

Lincoln City - Lancaster County

PLANNING COMMISSION

AGENDA

PLANNING COMMISSION

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PLANNING STAFF

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Laura Tinnerstet: Admin. Aide

March 19, 2025

NOTICE: The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, March 19, 2025, at 1:00 p.m. in the City Council Chambers on the first floor of the County-City Building, 555 S. 10th St., Lincoln, Nebraska. For more information, call the Planning Department, (402) 441-7491.

****PLEASE NOTE:** The Planning Commission action is final action on any item with a notation of ***FINAL ACTION***. Any aggrieved person may appeal Final Action of the Planning Commission to the City Council or County Board by filing a Notice of Appeal with the City Clerk or County Clerk within 14 days following the action of the Planning Commission. The Planning Commission action on all other items is a recommendation to the City Council or County Board.

AGENDA
WEDNESDAY, March 19, 2025

Approval of minutes of the regular meeting held [March 5, 2025](#).

1. CONSENT AGENDA
(Public Hearing and Administrative Action)

COMPREHENSIVE PLAN CONFORMANCE

- [Page 4](#)
- 1.1 COMPREHENSIVE PLAN CONFORMANCE 25001, to review as to conformance with the 2050 Lincoln-Lancaster County Comprehensive Plan, a proposed amendment to the One- and Six-Year Lancaster County Road and Bridge Construction Program, Fiscal Years 2025 and 2026-2030.
Staff recommendation: In General Conformance with the Comprehensive Plan
Staff Planner: Rachel Christopher, 402-441-7603, rchristopher@lincoln.ne.gov

TEXT AMENDMENT

- [Page 9](#)
- 1.2 TEXT AMENDMENT 25003, to amend the Lancaster County Subdivision Regulations, Chapter 4 Design Standards, 4.13 Drainage to add additional text to clarify drainage requirements in Lancaster County.
Staff recommendation: Approval
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov

SPECIAL PERMIT

- [Page 13](#)
- 1.3 SPECIAL PERMIT 25009, for the BOR Company Retreat Center to allow for an event venue, with waiver from the requirement that all outside business related activity be 200 feet from all property lines, on property generally located at 10405 Branched Oak Road. **FINAL ACTION**
Staff recommendation: Conditional Approval
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov

STREET AND ALLEY VACATION

- 1.4 STREET AND ALLEY VACATION 25002, to vacate a portion of undeveloped Grainger Parkway (Right-of-Way) adjacent to Dillon Drive and S. 44th Street.
Page 27 **Staff recommendation: Conforms to the Comprehensive Plan**
Staff Planner: Ben Callahan, 402-441-6360, bcallahan@lincoln.ne.gov

2. REQUESTS FOR DEFERRAL

3. ITEMS REMOVED FROM CONSENT AGENDA (Public Hearing and Administrative Action)

4. PUBLIC HEARING AND ADMINISTRATIVE ACTION:

5. CONTINUED PUBLIC HEARING AND ADMINISTRATIVE ACTION:

**AT THIS TIME, ANYONE WISHING TO SPEAK ON AN ITEM
NOT ON THE AGENDA, MAY DO SO.**

Adjournment

PENDING LIST: No items

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**The Planning Commission meeting which is broadcast live at 1:00 p.m. every other
Wednesday**

will be available for viewing on LNK City TV at

<https://lnktv.lincoln.ne.gov/CablecastPublicSite/watch/3?channel=1>

The Planning Commission agenda may be accessed on the Internet at

<https://www.lincoln.ne.gov/City/Departments/Planning-Department/Boards-and-Commissions/Planning-Commission>

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
Comprehensive Plan Conformance #25001

FINAL ACTION?
No

PLANNING COMMISSION HEARING DATE
March 19, 2025

RELATED APPLICATIONS
None

RECOMMENDATION: IN GENERAL CONFORMANCE WITH THE COMPREHENSIVE PLAN

PROPOSAL:

The *Lancaster County Road and Bridge Construction Program*, also called the *One and Six-Year Road and Bridge Construction Program*, is a program of road and bridge projects for Lancaster County. The *Program* includes projects that are completed or in progress for the current fiscal year as well as projects planned for the next six years. The *Program* is updated annually.

