexation of a single parcel would be inefficient and expressed support for improved emergency response, reduced jurisdictional confusion, and enhanced public safety.

Ryman Yost stated she would be voting in support of the annexation, noting that her support was largely based on public safety considerations, including fire and EMS response times. Ryman Yost stated that the Fire Department has been open about increased fire risks associated with modern construction materials and furnishings and emphasized that Lincoln is proud of its emergency medical response times, particularly for cardiac incidents. Ryman Yost further stated that, given the area is already largely surrounded by the city, annexation was appropriate and consistent with previous similar cases involving adjacent parcels.

Rodenburg asked whether the Planning Commission’s action constituted final approval.

City Clerk stated that the item was an annexation and noted it would move forward to the City Council for consideration.

Rodenburg stated that the item would proceed to the City Council and indicated he would be voting in favor, adding that he would allow the Council to hear the matter and make its decision based on similar testimony.

Chair Joy stated that annexation items are always difficult for the Planning Commission because of the distinction between land use review and the broader policy considerations ultimately decided by elected officials. Joy noted that the item would proceed to the City Council for additional review and emphasized the importance of the 2040 and 2050 Comprehensive Plan in guiding the Commission's consideration. Joy further stated that, based on the area's inclusion in the long-range plan and prior consideration of similar annexations such as Firethorn, she would support the item.

Motion for approval of Annexation 26006, carried 7-0, with Cruz, Ebert, Eddins, Feit, Joy, Rodenburg, and Ryman Yost voting "yes". Ball and Campbell absent.

CHANGE OF ZONE 26010 -48TH & PIONEERS PLANNED UNIT DEVELOPMENT (PUD), FOR A CHANGE OF ZONE ON APPROXIMATELY 10 ACRES FROM B-1 TO B-3 PUD, B-3 TO B-3 PUD, R-2 TO B-3 PUD, R-6 TO B-3 PUD, O-2 & B-1 TO O-2 PUD, AND R-2 TO O-2 PUD, GENERALLY LOCATED BETWEEN S. 47TH STREET AND S. 49TH STREET AND MEREDITH STREET & LINDEN STREET. THE PLANNED UNIT DEVELOPMENT INCLUDES ASSOCIATED WAIVERS TO ALLOW HEIGHT, SETBACKS, PARKING, ALLOWED USES, AND DESIGN STANDARDS.

PUBLIC HEARING:

June 10, 2026

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

Ben Callahan, Planning and Development Services, 555 South 10th Street, Lincoln, NE, came forward and presented the request for a change of zone to create the 48th and Pioneers Planned Unit Development (PUD) generally located along South 48th Street and Pioneers Boulevard. Callahan stated the area contains a mix of B-1, B-3, O-2, R-2, and R-6 zoning districts and includes several split-zoned properties.

Callahan stated the purpose of the PUD is to create a cohesive commercial district and establish a consistent zoning framework for the area. Callahan noted the concept was developed in collaboration with area property owners and was modeled in part after other neighborhood-scale mixed-use PUDs, including the 33rd and A Street PUD.

Callahan stated the proposed PUD would not substantially change the range of permitted uses but would provide additional flexibility for redevelopment, expansion, and infill development. Callahan reviewed the requested waivers related to parking, setbacks, building height, permitted uses, signage, and design standards.

Callahan explained that no off-street parking would be required for nonresidential uses and that residential uses would require one-half parking stall per dwelling unit. Callahan stated staff supported the request because the area has access to sidewalks, bicycle facilities, and StarTran service.

Callahan stated the proposal would allow building heights up to 55 feet, except when adjacent to residential property, where the maximum height would remain 35 feet. Callahan also discussed signage provisions, green space requirements, and design standards intended to create a pedestrian-oriented environment.

Callahan stated the proposal is consistent with the Comprehensive Plan and the area's designation as a redevelopment node. Staff recommended conditional approval.

Staff Questions-

Rodenburg asked about the proposed condition of approval.

