

MEETING RECORD

Advance 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 October 6, 2026.

NAME OF GROUP: PLANNING COMMISSION

DATE, TIME, AND PLACE OF MEETING: Wednesday, October 14, 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: Gloria Eddins, Brett Ebert, Gloria Eddins, Bailey Feit, Cristy Joy, Rich Rodenburg, Cindy Ryman Yost, Ben Callahan, David Cary, 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 stated that the Planning Commission's action on today's items are recommendations to the City Council.

Chair Joy requested a motion approving the minutes for the regular meeting held September 30, 2026.

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

Minutes approved 7-0: Cruz, Ebert, Eddins, Feit, Joy, Rodenburg and Ryman Yost voting "yes"; Ball absent; one vacant seat.

Special Recognition – Former Commissioner Dick Campbell

The Commission recognized former Commissioner Dick Campbell for his more than seven years of dedicated service to the Lincoln-Lancaster County Planning Commission.

The Resolution of Appreciation Honoring Campbell was read into the record.

Eddins moved to approve Resolution of Appreciation honoring former Commissioner Dick Campbell; seconded by Rodenburg.

Motion approved 7-0: Cruz, Ebert, Eddins, Feit, Joy, Rodenburg and Ryman Yost, voting "yes"; Ball absent; one vacant seat.

David Cary, Director of Planning and Development Services, presented Campbell with a commemorative plaque and the approved resolution. Cary also presented a mayoral proclamation declaring October 14, 2026, as Dick Campbell Day.

Commissioners expressed their appreciation for Campbell's leadership and contributions to the community. Campbell thanked the Commission and staff for the recognition.

Recognition of Retiring City Attorney Tim Sieh

David Cary recognized City Attorney Tim Sieh for his nearly 17 years of service to the City of Lincoln, including providing legal counsel to the Planning Commission and various City departments. Cary expressed appreciation for Sieh's expertise and contributions and acknowledged his upcoming resignation from the City.

Sieh thanked the Commission and staff for their support throughout his years of service.

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

October 14, 2026

Members present: Cruz, Ebert, Eddins, Feit, Joy, Rodenburg and Ryman Yost. Ball absent; one vacant seat.

The Consent Agenda consists of the following items: Text Amendment 26012, Change of Zone 05068J, Special Permit 26037, and Special Permit 26038.

There were no ex-parte communications disclosed.

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

Eddins moved to approve the Consent Agenda; seconded by Rodenburg.

Consent Agenda approved 7-0: Cruz, Ebert, Eddins, Feit, Joy, Rodenburg and Ryman Yost, voting "yes"; Ball absent; one vacant seat.

Note: This is Final Action on Special Permit 26037, Special Permit 26038 and Special Permit 20047B unless appealed by filing a Notice of Appeal with the City Council or County Board within 14 days

Request for Deferral

Change of Zone 26017, Capital City Refuge Expansion, was requested to be deferred from the October 28, 2026, Planning Commission hearing to November 18, 2026, Planning Commission hearing.

Eddins moved to approve the deferral of Change of Zone 26017 to November 18, 2026; seconded by Rodenburg.

Motion of deferral carried 7-0: Cruz, Ebert, Eddins, Feit, Joy, Rodenburg and Ryman Yost, voting "yes"; Ball absent; one vacant seat.

COUNTY TEXT AMENDMENT 26011-amending the Lancaster County Zoning Regulations, Article 2, to include definitions for Institutional Facility and Public Project and to amend Article 13 to add a new Special Permit for Temporary Paving Plants in the AG Zoning District.

PUBLIC HEARING:

October 14, 2026

Members present: Cruz, Ebert, Eddins, Feit, Joy, Rodenburg and Ryman Yost; Ball absent; one vacant seat.

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 MPO, 555 South 10th Street, Lincoln, NE presented County Text Amendment 26011, a request to amend the Lancaster County Zoning Regulations to allow temporary paving plants as a special permitted use in the AG Agricultural zoning district.

Wesselhoft explained that the current regulations allowed temporary paving plants as a conditional use only when associated with federal, state, or county road projects. The proposed amendment would allow temporary paving plants for other qualifying public projects, subject to special permit approval. Wesselhoft noted that the applicant initially requested a conditional use but agreed to the special permit process to provide an opportunity for public input through a public hearing.

Wesselhoft reviewed the proposed location and operational requirements, including that a temporary paving plant must be located within one mile of the associated public project and have access to a paved road, unless use of an unpaved road was approved by the Planning Commission. The plant must be located at least 300 feet from occupied dwellings, places of religious assembly, and other specified uses. Suppliers would be required to use paved roads or designated truck routes approved by the County Engineer.

