



21542

23-143  
Annexation No. 23009

Introduce: 11-20-23

ORDINANCE NO. 21542

1 AN ORDINANCE annexing and including the below described land as part of the City of  
2 Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of  
3 Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of  
4 Lincoln, Nebraska established and shown thereon.

5 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

6 Section 1. That the land legally described as follows:

7 Lot 66, Irregular Tract, located in the Southeast Quarter of Section 10, Township  
8 9, Range 6 East of the 6<sup>th</sup> P.M., Lincoln, Lancaster County, Nebraska

9 be and it hereby is annexed and included within the corporate limits of the City of Lincoln,  
10 Nebraska and is hereby made a part of the City of Lincoln, Nebraska for all purposes.

11 Section 2. That the "Corporate Limits Map" attached to and made a part of Ordinance No.  
12 18208, be and it is hereby amended to reflect the above extension of the corporate limits boundary  
13 of the City of Lincoln. Said map amendment is shown on Attachment "A" which is attached hereto  
14 and made a part hereof by reference.

15 Section 3. That, pursuant to the Lincoln City Charter Article IV, Section 2a; Neb. Rev.  
16 Stat. § 15-247 (Reissue 2012); and Neb. Rev. Stat. § 32-553, et seq. (Reissue 2016), the land  
17 annexed above shall be assigned to City Council District #3.

18 Section 4. This ordinance shall be published, within fifteen days after the passage hereof,  
19 in one issue of a daily or weekly newspaper of general circulation in the City, or posted on the  
20 official bulletin board of the City, located on the wall across from the City Clerk's office at 555 S.  
21 10<sup>th</sup> Street, in lieu and in place of the foregoing newspaper publication with notice of passage and  
22 such posting to be given by publication one time in the official newspaper by the City Clerk. This

1 ordinance shall take effect and be in force from and after its passage and publication or after its  
2 posting and notice of such posting given by publication as described herein and in the City Charter  
3 provided.

Introduced by:

Brian Shels

AYES: Beckius, Bowers, Carlson, Duden,  
Shobe, Washington, Weher; NAYS: None.

Approved as to Form & Legality:

James Krista  
City Attorney

Approved this 18<sup>th</sup> day of DEC, 2023:

Steven Taylor Baird  
Mayor

**PASSED**

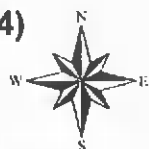
**DEC 11 2023**

**BY CITY COUNCIL**



2020 aerial

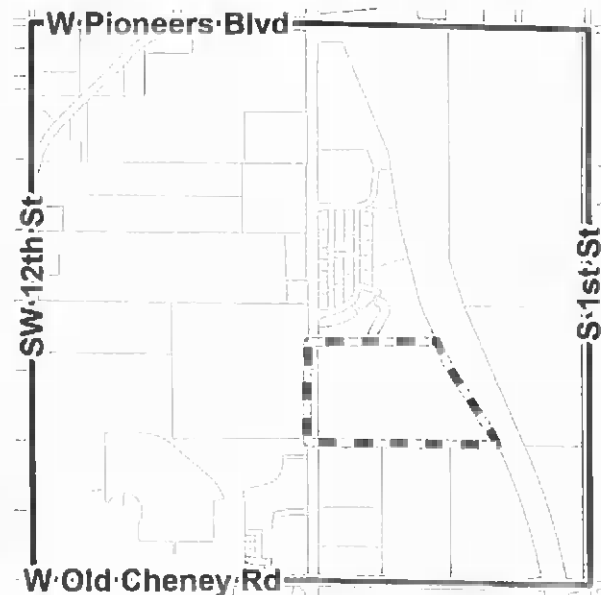
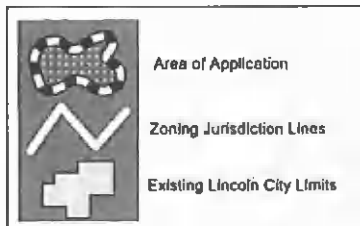
**Annexation #: AN23009 &  
Change of Zone #: CZ23067 (AG to R-4)  
Optimist Youth Sports Complex  
S Folsom St & W Old Cheney Rd**