An amendment is proposed that would move one bridge project to a different program list. Pursuant to Resolution 1521, passed by the Board of County Commissioners on December 30, 1958, the Planning Commission is to review the proposed *Lancaster County Road and Bridge Construction Program, Fiscal Years 2025 and 2026-2030* with regard to its conformity with the current 2050 Lincoln-Lancaster County Comprehensive Plan.

CONCLUSION:

Projects within the proposed amendment to the *Lancaster County Road and Bridge Construction Program, Fiscal Years 2025 and 2026-2030* have been reviewed with regard to their compatibility with the Comprehensive Plan.

The proposed *Program* amendment is found to include projects that are explicitly listed or in general conformance with the Comprehensive Plan. The County Engineer and City of Lincoln are encouraged to continue to cooperate in administering all phases of the road and street programs. Coordination of project operations and construction improves efficiencies and economics and results in a better transition from county roads to city streets.

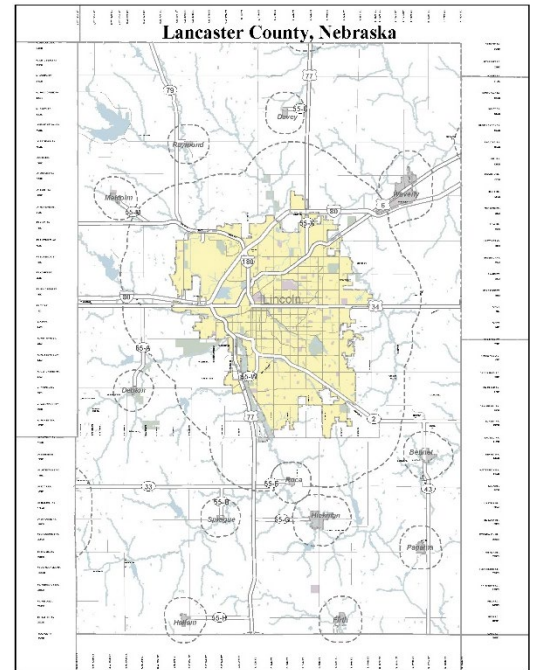
The overall finding and recommendation is that the Planning Commission find the proposed amendment to the *Lancaster County Road and Bridge Construction Program, FY 2025 and 2026-2030*, to be generally in conformance with the Comprehensive Plan.

APPLICATION CONTACT

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STAFF CONTACT

Rachel Christopher, Transportation Planner
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COMPATIBILITY WITH THE COMPREHENSIVE PLAN

PlanForward is the Lincoln-Lancaster County [2050 Comprehensive Plan](#). The development of PlanForward was coordinated with the formulation of the Lincoln Metropolitan Planning Organization's (MPO) [2050 Long Range Transportation Plan \(LRTP\)](#). The LRTP supports the Transportation Goal, Element, and Policies of the Comprehensive Plan and is incorporated into the Comprehensive Plan by reference.

"A balanced transportation system that supports the community's needs and equitable outcomes must include maintenance of the aging infrastructure, efficiencies to allow people to move from place to place without congestion, and availability of a wide variety of safe mobility options such as walking, biking, transit, and driving... The 2050 Lincoln Metropolitan Planning Organization (MPO) Long Range Transportation Plan (LRTP) is one of the primary planning documents that guides the region's transportation investments to accomplish this goal." (2050 Comprehensive Plan, Goals Section, G15)

"The County prioritizes street resurfacing work to maintain more heavily traveled roads to receive State funding for street resurfacing. State highways are maintained by NDOT. Approximately 88% of interstate segments and 34% of National Highway System non-interstate segments were rated as Good pavement condition in 2019. The City, County, and State also track condition of more than 600 bridges to prioritize the maintenance and possible replacements that may be necessary. Approximately 69%, 39% and 73% respectively were rated to be in Good condition as of 2020." (2050 Comprehensive Plan, Elements Section, E9)

The Rural Road Capital Projects on [Figure 5.2](#) (page 5-16) and [Table 5.4](#) (pages 5-17 through 5-20) of the 2050 LRTP show categories of projects which include paving, intersection improvements, bridge replacement and rehabilitation, and two-lane widening projects. County road improvements beyond the current Lincoln Urban Area are considered candidates for the Fiscally Constrained Rural Road & Bridge Capital Projects analysis, [Figure 7.1](#) (page 7-10) and [Table 7.5](#) (pages 7-8 through 7-9).