Wesselhoft further explained that materials produced at the plant must be used exclusively for the associated public project and that the plant must be removed upon substantial completion of the project. The County Engineer would review a road maintenance agreement, and the Health Department could request information regarding potential environmental impacts, including a groundwater study. The proposed regulations would also allow the Planning Commission to impose additional conditions as appropriate.

Applicant Presentations-

Derek Zimmerman, attorney with Baylor Evnen Wolfe & Tannehill, LLP 1248 O Street, Suite 900, Lincoln, NE appeared on behalf of Great Plains Ready Mix Concrete, LLC. Zimmerman explained that the proposed amendment would accommodate a temporary paving plant associated with the Nebraska Public Power District's Princeton Road Station project near Hallam. Zimmerman stated that the applicant agreed with staff's recommendations and the proposed conditions.

Zimmerman explained that the amendment would allow temporary paving plants to serve public projects beyond roadway construction while maintaining appropriate limitations and oversight. Zimmerman indicated that, following approval of the text amendment, the applicant intended to submit a separate special permit application for the proposed facility.

Russell George, Environmental Coordinator for Great Plains Ready Mix, 7701 Cornhusker Highway, Lincoln, NE, also identified himself as a representative of the applicant.

Staff Questions:

Rodenberg asked whether the purpose of locating temporary concrete plants near construction sites was to reduce driving time from the main plant.

Zimmerman explained that locating the plants closer to construction sites provides benefits beyond reduced transportation time, including improved coordination, timing, quality control, and reduced impacts on surrounding roads.

Proponents:

No one approached in support

Neutral:

Mark Tate, 4939 West Olive Creek Road, Hallam, Nebraska, appeared in a neutral position and requested clarification regarding the proposed location of the temporary paving plant.

Opposition:

No one approached in opposition

Staff Questions:

Wesselhoft displayed a map and explained that the proposed temporary paving plant would be located on the south side of West Princeton Road, north of Hallam, with the NPPD facilities to the west. Wesselhoft clarified that the specific site would be reviewed as part of a subsequent special permit application.

Chair Joy requested clarification regarding the next steps in the approval process.

Wesselhoft explained that the text amendment would proceed to a public hearing before the County Board. Wesselhoft noted that property owners within one mile had been notified of the proposed text amendment, although such notification was not required. Those property owners would also receive notification of the future special permit hearing, providing additional opportunities for public input.

Rodenberg asked whether a bond or other financial assurance would be required to ensure removal of the temporary paving plant upon completion of construction.

Wesselhoft explained that the proposed text amendment did not include a specific decommissioning or bonding requirement. However, the Planning Commission could consider additional conditions, including financial assurances, during review of an individual special permit application.

Chair Joy clarified that such a requirement could be considered on a project-by-project basis rather than as part of the text amendment. Wesselhoft confirmed.

Applicant Rebuttal:

Zimmerman responded to Commissioner Rodenberg's concerns regarding removal of the temporary paving plant. Zimmerman explained that the proposed equipment was portable and could be transported by truck without requiring a substantial permanent concrete foundation. Zimmerman indicated that the temporary nature of the equipment would facilitate its removal upon completion of the project.

**COUNTY TEXT AMENDMENT 26011
ACTION BY PLANNING COMMISSION**

October 14, 2026

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

Eddins moved to approve County Text Amendment 26011, seconded by Rodenburg.

Eddins expressed support for the amendment, noting that locating temporary paving plants closer to large construction projects could reduce the number of concrete trucks traveling longer distances on surrounding roads.

Motion for approval of County Text Amendment 26011 carried 7-0, with Cruz, Ebert, Eddins, Feit, Joy, Rodenburg and Ryman Yost voting "yes"; Ball absent; one vacant seat.

ANNEXATION 26009- to annex approximately 105 acres generally located at S 98th Street and South Street; **and**

CHANGE OF ZONE 26022- to change the zone from AG Agricultural to R-3 Residential on approximately 113.86 acres generally located at S. 98th and South Street; **and**

SPECIAL PERMIT 20047B- to amend the Fire Ridge Community Unit Plan (CUP) to add approximately 10 acres to the CUP, and to revise the Phasing Plan to allow immediate access to S 105th Street with the first plat of Phase 2.

PUBLIC HEARING:

October 14, 2026

Members present: Cruz, Ebert, Eddins, Feit, Joy, Rodenburg and Ryman Yost; Ball absent; one vacant seat.

Staff Recommendation: Conditional 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 Annexation 26009, the associated change of zone, and an amendment for the Fire Ridge Community Unit Plan (CUP).

Schlange explained that the proposed annexation area was generally located near South 98th and South Streets and extended east to South 105th Street. The annexation included two larger parcels already incorporated into the approved Fire Ridge CUP and a small outlot proposed for annexation to facilitate future paving of South 105th Street within City limits. Schlange noted that the area was designated as Priority A for annexation and Urban Density Residential in the Comprehensive Plan.