**One Square Mile:  
Sec.10 T09N R06E**

**Zoning:**

- R-1 to R-3 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District



## PLANNING DEPARTMENT SUMMARY REPORT

**TITLE:** Annexation 23009 – to annex the Optimist Youth Sports Complex and adjacent S. Folsom Street Right-of-Way, with approximately 33.9 acres (5300 S Folsom Street)

**PLANNING COMMISSION RECOMMENDATION:** Conditional Approval: (7-0; Ball, Campbell, Cruz, Eddins, Feit, Rodenburg, and Ryman Yost voting 'yes'; Edgerton absent, Joy recused)

**APPLICANT CONTACT:** Jeremy Williams, Design Associates of Lincoln

**OPPONENTS:** None present at the hearing

**STAFF RECOMMENDATION:** Conditional Approval

### REASON FOR LEGISLATION:

This is a combined request for annexation of approximately 34 acres and for a change of zone from AG, Agriculture to R-4, Residential on approximately 31.91 acres located along S. Folsom Street. The area of annexation is slightly larger as it will include the abutting S. Folsom Street right-of-way. This request is related to the existing and continued use of the Optimist Youth Sports Complex athletic fields at this site. An associated Administrative Amendment has been submitted to the existing Special Permit #1882A for the outdoor recreation facility to update the existing site layout to include two more playing fields and improvements to the existing concession and restroom facilities.

### DISCUSSION / FINDINGS OF FACT:

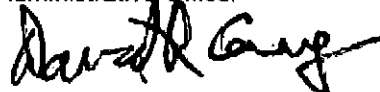
1. On November 1, 2023, the proposed annexation request and associated Change of Zone 23067 (Bill #23-144) were before the Planning Commission as part of the Consent Agenda. No one testified at the hearing. There is also an associated annexation agreement (Bill #23R-598) for this development.
2. The staff recommendation of conditional approval is based upon the "Analysis" as set forth on p. 4, concluding that this proposed annexation and change of zone is compatible with the existing use and with the surrounding developing area. The facility is proposing the annexation for access to city services to serve the facilities on site. The property is adjacent to the existing city limits on both the north and east sides as the surrounding area is actively developing with a mix of residential densities. The property is intended to continue operation as an outdoor athletic and recreation facility.
3. A staff memo, dated October 31, 2023, was given to Planning Commission members indicating revisions to staff report. See p.9-10.
4. On November 1, 2023, the Planning Commission voted 7-0, (Edgerton absent, Joy recused) to recommend conditional approval of this annexation request, and voted 7-0 (Edgerton absent, Joy recused) to recommend conditional approval of the associated Change of Zone 23067 (Bill #23-144), as set forth in the conditions of the staff report dated October 19, 2023.

**SUMMARY REPORT PREPARED BY:** Shelli Reid, Administrative Officer

**DATE:** November 3, 2023

**REVIEWED BY:** David R. Cary, Director of Planning

**DATE:** November 3, 2023



F:\devreview\factsheets\CC\2023\Nov 1, 2023\AN23009+

**REVISED PER STAFF MEMO DATED OCTOBER 31, 2023  
LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT**

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER  
Annexation #23009  
Change of Zone #23067

FINAL ACTION?  
No

DEVELOPER/OWNER  
Star City Optimist Youth Foundation

PLANNING COMMISSION HEARING DATE  
November 1, 2023

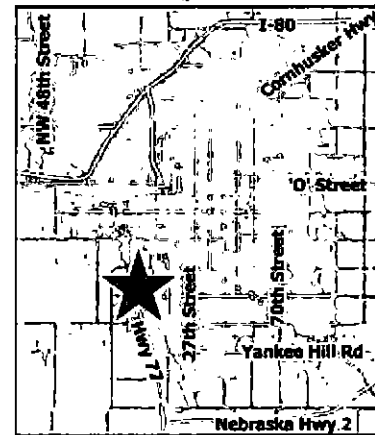
RELATED APPLICATIONS  
None

PROPERTY ADDRESS/LOCATION  
5300 S. Folsom Street

**RECOMMENDATION: CONDITIONAL APPROVAL**

**BRIEF SUMMARY OF REQUEST**

This is a combined request for annexation of approximately 34 acres and for a change of zone from AG, Agriculture to R-3-R-4, Residential on approximately 31.91 acres located along S. Folsom Street. The area of annexation is slightly larger as it will include the abutting S. Folsom Street right-of-way. This request is related to the existing and continued use of the Optimist Youth Sports Complex athletic fields at this site. An associated Administrative Amendment has been submitted to the existing Special Permit #1662A for the outdoor recreation facility to update the existing site layout to include two more playing fields and improvements to the existing concession and restroom facilities.



