

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, September 9, 2025.

NAME OF GROUP: PLANNING COMMISSION

DATE, TIME, AND PLACE OF MEETING: Wednesday, September 17, 2025, 1:00 p.m., Hearing Room 112, on the first floor of the County-City Building, 555 S. 10th Street, Lincoln, Nebraska.

IN ATTENDANCE: Dick Campbell, Maribel Cruz, Brett Ebert, Gloria Eddins, Bailey Feit, Cristy Joy, Rich Rodenburg, Ben Callahan, David Cary, Rachel Christopher, Steve Henrichsen, Emma Martin, 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 September 03, 2025.

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

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

Chair Joy asked the Clerk to call for the Consent Agenda Items.

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

September 17, 2025

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

The Consent Agenda consisted of the following items: Comprehensive Plan Amendment 25005, Annexation 25005, Annexation 25007, and Change of Zone 25021.

There were no ex parte communications disclosed.

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

Campbell moved for approval of the Consent Agenda; seconded by Eddins

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

Note: This is **Final Action** on the following items: **Preliminary Plat 25001 and Special Permit 25028 unless** appealed by filing a Notice of Appeal with the **City Council** or the **County Board** within 14 days.

COMPREHENSIVE PLAN CONFORMANCE 25009 – TO REVIEW AS TO THE CONFORMANCE WITH THE 2050 LINCOLN-LANCASTER COUNTY COMPREHENSIVE PLAN, TO DECLARE LAND SURPLUS ON A PORTION OF CITY PROPERTY, LOCATED WITHIN THE HIGHLANDS GOLF COURSE, GENERALLY LOCATED AT NW 12TH STREET AND W FLETCHER AVENUE. AND

CHANGE OF ZONE 25013-OF APPROXIMATELY 0.03 ACRES FROM O-3 (OFFICE PARK DISTRICT) TO P (PUBLIC), AND APPROXIMATELY 0.70 ACRES FROM P (PUBLIC) TO O-3 (OFFICE PARK DISTRICT) ON PROPERTY GENERALLY LOCATED AT NW 13TH STREET AND W FLETCHER AVENUE.

AND

USE PERMIT 04004A-TO AMEND THE EXISTING USE PERMIT TO ADD 72 MULTI-FAMILY UNITS, A PERMANENT OUTLOT FOR DRAINAGE, ADJUST THE USE PERMIT BOUNDARY, AND ASSOCIATED WAIVERS, ON PROPERTY GENERALLY LOCATED AT NW 13TH STREET AND W FLETCHER AVENUE.

PUBLIC HEARING:

SEPTEMBER 17, 2025

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

Staff Recommendation:

Comprehensive Pan Conformance 25009: In Conformance with the Comprehensive Plan

Change of Zone 25013: Approval

Use Permit 04004A: Conditional Approval

There were no ex-parte communications disclosed.

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

Staff Presentation-

Emma Martin, Planning Department, 555 S. 10th Street, Lincoln, NE, came forward and presented a detailed request to amend Use Permit 040004 to facilitate the development of approximately 3.45 acres located southwest of Northwest 13th Street and West Fletcher Avenue. Martin explained that the proposed amendment seeks to add 72 multifamily dwelling

units to the existing approval of 94 units, increasing the total allowable units to 166, which remains consistent with established density calculations for the site. She also stated that while the development will be part of the existing use permit, vehicular access will be exclusively from West Fletcher Avenue through private driveways, with no direct roadway connections to the existing residential neighborhood to the east. The only connection to that neighborhood will be via a pedestrian sidewalk.

Martin further described boundary adjustments to the use permit area, involving the addition of 0.7 acres acquired from the Highlands Golf Course to accommodate stormwater detention requirements and provide a buffer between the residential development and adjacent green space. This acquisition is supported by a comprehensive plan conformance request and a related change of zone from public to office park district zoning. Additionally, the applicant has relinquished 0.03 acres to the city along West Fletcher Avenue to serve as a buffer for a future pedestrian and bicycle trail.

The presentation included two waiver requests: a reduction of the rear yard setback from 40 feet to 30 feet to maintain a 270-foot buffer to adjacent industrial zoning, and a waiver from constructing a sidewalk on the west side of a proposed driveway, in recognition of future road widening plans for West Fletcher Avenue. Martin noted that the Parks and Recreation Advisory Board, which manages the golf course property, recommended approval of the surplus designation and that no other city departments raised objections to the proposals.

Martin emphasized that the proposed development is consistent with the municipal zoning code and supports the goals and policies of the 2050 Comprehensive Plan, particularly in relation to providing accessible, affordable housing and fostering neighborhood development. Martin concluded her presentation by inviting questions from the Commission.

Applicant-

Rick Onnen, E&A Consulting, 2077 N Street, Suite 400, Lincoln, NE, and Bob Lewis, 7101 South 82nd, Lincoln, NE, appeared on behalf of the owner and developer to address the Commission. Onnen began by proposing a minor amendment to Condition No. 3 of the staff report. He explained that the current condition requires the sidewalk along the driveway to be completed prior to the issuance of a building permit. He requested that the condition be modified to require sidewalk construction before the issuance of an occupancy permit, instead, noting that sidewalks are typically constructed concurrently with the associated buildings.

Onnen provided background on the site, explaining that the area was originally included in a use permit approved in 2005, but was not developed at that time due to the lack of gravity sewer infrastructure. The current developer, who has held the property for several years, now proposes to construct apartments rather than townhomes, which allows for the use of a private sewage pump system serving the units as a single lot. This change in infrastructure was a primary motivation for revisiting the project.

During early site planning, it became apparent that achieving the number of units necessary for financial feasibility would be difficult within the original site boundaries. As a result, the

developer approached Highlands Golf Course regarding the potential use of a portion of its land for stormwater detention. While initial discussions considered an easement, further negotiations with the golf course and Parks and Recreation staff resulted in a purchase agreement, as previously noted by staff. Onnen emphasized that this process took over a year and involved multiple meetings and reviews with Parks and Recreation committees.

Regarding site access, Onnen explained that the previously approved plan included connections from Northwest 14th Street and a right-in, right-out access onto Fletcher Avenue. Early in the process, the developer met with the homeowners' association of the adjacent townhome development to the east, which opposed a roadway connection. In response, the development team evaluated several alternatives, including a gated access option. Ultimately, the layout was revised to eliminate vehicular access to the east, leaving only a pedestrian sidewalk connecting the developments. Onnen added that fire department requirements were satisfied by providing adequate turnaround space for fire trucks, with all vehicular access now routed via West Fletcher Avenue.

Onnen also noted a modification from the previously approved access plan: the new design includes a dedicated left-turn lane for westbound traffic on Fletcher Avenue, which was not part of the original approval. The Lincoln Transportation and Utilities (LTU) Department reviewed and approved this change, which Onnen explained significantly improves traffic flow and circulation into and out of the development.

Finally, Onnen mentioned one remaining issue related to the proposed length of the turn lanes, which will be addressed by the City Council. He offered to answer any questions on the matter and concluded his presentation.

Feit asked for clarification on the traffic flow for vehicles exiting the proposed apartment development. Specifically, she inquired whether drivers would be required to turn right onto West Fletcher Avenue or if they could cross over and turn left.

Onnen responded that vehicles would be required to turn right when exiting the development. Feit acknowledged that there is a median in place. Onnen confirmed this and added that a roundabout is located just to the east of the site, allowing vehicles to travel north, loop through the roundabout, and return westbound on Fletcher Avenue if needed.