Schlange stated that the proposed change of zone included an approximately nine-acre parcel that had previously been annexed but remained zoned Agricultural. The proposed change of zone would rezone the parcel to R-3 Residential, consistent with the remainder of the Fire Ridge development. The special permit amendment would also incorporate this parcel into the existing CUP. Staff recommended approval of the annexation and change of zone, subject to finalization of the legal description.

Schlange distributed a revised staff memorandum outlining changes to several conditions of the special permit. He explained that staff had removed a previously recommended condition requiring an additional street connection along the southern boundary of the CUP. Upon further review, staff determined that the subdivision ordinance provided an exception to block-length requirements where a street would cross a stream with a drainage area exceeding 200 acres. Schlange further explained that the anticipated development of approximately 25 to 30 residential units on the property to the south would not require a second access point under the applicable fire code.

Schlange reviewed the proposed revisions to the CUP phasing plan, particularly the requirement for barricades along South 105th Street. Schlange explained that South 105th Street was a private roadway owned and maintained by the Camelot Acres Homeowners Association, consisting of five residential properties and associated outlots. When the Fire Ridge CUP was approved in 2021, the phasing plan required barricades to remain in place until occupancy permits were issued for 75% of the dwellings in the final phase, originally identified as Phase 6.

Schlange explained that subsequent amendments to the CUP modified the lot configurations and phasing schedule, resulting in the northern portion being designated as Phase 2A and another portion as Phase 2B. Although the phase designations changed, the requirement for 75% occupancy in both phases before removal of the barricades remained in effect.

Schlange stated that the applicant was requesting removal of the phasing restriction to allow access from South 105th Street with the first final plat for Phase 2A. Schlange discussed concerns raised by neighboring property owners regarding construction traffic on the private roadway. Schlange also noted that Parks and Recreation had identified concerns regarding construction traffic crossing the MoPac Trail. Staff recommended retaining the previously approved barricade requirement to limit construction traffic until the specified occupancy thresholds were met.

Schlange discussed revisions to watershed condition 1.6.7 regarding floodplain requirements and final plat approval. Schlange explained that the revised language clarified that a Conditional Letter of Map Revision (CLOMR) from the Federal Emergency Management Agency (FEMA) would not be

required for every lot located near the floodplain. The revisions would allow applicable lots to proceed toward final plat approval through the appropriate floodplain review process towards final plat approval.

Schlange also reviewed revised Parks and Recreation conditions associated with a future trail connection through the development to the MoPac Trail. Although the final trail alignment had not been established, the conditions would preserve a 20-foot-wide easement to accommodate a potential 10-foot-wide trail with adequate clearance on either side. The conditions also addressed grading requirements to ensure future compliance with accessibility standards.

Schlange further explained that portions of the CUP designated as outlots were proposed for future dedication to the City for park purposes. Revised condition 1.7.4 would allow adjustments to the configuration of these outlots to accommodate future park development and associated amenities.

Schlange concluded that staff recommended approval of the special permit amendment, subject to the revised conditions outlined in the memorandum distributed to the Commission. Schlange emphasized that staff recommended retaining the previously approved phasing requirements governing removal of the South 105th Street barricades.

Staff Questions:

Ebert requested that Schlange identify the various development phases on the site plan.

Schlange displayed an alternative exhibit illustrating the development phases and explained that Fire Ridge was divided into northern and southern portions. Schlange stated that construction had already begun in the southern portion, identified as Phase 1, which included Phases 1A, 1B, 1C, and 1D.

Schlange explained that the northern portion of the development, originally designated as Phase 6, had been redesignated as Phases 2A and 2B under the revised phasing plan. Schlange clarified that Phase 2B included the area adjacent to the MoPac Trail and would ultimately connect to South 105th Street.

Schlange emphasized that the South 105th Street connection was important for emergency access because the residential units would otherwise have only one approved access point from South Street. Schlange explained that City staff had consulted with Lincoln Transportation and Utilities and Lincoln Fire and Rescue regarding the proposed barricade. Both departments indicated that a barricade could be installed to allow emergency vehicle access while restricting public traffic until removal was authorized.

Schlange also identified Phase 3, which included the additional property proposed for incorporation into the special permit, as well as Phases 4A and 4B.

Schlange also addressed an additional revision to the staff memorandum involving Condition 1.3 and the proposed extension of Dart Street. Schlange explained that staff had initially recommended requiring Dart Street to be extended to the subdivision boundary during Phase 4A to provide an additional opportunity for emergency access.

