

MEETING RECORD

Advanced public notice of the Planning Commission meeting was posted on the County-City bulletin board and the Planning and Development Services Department's website. In addition, a public notice was emailed to the Lincoln Journal Star for publication on Tuesday, November 25, 2025.

NAME OF GROUP: PLANNING COMMISSION

DATE, TIME, AND PLACE OF MEETING: Wednesday, December 3, 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: Lorenzo Ball, Dick Campbell, Maribel Cruz, Gloria Eddins, Bailey Feit, Cristy Joy, Rich Rodenburg, Cindy Ryman Yost, Ben Callahan, David Cary, Jill Dolberg, Steve Henrichsen, Shelli Reid, Andrew Thierolf, and Laura Tinnerstet 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 November 12, 2025.

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

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

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

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

December 3, 2025

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

The Consent Agenda consisted of the following items: Comprehensive Plan Conformance 25012, Text Amendment 25011, Change of Zone 21020D, Change of Zone 25025, Special Permit 13047A, Special Permit 18023B, Special Permit 25043, and Pre-existing Use Permit 3AJ

There were no ex parte communications disclosed.

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

Clerk asked if anyone wanted to speak on the consent items. there was one individual who wanted to testify on Change of Zone 21020D. Chair Joy stated this item will be pulled from the Consent Agenda and moved to Public Hearing.

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

Consent Agenda approved 8-0: Ball, Campbell, Cruz, Ebert, Eddins, Feit, Rodenburg, and Ryman Yost, voting “yes”. Ebert absent.

Note: This is **Final Action** on **Special Permit 13047A, Special Permit 18023B, Special Permit 25043, and Pre-Existing Use Permit 3AJ** unless appealed by filing a Notice of Appeal with the **City Council or County Board** within **14 days**.

CHANGE OF ZONE 21020D, TO AMEND THE SOUTH OF DOWNTOWN PLANNED UNIT DEVELOPMENT (PUD), SPECIFICALLY UPDATING THE LOT REGULATIONS WITHIN THE PUD TO ALLOW A TWO-FAMILY DWELLING ON LOTS 1,740 SF OR LARGER AND TO REDUCE THE AVERAGE LOT WIDTH TO 17’ PER UNIT ON LOTS LEGALLY CREATED AFTER NOVEMBER 1, 2025, ON PROPERTY GENERALLY LOCATED BETWEEN A AND H STREETS AND 10TH AND 17TH STREETS.

PUBLIC HEARING:

December 3, 2025

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

Staff Recommendation: Conditional Approval

There was an ex-parte communication disclosed.

Eddins noted that the amendment was discussed at the Mayor’s Roundtable meeting, which she attended. Eddins stated there was minimal opposition from the neighborhood, with only some questions and discussion, and no major concerns raised.

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

Staff Presentation-

Ben Callahan, Planning and Development Services Department, 555 South 10th Street, Lincoln, NE, came forward and presented the proposed amendment to the South of Downtown Planned Unit Development, encompassing approximately 44 blocks between 10th and 17th Streets near the Capitol. Callahan explained that the amendment proposes a blanket revision to lot standards for two-family dwellings within the PUD.

Callahan noted that some older lots were subdivided before the adoption of current standards and may contain existing homes previously used as two-family residences. The amendment is intended to provide flexibility on lot area requirements, enabling these homes to return to two-family use where appropriate. Callahan indicated that several previous amendments have been processed within this PUD and stated readiness to answer questions from the Commission.

Proponents:

Dillon Murman, Applicant - NeighborWorks Lincoln, 2530 Q Street, Lincoln, NE, came forward and provided testimony in support of the proposed amendment to the South of Downtown Planned Unit Development (PUD). Murman indicated that the amendment aligns with NeighborWorks Lincoln’s objectives of strengthening neighborhoods and expanding affordable housing, as well as the City of Lincoln’s broader redevelopment goals.

Murman noted that the application of newer zoning codes to older historic neighborhoods has limited reinvestment in subdivided lots. Murman explained that the South of Downtown PUD was originally established to encourage affordable single- and two-family infill development and to simplify zoning regulations for non-standard residential lots.

Murman stated that the amendment would offer flexibility for properties impacted by previous subdivision constraints, assist in meeting the targets of Lincoln's Affordable Housing Coordinated Action Plan—which anticipates the need for 17,000 additional units over the next decade—and allow modest increases in allowable density while maintaining the character of existing neighborhoods.