**JUSTIFICATION FOR RECOMMENDATION**

This proposed annexation and change of zone is compatible with the existing use and with the surrounding and developing area. The facility is proposing the annexation for access to city services to serve the facilities on site. The property is adjacent to the existing city limits on both the north and east sides as the surrounding area is actively developing with a mix of residential densities. The property is intended to continue operation as an outdoor athletic and recreation facility.

**APPLICATION CONTACT**

Jeremy Williams, (402) 474-3000 or [jeremy@daoflincoln.com](mailto:jeremy@daoflincoln.com)

**STAFF CONTACT**

Ben Callahan, (402) 441-6360 or [bcallahan@lincoln.ne.gov](mailto:bcallahan@lincoln.ne.gov)

**COMPATIBILITY WITH THE COMPREHENSIVE PLAN**

The 2050 Comprehensive Plan designates this area as green space on the Future Land Use Map and shown as Tier 1, Priority A on the 2050 Growth Tiers. The site will continue to serve as an outdoor recreation facility which is compatible with the future use designation and surrounding land uses of both agriculture and developing urban residential neighborhoods. The property abuts Highway 77 and will have access off S Folsom Street, a minor arterial roadway.

## KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

### Introduction Section: Growth Framework

Figure GF.b: 2050 - This site is shown as future green space on the 2050 Future Land Use Plan.

Land Use Plan - Public or privately-owned areas predominantly used for recreation, such as parks, golf courses, soccer or ball fields, and trails. Many green space areas also serve functions such as buffers between incompatible uses and as stormwater management areas. In some cases, privately-owned Green Space such as golf courses may also be appropriate for future Urban Residential development.

Figure GF.c - This site is shown in Tier 1, Priority Area A on the 2050 Priority Growth Area Map.

### **Fundamentals of Growth in Lancaster County**

The City of Lincoln's present infrastructure investment should be maximized by planning for well-designed and appropriately-placed residential and commercial development in existing areas of the city with available capacity. This can be accomplished by redeveloping underutilized commercial centers into areas that include a mix of uses, and encouraging higher-density residential redevelopment in appropriate locations, including missing middle housing. New infrastructure investments to serve growth areas can be maximized by encouraging a higher density of both residential and commercial uses in these areas.

### **Fundamentals of Growth in Lancaster County**

**Multi-directional contiguous growth.** Lincoln's future urban growth should generally occur in multiple directions around the existing city. Lincoln will continue to have managed and contiguous growth, including strengthening our Downtown core. Lincoln's sense of community has been based on incremental, compact growth built on the foundations of established neighborhoods. Future growth will continue this traditional pattern and be linked to both the level of demand in the market and to the orderly extension of public improvements and services.

**Gravity flow wastewater.** The City of Lincoln's wastewater collection system, in general, will continue to be a gravity flow system that is designed to use gravity as the main energy source to convey wastewater from the community to the water resource recovery facilities. This means that drainage basin boundaries are a primary guiding factor when determining availability of urban wastewater services and other infrastructure. This provides for contiguous growth, efficient long range planning, and cost-effective construction and management of the system.

**Urban infrastructure availability.** The City of Lincoln will provide water and wastewater service only to properties located within the corporate limits of the city.

### **Concurrency**

The key to a successful community is the concurrent development of infrastructure proportionate to the development and need of the community – a balance between the need for infrastructure and the need to conserve resources.

### Policies Section

P80: Annexation - Annexation should be utilized to provide municipal services in a fair and efficient manner.