Schlange stated that the International Fire Code required two access points when a development reached 30 single-family or two-family residential units. However, because Fire Ridge had been

approved before adoption of that requirement, the applicant was not required to extend Dart Street to the subdivision boundary. Schlange explained that staff had therefore removed the proposed condition. Although the additional street connection would be beneficial for emergency access, it was not required under the applicable regulations.

Feit requested clarification regarding the relationship between South 105th Street and A Street and whether the connection would provide alternative emergency access.

Schlange confirmed that South 105th Street would connect to A Street and provide an alternative access route into the development.

Ebert asked whether South 105th Street was located along the eastern boundary of the development.

Schlange confirmed that South 105th Street was along the eastern boundary and explained that the developer would be responsible for constructing roadway improvements connecting South 105th Street to the existing paved private roadway. The connection would be completed as an off-site improvement through the final plat process.

Applicant Presentation

Tim Gergen, Clark & Anderson, 1010 Lincoln Mall, Lincoln, Nebraska, appeared on behalf of the applicant. Gergen discussed the coordination between the applicant and City staff during the preceding 48 hours regarding revisions to the conditions of approval. Gergen explained that the proposed revisions addressed technical matters involving Watershed Management and Parks and Recreation, particularly grading and drainage requirements. Gergen requested that the revised conditions be incorporated into the motion for approval.

Gergen stated that the remaining issue involved street connectivity, which he characterized as a policy consideration than a technical matter. Gergen identified Condition 1,1.2, which required reinstatement of the previously approved phasing plan conditions on Sheet 5. The applicant requested removal of Condition 1,1.2 from the proposed conditions of approval. Gergen then introduced Peter Katt to address the street connectivity issue.

Peter Katt, 6333 Apples Way, Suite 115, Lincoln, Nebraska, appeared on behalf of the applicant and discussed the proposed removal of the barricade requirement along South 105th Street. Katt acknowledged correspondence submitted by neighboring property owners and explained that the Fire Ridge development had changed significantly since its original approval.

Katt stated that the original development plan contemplated approximately 63 residential units in the northern portion of the project, which was designated for development during a later phase. Katt explained that a stream crossing within the development was estimated to cost more than \$600,000 to construct. Under the original development plan, delaying the street connection allowed the developer to defer construction of the stream crossing.

Katt explained that subsequent amendments reduced the number of residential lots in the northern portion of the development from approximately 63 to 24. Katt stated that the reduction substantially changed the nature and anticipated use of the street connection. As a result, Katt believed the previously approved barricade requirement was no longer appropriate.

Katt questioned the continued need for the barricade, noting that the original planning documents contemplated South 105th Street as a public street connection rather than a roadway with restricted access. Katt stated that the broader issue involved City policy regarding street connectivity between new residential developments and existing acreage subdivisions.

Katt suggested expanding the annexation area to include the five affected properties in Camelot Acres and the existing roadway. Katt explained that the City should assume responsibility for establishing South 105th Street as a public street rather than continuing to rely on the barricade requirement. Katt acknowledged that neither the applicant nor the developer could control the City's annexation decisions and emphasized that the matter represented a broader policy question.

Katt stated that similar issues would likely arise as development continued near the South Beltway. Katt explained that substantial acreage development existed in the surrounding area and that previous City planning policies had encouraged larger residential lots to limit urban development within the watershed. Although those policies had historically been effective, Katt questioned how the City intended to incorporate existing acreage subdivisions into future urban development as surrounding properties became more densely developed.

Katt discussed the existing development patterns near South 105th Street, including properties that had historically obtained access through flag lots and community unit plans. Katt stated that the surrounding acreage properties should be considered for future urban-density development, particularly as public sewer facilities and roadway connections became available. Katt questioned whether maintaining barricades between existing acreage subdivisions and new residential developments was consistent with the City's long-term planning objectives.

Katt reiterated the applicant's request to eliminate the barricade requirement under Condition 1,1.2. Katt explained that the applicant had agreed to the original phasing and barricade requirements because those conditions could be accommodated under the previous development plan. However, Katt stated that the revised development configuration made the requirement impractical. Katt emphasized that the residential lots were valuable and that the developer needed the ability to market and develop the properties as soon as construction could proceed. Katt stated that concerns regarding the cost of roadway improvements should not be addressed by maintaining a barricade.

Gergen added that the potential annexation of Camelot Acres warranted consideration. Gergen explained that the availability of roadway access, sanitary sewer, water, and other City utilities was important in determining whether an area was appropriate for annexation. Gergen stated that Camelot Acres would have existing roadway access and that sewer and water services would become available as Fire Ridge developed toward the subdivision. These improvements could make Camelot Acres suitable for future annexation.