Callahan stated the condition would require maintaining a 20-foot green space adjacent to residential properties along South 47th Street.

Rodenburg asked whether the applicant agreed to the condition.

Callahan stated the applicant agreed to the restriction.

Applicant :

Jeff Bonsall, 2901 Calvert Street, Lincoln, NE, appeared on behalf of the applicant and stated the goal of the proposed PUD is to create an enhanced sense of place and a central commercial hub for the neighborhood.

Bonsall stated the proposal was intended to attract new investment, encourage additional housing density, and promote pedestrian-friendly, neighborhood-serving development. Bonsall explained that the requested regulatory flexibility would help implement the City of Lincoln's Comprehensive Plan by allowing a greater mix of commercial and residential uses.

Bonsall stated the application includes requests for waivers related to building height increases, reduced setbacks, and parking modifications. Bonsall noted these waivers are intended to support the overall design concept and redevelopment goals for the area.

Bonsall also reported that a neighborhood meeting was held on April 20 with property owners, and the feedback received was generally positive, with support expressed for the proposed PUD.

Proponents:

No one approached in support.

Neutral:

No one approached in a neutral capacity.

Opposition:

No one approached in opposition.

CHANGE OF ZONE 26010
ACTION BY PLANNING COMMISSION

June 10, 2026

Eddins moved to close the public hearing; seconded by Feit.

Eddins moved to approve Change of Zone 26010, seconded by Feit.

Eddins stated the proposal reflects what the neighborhood wants and expressed support for the request.

Cruz stated the proposal provides opportunities for mixed-use development and revitalization within the neighborhood and expressed support for the PUD.

Ryman Yost expressed excitement when the proposal appeared on the agenda and noted the collaboration among neighborhood stakeholders. Ryman Yost expressed support for efforts to improve and revitalize the area.

Joy agreed with the other commissioners and stated the PUD presents an exciting opportunity for future neighborhood investment and redevelopment.

Motion for approval of Change of Zone 26010, carried 7-0, with Cruz, Ebert, Eddins, Feit, Joy, Rodenburg, and Ryman Yost voting “yes”. Ball and Campbell absent.

SPECIAL PERMIT 26026- OAK GROVE PERSONAL WIRELESS TOWER, FOR PERSONAL WIRELESS FACILITIES TO ALLOW A 199-FOOT SELF-SUPPORTING TOWER, ON PROPERTY GENERALLY LOCATED AT 18242 NW 140TH STREET.

PUBLIC HEARING:

June 10, 2026

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

Benjamin Callahan, Planning and Development Services, 555 South 10th Street, Lincoln, NE, presented the request for a special permit for personal wireless facilities to allow a 199-foot self-supporting tower located in the far northwest portion of Lancaster County near NW 140th Street, adjacent to the Seward County line.

Callahan explained that the proposed tower requires a special permit because it exceeds the maximum height allowed in the AG zoning district. Callahan stated the lease area includes approximately 10,000 square feet and that the tower compound would utilize an existing agricultural access drive off NW 140th Street. The site includes an existing agricultural structure and mature vegetation that would help screen the facility from view.

Callahan noted that the application includes required conditions including a decommissioning agreement approved by the County Attorney, and compliance with required separation distances from existing towers. Callahan stated the nearest existing tower is approximately 3.5 miles away, with no other nearby facilities within the required buffer distance. Callahan concluded that he would be happy to answer any questions.

Staff Questions-

Feit asked for clarification, noting that the structure in question appears to be a farm shed rather than a nearby residential building.

Callahan confirmed that it is not a residential structure, but a farm shed.

Feit asked whether, when a request is located adjacent to a county line, Seward County residents are notified of the process.

Callahan responded that notices are sent out based on a standard mailing radius, which would include properties within that radius regardless of whether they are located in Lancaster County or Seward County.

Commissioner Feit thanked him for the clarification.