The City of Lincoln requires that properties receiving municipal services be located within city limits. City annexation should occur before any property is provided with water, sanitary sewer, or other potential City services. In most cases this also means that annexation must occur prior to a property receiving an urban zoning designation. The City routinely annexes land at the request of a developer or landowner as part of the regular development process. This allows properties to be supplied with City services when they are needed, and the City benefits from the property taxes, utilities, and other fees that City residents pay. Some properties along the City's edge may not be interested in further development and thus will not request annexation. In some cases it is necessary for the City to initiate annexation of adjacent properties that are already developed and require a minimal public investment to serve.

### Action Steps

1. Regularly evaluate for potential annexation all property along the city's edge for which basic infrastructure is generally available or planned for in the near term. The City should annex land in Tier 1 Priorities A and B that is contiguous to city limits and generally urban in character. All land that is engulfed by the City should be annexed.
2. Provide advance notice to properties that may be subject to city-initiated annexation.
3. Properties within the Tier 1 Priority A growth area should be annexed upon approval of final plat.
4. Coordinate the provision of services for areas considered for annexation with the Capital Improvement Program.

### Goals Section

G2: Complete Neighborhoods. Lincoln and Lancaster County will support complete neighborhoods within both developing and redeveloping areas of Lincoln. A complete neighborhood is one where residents are able to get the goods and services to meet daily needs within 15 minutes of their residence including a variety of housing options, grocery stores and other commercial services, quality public schools, public open spaces and recreational facilities, affordable active transportation options, and civic amenities. Housing variety should include townhomes, senior living facilities, low/no maintenance condominiums, accessory dwelling units, multi-family development, and even small lot single-family.

G4: Economic Opportunity. Lincoln and Lancaster County will have high-quality jobs in an economic environment that supports business creation, innovation, and expansion. Quality-of-life attributes, such as diverse and accessible housing, good shopping, restaurants and entertainment, quality schools and healthcare, a sense of safety, and amenities such as parks and trails are important to ensuring that skilled individuals want to remain or relocate to our community.

### Policies Section

P15: Infrastructure and Economic Development - Seek to efficiently utilize investments in existing and future public infrastructure to advance economic development opportunities.

#### Action Steps

1. Continue to provide adequate sites with associated infrastructure to serve the community's economic development needs.
2. Continue the County's support for road improvements that accommodate commercial and other development within the smaller incorporated areas.
4. Continue incentive-based (residential, commercial, or industrial) programs promoting the installation of renewable energy systems. Incentives may include offering rebates on purchasing equipment, attractive net metering pricing, tax incentives, height allowances, setback, and area-based incentives, expedited permitting, and others.

### UTILITIES & SERVICES

- A. Sanitary Sewer: Public sanitary sewer has been constructed to serve this area and now accessible along the north side of the site.
- B. Water: Public water is currently being constructed along S. Folsom Street and will be available to serve the site.
- C. Roads: South Folsom Street is classified as a minor arterial and is undergoing improvements between W. Old Cheney and W. Pioneers Boulevard. A future roundabout will be constructed near the existing entrance of this site with a new driveway entrance location to the site.
- D. Parks and Trails: There are no parks or future trails shown for this property.
- E. Fire/Police Protection: After annexation, fire protection will be provided by Lincoln Fire Rescue (LFR) and police protection by the Lincoln Police Department. This development is currently more than four

minutes of travel time from the nearest fire station however LFR goal is four minutes or less of travel time from the nearest station.