Chair Joy commended the applicant for the clarification and noted the explanation was helpful. She then asked if there were any additional questions for the applicant. There were none.

Proponents:

No one approached in support.

Neutral:

No one approached in a neutral capacity

Opposition:

Catherine Gabell, 5821 NW 14th Street, Lincoln, NE, came forward and stated that she is a homeowner on Lot 33 and has lived there since 2007. Gabell expressed concerns regarding the proposed development plans. Gabell stated that the community maintains and pays for private streets, snow removal, and sprinkler systems, and that the proposed sidewalk and parking expansion would intrude upon these shared, privately maintained spaces.

Gabell expressed confusion and frustration about the reclassification of the townhome properties as apartments, emphasizing that longtime homeowners, including herself, have distinct ownership rights, such as the ability to install fences.

Gabell clarified that Blake Collinsworth is no longer the property owner and that the current developer is identified as Resort [something] LLC. Additional concerns raised included increased traffic congestion, noise from nearby commercial trucking operations, the removal of mature trees that contribute to neighborhood character, and the potential impact on property taxes.

Gabell also requested clarification on the ownership of certain common areas and urged the commission to obtain detailed responses from both the developer and the homeowners' association before further action.

Chair Joy explained to Gabell that the commission will address her questions and concerns.

Staff Questions

Campbell asked whether the Planning Department would support removing the proposed sidewalk.

Martin explained that the sidewalk is a critical component for neighborhood connectivity and the creation of complete neighborhoods and streets, providing safe, accessible connections for residents and preventing the apartment area from being isolated. She noted that without the sidewalk, residents would need to take longer routes to reach other parts of the neighborhood, emphasizing that the proposed development functions as a single, unified area requiring cohesive connections.

Martin further explained that a complete neighborhood includes diverse housing types and affordability levels, and the sidewalk is essential for connecting residents to transit, trails, and other sidewalks. She added that the sidewalk would also provide existing homeowners access to nearby trails, referencing a map showing solid red lines for sidewalks and hash-marked red lines for trails, indicating that the sidewalk in question is a key connection point. Martin also addressed concerns about screening, stating that design standards require screening between multifamily structures and property lines, including garages, driveways, maintenance buildings, and parking lots, and that these requirements would be enforced during the building permit review process. She acknowledged potential impacts on neighbors but emphasized

that the sidewalk is an important feature aligned with the comprehensive plan's goals for community connections.

Campbell inquired whether any other portions of the bike trail are currently built. Martin deferred to Wade with Parks and Recreation, confirming that no other segments have been constructed. She explained that the existing sidewalk is five feet wide but is planned to expand to a ten-foot trail in the future, which may either replace or connect to the current sidewalk. Campbell noted that the trail is currently unusable along the apartment property, as users would have to rely on the city sidewalk, which is not intended for motorized vehicles or bikes, suggesting that the sidewalk may seem unnecessary at this time.

Campbell then asked whether the waiver under discussion pertained to the sidewalk connecting to Northwest 14th Court.

Martin clarified that the waiver is a request to delay construction of the sidewalk until the occupancy permit stage rather than the building permit stage. She explained that this approach is appropriate for apartments, while pedestrian way easements for single-family homes should be established at or before the building permit stage. Martin noted that she had previously discussed this with Henrichsen, confirming that delaying the pedestrian way easement until occupancy is reasonable for apartments.

Rodenburg asked if there is any alternative access to the future trail for the existing townhomes besides the proposed sidewalk.

Martin replied that she did not know and suggested that the parties involved could address it separately.

Rodenburg emphasized that the sidewalk is intended to provide trail access for townhome residents and ensure connectivity for all, including future apartment residents.

Martin confirmed that the sidewalk would allow connectivity for all users, including children and residents walking, biking, or participating in neighborhood activities.

Ebert asked for clarification regarding access, noting that without the sidewalk, residents would have no alternative to exiting the apartment complex except via West Fletcher. Martin responded that while people could walk through parking lots and grass areas, there would be no designated sidewalk connection without the proposed improvement.

Feit clarified that all land in question, including common spaces, is owned by Highlands Townhomes LLC. Feit also inquired whether trees located in the outlot designated for water runoff would need to be removed.

Martin did not have an answer but indicated that the applicant would be able to provide clarification, and that LTU representatives, if present, might also be able to respond.

Applicant Questions-

Bob Lewis, 7101 South 82nd Lincoln, NE, came forward representing the owner and developer, stating that the property is currently owned by Highlands Town Homes LLC, which includes Breck and Blake Collingsworth. Breck Collingsworth is the developer of the lot currently. Lewis clarified that the parcel in question is a zoned and buildable lot—not an outlot—and pointed out that the staff report incorrectly refers to it as an outlot.

Regarding the sidewalk connection, Lewis deferred to staff and others to determine whether it should be included, stating he did not have a strong opinion either way. He acknowledged the value of cross-connectivity as a general development standard used throughout the city.

Addressing tree removal, Lewis explained that approximately six trees are planned to be removed from the site. The location was selected as it naturally functions as a detention area, which avoids the need for extensive excavation. A small dam and pipe will be installed to manage runoff, but otherwise the area will remain in its natural state, with only dead or diseased trees removed to ensure the functionality of the drainage system.

Lewis added that the area has been in a natural condition since the golf course opened in the early 1990s and confirmed that while golf balls and poison ivy are present, the intent is to preserve the natural landscape as much as possible.

Regarding the sidewalk along Fletcher Avenue, Lewis said the development team has agreed with staff and the Parks Department to build a 10-foot trail in the future trail location from the existing sidewalk west to the project's driveway. This plan considers future widening of Fletcher Avenue, allowing the trail to be constructed once rather than in phases. The portion of sidewalk east of the project is not within the applicant's control and may or may not require removal.

Lewis also discussed access concerns. He stated that early in the planning process, the development team met with the HOA board and shared plans to connect the new development with the townhome cul-de-sac. The HOA board requested that no connection be made due to traffic and parking constraints. In response, the applicant worked with staff to eliminate the rear connection and ensure emergency vehicle access through other means.

Because there is no connection between the development and the existing neighborhood, the applicant is not part of the HOA. However, the development will connect to the public sanitary sewer located in the cul-de-sac. While the road is private, there is a public access easement, which gives the applicant the right to perform necessary work. The applicant intends to coordinate with the HOA board on timing and any pavement repairs or impacts.

Lewis concluded by stating they own up to the private roadway and will continue working with the board as needed. He offered to answer any additional questions from the Commission.

Staff Questions-

Chair Joy asked a few follow-up questions. Referring to the sidewalk that connects to the current private drive, she inquired about the piece of property owned by the applicant in that area. Joy asked what the applicant's plans were for working with adjacent property owners—particularly regarding existing concerns such as green space, grass, and irrigation systems that are already in place.

Lewis explained that discussions had taken place with the homeowners regarding maintenance of the area between the two lots where the future driveway is planned. The homeowners indicated they had been mowing that portion of land. Lewis noted there may be existing irrigation in the area, which could be addressed during final design. He clarified that any disturbance caused by construction would be restored, including the replacement of grass or relocation of sprinklers to the project's system if necessary. At the time of those early conversations with the HOA, detailed arrangements had not been finalized. Ultimately, the property in question will become part of the apartment complex and will be owned and maintained by the developer, with coordination to ensure the HOA no longer mows or irrigates the area.

Chair Joy acknowledged the discussion and asked if there were any additional comments regarding the screening planned for the east side of the property.