Gergen also discussed revisions to the Fire Ridge development phasing plan. The original development consisted of six phases, which had subsequently been reduced to four phases and could realistically be consolidated into approximately three phases. The remaining phasing requirements were primarily associated with water connections and the infrastructure necessary to cross the drainage channel. Gergen explained that the applicant intended to accommodate those infrastructure requirements while combining development phases.

Gergen stated that Fire Ridge had experienced increased interest, sales activity, and development momentum. Gergen explained that the applicant wanted to expedite construction and continue development as efficiently as possible.

Staff Questions:

Rodenburg asked whether maintaining the barricade along South 105th Street would require the applicant to construct the approximately \$600,000 stream crossing before developing the 24 residential lots north of the drainage channel.

Katt confirmed that the barricade would prevent development of those lots until the stream crossing was constructed, resulting in a substantial delay.

Gergen explained that sewer, water, and roadway infrastructure could be extended to the northern lots before completion of the stream crossing. However, construction and permitting of the box culvert could lag approximately six to twelve months behind the remaining infrastructure. Gergen stated that increased demand for the larger residential lots had prompted the applicant to accelerate development.

Rodenburg questioned whether the applicant had discussed responsibility for repairing potential damage to South 105th Street, particularly because the existing roadway might not have been designed to accommodate heavy construction equipment.

Katt explained that the applicant had previously proposed making the roadway north of the drainage channel private and incorporating the 24 residential lots into the Camelot Acres Homeowners Association. Under that proposal, the additional homeowners would contribute to roadway maintenance, and the developer could avoid constructing the stream crossing. Katt stated that the proposal would also satisfy the City's limitation of 30 residential units served by a single access point.

Katt explained that the City required the stream crossing for connectivity purposes, regardless of the South 105th Street connection. Consequently, discussions regarding the alternative arrangement did not proceed. Katt acknowledged that contractors could be held responsible for damage to public property but stated that no additional agreement regarding potential roadway damage had been negotiated.

Feit asked why the applicant had changed the northern portion of Fire Ridge from Phase 6 to Phase 2.

Gergen explained that the original development plan included approximately 65 smaller residential lots north of the drainage channel. The location adjacent to the MoPac Trail and drainage corridor offered desirable scenic amenities and that market demand favored larger residential lots. Consequently, the applicant redesigned the area to accommodate 24 larger lots.

Katt added that the original concept included a residential community intended for individuals aged 55 and older, featuring smaller lots and a clubhouse. The concept had not generated sufficient market interest, while the larger lots adjacent to the trail and common areas had attracted significant demand. Katt stated that all 24 lots had been presold and that delaying their availability would create additional costs for the developer.

Katt explained that the development revisions had previously been processed through administrative amendments. Because the current applications required public hearings and City Council consideration, the applicant believed this was the appropriate opportunity to request removal of the barricade requirement.

Ryman Yost requested further clarification regarding the proposed amendments to the conditions of approval. Ryman Yost referred to the applicant's memorandum, including the highlighted revisions, and asked the applicant to explain which conditions the applicant was requesting the Planning Commission to modify or eliminate.

Gergen explained that the applicant agreed with the revisions outlined in the memorandum and the conditions negotiated with City staff, with the exception of Condition 1,1.2. Gergen stated that the applicant was requesting an additional amendment deleting Condition 1,1.2, which would reinstate the previously approved phasing and barricade requirements.

Katt clarified that the applicant was not formally requesting an expansion of Annexation 26009. The discussion regarding annexation was intended to illustrate a possible alternative approach to addressing roadway connectivity and future development in the surrounding area.

Katt reiterated concerns regarding the City's approach to incorporating existing acreage subdivisions into surrounding urban development. The broader concern was whether developers should be required to maintain barricades along roadway connections and emphasized that the broader issue involved equitable planning for future growth.

Gergen added that development of Fire Ridge would provide sewer, water, and roadway connections that could facilitate future annexation of Camelot Acres.

Ryman Yost also requested clarification regarding the discussion of potentially expanding the annexation area to include Camelot Acres and South 105th Street.

Feit requested clarification regarding Condition 1,1.2, which required reinstatement of the previously approved phasing conditions, including the barricade requirement along South 105th Street. Feit also questioned how the 75-percent occupancy requirement would affect the applicant's ability to obtain occupancy permits for the northern residential lots.

Gergen explained that maintaining the barricade would prevent access to the 24 northern lots until construction of the stream crossing was completed, potentially delaying development by six to twelve months. Removing the barricade requirement would allow access to the lots through South 105th Street while construction of the stream crossing proceeded.

Feit asked whether the 24 residential lots were already under contract.

Gergen confirmed that all 24 lots had been presold and explained that the purchasers wanted to begin construction of their homes.

Ebert questioned how long the barricades would remain in place under the existing conditions, including whether removal could take approximately 12 to 18 months or as long as two years.