The emphasis of the *Lancaster County Road and Bridge Construction Program* is placed on the projects identified as funded/committed paving improvements over the life of the plan. While many of the projects in the *Program* are included in the LRTP Rural Road Capital Projects, additional bridge projects may be needed.

The Comprehensive Plan anticipates many changes over the planning period. Changing demographics and employment patterns will create challenges for provision of transportation services and facilities. At the same time, the Lancaster County Engineer faces significant financial challenges in the care and maintenance of an aging system as well as the changing demand for alternative transportation options.

"The County manages 1,383 miles of rural roadways that vary greatly in width, alignment, and surface. Approximately 1,052 miles are gravel surfaced, 286 miles are paved, and 45 miles remain dirt roads. In addition, this program includes box culvert and pipe repair and maintenance, and preventative maintenance for bridges." (2050 LRTP, page 5-15)

The Comprehensive Plan recognizes that the needs of Lancaster County outweigh the capital resources that are available during the planning horizon. Improvements to the rural road system will occur throughout the County but the amount of new pavement installed will depend upon the growth in traffic and population, and the fiscal resources available in the future to make the improvements.

County roads identified in the LRTP are identified as priority projects based upon a system wide priority setting analysis for the planning period. These roads function as arterials, collectors, or local roads. The program schedule for improvements depend largely upon the availability of funding and the determination of current system needs. Paving is based on daily vehicle counts, planning considerations, functions of roads, and identified deficiencies of roads.

"According to the 2018 Lancaster County Transportation Strategy, Lancaster County crews continually work on pavement preservation countywide throughout the year. The County currently does not specify performance

measures for roadway condition. Crews are on the roadways with personnel and equipment evaluating existing roads and bridges for upgraded treatments as needed.” (2050 LRTP, page 4-24)

“Bridges are inspected at least once every 24 months. Bridges are considered to be in Good condition if all major National Bridge Inspection components (bridge deck, bridge superstructure and bridge substructure or culvert) are in good condition or better (9, 8, 7). Bridges are considered to be in Poor condition if one or more of the major components is in Poor condition or worse (4 or less). Bridges that do not meet the criteria for Good or Poor condition are considered to be in Fair condition (5 or 6)... Using structural ratings complies with federal standards and enables County bridge evaluations.” (2050 LRTP, page 4-25)

“Close coordination between the Lancaster County Engineer’s Office and MPO staff occurred during the development of the LRTP update to identify a needs based rural roads program. Safety is always a major concern. Population growth and increased recreational demands in the rural areas add to the volume of traffic. Grain trucks and other commercial vehicles are carrying heavier loads than ever before and create additional problems as roads experience greater transport weights. These pressures lead to increased maintenance demands and the demand for improved pavement and modifications to road foundations. This is also true of the rural bridge needs. The decision to make improvements to the road surface is based on several factors including:

- Role of the road in the overall system
- Number of vehicles traveling the road daily
- Increased maintenance or decreased driver safety
- Type of traffic and weight of vehicles on the roadway
- Spacing or proximity to other paved roads” (2050 LRTP, page 5-14)

“Rural road capital projects include paving projects, intersection improvements, major bridge rehabilitation, road rehabilitation, and two-lane widening projects to repair or rebuild currently paved roadways.” (2050 LRTP, page 5-15)

The Planning staff analysis provides a recommendation of conformance for each project in the amendment with the 2050 Comprehensive Plan using one of the three following categories: Conformance with Plan, General Conformance with Plan, and Not in Conformance with Plan. **Conformance with Plan** means that the project or program is explicitly identified in the Plan. **General Conformance with Plan** means that the project or program is partially in the Plan or meets the intent of the Plan. If a project is not considered regionally significant requiring an individual listing in the LRTP, will not use state or local funds, and is on a local road with moderate traffic then it is not required to be explicitly identified in the LRTP. **Not in Conformance with Plan** means that the project or program is not supporting a policy in the Plan or does not meet the intent of the Plan.