Applicant:

Doug Barker, 1936 Little Refuge Rd, Waleska, GA, appeared on behalf of Towers LLC and Verizon in support of the application. Barker stated that wireless communication has become the primary means of communication for many households, noting that a large percentage of homes have eliminated landline service. He emphasized the importance of wireless connectivity for public safety, stating that a majority of 911 calls originate from wireless devices.

Barker explained that the nearest existing tower is approximately 3.5 miles away, creating a significant coverage gap in the area. Barker noted that Towers LLC is a tower ownership company that partners with multiple wireless carriers and actively markets facilities for co-location in order to reduce the need for additional towers.

Barker stated that the proposed facility meets or exceeds all applicable local, state, and federal requirements and produces no emissions, fumes, or odors. Barker noted that the tower has been

designed to remain under 200 feet in height and has been reviewed by the Federal Aviation Administration, resulting in no requirement for lighting.

Barker stated that the applicant has no concerns with the proposed conditions of approval and supported the staff's recommendation. Barker concluded that the proposal is consistent with the Comprehensive Plan and offered to answer any questions.

Proponents:

No one approached in support.

Neutral:

No one approached in a neutral capacity.

Opposition:

Caryl Bohn, 13800 W. Lake View Road, Raymond, NE, appeared in opposition to the request. Bohn stated that while she understands development occurs, she was concerned about the cumulative visual impact of existing and proposed cell towers in the rural area surrounding Branched Oak Lake.

Bohn described the area as a valued scenic and recreational resource and expressed concern that the proposed 199-foot tower and associated equipment would further impact viewsheds that she believes are already affected by multiple existing towers in the region.

Bohn stated that although adequate cell coverage is important, she believed alternative locations may exist that would have fewer residential impacts and higher elevation, potentially providing broader coverage with less visual intrusion.

Bohn also raised concerns about the clarity of notifications, stating that some nearby residents were uncertain about the exact location of the proposed tower due to the mapping provided.

Bohn further expressed concern about potential impacts on property values and noted that some neighbors had health-related concerns about radio-frequency exposure. Bohn concluded by stating that she would prefer the tower be located in an alternative area with fewer residential impacts.

Bonnie Sindelar, 13600 W. Lake View Road, Raymond, NE, appeared in opposition to the request. Sindelar stated she generally receives adequate cellular service at her residence and questioned the need for an additional tower at the proposed location.

Sindelar expressed concern regarding the visibility of the proposed 199-foot tower, stating that it would not be effectively screened by existing vegetation due to its height. Sindelar also raised concerns regarding notification clarity and stated that some residents may not have fully understood the location of the proposed facility based on the mailed materials.

Sindelar noted that she believed alternative locations may exist that could serve the coverage needs while impacting fewer nearby residences and expressed concern about potential property value impacts and rural character preservation.

Sindelar also cited studies regarding potential health effects associated with radio frequency exposure, referencing research that reports possible associations with cancer, sleep disruption, memory issues, and other biological effects. Sindelar stated that, regardless of scientific consensus, she believed the potential risk should be considered when evaluating site selection and that alternatives with fewer residential impacts should be preferred.

Staff Questions-

Chair Joy asked whether the Health Department had raised any concerns regarding the application.

Callahan responded that the Health Department reviewed the personal wireless facility application and did not express any concerns.

Feit asked to confirm the applicant's statement that no lighting would be required on the tower.

Callahan confirmed that no lights are required because the tower is under 200 feet in height.

Applicant Rebuttal:

Barker stated that health concerns related to wireless communications are primarily regulated at the federal level under the Telecommunications Act. Barker referenced a 2024 study by the World Health Organization, which he said found no demonstrated link between wireless communications and cancer.

Barker explained that all existing structures in the area were evaluated, including a nearby 100-foot wooden pole, but none were suitable to support wireless communications equipment. Barker stated the nearby lake creates both a coverage gap and seasonal capacity issues due to increased visitor traffic, which can affect service reliability, including 911 call capacity.

Barker noted that several alternative sites had been explored but were not feasible due to lease constraints. Barker emphasized that the tower is a necessary infrastructure investment, with an estimated construction cost of approximately \$500,000, and was not proposed without demonstrated need.