Gergen acknowledged that the barricades would eventually be removed once the required occupancy threshold was satisfied.

Cruz requested clarification regarding the proposed stream crossing and its relationship to the development phasing plan. Cruz also asked whether construction of the box culvert and stream crossing would be required regardless of whether the barricade requirement remained in place.

Gergen confirmed that the stream crossing would ultimately be constructed. However, Gergen explained that the crossing had originally been scheduled for a later development phase and that maintaining the barricade would prevent access to the northern lots until the crossing was completed.

There being no further questions, the applicant concluded the presentation.

Proponents:

No one approached in support

Neutral:

David Potter, General Manager, Lower Platte South Natural Resources District, 3125 Portia Street, Lincoln, Nebraska, appeared in a neutral position regarding the applications.

Potter stated that the Lower Platte South Natural Resources District (NRD) owned property immediately north of the proposed development, including a portion of the MoPac Trail. Potter clarified the ownership of the access crossing the trail near South 105th Street. Potter explained that NRD records indicated that the district owned the property and that an easement had been granted to Camelot Acres for access.

Potter stated that the NRD had submitted several comments to the Planning Department and was not opposed to the proposed development or annexation. However, Potter expressed concerns regarding property ownership along the northern boundary of Fire Ridge and access across the MoPac Trail. Potter explained that the NRD had not granted the developer permission to cross the MoPac Trail or to remove trees or fencing along the trail. Tree and fence removal had occurred without authorization from the district.

Potter discussed conversations with the Planning Department and Parks and Recreation regarding potential annexation of the MoPac Trail segment between South 98th Street and South 105th Street. Potter stated that the NRD would support annexation of that segment as a possible solution to the access issue.

Potter explained that, based on the NRD's understanding of the property ownership and legal requirements, establishing a public street crossing could require the City to obtain an appraisal and purchase the necessary property from the NRD. Annexation of the trail segment could provide an alternative approach, although it would create additional maintenance responsibilities for Parks and Recreation.

Potter encouraged the Planning Commission to consider whether the applications should be deferred until ownership and access issues involving the MoPac Trail could be resolved. Potter

emphasized the importance of determining property ownership before authorizing additional access or construction activities affecting the trail.

Staff Questions:

Chair Joy asked Potter how long it might take for the City and the Lower Platte South Natural Resources District (NRD) to reach an agreement regarding the MoPac Trail property and access if the applications were deferred.

Potter explained that the process would require a formal request from the City and consideration by the NRD Board. NRD staff and legal counsel were receptive to the proposed transfer. Potter noted that portions of the trail had previously been transferred to the City following annexation of adjacent properties.

Ryman Yost requested clarification regarding ownership of the proposed South 105th Street crossing of the MoPac Trail.

Potter confirmed that the NRD owned the property and that no public street dedication or property acquisition had occurred. An approximately 22-foot-wide easement existed to serve the property south of the trail, which would not meet typical public street width requirements.

Rodenberg asked Potter for the NRD's recommendation.

Potter explained that ownership should remain separate unless the City pursued acquisition of the trail segment between South 98th and South 105th Streets to facilitate the proposed crossing.

Ryman Yost asked whether the transfer could occur within a reasonable timeframe.

Potter indicated that the NRD would be willing to proceed through the necessary process. Potter further discussed concerns regarding the removal of fences and trees from NRD property, explaining that the trail corridor served recreational and wildlife purposes. The property would remain under NRD ownership until the appropriate transfer process occurred as surrounding properties were annexed and developed.

Opposition:

Darin Rich, 1733 S. 105th Street, Lincoln, NE, president of the Camelot Acres Homeowners Association, appeared in opposition. Rich clarified that his concerns were limited to the proposed removal of the barricade requirement and that he did not oppose the annexation or change of zone generally.

Rich expressed concern regarding the removal of trees and fencing near the MoPac Trail. Similar clearing had occurred on property owned by Camelot Acres near the connection to Fire Ridge without prior notification to the homeowners.

Rich explained that South 105th Street was a privately maintained asphalt roadway serving five residential acreages. The roadway was not designed for substantial construction traffic. According to Rich, the homeowners had spent approximately \$150,000 reconstructing the roadway several years earlier and an additional \$11,000 on maintenance during the preceding summer.

Rich acknowledged that the roadway included a public-use easement but emphasized that the homeowners were responsible for its maintenance. Rich expressed concern that allowing construction vehicles associated with Fire Ridge to use South 105th Street would place an additional financial burden on Camelot Acres residents and potentially damage the roadway.

Rich stated that the barricade requirement had been established during the original approval process through discussions involving the developer, Planning Department, and Camelot Acres representatives. Rich questioned the applicant's argument that changed circumstances justified removing the condition, noting that the required box culvert had been part of the development plans for several years.