Lewis explained that the project is currently at the site plan approval stage, and the final design has not yet been completed. He stated that all requirements would be met as the site plan advances, including adjustments to parking locations and amounts to achieve the required screening. Lewis noted that the site slopes significantly from east to west, dropping into a detention area, which was a key factor in selecting the location. He added that a substantial berm and existing trees already provide screening for the rear of nearby houses, making them largely unseen from the site. A small detention cell also exists behind the first four units along the west cul-de-sac, offering additional protection. Lewis indicated that the properties most impacted will likely be one or two homes with side yard setbacks, and he affirmed that efforts would be made during final design to minimize those impacts to the greatest extent possible.

Rodenberg asked whether the proposed connection to the east, leading to the townhomes, was optional.

Lewis responded that the connection is required by the City and the Comprehensive Plan, but noted that even without it, people would likely still cross the grass to move between the two areas.

Rodenberg then asked who would be responsible for snow removal on the sidewalk. Lewis clarified that because the sidewalk is located on the development's lot, snow removal would be the responsibility of the developer, along with other sidewalks within the project.

Chair Joy asked if there were any further questions, and none were raised.

COMPREHENSIVE PLAN CONFORMANCE 25009, CHANGE OF ZONE 25013, AND USE PERMIT 04004A

ACTION BY PLANNING COMMISSION:

SEPTEMBER 17, 2025

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

Campbell moved to approve Comprehensive Plan Conformance 25009; seconded by Eddins. Motion carried 7-0: Campbell, Cruz, Ebert, Eddins, Feit, Joy, Rodenburg voting "yes"; Ball and Ryman Yost absent.

Campbell indicated that he was holding off on making the other two amendments until the Commission reached consideration of the use permit, noting that this would be the appropriate stage for those decisions. He confirmed that the Commission could discuss all amendments together if desired. Campbell stated that he intends to agree with the developer to add the third amendment, which would require construction of the sidewalk and trail concurrent with building occupancy. He explained that this approach makes sense, as it prevents the project from being disrupted during construction.

Regarding the connecting sidewalk, Campbell moved to consider eliminating it, explaining that the townhome residents had not expressed a need for it and that the sidewalk would provide limited connectivity for the apartment residents, who can access the short bike trail. He noted that as the development evolves, the homeowners' association may choose to establish additional connections, but at this time, given the lack of expressed interest from either side, he recommended eliminating the connecting sidewalk.

Eddins agreed with Campbell's assessment, noting that the townhome residents do not want the sidewalk, and the apartment complex also expressed no need for it. She observed that although the City might require sidewalks, there are no nearby services, grocery stores, or shops for the sidewalk to connect to, aside from linking the homes and the apartment complex. Eddins suggested that a trail through the grass may eventually emerge and that the option to reinstall a sidewalk could be revisited in the future. She supported the removal of the sidewalk at this time and added that the remainder of the project appears well-planned, noting that this has been a long-term project and that the development of the apartment complex was anticipated.

Feit stated that she might be in the minority, but expressed support for maintaining the sidewalk connectivity. She noted that the sidewalk would help bring together residents of the apartment complex and the adjacent townhome neighborhood, fostering a family-friendly

environment and facilitating gatherings. Feit emphasized that having the sidewalk would symbolically and practically demonstrate mutual access and welcome between the two communities. She also agreed with Eddins' earlier point, noting that constructing a sidewalk is preferable to creating a path through the grass, which could damage landscaping. Feit concluded that she supports including the sidewalk as part of the development plan.

Cruz noted that the discussion raised an interesting perspective, drawing from her experience in an architecture class where she learned that sidewalks should be placed where people naturally walk, often indicated by informal, worn paths. She suggested that observing such patterns can help determine where sidewalks are most needed. Cruz added that a small connection could provide easier access to the trail for residents, rather than requiring them to take longer routes. She concluded that while the sidewalk will likely be constructed eventually, the question remains whether the Commission should be proactive in building it now or allow residents to determine the timing of its installation.

Steve Henrichsen, Planning Department, 555 S. 10th Street, Lincoln, NE, came forward and provided additional context regarding the sidewalk. Henrichsen explained that the proposed sidewalk would reduce travel distance for residents heading to destinations such as the Highlands Pool or nearby parks. He emphasized that without the sidewalk, residents attempting to walk east from the apartment buildings—potentially with strollers or other mobility considerations—would need to take a significantly longer route, heading west, then north, before accessing public sidewalks along Northwest 13th Street. Henrichsen noted that the sidewalk supports neighborhood connectivity and neighborliness, while also providing accessible routes that comply with ADA requirements, preventing unnecessary extension of trips to other public facilities. Henrichsen concluded that this important aspect of connectivity had not been fully highlighted in earlier discussions.

Eddins briefly acknowledged Henrichsen's point regarding ADA accessibility, noting the importance of considering accessible routes in planning discussions.

Campbell shared his experience from similar developments, noting that there is typically very little interconnectivity between apartment residents and single-family homeowners. Campbell explained that in his own development, social events such as monthly gatherings are attended primarily by homeowners, with apartment residents rarely participating. Based on this experience, he does not anticipate long-term engagement between apartment residents and townhome owners in the current project. Nevertheless, Campbell stated that he would proceed with his proposed amendment to gauge the opinions of other commissioners.

Rodenberg stated that he sees the primary benefit of the sidewalk as providing townhome residents with access to the future trail, rather than serving the apartment residents. He acknowledged that some apartment residents may also benefit when traveling east. Considering the importance of connectivity and the guidance of the Comprehensive Plan, Rodenberg indicated that he supports the sidewalk being constructed, but he favors Amendment No. 3, which would delay construction until the appropriate time.

Ebert stated that she supports the sidewalk connection to the nearby cul-de-sac, citing the points previously made by Henrichsen. She noted that the alternate route around the area would significantly lengthen travel times and highlighted safety concerns, particularly for children crossing busier streets. Ebert emphasized that the sidewalk would provide a more direct and safer connection through the townhome development to destinations such as the aquatic center.

Chair Joy stated that she will support the sidewalk and expressed approval of the transition of maintenance responsibilities to the ownership group. She noted that it is appropriate for the developer to be responsible for sidewalk upkeep and snow removal, ensuring proper maintenance of the area.

Abby Littrell, City Law Department, 555 S 10th Street, Lincoln, NE, came forward and addressed the Commission to clarify the process. Littrell noted that the current motion pertains to the Comprehensive Plan amendment and emphasized that all actions at this stage are recommendations to the City Council, not final decisions. Littrell explained that there is no formal amendment process at this time, and any motion regarding sidewalks—for example, allowing installation at the time of occupancy—would be framed as a recommendation to approve the use permit with that condition, rather than as an amendment or waiver. Littrell asked if there were any questions regarding this clarification.

Chair Joy confirmed her understanding of Littrell's explanation and thanked her for the clarification, noting that the Commission would proceed with consideration of the current motion.

Campbell moved to approve Change of Zone 25013; seconded by Eddins. Motion carried 7-0: Campbell, Cruz, Ebert, Eddins, Feit, Joy, Rodenburg voting "yes"; Ball and Ryman Yost absent.

Campbell moved to approve Use Permit 04004A as presented with site-specific sidewalk and trial with occupant permit; seconded by Eddins. Motion carried 7-0: Campbell, Cruz, Ebert, Eddins, Feit, Joy, Rodenburg voting "yes"; Ball and Ryman Yost absent.