Barker added that the tower was originally designed at 250 feet but was reduced to under 200 feet after review of surrounding features, including the lake and observatory, and coordination with the Federal Aviation Administration to avoid lighting requirements and reduce visual impacts.

Barker also stated that notification letters were mailed to property owners within a one-mile radius, including notices sent by the county, using available tax record addresses to help inform nearby residents of the proposal. Barker then offered to answer additional questions.

Staff Questions-

Rodenburg asked whether the alternative Seward County site, which had been described as potentially less intrusive, was rejected for financial reasons.

Barker responded that financial considerations were not the reason. Instead, Barker stated that acceptable lease terms could not be reached with the property owner of the alternative site.

Woody Krog, Buell Consulting, 9733 Valley View, Eden Prairie, MN, came forward on behalf of the applicant. Krog stated that he assisted with the application and mailed approximately 70 outreach letters using the contact list provided by the Planning Department. Krog reported receiving one response from an individual supportive of Mr. Dillinger and received no other inquiries regarding the project location or details.

Krog explained that the applicant had previously reached an agreement with a landowner on the Seward County side for a potential tower location, but, due to leasing and other considerations, the proposed site was moved to the Lancaster County side. Krog noted that the alternative site would not necessarily have affected fewer homeowners but rather would have shifted the impact to a different area.

Regarding radio frequency (RF) emissions, Krog stated that public health concerns about RF exposure were commonly raised, but federal agencies—including the Federal Communications Commission, Occupational Safety and Health Administration, Environmental Protection Agency, and Food and Drug Administration—establish and oversee safety standards that wireless carriers are required to follow.

Krog further stated that materials submitted with the application included information on the Telecommunications Act of 1996, which he said prohibits local authorities from considering RF emissions as part of the permitting process, along with an RF fact sheet and FCC Bulletin 65 outlining applicable RF safety guidelines.

Steve Henrichsen, Planning and Development Services, 555 S. 10th Street, Lincoln, NE, provided additional clarification regarding public notification. Henrichsen explained that the map showed the 120-acre property containing the proposed tower at its center, along with all properties that were notified of the application.

Henrichsen stated that slightly more than 70 notices were mailed to property owners within a one-mile radius. Henrichsen explained that if any portion of a property fell within the notification radius, the entire property was included on the display map, which is why the boundary extended beyond one mile in some directions.

Henrichsen noted that staff made significant efforts to identify addresses for property owners on the Seward County side of the boundary, including coordinating with adjacent property owners and the county assessor's office to obtain accurate contact information for notification purposes. Henrichsen also commended staff for their work in completing the notification process.

Henrichsen added that the map included in the notification letters was the same map provided in the staff report.

Krog added that, while referencing the displayed map, the previously considered Seward County property was located in the area he identified on the map.

Chair Joy thanked him for the clarification.

SPECIAL PERMIT 26026

ACTION BY PLANNING COMMISSION

June 10, 2026

Eddins moved to close the public hearing; seconded by Feit.

Eddins moved to approve Special Permit 26026, seconded by Feit.

Eddins stated that she would not personally want to see a cell tower near her property but acknowledged the difficulty of balancing increasing technology needs with land use concerns. Eddins noted that the property owner was willing to lease the land for the tower and that, from a land use perspective, the application appeared to satisfy the required criteria.

Feit stated that she agreed with Commissioner Eddins, noting that the use is permitted on private property and acknowledging that one benefit of the proposal is that the tower would not require lighting. Feit remarked that this was a positive aspect of the application and thanked those involved.

Chair Joy stated that the item was a difficult decision due to differing personal feelings about cell towers, noting that while she and others rely on cell phones, she also serves a rural area where such infrastructure is common. Joy added that she values the coverage provided by these facilities.

Chair Joy emphasized that the Commission's role is to evaluate the proposal from a land use perspective and stated that she would be supporting the application.