**ANALYSIS**

1. This is a combined request for both the annexation and change of zone from AG, Agriculture to R-3R-4, Residential on approximately 31.9 acres of property located at 5300 S. Folsom Street. The property is currently operated as the Optimist Youth Sports Complex and associated with Special Permit #1662 approved in 1997 allowing an outdoor recreation facility at this location. An associated Administrative Amendment #23062 has been submitted to update the current site plan and reflect a new layout in relation to future athletic field configuration and facility buildings.
2. The existing athletic facility is surrounded by R-4 Planned Unit Development (PUD) to the north known as Foxtail Meadows PUD which includes a mix of single, two-family, and multifamily residential. To the east along the property line is U.S. Highway 77. To the south is an existing single family acreage zoned AG, Agriculture. To the west across S. Folsom Street is zoned AG, but currently under an active application process to City Council for approval of Southwest Village Heights 2<sup>nd</sup> Addition which is proposed to have R-3, Residential zoning surrounding the future Lincoln Public School elementary site.
3. The special permit approved in 1997 allowed for the use of an outdoor recreation facility within the AG zoning district. The applicant is requesting annexation to allow the connection to both City water and sanitary sewer that have recently arrived in this area. The change of zone is being requested to remove the existing AG zoning as the property will now be located within city limits. The proposed R-3 R-4, Residential zoning will still require the Special Permit for an outdoor recreational facility as it is required within the R-1 through R-8 Residential zoning districts. This is desired over a change to a nonresidential zoning district such as the H, Commercial or I, Industrial zoning districts where outdoor recreational use is permitted by right but would not be compatible with the surrounding residential zoning if the facility was to cease operation in the future. The site will have access to connect to both public water and public sanitary sewer to serve the concession and restroom facilities on site.
4. The Administrative Amendment to this special permit was submitted to update the site plan, including reducing the permit boundary as the original special permit was shown to extend north of the property line today, now developing as the Foxtail Meadows PUD. The original Special Permit boundary was approximately 40.52 acres. The Administrative Amendment will reflect the new property size matching this request at 31.9 acres.
5. The current driveway connection to S. Folsom Street is the only existing access serving the site today. The applicant has agreed to an associated Annexation Agreement to guarantee the relocation of the driveway once S. Folsom Street is improved with a future roundabout at this location. At that time, the City will then close the existing driveway entrance on S. Folsom Street and the owner will be responsible for the reconnection to the east leg of the new roundabout intersection at the southwest corner of the site. The agreement will also include the additional right-of-way to be dedicated for the improvements along S. Folsom Street.
6. The subject property is located within the Southwest Rural Fire District. Under State law, the District can petition for compensation from the annexing municipality for lost revenue based upon the amount of service area annexed. For voluntary annexations such as this one, any costs due to the district are to be borne by the developer. In this case, staff has conducted the financial analysis and there should be no funds due to the District.
7. The request is consistent and compatible with the 2050 Comprehensive Plan and surrounding properties as the site will continue to operate with the current outdoor recreational use. The future land use designation as green space encourages uses including outdoor recreation facilities, golf courses, parks, and trails. The surrounding area is primarily shown as future urban residential and has started to develop. The site will continue to be located along a minor arterial roadway and have improved access with the future intersection improvements near the site.

**CONDITIONS OF APPROVAL:** See attached.

**EXISTING LAND USE & ZONING:** Optimist Youth Sports Complex AG, Agriculture

**SURROUNDING LAND USE & ZONING**

North: Single & multifamily residential R-4, PUD



South: Single family acreage  
East: Highway 77 & Lincoln City Church  
West: Developing residential/farmland

AG, Agriculture  
AG, Agriculture  
AG, Agriculture & proposed R-3, Residential

**APPLICATION HISTORY**

Feb 1997 Special Permit #1662 was approved by the Planning Commission to allow an outdoor recreation facility on 40.52 acres with up to 12 baseball/softball fields.  
May 2014 Special Permit #1662A was approved by the Planning Commission to modify the site plan for the outdoor recreation facility, update hours of operation, and permit the sale of alcohol on site.

**APPROXIMATE LAND AREA:** Annexation - 34 acres, more or less  
Change of Zone - 31.9 acres, more or less

**PROPOSED CITY COUNCIL DISTRICT ASSIGNMENT:** City Council District #3

**LEGAL DESCRIPTION:** Lot 66 Irregular Tract, Section 10, Township 9, Range 6, Lancaster County, Nebraska

Prepared by Ben Callahan, Planner  
(402) 441-6360 or [bcallahan@lincoln.ne.gov](mailto:bcallahan@lincoln.ne.gov)

Date: October 19, 2023

Applicant/  
Contact: Jeremy Williams  
1609 N Street  
Lincoln, NE 68508  
(402) 474-3000  
[jeremy@daoflincoln.com](mailto:jeremy@daoflincoln.com)

Owner: Star City Optimist Youth Foundation  
5818 Enterprise Drive  
Lincoln, NE 68521  
(402) 488-0988  
[Leroy.sievers@gmail.com](mailto:Leroy.sievers@gmail.com)

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/AN/23000/AN23009 CZ23067 Optimist.bmc.docx>

**CONDITIONS OF APPROVAL - ANNEXATION #23009**  
**CONDITIONS OF APPROVAL - CHANGE OF ZONE #23067**

The Developer signs an annexation and/or zoning agreement before the City Council approves the change of zone and annexation.