ANNEXATION 25006 - TO ANNEX APPROXIMATELY 37.07 ACRES ON PROPERTY GENERALLY LOCATED AT NW 56TH STREET AND W HOLDREGE STREET.

AND

CHANGE OF ZONE 25020- TO CHANGE THE ZONE FROM AG (AGRICULTURAL) TO R-3 (RESIDENTIAL) FOR APPROXIMATELY 37.07 ACRES, ON PROPERTY GENERALLY LOCATED AT NW 56TH STREET AND W HOLDREGE STREET.

AND

PRELIMINARY PLAT 25001- TO PLAT 128 SINGLE FAMILY LOTS AS PART OF WEST VIEW RIDGE, A PROPOSED RESIDENTIAL SUBDIVISION, ON PROPERTY GENERALLY LOCATED AT NW 56TH STREET AND W HOLDREGE STREET

PUBLIC HEARING AND ACTION:

SEPTEMBER 17, 2025

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

Staff Recommendation:

Conditional Approval for Annexation 25006
Approval for Change of Zone 25020
Conditional approval for Preliminary Plat 25001

There were no ex-parte communications disclosed.

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

Staff Presentation-

Jacob Schlange, Planning Department, 555 S. 10th Street, Suite 213, Lincoln, NE, came forward and presented information regarding a request for annexation and change of zone for approximately 37 acres located northwest of West Holdridge and Northwest 56th Street, including adjacent right-of-way along West Holdridge Street. The proposed change of zone is from AG (Agricultural) to R3 (Residential), facilitating new single-family residential development at urban densities contiguous with existing city limits. Schlange noted that the site has access to public utilities, and municipal services, including water and sanitary sewer, could be extended from adjacent neighborhoods. He added that the proposed R3 zoning is compatible with surrounding neighborhoods and would accommodate single-family homes.

Schlange explained that as part of the annexation agreement, the developer will pave West Holdridge Road from Northwest 56th Street to the western edge of the property, with details still under discussion. He then provided an overview of the preliminary plat, which proposes 128 single-family homes under R3 zoning. Although initially submitted as a Community Unit Plan (CUP), the applicant revised the request to a preliminary plat, as all proposed dwellings are single-family residences, and the CUP was deemed unnecessary. Condition references in the plan were updated to reflect the change from CUP to preliminary plat.

Schlange identified two waivers associated with the preliminary plat. The first allows the sanitary sewer to run opposite the street grades, necessary due to a central crest in the property's topography and recommended for approval by LTU Wastewater. The second waiver reduces the centerline radius of a C1 curve to 100 feet (rather than the required 150 feet) to minimize tree removal and maximize green space and detention capacity in Outlot C. He noted that LTU approval will be required at the time of final plan submission, as the grading and drainage plan has not yet been submitted.

Finally, Schlange noted a change to Condition 2.1.13 regarding an eastbound left-turn lane at West Holdridge and Northwest 56th Street. The applicant was not in agreement as of that morning, and discussions with LTU are ongoing. The updated resolution allows for an eastbound left-turn lane unless an alternate design is approved by the City of Lincoln. Schlange concluded by stating he could answer any questions from the Commission.

Applicant Presentation-

Mike Eckert, Civil Design Group, 8535 Executive Woods Drive, Suite 200, Lincoln, NE, came forward and addressed the Commission in follow-up to Schlange's presentation. Eckert noted that the project is straightforward and confirmed agreement with Schlange's explanation. Eckert stated that the application was revised back to a preliminary plat because all proposed lots meet minimum lot size requirements, and the development will include either single-family or attached townhome lots. Eckert noted that this is one of the first preliminary plats submitted in 2025.

Eckert addressed the two minor waivers, indicating that discussions with LTU are ongoing. Eckert also noted continued coordination regarding the design of Holdridge Street, particularly concerning the left-turn lane from the west, due to the adjacent land being in a different drainage basin and unlikely to develop for decades. He concluded by stating he would be happy to answer any questions from the Commission.

Staff Questions-

Campbell asked for clarification regarding the existing buildings on the site.

Eckert responded that, according to the preliminary plat layout, all existing buildings are scheduled to be removed. He noted that the client is expected to close on the property toward the end of the month and will proceed with obtaining demolition permits to remove the structures, including the existing house, from the site.

Proponents:

No one approached in support.

Neutral:

No one approached in a neutral capacity.

Opposition:

No one approached in opposition.

ANNEXATION 25006, CHANGE OF ZONE 25020, AND PRELIMINARY PLAT 25001**ACTION BY PLANNING COMMISSION:****SEPTEMBER 17, 2025**

Campbell moved to close the public hearing; seconded by Eddins. Motion carried 7-0: Campbell, Cruz, Ebert, Eddins, Feit, Joy, Rodenburg voting "yes"; Ball and Ryman Yost absent.

Campbell moved to approve Annexation 25006; seconded by Eddins. Motion carried 7-0: Campbell, Cruz, Ebert, Eddins, Feit, Joy, Rodenburg voting "yes"; Ball and Ryman Yost absent.

Campbell moved to approve Change of Zone 25020; seconded by Eddins. Motion carried 7-0: Campbell, Cruz, Ebert, Eddins, Feit, Joy, Rodenburg, voting “yes”; Ball and Ryman Yost absent.

Campbell moved to approve Preliminary Plat 25001; seconded by Eddins. Motion carried 7-0: Campbell, Cruz, Ebert, Eddins, Feit, Joy, Rodenburg voting “yes”; Ball and Ryman Yost absent.

Chair Joy asked if there was any further discussion, noting that the matter appears to be straightforward and well-defined.

Eddins noted her appreciation that the proposal included relatively few waivers, indicating that the project largely aligns with standard requirements and regulations.

Chair Joy agreed, commenting that it is encouraging to see a project of this nature with minimal waivers and expressing her approval of the presentation.

Motion for approval of Annexation 25006, Change of Zone 25020, and Preliminary Plat 25001 carried 7-0: Campbell, Cruz, Eddins, Ebert, Feit, Joy, Rodenburg, voting ‘yes’. Ball and Ryman Yost absent.

SPECIAL PERMIT 25028- FOR STILL WATERS RECOVERY, LLC TO ALLOW FOR A RESIDENTIAL HEALTHCARE FACILITY FOR UP TO 44 RESIDENTS, ON PROPERTY GENERALLY LOCATED AT 12788 W ROCA ROAD.

PUBLIC HEARING AND ACTION:

SEPTEMBER 17, 2025

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

Staff Recommendation: In General Conformance with the Comprehensive Plan

There were no ex-parte communications disclosed.

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

Staff Presentation-

George Wesselhoft, Planning Department, 555 S. 10th Street, Suite 213, Lincoln, NE, came forward and presented information regarding a request for a special permit for a residential health care facility in southwestern Lancaster County, near the intersection of Southwest 128th Street and West Roca Road, close to the Crete zoning jurisdiction. The proposal is for development on approximately 31.45 acres zoned AG (Agricultural) and requests approval for up to 44 residents with 20 employees. The facility would provide voluntary residential treatment for substance use disorders.

Wesselhoft noted that an existing home on the property would be remodeled to accommodate offices, a cafeteria, and a group fitness space for residents and staff. Four modular structures would be added southwest of the existing home to provide housing for residents. The modular units are designed to be removable if the residential health care use ceases.

Wesselhoft explained that Lancaster County zoning regulations allow residential health care facilities in AG zoning at a density of one person per 5,000 square feet. With the site's area, up to 273 individuals would be allowed; the applicant's request for 44 residents represents approximately 16% of the maximum density. Parking requirements call for 25 spaces, and the applicant is providing 28. Wesselhoft clarified that residents will not have vehicles, and the parking is provided to meet zoning standards.