The following 2050 LRTP figures/tables were used for this review:

- Rural Roads Capital Projects, [Figure 5.2](#) (page 5-16) and [Table 5.4](#) (page 5-17 through 5-20) to review needs-based projects;

Internet Access to *Lancaster County Road and Bridge Construction Program*

The proposed amendment is available at <https://www.lancaster.ne.gov/207/County-Engineer>. The proposed new program is available under the Application Number CPC25001.

ANALYSIS

Proposed Revisions

The proposed amended *Lancaster County Road and Bridge Construction Program* includes changes to one bridge project to move its schedule forward as follows:

FY 2025 Bridge Projects Programmed

- Add: Bridge and drainage structure replacement. N. 98th Street (G-222) in North Bluff Township, W-24 [Bridge to Box Replacement - replacement of a bridge structure with a concrete box culvert]

FY 2026-2030 Bridge Projects

- Remove: Bridge and drainage structure replacement. N. 98th Street (G-222) in North Bluff Township, W-24 [Bridge to Box Replacement - replacement of a bridge structure with a concrete box culvert]

The project location is on N. 98th Street south of Bluff Road. This project is in Conformance with Plan as it appears as Project ID 225 in the 2050 Long Range Transportation Plan. It is being moved up to FY 2025 from FY 2026-2030 because Lancaster County was awarded match funds for this structure. The match source is County Bridge Match Program funds through the Transportation Innovation Act, authorized by the Lancaster County Board on January 14, 2025 and approved by agreement on January 23, 2025.

Lancaster County Bridge Program

The bridge projects contained in the proposed *Lancaster County Road and Bridge Construction Program* include engineering, construction, repair, and maintenance. One of the major functions of the Lancaster County Engineer is to build and maintain bridges in the county outside of the City of Lincoln incorporated area. The bridge program is responsible for monitoring the functional and structural integrity of all County bridges through regular inspection and reporting. The County Engineer continually seeks local, state and federal-aid funding to rehabilitate and replace deficient county public bridges.

Prepared by:

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Date: March 10, 2025

Applicant: Pam L. Dingman, P.E.
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<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/CPC/25000/CPC25001 County 1&6 Amendment.rkc.docx>



Pamela L. Dingman, P.E.
County Engineer

John V. Berry, P.L.S.
Deputy County Surveyor

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Phone: 402-441-7681 Fax: 402-441-8692

February 11, 2025

Lincoln-Lancaster County Planning Department
555 S. 10th Street, Suite 213
Lincoln, NE 68508

To whom it may concern:

Please place the Amended 2025 One and Six-Year Road and Bridge Construction Program on the Planning Commission's agenda for March 19, 2025.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Pamela L. Dingman, P.E.
Lancaster County Engineer

cc: Lancaster County Board



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
Text Amendment #25003

FINAL ACTION?
No

PLANNING COMMISSION HEARING DATE
March 19, 2025

RELATED APPLICATIONS
None

RECOMMENDATION: APPROVAL

BRIEF SUMMARY OF REQUEST

The application is to amend the County Subdivision Regulations, Section 4.13 Drainage by adding text to clarify the drainage requirements to address the 2-year, 10-year and 100-year storm events. This text amendment is proposed by the Lancaster County Engineering Department.

JUSTIFICATION FOR RECOMMENDATION

This text amendment is justified as it will add clarity and remove ambiguity for applications in the County.

APPLICANT/STAFF CONTACT

Jena Vogt, P.E., (402) 441-1843 or
JVogt@lancaster.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The proposed text amendment is compatible with the Comprehensive Plan as it updates the County Subdivision Regulations to provide more clarity for developers.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Policies Section

P17: Predictability- Strive for predictability for neighborhoods and developers

Predictability provides assurances for surrounding property owners as well as prospective developers.

Action Steps

1. Continue to make updates as needed to zoning and subdivision ordinances, along with design standards, to support economic development, complete neighborhoods, and other PlanForward initiatives.