2020 aerial

**Annexation #: AN23009 &  
Change of Zone #: CZ23067 (AG to R-4)  
Optimist Youth Sports Complex  
S Folsom St & W Old Cheney Rd**



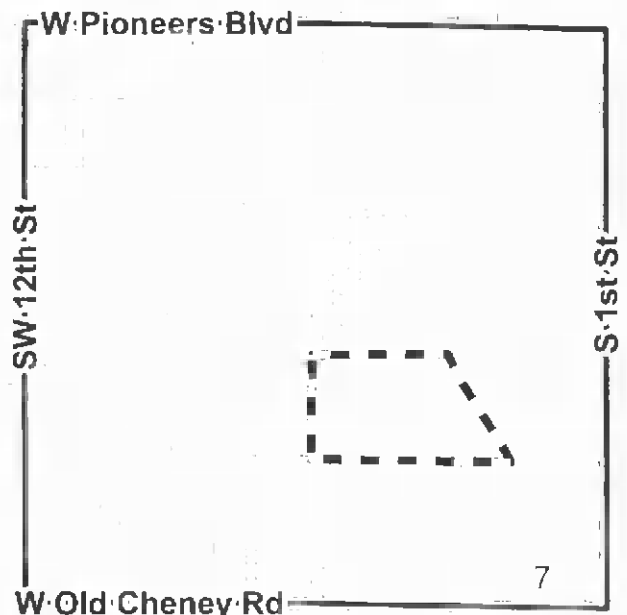
**One Square Mile:  
Sec. 10 T09N R06E**

**Zoning:**

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial District
- B-4 Lincoln Center Business District
- B-5 Planned Regional Business District
- H-1 Interstate Commercial District
- H-2 Highway Business District
- H-3 Highway Commercial District
- H-4 General Commercial District
- I-1 Industrial District
- I-2 Industrial Park District
- I-3 Employment Center District
- P Public Use District

Area of Application  
Zoning Jurisdiction Lines  
Existing Lincoln City Limits

PDF: F:\Baards\PC\Internet\out\AN23009\





September 29, 2023

Mr. David Cary  
Director of Planning  
City of Lincoln /Lancaster County  
555 South 10th Street, Ste. 213  
Lincoln, NE 68508

Re: Administrative Amendment to Special Permit #1662A  
Recreational Facility

Dear Mr. Cary:

On behalf of the Star City Optimist Youth Foundation, owner of Lot 66 I.T. SE ¼ Sec. 10 T10N R6E, we submit this application for Annexation and Change of Zone. With recent development of adjacent property, city utilities are now available for service to the property. The requested Change of Zone is from current Ag to R-4.

Included with this submittal is the following information:

Annexation Application and Change of Zone Application  
Change of Zone Filing Fee - \$1,056.00  
This cover letter and the site plans will be uploaded to ProjectDox.

Please feel free to contact us (402) 474-3000 if we can provide any additional information or answer any questions that will assist in the review of this application.

Sincerely,

Jeremy Williams, P.E.

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## MEMORANDUM

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**TO:** Planning Commission

**FROM:** Planning, Ben Callahan

**SUBJECT:** Annexation #23009 & Change of Zone #23067- Revision #1 to Staff Report

**DATE:** October 31, 2023

**cc:** Jeremy Williams, [Jeremy.williams@daoflincoln.com](mailto:Jeremy.williams@daoflincoln.com)

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The following memo is for a typographical clarification on the combined staff report for Annexation #23009 and Change of Zone #23067 for the Optimist Youth Sports Athletic Complex. Within the staff report the requested zoning classification was referred to as R-3 and should be R-4, Residential. The applicant letter and legal notification both reflect the requested R-4 zoning.