Murman highlighted that the amendment promotes reuse of existing structures, supports infill redevelopment consistent with Lincoln's 2050 Comprehensive Plan, and may improve code compliance by bringing unpermitted duplexes up to standard. Murman concluded by thanking planning staff for their assistance and the Commission for the opportunity to provide testimony.

Neutral:

No one approached in a neutral capacity.

Opposition:

No one approached in opposition.

CHANGE OF ZONE 21020D
ACTION BY PLANNING COMMISSION

December 3, 2025

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

Eddins moved to approve Change of Zone 21020D; seconded by Campbell.

Eddins stated support for the proposal, noting excitement about the potential impact of the amendment. Eddins indicated that the amendment could provide opportunities for future generations to purchase lots that might otherwise be unavailable due to high costs. Eddins expressed interest in seeing how the area develops over the next 10 to 20 years and whether the amendment proves to be beneficial for this specific location.

Chair Joy stated that this is an exciting opportunity for all involved and asked if there were any additional comments. No further comments were offered.

Motion for approval of Change of Zone 21020D carried 8-0: Ball, Campbell, Cruz, Eddins, Feit, Joy, Rodenburg, and Ryman Yost voting 'yes'. Ebert absent.

TEXT AMENDMENT 25014, TO AMEND THE CONDITIONAL USE PROVISIONS IN LMC 27.62.080 AND SPECIAL PERMIT PROVISIONS IN LMC 27.63.070 RELATED TO ALLOWING CHILDHOOD CARE FACILITIES IN PROVIDING MORE FLEXIBILITY WITH THE ALLOWED OCCUPANCY, THE REUSE OF AN EXISTING BUILDING WITHIN RESIDENTIAL NEIGHBORHOODS, REVISING OF SPECIFIC CONDITIONS WITH THE DESIGN STANDARDS BY NO LONGER REQUIRING DAYCARES OVER 21 CHILDREN TO BE LOCATED ON COLLECTOR AND ARTERIAL ROADWAYS, AND ADDITIONAL PROVISIONS FOR THE SAFETY OF CHILDHOOD CARE FACILITIES IN OR NEAR THE I-1 INDUSTRIAL ZONING DISTRICT.

PUBLIC HEARING:

December 3, 2025

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

Staff Recommendation: Approval

There were no ex-parte communications disclosed.

Staff/Applicant Presentation-

Ben Callahan, Planning and Development Services Department, 555 South 10th Street, Lincoln, NE, came forward and presented the proposed text amendment concerning early childhood care facilities within residential districts, including AG, AGR, and R1 through R8 zoning. Callahan explained that non-residential districts, such as B and O districts, had previously been updated to permit early childhood care by right with no occupancy limits. Callahan noted that Planning and Development Services has received numerous inquiries regarding the need for additional early childhood care in the community, and that the amendment was developed in coordination with multiple departments to address barriers within neighborhoods.

Callahan stated that the amendment would increase the maximum occupancy for in-home early childhood care conditional uses from 15 to 20, without affecting building code or state licensing requirements. The amendment would also allow conditional use of early childhood care facilities in existing buildings, including places of religious assembly, neighborhood support services, and public or private schools and clubs, with a maximum occupancy of 50 children by right. Buildings must have been constructed before January 1 of the current year to qualify. Special permits would remain an option for facilities exceeding 50 children or for facilities not meeting conditional use criteria.

Callahan further noted that certain design standard requirements related to roadway classification would be removed, as these are frequently waived for existing neighborhood buildings. In I-1 zoning, additional review would be required for facilities located within 300 feet of vulnerable populations. In such cases, early childhood care would only be allowed in association with an existing I-1 use, such as an employee daycare, and would include consideration of emergency evacuation plans and surrounding area conditions. Callahan concluded by offering to answer any questions from the Commission.

Staff Questions-

Feit asked Callahan whether any future early childhood care developments might be affected by the proposed changes.

Callahan responded that, because the amendment applies only to buildings constructed before January 1 of the current year, it would not affect any facilities already in operation.

Ball asked Callahan for clarification regarding Section 27.63, specifically whether the provisions apply to new construction or only existing buildings.

Callahan explained that Section 27.63 is governed by the special permit provision. For any early childhood care facility in a residential zoning district, including those operated in existing places of religious assembly, a special permit would generally be required. Callahan noted that under the amendment, conditional approval allows existing buildings to accommodate up to 50 children by right without requiring the special permit process.