ANALYSIS

1. The Lancaster County Engineering Department (LCED) is proposing a text amendment to the Lancaster County Subdivision Regulations, Chapter 4: Design Standards, Section 4.13a. The additional text is to clarify drainage requirements in Lancaster County.
2. Currently, LCED follows standard engineer practices and asks proposed developments to not increase stormwater run-off post-development. This proposed text amendment will clarify further and remove ambiguity from the existing requirements.
3. The specific new text as part of this amendment is as follows:

“...Storm water discharged post development shall be controlled in such a manner that the post-development peak runoff does not exceed the pre-development peak runoff for the 2-year, 10-year and 100-year storm...”
4. The proposed requirement is in line with requirements from the City of Lincoln, stated in Chapter 6 of the City of Lincoln Flood & Water Quality Protection Manual: “Discharge rates for the post development conditions cannot exceed predevelopment peak runoff rates for the 2-year, 10-year, and 100-year flood events at the project property lines.”
5. Other jurisdictions have similar policies when it comes to regulating post-development drainage. Page 6 of the Nebraska Department of Transportation Development and Permit Guidance Document states “Be aware, that in general, the Department’s policy relating to runoff from adjacent developments is to accept no more storm water runoff than received under existing conditions”. Chapter 3, Section 8 of the Iowa Department of Natural Resources Stormwater Manual states, “The stormwater management requirement is usually to maintain the peak runoff rates at predevelopment levels for a particular design storm event (typically the Q5 predevelopment runoff in most Iowa jurisdictions).”.
6. Landowners and infrastructure downstream may be severely affected by the cumulative impact of changes in drainage patterns. This text amendment will prevent an increase in the amount of stormwater runoff, which in turn protects landowners, citizens, and the county transportation system from increased flows.
7. Stormwater drainage in AG Community Unit Plans (CUPs), is a specific example where the text amendment will add clarity. Comments relating to drainage for CUPs in the County have come up concerning the requirement for a drainage study and the requirement that post-development flows be less than or equal to pre-development flows (Lancaster County Subdivision Regulations, Sections 4.13 and 7.02.b.). If the drainage study indicates that post-development flows are higher than pre-development flows for the same land area then a solution to address is required, but the specific storm event is not currently in the regulations.
8. This proposal is consistent with the Comprehensive Plan and the intent of the Subdivision Regulations of protecting landowners, citizens and the County transportation system from increased stormwater runoff.

Prepared by George Wesselhoft, County Planner

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Date: March 6, 2025

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<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/TX/25000/TX25003 County Subdivision Drainage Amendment.gjw.docx>

CHAPTER 4 DESIGN STANDARDS

Sec. 4.13. DRAINAGE.

a. The area to be subdivided shall be designed and laid out so as to provide proper and sufficient drainage. Storm water discharged post-development shall be controlled in such a manner that the post-development peak runoff does not exceed the pre-development peak runoff for the 2-year, 10-year, and 100-year storm. The storm drain system shall adequately drain the subdivision and shall be constructed to allow the storm water to flow by gravity from the subdivision to an adequate outlet. Roadway drainage structures shall be designed for a minimum 10-year storm frequency for watersheds under 100 acres. For most watersheds over 100 acres, roadway drainage structures shall be designed for a minimum 25-year storm frequency. However, in isolated cases, the County Engineer may require that higher storm frequencies be used. In no case shall the design headwater elevation exceed the proposed shoulder elevation.

b. Design discharges shall be computed using any of the following methods:

Rational Method

Potter Method

SCS Method

Drainage structures shall be sized using the procedures outlined in Hydraulic Engineering Circular No. 5.

c. The necessary permits shall be obtained for the construction of drainage structures, roadways or other improvements. A Corps of Engineer permit will generally be required for all structures draining 640 acres or more or for structures located in excess of one (1) mile from the headwaters of the watershed. Flood plain permits are required for any structure located in the flood plain. (June 26, 1990; Resolution No. 4653).



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February 3, 2025

Planning Commission
Building & Safety Department
555 S. 10th Street, Ste. 203
Lincoln, NE 68508

RE: Text Amendment: Lancaster County Subdivision Resolution
Chapter 4 Design Standards, Section 4.13

Planning Commission,

Lancaster County Engineering Department (LCED) is proposing a text amendment to Lancaster County Subdivision Resolution, Chapter 4: Design Standards, Section 4.13a. LCED is proposing to add additional text to this section to clarify drainage requirements in Lancaster County.