Rich further stated that reducing the number of lots in the northern phase from approximately 63 to 24 did not eliminate the rationale for the barricade because the removal threshold was based on a percentage of occupancy permits.

Rich clarified that Camelot Acres residents were not requesting annexation at that time. Rich urged the Planning Commission to retain the barricade requirement consistent with the revised staff recommendation.

Larry Fletcher, 1900 South 105th Street, Lincoln, NE. appeared in opposition and discussed his history with Camelot Acres and the MoPac Trail crossing. Fletcher stated that he lived in the area for approximately 25 years and had obtained an easement from the Lower Platte South Natural Resources District to access his property across the former railroad corridor. He explained that he had placed much of his approximately 30-acre property under a conservation easement.

Fletcher described South 105th Street as approximately 20 feet wide and expressed concern about its ability to accommodate large construction vehicles and increased two-way traffic. Fletcher stated that the road had been carefully maintained by residents through financial contributions and ongoing maintenance.

Fletcher also expressed concern regarding safety at the MoPac Trail crossing. The trail was important to Fletcher and increased vehicle and construction traffic would create additional safety concerns for trail users.

Fletcher discussed the removal of trees and vegetation near South 105th Street and the MoPac Trail, expressing disappointment about the changes to the area.

Staff Questions:

Eddins asked staff to clarify the NRD's comments about ownership and the proposed South 105th Street crossing of Mopac Trail.

Schlange explained that an outlot near the proposed connection was owned by the Camelot Acres Homeowners Association. Schlange confirmed that an existing easement across the MoPac Trail provided access to the property and that the Camelot Acres Community Unit Plan had contemplated a future connection to development southwest of the subdivision.

Schlange acknowledged that questions had arisen regarding the precise location of the southern property boundary of the MoPac Trail corridor. Schlange clarified that his earlier comments concerned the Camelot Acres outlot and that construction of the proposed crossing would also involve property owned by the Lower Platte South Natural Resources District.

Schlange stated that annexation of the applicable MoPac Trail property would ultimately be necessary. Schlange explained that Parks and Recreation had been consulted during review of the annexation application but was not prepared to proceed with annexation of the trail segment at that time.

Feit questioned why South 105th Street was privately maintained rather than maintained by Lancaster County.

Schlange explained that the roadway had been established as a private street under the original Camelot Acres development approval.

Steve Henrichsen, Planning and Development Services, 555 South 10th Street, Lincoln, NE provided additional background. Henrichsen explained that the original developer had requested approval of a private roadway and that the request had been approved.

Henrichsen stated that staff generally discouraged private streets when future connections to additional development were anticipated. He noted that the original development plans had identified the possibility of future urban development to the south.

Henrichsen also explained that county policies established minimum development thresholds before certain public roadways became eligible for county maintenance. However, South 105th Street had been proposed and constructed as a private roadway and remained the maintenance responsibility of the homeowner's association.

Henrichsen addressed the NRD's comments regarding the trail crossing and agreed that the property would need to be annexed and transferred to City ownership before construction of South 105th Street across the trail corridor. He explained that Lincoln Transportation and Utilities and Parks and Recreation would then be involved in reviewing the roadway and trail improvements.

Henrichsen emphasized that the principal issue before the Planning Commission was the previously approved phasing plan and barricade requirement. He stated that the need for the box culvert was not new and that staff continued to support retaining the barricade provision.

Henrichsen further explained that staff had coordinated with Lincoln Fire and Rescue to provide emergency access while restricting general traffic.

Henrichsen identified several previous developments where temporary barricades had been used to limit construction traffic through established residential neighborhoods while preserving future street connectivity. Examples included Dominion at Stevens Creek and Sky Ranch Acres, Cumberland Drive, Carl Drive, and Lynwood Drive.

Henrichsen explained that the purpose of these barricades was to direct construction vehicles through the development under construction rather than through adjacent established neighborhoods.

Staff Questions:

Feit asked where the proposed barricade would be located to preserve Fletcher's access to his property.

Schlange explained that the barricade would be positioned west of Fletcher's driveway so that access to his property would remain available.

Applicant Rebuttal:

Gergen responded to concerns raised by the Lower Platte South Natural Resources District (NRD) regarding the removal of trees and fencing near the MoPac Trail. Katt acknowledged that the contractor had been overly aggressive in removing trees. Gergen stated that the NRD had contacted the development team and that the tree removal was stopped promptly.

Gergen disputed the suggestion that the fencing removed belonged to the NRD. He explained that the fencing was located on the developer's property and maintained that the developer had the right to remove it.

Gergen also opposed deferring action on the annexation request, stating that additional delays would adversely affect the development schedule. Gergen requested that the Planning Commission proceed with its recommendation to the City Council.