Motion for approval of Special Permit 26026, carried 7-0, with Cruz, Ebert, Eddins, Feit, Joy, Rodenburg, and Ryman Yost voting "yes". Ball and Campbell absent.

The Clerk noted that Commissioner Ryman Yost declared a conflict of interest on Public Hearing Item 4.4, **Text Amendment 26007**, and will recuse herself from the public hearing and will not vote on that item.

TEXT AMENDMENT 26007- TO AMEND THE LANCASTER COUNTY ZONING REGULATIONS, ARTICLE 2 DEFINITIONS, TO EXPAND THE DEFINITION OF RECREATIONAL FACILITIES TO INCLUDE PASSIVE RECREATIONAL USES, INCLUDING OBSERVATORIES OR TELESCOPES, AND TO AMEND ARTICLE 13 SPECIAL PERMIT FOR RECREATIONAL FACILITIES TO ALLOW THE PLANNING COMMISSION TO AUTHORIZE AREA OR YARD REQUIREMENT REDUCTIONS.

PUBLIC HEARING:

June 10, 2026

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

Staff Recommendation: Approval

There were no ex-parte communications disclosed.

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

Staff Presentation:

George Wesselhoft, Planning and Development Services, 555 South 10th Street, Lincoln, NE, came forward, presented the request, and explained that the amendment originated after staff identified a unique recreational use—an observatory—that was not clearly addressed under existing zoning regulations.

Wesselhoft explained that the current zoning code primarily contemplates active recreational uses such as athletic fields, sports complexes, and similar facilities. The proposed amendment would expand the definition to include passive recreational uses such as stargazing, bird- watching, nature observation, and astronomy-related facilities, including observatories and telescopes.

Wesselhoft stated that the amendment also provides flexibility within the special permit process under Article 13, allowing the Planning Commission to consider reductions in area and yard requirements where appropriate, based on site-specific conditions.

Wesselhoft noted that the amendment was developed in coordination with the applicant and that additional notice was sent to surrounding property owners due to the unique nature of the request. Wesselhoft reported that the majority of public comments received were in support of the amendment.

Staff Questions-

Commissioner Feit asked whether the amendment would apply to similar passive recreational uses, including prairie or observational activities.

Wesselhoft confirmed that if the amendment is approved, similar passive recreational uses would be eligible to apply under the revised definition.

Applicant :

Ann Post, Rembolt Ludtke LLP, 1128 Lincoln Mall, Suite 300, Lincoln, NE, appeared on behalf of the Branched Oak Observatory. Post explained that the observatory was founded in 2015 with the mission of providing public access to astronomy and educational programming. Post stated that the observatory hosts regular public viewing hours, monthly community events, and partnerships with community organizations. Post explained that the amendment was necessary because observatories were not explicitly identified as a permitted use under the existing zoning code. Post stated that the amendment would appropriately classify observatories as a passive recreational use and emphasized that operational details such as parking, lighting, and event intensity would be addressed during the future special permit process.

Matt Anderson, Co-Founder/Executive Director of the Branched Oak Observatory, 14300 NW 98th Street, Raymond, NE, came forward and described the observatory as a unique community resource in Lancaster County that provides educational and inspirational experiences for visitors of all ages. Anderson shared personal stories illustrating the impact of the observatory, including a visitor's emotional connection to viewing Halley's Comet and a young child's first experience observing the moon through a telescope. Anderson emphasized the observatory's role in fostering community engagement and inspiring interest in astronomy.

Proponents:

Erik Hubl, 624 S. 51st Street, Lincoln, NE 68510, came forward and spoke in support of the amendment. Hubl stated that his interest in astronomy began at a young age and that experiences such as meteor viewing in rural Nebraska and recent aurora events have continued to reinforce his appreciation for dark sky conditions. Hubl noted the value of rural locations in providing opportunities for public astronomy viewing and encouraged approval of the amendment.

Neutral:

No one approached in a neutral capacity.