Currently, LCED follows standard engineering practices and asks proposed developments to not increase stormwater runoff post-development. This text amendment will clarify this drainage requirement and remove ambiguity from the existing code. LCED has a responsibility to provide for the health and safety of citizens and the traveling public, as well as protect existing roadway infrastructure. Preventing an increase in the amount of stormwater runoff protects landowners, citizens, and the county transportation system from increased flows.



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
Special Permit #25009

FINAL ACTION?
Yes

DEVELOPER/OWNER
Searcey Holdings LLC

PLANNING COMMISSION HEARING DATE
March 19, 2025

RELATED APPLICATIONS
None

PROPERTY ADDRESS/LOCATION
10405 Branched Oak Road

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a special permit for Expanded Home Occupation per Article 13.032 of the Lancaster County Zoning Regulations to develop an Event Venue known as the BOR Company Retreat Center. The Event Venue includes a 4,259 sq. ft. building for the event space along with storage and equipment buildings and parking. The proposal is to permit events up to 30 people. The property is located approximately a half mile east of N 98th Street on the south side of Branched Oak Road. The zoning is AG Agricultural.



JUSTIFICATION FOR RECOMMENDATION

This special permit for Expanded Home Occupation to allow gatherings, such as company retreat events, should have minimal impact on adjacent properties given the site plan and proposed conditions, including limiting events to no more than 30 people. The nearest house is approximately 1,400 feet away.

APPLICATION CONTACT
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STAFF CONTACT
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COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The proposed use meets the goal of the Comprehensive Plan to encourage home businesses while having minimal impact on the surrounding area. The County Engineer had no objections to the proposed traffic from 30 persons on the gravel county roads for this proposal.

WAIVERS

1. Waive the requirement that all outside business related activity be 200 feet from all property lines. (Recommend Approval)

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Elements Section

Trends in Housing

Dwelling units, particularly single family detached units, are being used in different ways than in the past. Our community will likely see more emphasis on home occupations. This is partly an outcome of teleworking during the pandemic as technological advances have allowed this to happen more easily. Going forward, people may also want or need to have 1 or 2 employees or coworkers as part of their home occupation. A recommendation from LPlan 2040 was to explore options for allowing more home occupations that are compatible with neighborhoods. Home occupations are recognized and generally allowed so long as the occupation does not become a large-scale enterprise — one that would be harmful to the residential character of the neighborhood and would violate the purpose of zoning. Home occupation trends in Lincoln and Lancaster County should be monitored. Incremental changes to home occupation regulations may be considered while not changing the overall residential character.

ANALYSIS

1. This request is for a special permit for Expanded Home Occupation to allow events and gatherings, including company retreats. The proposal is to permit up to 30 persons per event. Events would be held in an existing building that will have substantial additions to increase the floor area to 4,259 square feet. The property is located approximately one-half mile east of N 98th Street on the south side of Branched Oak Road and is zoned AG Agricultural. The property size is approximately 39.98 acres.
2. This property was previously approved for a Special Permit for a Market Garden in March of 2012. This included a 2,600 square foot, 100 seat restaurant as an accessory use on the property. The conditions of approval included restriction that the operation of the restaurant was limited to 5:00 to 10:00pm on Wednesday through Saturday, and 12:00 to 6:00pm on Sundays. Special events were allowed to occur outside the restaurant operating hours.
3. The applicant indicates they do not plan to hold any weddings at the event space, the use will be mainly for company training. This training would include 10-20 people maximum per event. As accessory to the company training, they plan to provide enough lodging for 10 people.
4. The site is approximately 39.98 acres with four existing buildings. One of the buildings is an old chicken coop that will be removed. There is an existing former house, that will be converted into the retreat center. There also is an existing 2,300 square foot storage shed and an 1,800 square foot garage/storage building. A new house will be built, and the residents of this house will care and maintain the property and retreat center.
5. The existing buildings, including the proposed Event Venue and new house are all located on the east half of the property. The building for the Event Venue is set back approximately 700 feet from Branched Oak Road. The proposed location for the events is in an existing building which is about 180 feet from the east property line. The nearest neighboring property therefore is to the east, but this is a 77.78-acre parcel that is used for farming with no dwelling. The only building on this neighboring property is a farm utility building.
6. The nearest house is approximately 1,400 feet to the west from the proposed retreat center. There are 4 other houses within about one-half mile from the proposed event center.
7. The nearest paved roads are Waverly Road and N 141 Street, both approximately 3 miles from the location of the Event Venue site. The Lancaster County Engineer did not have concerns with the traffic from a center limited to 30 persons per event on the gravel road. The driveway and parking areas shall only be accessed through the existing access onto Branched Oak Road.
8. The Lancaster County Zoning Regulations were amended in September 2009 to add Expanded Home Occupation by special permit. The business is to be accessory to the residential use of the property and operated by the family occupying the residence. This condition makes it more likely that the business will be a “good neighbor.” The business should not detract from the peace and enjoyment of surrounding properties.
9. The special permit conditions for Expanded Home Occupation are as follows:
 - A. On-site sales shall be limited primarily to products grown, manufactured, processed, treated or assembled on the premise;