Katt provided additional clarification regarding the fencing. Katt stated that property surveys indicated the fencing was located on the developer's property rather than NRD property. Katt explained that surveys were routinely completed as part of the development process and reiterated that the fencing removed belonged to the developer.

Staff Questions:

Rodenburg asked whether the applicant would be required to construct the box culvert regardless of whether the barricade requirement was removed.

Katt confirmed that the box culvert would be constructed regardless of the barricade requirement.

Rodenburg questioned whether the applicant was requesting removal of the barricade to delay construction of the box culvert.

Katt explained that the purpose of the request was not to avoid or delay construction of the culvert but to allow development of the northern lots to proceed while the culvert was being designed and constructed. Katt stated that the development could not access the northern lots from South 98th Street until the box culvert and connecting roadway were completed.

Katt explained that the applicant had originally requested two access points from South 98th Street but had been directed to utilize South 105th Street as the secondary connection. Katt stated that the revised phasing plan created a need to develop the northern lots earlier than originally anticipated.

Katt emphasized that allowing access from South 105th Street would permit development of the northern lots to proceed independently of the box culvert construction schedule. Katt reiterated that

the box culvert would ultimately be constructed to connect the northern and southern portions of the development.

Rodenburg requested further clarification regarding whether the box culvert could be constructed without the South 105th Street connection.

Katt confirmed that construction of the box culvert was not dependent upon South 105th Street.

Katt stated that design work on the box culvert had begun approximately 6 months earlier.

Gergen provided additional information regarding the watershed considerations and engineering requirements associated with the box culvert.

Chair Joy clarified that the estimated timeline referred to the design process, which Gergen confirmed.

Rodenburg noted that the estimated design timeline would exceed one year.

Gergen reiterated that retaining the barricade requirement would delay development of the northern lots until the box culvert and connecting roadway were completed.

ANNEXATION 26009, CHANGE OF ZONE 26022, AND SPECIAL PERMIT 20047B
ACTION BY PLANNING COMMISSION

October 14, 2026

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

Eddins moved to approve Annexation 26009, seconded by Ryman Yost.

Eddins expressed support for the proposed annexation but raised concerns regarding the removal of the barricade on South 105th Street. Eddins noted that the barricade requirement had previously been negotiated with neighboring property owners and believed it should remain in place until the outstanding issues involving the MoPac Trail crossing were resolved.

Feit agreed with the concerns regarding the barricade, particularly the potential impacts of heavy construction traffic crossing the MoPac Trail. Feit emphasized the importance of protecting trail users while allowing development to proceed.

Ebert discussed the need to balance continued development with the concerns raised by neighboring property owners. Ebert expressed support for moving the development forward while addressing the barricade and roadway connection issues.

Rodenburg provided historical background regarding the acquisition of the MoPac Trail. Rodenburg explained that Dr. Fletcher and approximately six other couples had purchased the former railroad corridor, initially financing the purchase through personal mortgages. Rodenburg noted that fundraising efforts eventually allowed the mortgage to be paid off and the property to be transferred to the Natural Resources District.

Ryman Yost discussed the revised conditions contained in the October 14, 2026, staff memorandum. Ryman Yost expressed support for allowing development to move forward while retaining the conditions recommended by staff.

Eddins also discussed the possibility of transferring the applicable portion of the MoPac Trail property to the City of Lincoln to facilitate the proposed roadway connection.

Chair Joy acknowledged the concerns regarding the barricade and the timing of the proposed development. Joy noted that additional coordination among the developer, City staff, and the NRD could occur as the project moved forward.

Eddins moved to approve Change of Zone 26022, seconded by Rodenburg.

Eddins moved to approve Special Permit 20047B with changes as amended in presented staff memo dated October 14, 2026, seconded by Rodenburg.

Motion for approval of Annexation 26009 carried 7-0, with Cruz, Ebert, Eddins, Feit, Joy, Rodenburg and Ryman Yost voting “yes”; Ball absent; one vacant seat.

Motion for approval of Change of Zone 26022 carried 7-0, with Cruz, Ebert, Eddins, Feit, Joy, Rodenburg and Ryman Yost voting “yes”; Ball absent; one vacant seat.

Motion for approval of Special Permit 20047B, with changes as amended in presented staff memo, carried 7-0, with Cruz, Ebert, Eddins, Feit, Joy, Rodenburg and Ryman Yost voting “yes”; Ball absent; one vacant seat.

Eddins moved to adjourn the Planning Commission meeting of October 14, 2026; seconded by Rodenburg.

Motion to adjourn carried 7-0: Cruz, Ebert, Eddins, Feit Joy, Rodenburg and Ryman Yost voting “yes”; Ball absent; one vacant seat.

There being no further business, the meeting was adjourned at 2:59 pm.