Wesselhoft also referenced a prior special permit request on the property (SP15064) for an expanded home occupation/event center, which was denied approximately ten years ago due to opposition. He emphasized that the current proposal is not expected to significantly impact traffic, as access will be via the existing driveway onto West Roca Road (Highway 33), a paved state highway. Noise impacts are expected to be minimal, with most activity occurring indoors; the nearest neighboring homes are approximately 800 feet from the proposed facility and modular structures.

Wesselhoft concluded by indicating he was available to answer any questions from the Commission.

Applicant Presentation-

Derek Zimmerman, attorney with the Baylor Edmond Law Firm, 12480 O Street, Lincoln, NE, addressed the Commission on behalf of Stillwaters, the applicant for the proposed special permit. He began by expressing appreciation to the Planning Department staff, particularly Wesselhoft, for their support and engagement during the neighborhood meeting.

Zimmerman stated that the project meets all applicable requirements, requests no waivers, and aligns with the Comprehensive Plan. He noted the proposed development represents only 16% of the maximum allowable density and clarified that residents will not have vehicles on-site, with parking provided solely to meet zoning requirements.

Zimmerman emphasized that locating the facility on the southwestern portion of the property allows for appropriate buffering from adjacent properties. He also expressed gratitude for the Planning Department's recommendation of approval and confirmed the applicant's understanding of, and agreement to comply with, all standard special permit conditions, including wastewater and state licensing requirements, before commencing operations.

He concluded by introducing Matt Rennerfeldt, the owner and developer, along with representatives from Ascension Recovery Services, highlighting their collaborative involvement in the project, and welcomed any questions from the Commission.

Matt Rennerfeldt, 11821 Grayhawk Circle, Lincoln, NE 68526, came forward and addressed the Commission. Rennerfeldt provided background on his experience as co-founder of Alpha Brewing Operations, a company he sold in 2022, and explained that his motivation for establishing Stillwaters stems from personal experiences with addiction in his family and among former colleagues.

Rennerfeldt described the property's unique features, including existing buildings, a lake, and natural surroundings, which make it well-suited for a residential recovery sanctuary. He outlined his vision for the facility, emphasizing a tranquil, non-institutional setting, with enhanced landscaping, gardens, and local sourcing of food and supplies. Planned amenities include a fitness center, an indoor pool for therapy, and partnerships with local organizations and universities to provide educational and life-skills programming.

Rennerfeldt also introduced plans to establish a nonprofit to financially support guests after their stay, including outpatient care, sober living housing, family support, and scholarships. He explained that residential treatment is only the beginning of recovery and stressed the importance of ongoing support to impact long-term outcomes.

Rennerfeldt discussed the operational structure, highlighting a staffing-to-resident ratio of approximately 1:12 and the modular housing design, which will include four aesthetically pleasing structures to accommodate residents, including detox beds. Rennerfeldt concluded by introducing Ascension Recovery Services as the chosen operational partner to manage day-to-day clinical operations and programming, emphasizing the alignment of values and approach with Stillwater's mission.

Staff Questions-

Eddins asked why the number of residents was set at 44.

Rennerfeldt explained that the number is based on a staff-to-guest ratio of roughly 1:12. The modular structure designated for medical detoxification can't house 12 residents in a single building because space is needed for nursing and staff. The other three modular structures each house 12 residents, so combined with the detox beds, the total comes to 44. Rennerfeldt emphasized that the modular buildings are designed to blend aesthetically into the environment.

Chris Watras, Client Services Director, Ascension Recovery Services, 5278 Major Boulevard, Orlando, FL came forward and stated he is also a therapist, substance use disorder counselor, and clinical supervisor with over 25 years of direct practice experience. Watras explained that Ascension has partnered with Matt Rennerfeldt to develop the Stillwaters Recovery Sanctuary over the next 12–14 months and will operate the facility once open. Watras noted that Ascension is a leading expert in developing and operating quality evidence-based substance use disorder treatment programs, with operations in 35 states and residential programs like Stillwaters in Iowa, Indiana, New Hampshire, and Oklahoma.

Watras added that Ascension owns and operates several facilities in West Virginia, where a large portion of employees are in long-term recovery from substance use disorder, including their CEO and founder, Doug Leech. Watras stated that Ascension's mission is to expand access to comprehensive, fully integrated behavioral health care for underserved populations and regions, focusing on those struggling with substance use disorder, regardless of insurance type or ability to pay.

With Ascension's mission and Matt Rennerfeldt's vision, Watras stated they are very excited to be a part of developing and operating Stillwaters Recovery Sanctuary. He then concluded by offering to answer any questions before handing the discussion over to his partner, Morgan Henson.

Staff Questions

Campbell asked about the recidivism rate at Ascension Recovery facilities nationwide, specifically the rate of clients who complete the program and then relapse.

Watras responded that while it is difficult to provide a definitive statistic, addiction—like other chronic health conditions—often involves a risk of relapse. He noted that studies indicate approximately 50% of individuals in addiction treatment relapse after completing a program.

Campbell then asked about the frequency of patient outbursts and whether clients ever need to be assisted or restrained due to harm to staff or other patients.

Watras explained that in this type of facility, restraints are not used, and staff are trained in de-escalation techniques to handle any challenging behavior. He noted that the client population at Stillwaters consists of voluntary participants who have been professionally screened. The facility maintains 24/7 professional supervision, so there has been no need to physically restrain clients.

Watras highlighted that Stillwaters will provide a spacious, high-quality residential treatment environment with unique natural beauty and amenities, creating new jobs for the local community. He noted plans to source food and supplies locally, establish partnerships with Doane University, UNL, and other organizations, and offer scholarships, grants, and educational opportunities. Residents and staff will volunteer in the community. The renovation is projected to be complete in summer 2026, with an anticipated opening in fall 2026.

Campbell acknowledged the response and confirmed that the facilities are staffed 24/7.

Eddins asked if the Stillwaters facility would be staffed 24/7.

Watras confirmed that it would be, with awake staff on site always.

Eddins then asked how clients come to the program—whether it is through parole collaboration, referrals, or other means.

Watras explained that referrals come from multiple sources. The facility conducts community outreach and business development to inform medical centers and behavioral health providers that services are available. Once clients are identified, they are screened to determine if they are an appropriate fit for the program.

Eddins clarified by asking whether individuals recommended for sober living through parole would be accepted.

Watras confirmed that it is not uncommon for clients to be involved with the criminal justice system, and the facility works closely with the judicial system when appropriate.

Cruz asked for clarification regarding the type of recovery facility. She confirmed that the program would operate like a Betty Ford-style center with a full payer mix, including private pay, commercial insurance, Medicaid, and scholarships for those unable to pay.

Watras confirmed that the facility would accept private pay, commercial insurance, Medicaid, and provide scholarships as needed.

Cruz asked about staffing, noting that since this is a medical program, licensed professionals would be on site 24/7, including medical, psychological, and psychiatric staff for substance use disorder treatment.

Watras confirmed that licensed professionals would always be present, and the facility would provide appropriate medical and psychological care consistent with ADA requirements.

Cruz asked about referrals to the recovery center, including partnerships with healthcare providers such as Bryan Health, private doctors, and family members seeking treatment for loved ones.

Watras confirmed that referrals would come from healthcare providers, family members, and other community partners, emphasizing outreach to ensure accessibility. Cruz noted that a 50% recovery rate is consistent with industry standards and that many clients typically undergo multiple treatment stints before achieving long-term recovery.