The application letter states there are no plans for any on-site sales associated with the Expanded Home Occupation.

- B. Except for a Family as defined by this Resolution, no more than two (2) persons participate in the home occupation on the premises. For purposes of Section [13.032](#), participation shall exclude deliveries;

The above regulation means that no more than 2 persons, other than family, could be on site participating in the occupation at one time. In this case, 2 persons will be living on site. These individuals will be responsible for the ongoing care, maintenance, and management of both the property and retreat center.

- C. The lot area shall be ten (10) acres or larger;

The site is approximately 39.98 acres

- D. Driveways and parking areas shall be provided with an all-weather (gravel or rock) surface to minimize dust and mud;

The site plan does not indicate the surface type of the driveways and parking areas. A condition of approval will require all weather surfacing of the driveway and parking areas.

- E. No more than 50% of the floor area of the residence may be used for said business when the home occupation is located within the residence;

None of the new residence floor area is proposed to be used for the proposed business.

- F. The total floor area for all buildings used for said business shall not be more than 10,000 square feet;

The floor area of the retreat center is 4,259 sq. ft. (3,700 sq. ft. main level, 559 sq. ft. loft).

- G. Outside area used for work area, storage or other business activity (of vehicles, equipment, or materials used in the business) and parking shall not exceed 15,000 square feet;

Two outbuildings exist on the property that will be used for storage and equipment and comprise 2,300 and 1,800 square feet, respectively. There is an old chicken coop that will be removed. Outside parking area will comprise approximately 9,000 square feet. These buildings and parking total 13,100 square feet.

- H. All outside business related activity shall be located at least 200 feet from all premise property lines and shall be visually screened from public streets and adjacent property lines. Said visual screening shall be approved as part of the special permit;

The east property line is approximately 180 feet from the retreat center. The remainder of the property lines are well over 200 feet from the retreat center with the site surrounded by trees and not visible from any public roads. No outside business activity is proposed in the 200-foot setback near the retreat center other than proposed parking. As a condition of approval, the parking will need to be shown along with required screening. A waiver is requested to allow this parking within the 200-foot setback but still meeting the 60-foot general AG side yard setback requirement. The proposed parking will be located near the existing building to be used as the retreat center. It should be noted that there is no minimum parking requirement for the use.

- I. Dust control of nearby unpaved roads to mitigate the impact of traffic approaching and leaving the premise may be required;

Access will be from Branched Oak Road which is a gravel road. Nearby N. 98th Street to the west is also a gravel road. The nearest paved roads are Waverly Road approximately 3 miles to the south and N 141st Street approximately 3 miles to the east and south of the site. The applicant will be responsible for controlling off-site dust emissions from the gravel parking lots in accordance with Lincoln-Lancaster County Air Pollution Regulations and Standards Article 2 Section 32.

- J. Building permits will be obtained as required for all new construction and remodeling of existing buildings under this permit;
- K. Only one vehicle/truck over 2.5 tons (gross weight) is permitted on the site. No more than four (4) business vehicles shall be parked or stored outside on the site at any one time;

No auto or truck storage is requested. Only parking for guests.