The staff report is hereby revised as follows:

### BRIEF SUMMARY OF REQUEST

This is a combined request for annexation of approximately 34 acres and for a change of zone from AG, Agriculture to ~~R-3~~ R-4, Residential on approximately 31.91 acres located along S. Folsom Street. The area of annexation is slightly larger as it will include the abutting S. Folsom Street right-of-way. This request is related to the existing and continued use of the Optimist Youth Sports Complex athletic fields at this site. An associated Administrative Amendment has been submitted to the existing Special Permit #1662A for the outdoor recreation facility to update the existing site layout to include two more playing fields and improvements to the existing concession and restroom facilities.

### ANALYSIS

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Lincoln City-Lancaster County Planning Department  
555 S. 10th St., Rm. #213 • Lincoln NE 68508  
Phone: (402) 441-7491 • Fax: (402) 441-6377

1. This is a combined request for both the annexation and change of zone from AG, Agriculture to ~~R-3~~ R-4, Residential on approximately 31.9 acres of property located at 5300 S. Folsom Street. The property is currently operated as the Optimist Youth Sports Complex and associated with Special Permit #1662 approved in 1997 allowing an outdoor recreation facility at this location. An associated Administrative Amendment #23062 has been submitted to update the current site plan and reflect a new layout in relation to future athletic field configuration and facility buildings.
  
3. The special permit approved in 1997 allowed for the use of an outdoor recreation facility within the AG zoning district. The applicant is requesting annexation to allow the connection to both City water and sanitary sewer that have recently arrived in this area. The change of zone is being requested to remove the existing AG zoning as the property will now be located within city limits. The proposed ~~R-3~~ R-4, Residential zoning will still require the Special Permit for an outdoor recreational facility as it is required within the R-1 through R-8 Residential zoning districts. This is desired over a change to a nonresidential zoning district such as the H, Commercial or I, Industrial zoning districts where outdoor recreational use is permitted by right but would not be compatible with the surrounding residential zoning if the facility was to cease operation in the future. The site will have access to connect to both public water and public sanitary sewer to serve the concession and restroom facilities on site.

Thank You,

Ben Callahan, Planner

# ANNEXATION 23009 and CHANGE OF ZONE 23067

Clerk noted that Commissioner Joy has declared a conflict of interest on item 1.2 – Street and Alley Vacation 23008 on today's Consent Agenda and, therefore, will recuse herself from voting on the Consent Agenda.

## CONSENT AGENDA

### PUBLIC HEARING & ADMINISTRATIVE ACTION

#### BEFORE PLANNING COMMISSION:

**November 1, 2023**

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

Clerk noted that the Planning Commission members did receive a Staff Memo dated October 21, 2023, reflecting corrections to the staff report for Annexation 23009 and Change of Zone 23067.

**The Consent Agenda consisted of the following items: Annexation 23009, Change of Zone 23067 and Street and Alley Vacation 23008.**

There were no ex-parte communications disclosed.

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

Campbell moved approval of the Consent Agenda items, seconded by Eddins.

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

**ORDINANCE NO. 21542**

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**AN ORDINANCE** Annexation 23009 - Application of Star City Optimist Youth Foundation to annex approximately 33.9 acres, more or less, and adjacent S. Folsom Street Right-of-Way, on property generally located at 5300 S Folsom Street. (Related Items: 23-143, 23-144, 23R-598)

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**Read First Time** November 20, 2023

**Read Second Time** December 4, 2023

**Read Third Time** December 11, 2023

**Passed** December 11, 2023

**Published in** Lincoln Journal Star

**on** December 22, 2023

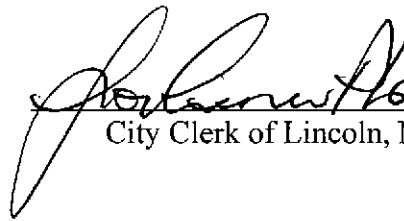
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**CERTIFICATE**

State of Nebraska     )  
                                  ) ss  
County of Lancaster    )

I, the undersigned, City Clerk of the City of Lincoln, Nebraska, do hereby certify that the within ordinance is the original Ordinance No. 21542 as passed by the City Council of said City, as indicated above, and as approved by the Mayor of said City and as the same appears of record in my office and is now in my charge remaining as City Clerk aforesaid.

IN WITNESS WHEREOF, I have hereunto set my hand officially and affixed the seal of the City of Lincoln, Nebraska this 13<sup>th</sup> day of December, 2023.

  
City Clerk of Lincoln, Nebraska