Feit asked about the state licensing process for the facility, specifically what steps are required, and which agency provides the license.

Watras explained that obtaining a state license involves multiple steps. He noted that Nebraska Health and Human Services provides the license, and additional details would be provided by Morgan (Ascension Recovery Services). Watras also mentioned that the facility will be accredited by the Joint Commission, which is considered the gold standard for healthcare facility accreditation.

Rodenburg asked how the individuals at the facility are considered—clients, patients, or residents—given that similar programs, such as Oxford House, are protected under fair housing laws. He noted that the Commission's ability to deny such facilities may be limited due to protections for individuals in recovery.

Watras responded that the terminology varies within the industry. At the facility, they would be considered residents, though "guests" is often used as a more welcoming term. He explained that the Oxford House model is part of a continuum of care: individuals may start with

withdrawal management, move into a 28-day residential program, and then transition to sober living or intensive outpatient services. The Oxford House represents a step-down in the continuum.

Watras confirmed this explanation addressed the question, and noted that Morgan, with more experience in other projects, could provide further insight into legal and operational considerations for facilities in protected classes.

Chair Joy asked Morgan Henson to come forward to answer questions regarding the operations and services at Still Waters Recovery Sanctuary.

Morgan Henson, Senior Director at Ascension Recovery Services, 5728 Major Boulevard, Suite 301, Orlando, Florida, came forward and provided an overview of the day-to-day operations and services at Still Waters Recovery Sanctuary. Henson noted that the facility differs from Oxford House programs and is more akin to a higher-end treatment center, comparable to a Betty Ford Clinic, serving a full payer mix including private pay, commercial insurance, Medicaid, and scholarships.

Henson explained that all guests are thoroughly screened before admission through an over-the-phone assessment at the admissions center. Upon acceptance, guests typically begin with a short-term, 3–5-day program to manage mild to moderate withdrawal symptoms, followed by a residential program of approximately 28 days.

Programming is structured and supervised 24/7 by credentialed staff, including registered nurses, LPNs, nurse practitioners, and medical doctors. Daily activities include comprehensive assessments, individualized treatment planning, individual and group counseling, family therapy, eco-therapy (offsite), aquatic therapy, case management, peer support, life skills development, guest speakers, and recreational activities. Evenings feature quieter activities such as fire-side gatherings, movie nights, and outdoor activities like kayaking and fishing, weather permitting.

Henson addressed community concerns, including staffing shortages and safety. She highlighted Ascension's strong recruitment pipeline, partnerships with local universities, competitive pay, and career development opportunities to maintain staffing ratios. Community safety is supported through structured programming, staff trained in de-escalation and crisis prevention, controlled access, visitor protocols, and continuous 24/7 staffing.

Henson emphasized the organization's commitment to creating a safe, respectful, tranquil, and healing environment and highlighted her personal experience in long-term recovery. She expressed confidence that Still Waters Recovery Sanctuary will strengthen the community, assist individuals in recovery, and rebuild families.

Staff Questions-

Feit asked about emergency response procedures, referencing written testimony expressing concern about calling 911 if an incident occurred. She asked where the nearest police station is located and how long it would take for law enforcement to respond to a call at the facility.

Henson stated that she did not know the location or response time of the nearest police station.

Rennerfeldt addressed Feit's question about emergency response, noting that the closest law enforcement station is approximately 2 to 2.5 miles away in Crete, which is in a different county. He acknowledged that response times may vary due to the facility's location on the outskirts of Lancaster County.

Feit commented that the issue may require further research and suggested establishing a special relationship with local law enforcement to ensure optimal response times for staff and residents' safety. Rennerfeldt agreed.

Proponents:

No one approached in support.

Neutral:

No one approached in a neutral capacity.

Opposition:

Jan Fischer, 12401 Bob White Trail, Crete, Nebraska 68333, came forward and spoke on behalf of the group that submitted a letter regarding the proposed facility. She provided an updated signature page and a document from the Nebraska Department of Health and Human Services showing the number of similar facilities and beds in Lancaster County. Fischer displayed a map outlining the property and noted that most signatories reside in the nearby Lakeside Estates neighborhood.

Fischer emphasized that the facility is a healthcare center, not housing, and that residents are patients undergoing treatment for substance use disorders. She noted concerns regarding safety and security due to the voluntary, unlocked nature of the facility, the "hands-off" policy, the lack of criminal background checks (aside from sex offender registry checks), and the number of patients rotating through the facility—potentially up to 500 annually at full capacity. She also expressed concern about the potential presence of mental health conditions or criminal backgrounds among patients.

Fischer highlighted emergency response issues, noting that local law enforcement in Lancaster County may not respond promptly to the area, and requested that any approval include consideration of emergency security measures. She questioned compatibility with the comprehensive plan, pointing out that the plan references housing and affordable housing, not drug treatment centers, and noted that the property's infrastructure (well, septic system) was

designed for a single-family residence rather than a 44-bed healthcare facility. She requested a groundwater or well capacity study to ensure sufficient resources.

Fischer concluded by stating that her comments reflect the collective concerns of approximately 40 area residents and offered to answer questions. Fischer also stated that she believed all commissioners had received the letters submitted in opposition.

Campbell confirmed that the commissioners had read them.

Rodenburg noted he had read them twice, and other commissioners echoed similar sentiments.

Chair Joy thanked the speaker for attending and for representing the concerns of the community. Fischer expressed appreciation and concluded her testimony.

Pam Wakeman, 15751 Bob White Trail, Crete, NE 68333, came forward and spoke regarding the proposed facility. Wakeman noted that her property directly borders the proposed site and expressed concerns like those raised by Jan Fischer. Wakeman stated that the term “healthcare facility” was misleading and that most residents in her subdivision did not receive notification from Lancaster County until after they had met with Stillwaters representatives.

Wakeman raised concerns regarding water supply, waste disposal, security, and emergency response, noting uncertainty about available resources and the involvement of CIT services. She emphasized that the facility is not residential, as patients stay for short-term treatment (approximately 30 days).

Wakeman discussed the impact on property values, comparing her subdivision's assessed value and taxes with those of the Stillwaters property. She questioned potential tax incentives for the development and requested information on the effects of similar facilities in other neighborhoods. She cited advice from a mental health professional regarding the need for a robust security system, noting concerns about theft due to the facility's patient population and the limited 50% recovery rate.

Wakeman also shared research indicating that Nebraska has 67 licensed mental health rehabilitation facilities with 1,638 beds statewide, including 334 licensed beds in Lancaster County, questioning the need for additional local capacity. She concluded by noting that while the facility may serve individuals from Crete, other nearby facilities are also available to the same population.

Wakeman concluded her remarks and asked if the commissioners had any questions. Chair Joy also invited questions, then thanked Wakeman for her testimony. Wakeman expressed her thanks and concluded her testimony.

Arthur Grinstead, 15380 Bob White Trail, Crete, NE, 68333, came forward and spoke regarding the proposed facility. Grinstead introduced himself as a husband and father of six children and noted that his family's primary residence directly borders the proposed site. Grinstead expressed concern about the proximity of the facility to his home, emphasizing that his wife homeschools their children and is at home throughout the day.

Grinstead shared his professional background as a medical doctor with training in mental health and substance use disorder treatment, including experience at the Hazelden Betty Ford Clinic, and acknowledged the need for recovery centers. Despite this, he expressed concern about the facility's "hands-off" approach, noting that patients could leave the property and potentially come into his neighborhood, which he viewed as a safety concern.