Opposition:

Karen Blazek, 15100 NW 98th Street, Raymond, NE. came forward and expressed concerns regarding traffic safety near the intersection of Northwest 98th Street and Raymond Road, which she described as a historically hazardous location with prior accidents and challenging roadway conditions.

Blazek stated that lake-related traffic, RV use, and increased visitation to the area contribute to congestion and safety concerns. Blazek expressed concern that expanded observatory-related events could increase traffic volumes at an already difficult intersection.

Blazek requested that a formal traffic study be completed before approval of expanded recreational uses and raised concerns regarding liability associated with increased traffic and event activity. Blazek also referenced concerns related to special events occurring at the site.

Staff Questions-

Rodenburg asked whether the intersection referenced during public testimony was a controlled intersection.

Wesselhoft responded that the intersection includes stop signs and yield controls, but he was not certain of the full configuration offhand and indicated he would ask the County Engineer to provide further clarification.

John Barry, Lancaster County Engineering, 444 Cherry Creek Road, Lincoln, NE, stated that there is a stop sign present at the intersection referenced in testimony. Barry stated the intersection is considered a dangerous location and that accidents have occurred there, noting that a contributing factor is traffic associated with the nearby lake.

Eddins asked how road conditions and traffic concerns would be addressed in relation to the proposed use.

Wesselhoft responded that those issues would be evaluated during the special permit process, rather than being fully addressed through the text amendment itself, which only establishes allowable uses. Wesselhoft stated that as part of a future special permit application, the applicant would be required to identify the number of people, frequency of events, and related operational details, and that the County Engineer would review traffic-related aspects, including site access and associated impacts, during that review.

Eddins asked whether traffic impacts, including site access and related considerations, would be evaluated under the special permit process.

Barry stated that under the special permit review, staff would evaluate the site entrance and related access considerations and would require traffic information as part of the application. Barry stated that traffic counts and related data would be requested and reviewed as part of the special permit process and indicated that these requirements would be addressed before approval.

Rodenburg asked for clarification regarding whether additional permitting would be required for events associated with the proposed use.

Wesselhoft responded that the applicant would be required to obtain approval through the special permit process, and that the special permit would establish limits on the maximum number of persons and the frequency of events associated with the use.

Applicant Rebuttal:

Post stated that observatories are a unique use that benefits from being located away from city lighting to allow for viewing of the night sky. Post stated that while the use can generate traffic during community events, those events also serve to build community and expand public engagement with astronomy. Post noted that traffic impacts associated with the observatory would be further evaluated during the special permit process and stated that a significant portion of existing traffic concerns in the area are related to lake use rather than the observatory itself. Post further stated that peak usage times for the observatory are generally different from peak lake usage, which may help distribute traffic demand. Post emphasized that remaining concerns would be addressed in greater detail during the special permit review and requested approval of the text amendment.

TEXT AMENDMENT 26007

ACTION BY PLANNING COMMISSION

June 10, 2026

Eddins moved to close the public hearing; seconded by Feit.

Eddins moved to approve Text Amendment 26007, seconded by Feit.

Eddins expressed support for the amendment, noting appropriate land use considerations and referencing concerns regarding light pollution.

Rodenburg expressed support and referenced personal experience with astronomy.

Feit supported the amendment, noting its recognition of passive recreational uses and community benefits.

Chair Joy also supported the amendment, emphasizing the importance of clarifying recreational definitions and supporting future community-oriented uses.

Motion for approval of Text Amendment 26007 carried 6-0, with Cruz, Ebert, Eddins, Feit, Joy, and Rodenburg voting “yes”. Ryman Yost declared a conflict of interest. Ball and Campbell absent.

Eddins moved to adjourn the Planning Commission meeting of June 10, 2026; seconded by Feit.

Motion to adjourn carried 6-0: Cruz, Ebert, Eddins, Feit, Joy, and Rodenburg voted “yes.” Ball, Campbell and Ryman Yost absent.

There being no further business, the meeting was adjourned at 3:16 pm.