Ball asked for clarification, noting that for existing buildings, the amendment allows up to 50 children by right, but for new construction, a special permit would still be required to allow 50 or more children.

Callahan confirmed that any facility serving more than 50 children would require a special permit. Callahan also noted that any new construction of an early childhood care facility would be subject to the special permit process.

Feit thanked Ball for asking the question and noted that Callahan's response provided clarification.

Chair Joy asked for clarification regarding I-1 zoning, noting that a business providing daycare in an I1 district would require a special permit.

Callahan confirmed that a daycare in an I-1 district currently requires a special permit and that the proposed amendment does not change this requirement. Callahan noted that the amendment would further restrict daycare uses in I-1 zoning by requiring that the facility be associated with an existing I-1 business, due to the more intensive nature of the use.

Cruz asked for clarification regarding existing buildings in I-1 zoning, noting that any internal daycare would still need to meet health department and other requirements for a special permit to be granted.

Callahan confirmed that daycare facilities in I-1 zoning would need to demonstrate association with the on-site business and provide required documentation, including emergency evacuation plans and any additional information required by the health department based on the surrounding area.

Rodenburg asked whether any current applicants would benefit from the amendment by being able to proceed without applying for a special permit.

Callahan stated that there are no specific applicants currently known who would be affected. Callahan noted that in past cases, daycare providers leasing space from existing buildings, such as churches, would have benefited from the amendment if they had met the specified occupancy limits, as they could have been conditionally allowed.

Ball asked how the proposed amendment would affect issues commonly raised regarding traffic, parking, and the safety of children crossing the street, noting that these concerns frequently arise with schools and daycare facilities.

Callahan responded that under the conditional provisions of the amendment, no additional parking requirements would be imposed for early childhood care facilities located in existing buildings, such as older churches, provided they meet the specified conditions and serve up to 50 children. This allows the use of the existing on-site parking, which can otherwise be a limiting factor in neighborhood locations. Callahan noted that facilities exceeding 50 children or in new buildings would still be subject to the special permit process and standard daycare parking requirements.

Chair Joy asked if there were any further questions and, receiving none, thanked Callahan for his responses.

Proponents:

No one approached in support.

Neutral:

No one approached in a neutral capacity.

Opposition:

No one approached in opposition.

Tim Sieh, Assistant City Attorney, 555 South 10th Street, Lincoln, NE, came forward and stated he wanted to correct the record regarding one item in the staff report. Sieh noted that the legislative version on page five of the staff report lists the section to be changed as 27.06.080, which is the use group chapter and not the conditional use chapter. The correct section is 27.62.080. Sieh clarified that this section is correct elsewhere, including the agenda and public notice. Sieh emphasized that when voting, the Commission is voting on

Section 27.62.080, not 27.06.080, and offered to answer any questions. Sieh noted that this clarification was intended to ensure accuracy on the record.

Staff Questions-

Campbell inquired about the section correction. Sieh clarified that the amendment before the Commission is only a recommendation to the City Council and that the official legislative version and ordinance presented to the Council will reflect the correct section.

Chair Joy acknowledged the clarification, noting that all other references in the staff report, agenda, and advertising were correct. Sieh confirmed this and stated that it was a minor detail caught late, noted for the record. Chair Joy thanked him.

TEXT AMENDMENT 25014
ACTION BY PLANNING COMMISSION

December 3, 2025

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

Campbell moved to approve Text Amendment 25014; seconded by Eddins

Eddins stated that when discussing walkable neighborhoods, this proposal is a positive step. For families without a car, having childcare options within residential areas is beneficial. Eddins noted that in her own neighborhood, smaller daycare providers are already at capacity, leaving limited options. As a parent, Eddins felt that licensed facilities often provide additional reassurance, but those tend to be larger centers located along major streets rather than within walkable areas.

Eddins added that parking will likely be the most common concern raised. Living next to a school, Eddins experiences similar traffic patterns, and daycare pick-up and drop-off typically occur twice a day. Eddins stated that congestion can generally be avoided by adjusting arrival or departure times by a few minutes to miss peak pick-up and drop-off periods.

Chair Joy asked if there were any additional questions, and none were offered.

Motion for approval of Text Amendment 25014 carried 8-0: Ball, Campbell, Cruz, Eddins, Feit, Joy, Rodenburg, and Ryman Yost voting 'yes'. Ebert absent.

Campbell moved to adjourn the Planning Commission meeting of December 3, 2025; seconded Eddins.

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

There being no further business, the meeting was adjourned at 1:31 pm.