Grinstead raised questions regarding emergency response times from Lancaster County, citing uncertainty about how quickly law enforcement or medical personnel could respond to incidents at the edge of the county. Grinstead also questioned the adequacy of patient screening to ensure that only appropriate cases are admitted to the facility.

Additional concerns included potential impacts on property values, trespassing issues, and the qualifications of on-site medical providers, including whether a medical doctor would be present in person or via telehealth. Grinstead concluded by emphasizing the importance of neighborhood safety and requested consideration of contingency plans for medical and security emergencies.

Grinstead stated he wanted to bring those concerns to the commission's attention and thanked the commission for listening. Chair Joy asked if there were any questions; there were none and then thanked Grinstead for his testimony.

Dave Rodger, 13000 W. Roca Rd, Crete, NE 68333, came forward and stated that he is immediately to the west of the subject property. Rodger noted that he had contacted Creek Police and the Creek Fire Department, and both were unaware of the proposed rezoning.

Rodger stated that he supports the previous speakers' objections without repeating them, including concerns about safety, incompatibility with the comprehensive plan, incompatibility with the character of the neighborhood, and concerns about water usage and environmental impact. Rodger noted that water levels and pressure in the area fluctuate and that there is a lack of demonstrated community support for the project. Rodger requested the denial of the special permit.

Rodger discussed the purpose of zoning, noting that it is a tool used by the government to manage the growth of land for the public good while providing residents with predictability and protection for property values. He emphasized that zoning is also a promise to the community, residents, and businesses, and that residential neighborhoods expect residential use as was intended when the area was originally zoned.

Rodger asked the commission to honor that promise, reconsider the committee's report, and seek another location for the facility—closer to Lincoln or in an area where services are genuinely needed. He reiterated his request for denial of the special permit.

Rodger thanked the commission and asked if there were any questions. Chair Joy thanked the applicant for their testimony, and the applicant responded courteously.

Howard Doty, 15500 Redwing Drive, Crete, Nebraska 68330, came forward and introduced himself as the current president of the Homeowner's Association for the development. Doty noted that he had spoken with many of his neighbors and that while they agree the cause is worthwhile and recognize the struggles many families face, their biggest concern is security. Doty stated that he has lived in the development for 37 years and could recall only three times the county sheriff had been called for an emergency. In those cases, response times were between 45 minutes and one hour. Doty explained that while the Crete Police Department is physically closest, they do not provide service in the area. Some service is provided by the Crete Fire Department, but law enforcement response falls to the county sheriff, who may be a considerable distance away.

Doty emphasized that because the development is located on the far edge of the county, the proximity of the proposed facility raises security concerns for nearly all residents. He also noted that sound travels easily across the lake, and activities at the facility, such as music or fireworks, would be noticeable to neighbors.

Doty concluded by reiterating that security is the primary concern of most residents due to their proximity to the proposed site.

Doty concluded his testimony by stating that those were the only comments he wanted to make and thanked the commission, after which Chair Joy acknowledged the conclusion.

Betty Doty, 15500 Redwing Drive, Crete, NE 68330, came forward and introduced herself as a retired RN with 54 years of experience in mental health, shared her concerns regarding the availability and accessibility of mental health and substance abuse treatment facilities in Lancaster County. Doty expressed the difficulty in assessing the truthfulness of patients, citing a personal experience of a patient she had worked with for several months.

Doty also raised the issue of the shortage of mental health beds in Lancaster County, pointing out that while the state of Nebraska has 1,600 licensed beds, Lancaster County has only 463, with many of the beds concentrated in Lincoln and Omaha. She highlighted the limited availability of beds in western Nebraska, noting that facilities in areas like North Platte and Alliance are nonexistent.

In her discussion of Bridge Behavioral Therapy, a local facility licensed for 68 beds, Doty explained that the facility currently operates with only 42 patients due to staffing and financial constraints, with the director considering it "full" despite having available licensed capacity. She questioned whether Lancaster County really needed additional facilities, suggesting that the current facilities might be underutilized due to staffing issues.

Doty also pointed out that many of the patients at these facilities are walk-ins or homeless, raising concerns about access to care for those in rural areas. She questioned the practicality of providing care in rural locations, especially for patients who may face challenges accessing services.

Chair Joy asked if there were any questions and then thanked the speaker for their testimony.

Judy Siedhoff, 15651 Bobwhite Trail, Crete, NE 68333, came forward and spoke about her concerns regarding the proposed facility in her area. She mentioned that her property backs up to the proposed site and referenced a line marking the jurisdictional boundary, beyond which Creek police will not go. Siedhoff recounted an incident where her son's car was stolen from outside their house, and it took 45 minutes for the sheriff to arrive. She also noted that the sheriff had presented to their neighborhood watch and acknowledged that their location at the edge of the county results in slower response times. Siedhoff also mentioned that it takes approximately 25 minutes to get to South Point, suggesting that services like those in Lancaster County would also require travel time.

Siedhoff pointed out that their community is rural, with many residents who hunt, fish, and have alcohol or prescription drug use issues. She emphasized the proximity of the proposed facility to an area where substances like alcohol, drugs, and firearms are accessible, which she believes could increase risks. As a registered nurse with 43 years of experience, Siedhoff shared her personal experience with substance abuse patients, stating that many of them also suffer from mental health issues. She expressed concern over the lack of hands-on treatment at the facility, noting the difficulty in managing patients with detox or substance abuse issues without physical intervention, fearing they could leave the facility if not restrained.

Siedhoff also raised concerns about how the facility would affect her quality of life. She questioned whether it would improve her safety, noting that the neighborhood has always been quiet and peaceful, with residents able to come and go without disturbances. She expressed that having 44 individuals across the lake with potential legal issues would not enhance her sense of security or well-being. Additionally, Siedhoff worried that the facility would decrease the property value of her home. She closed by stating that the proposed facility does not align with her vision for her neighborhood or the improvements she had hoped for in her quality of life.

Siedhoff noted those were the points she wanted to present and asked if there were any questions. Chair Joy indicated there were none and thanked Siedhoff for her testimony.

Staff Questions

Ebert asked about comments regarding water concerns and septic usage, specifically whether site-specific conditions 2.1 and 2.2 would address those issues.

Wesselhoft responded that the Health Department was present and noted that these concerns had been included as conditions of approval. He explained that before a building permit could be issued, the applicant would need to obtain all necessary water and wastewater permits through both the state and Lancaster County.

Chair Joy asked Wesselhoft to explain the zoning and special permit process for the proposed use.

Wesselhoft responded that the facility is classified as a residential healthcare facility, which requires a special permit under both city and Lancaster County regulations. He explained that this type of use is allowed in residential zoning through a special license, unlike other facilities that might require office or commercial zoning. Wesselhoft noted that this is not an uncommon type of special permit and that there are multiple examples within the Lincoln jurisdiction, emphasizing that the proposed use is consistent with what is allowed in residential areas through the special permit process.

John Ward, Deputy County Attorney, 605 S. 10th Street, Lincoln, NE, came forward and addressed the Planning Commission regarding land use regulations and public safety, health, and wellness considerations. Ward noted that the zoning resolution was adopted following the comprehensive plan, which had already taken public health and safety into account. He explained that zoning regulations presuppose adherence to these considerations and that the County Board retains the authority to adopt additional regulations at any time. Ward further emphasized that under the Americans with Disabilities Act and the Fair Housing Act, individuals with substance use disorders are classified as having a disability. He cautioned that if the Planning Commission were to apply zoning regulations indiscriminately based on perceived dangers or “not in my backyard” concerns, any such decision would likely be overturned on appeal.

Henrichsen came forward and addressed the Planning Commission, agreeing with the earlier assessment but clarifying some distinctions. Henrichsen explained that the current request is under county zoning regulations. In contrast, previous cases involving Oxford Houses were within the city’s jurisdiction, specifically focused on a reasonable accommodation request for people to live in a single-family dwelling as a unit. Hendrichsen emphasized that today’s request is not a reasonable accommodation, nor is it for collaborative or transitional living, which are typically found in the city’s jurisdiction. Instead, the current proposal is for a residential healthcare facility. He pointed out that the discussion about reasonable accommodation would not apply in this context, as it pertains to a separate type of review under city regulations and clarified that the current request is within the county’s jurisdiction.

Feit asked Henrichsen for a brief definition of a residential healthcare facility and how it is defined in Lancaster County zoning regulations.

Henrichsen responded by explaining that a residential healthcare facility is a building or structure used in a residential manner, licensed or approved by the state or an appropriate agency if required. He outlined that the facility could include, but is not limited to, assisted living, nursing care, memory care, convalescent homes, hospice homes, group homes for 16 or more people, and intermediate care. Henrichsen also noted that some facilities may include independent living units, as some facilities offer both assisted and independent living within one facility.

Henrichsen further mentioned that the application was sent to the county sheriff, who recommended approval, as well as to the Crete Volunteer Rural Fire Department, which covers the Crete area and 120 square miles beyond. Henrichsen noted that they did not receive any comments from the Crete Rural Fire Department. He concluded by acknowledging that the sheriff's office serves an expansive area of 840 square miles and emphasized that the sheriff's office prioritizes service to the entire county, regardless of the distance from their headquarters.

Applicant Rebuttal

Zimmerman addressed the commission, acknowledging the discussion around the Fair Housing Act and the Americans with Disabilities Act. He emphasized that the goal of the project was to present it in a way that demonstrated its suitability for the community while meeting the requirements. He clarified that the issue had not been raised during the neighborhood meeting and reiterated that the intent was not to force the project through without regard for public input. Zimmerman stated that, while the project fits within the special permit requirements, if it had not, they would have pursued an accommodation. He also explained that the county does not have a specific process for seeking accommodations, unlike the city ordinance, but that an accommodation could still be requested similarly. Zimmerman further highlighted that their project did not require a variance, as it met the criteria for the special permit, and thus, they were protected under both the Fair Housing Act and ADA.

Staff Questions-

Rodenberg asked whether the facility would accept people regardless of their ability to pay, acknowledging that Medicaid insurance would likely be accepted. He inquired if any individuals might have "slipped through the cracks" in terms of coverage.

Zimmerman responded that he would let Watras address the question, as his expertise is in distance requirements and buffers, which he had previously discussed.

Watras came forward and asked for clarification, and Rodenberg replied, inquiring whether anyone had been denied access due to an inability to pay, asking Watras to elaborate more on what was meant by people "slipping through the cracks." Watras explained that whether individuals are accepted depends on the treatment center and its location. He mentioned that scholarships are generally available, and if someone is an appropriate fit for the program —

meaning they do not require acute medical, psychiatric, or addiction treatment, which are common concerns — they make every effort to find a way to accommodate them and get them into the program.

Rodenberg asked if there had been any incidents of individuals wandering off the facility, getting into legal trouble, or causing disturbances.

Watras replied that such incidents have never occurred at any of their facilities. He explained that it simply doesn't happen, as staff are present 24/7, awake, and work closely with the individuals, especially those who may be impaired.

Ebert asked if this site was similarly rural to other sites the facility operates or if it had more distance between neighbors than is typical.

Watras replied that they have a mixture of different environments. He mentioned that while some of their facilities are in city, urban, and rural neighborhoods, the current site is a combination of all the above.

Chair Joy thanked everyone and then asked the commissioners if they had any more questions. When there were none, the discussion concluded

Rennerfeldt came forward and stated that he did not actively seek out letters of support or recruit signatures, noting that while he could likely gather numerous letters in favor of the project, he didn't feel it was necessary. Rennerfeldt expressed that "you don't need an army unless you're going to war," emphasizing that he was not in conflict with his neighbors. He clarified that he holds his neighbors in high regard and wanted to make that clear. Rennerfeldt acknowledged that if more effort was needed to demonstrate support, he would be willing but added that he believed support for the project extended beyond his own perspective.

SPECIAL PERMIT 25028

ACTION BY PLANNING COMMISSION:

SEPTEMBER 17, 2025

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

Campbell moved to approve Special Permit 25028; seconded by Eddins.

Campbell acknowledged that the area is rural but emphasized that it is well-separated from other housing developments. He then shared his experience with Bryan's independent center on the west campus, noting that it is a more restricted facility, but serves a different type of individual compared to the current proposal. Campbell expressed that while he believes there may be individuals who fail within the system, he has confidence in the facility's nationwide network and professional staff, which he feels is more robust than what other facilities, such as the Oxford houses, offer. For these reasons, Campbell stated that he would be supporting the motion.

Eddins stated that she would support the motion, acknowledging the constant need for facilities like the one proposed. She shared his experience serving on the foster care review board, where many parents struggling with addiction are waiting for a bed to get sober and become better parents. Eddins emphasized that this issue is real and personal to her, as it has touched her life. Eddins expressed understanding of the concerns from residents, acknowledging questions about the right number of beds and whether the proposed capacity is appropriate. She compared the potential safety and security concerns to those that come with a "rotten neighbor," noting that even sober individuals can cause issues.

Eddins also noted that there appeared to be a natural buffer in the land and mentioned that, if the land were subdivided into houses like those in the nearby neighborhood, the number of homes would likely approach the same number of residents as the proposed facility. Eddins also noted that the applicant had met with the neighbors, which she appreciated. She concluded by stating that she believed the applicant was genuine in their desire to do the project right without negatively impacting the neighbors, and that's why she would support the motion.

Cruz shared her understanding of the rigorous process required to obtain JCO accreditation, the necessary licensing, and the professional staff needed to meet those standards. She emphasized that if the facility were staffed at a 1:1 ratio, the "boogeyman issues" that some may be concerned about would not arise. Cruz acknowledged that while there may not be locks on the doors, the critical issue is that there are simply not enough inpatient recovery options, particularly in western Nebraska, which she believes is even more pressing given the upcoming changes in healthcare over the next six to 18 months. She then addressed the common question of whether she would want such a facility in her neighborhood, stating that she would be fine with it.

Feit expressed her support for the proposal and complimented the team, saying they did a good job.

Chair Joy acknowledged that it is always their responsibility to review land use. Joy noted that the special use permit with conditional approvals by staff had been thoroughly vetted and stated that she would also be approving it, agreeing with her fellow commissioners on the matter.

Motion for approval of Special Permit 25028 carried 7-0: Campbell, Cruz, Ebert, Eddins, Feit, Joy, Rodenburg, voting 'yes'. Ball and Ryman Yost absent.

Campbell moved to adjourn the Planning Commission meeting of September 17, 2025; seconded Eddins.

Motion to adjourn carried 7-0: Campbell, Cruz, Ebert, Eddins, Feit, Joy, Rodenburg, and Ryman Yost voted "yes." Ball and Ryman Yost absent.

There being no further business, the meeting was adjourned at 3:44 pm.