- L. There is no sign other than one non-animated, non-illuminated, non-reflecting nameplate not more than twenty (20) square feet in area, which name plate designates the home occupation carried on within;

No sign is shown on the site plan.

- M. A site plan for this special permit shall be approved and followed. The Planning Commission/County Board may establish additional conditions such as hours of business operation, maximum daily non-resident trips to and from the business, as deemed appropriate for compatibility, health, safety and welfare relative to this use and activity.

A site plan was provided (see attached).

10. Other special permits for event center space have been approved in the County. This center will have the smallest attendance. Other examples include:

- a. Prairie Creek Inn located at 2400 S. 148th St was approved for a Bed and Breakfast and Expanded Home Occupation by County Special Permit 08021A in March 2014. As accessory to the Bed and Breakfast wedding ceremonies and receptions were allowed. Events are limited to no more than 300 persons.
- b. Hillside Events Center located at 12400 West Denton Rd was approved for Expanded Home Occupation for an Event Venue including wedding receptions, in July 2016. Events were originally limited to 250 persons for 2 days per month from March 1st through November 30th. The special permit was amended in May 2020 to allow events for 10 days per month on Fridays, Saturdays and Sundays throughout the year. Events are still limited to 250 persons.
- c. Avalon Event Paradise located at 12788 W. Roca Rd. was **denied** for Expanded Home Occupation for an Event Venue in July 2016. This event venue would be primarily for weddings and other special events. The venue, if approved, would have allowed up to 200 persons for events. Events would be limited to 2 days per month from April 1st thru October 31st. An acreage development with 21 houses is to the east, with the nearest property being approximately 450 feet from the site.

11. The proposed venue is notably different than the above event centers in that the number of persons proposed is substantially less and the other ones approved are on paved roads. With only 5 houses within one-half mile of the site and with no more than 30 persons allowed at maximum per event, the proposed venue should have minimal impact on adjacent properties. Further, the gravel road access should not be an issue with the limited scale of this proposal.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: AG-Agricultural, Single-family dwelling

SURROUNDING LAND USE & ZONING

North: AG-Agricultural	Farm ground
South: AG-Agricultural	Farm ground
East: AG-Agricultural	Farm ground
West: AG-Agricultural	Farm ground, Single Family Home

APPLICATION HISTORY

March 2012 SP12003 was approved by the County Board which authorized a Market Garden with a restaurant as an accessory use.

December 2012 AA12063 was approved which retained the existing 2,400 square foot home to be remodeled as a restaurant and produce processing area and to reduce the parking.

APPROXIMATE LAND AREA: 39.98 acres, more or less.

LEGAL DESCRIPTION: Lot 24 I.T. located in the NW ¼ of Section 36, Township 12 North, Range 7 East, Lancaster County, NE.

Prepared by
George Wesselhoft, Planner

Date: March 6, 2025

Owner: Searcey Holdings
 14550 Jamestown Street
 Waverly, NE 68462
 402-309-4761
 matt@empire-fence.com

Contact: Josh Larsen
 14650 Woodstock Blvd
 Waverly, NE 68462
 402-840-9583
 jlarsen@empire-fence.com

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/SP/25000/SP25009 BOR Company Retreat Center.gjw.docx>

CONDITIONS OF APPROVAL - SPECIAL PERMIT #25009

Per Article 13.032 this approval permits Expanded Home Occupation for the site in conformance with the attached site plan to be used for events up to a maximum of 30 persons with associated lodging, equipment and storage buildings and parking with the following waivers:

Waivers

1. Waive the requirement that all outside business related activity be 200 feet from all property lines to 60 feet along the east property lines for the parking areas only.

Site Specific Conditions:

1. Before receiving building permits the permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 2 copies with all required revisions and documents as listed below:
 - 1.1.1 Change project name to SP25009.
 - 1.1.2 Change sheet number to Sheet 1 of 3 for the site plan and provide page numbers for the first floor and loft of the retreat center floor plan. Do not include the new house plan sheets with the Final Approved Plan.
 - 1.1.3 Add Lot 24 to the legal description on the site plan.
 - 1.1.4 Delete General Notes from the site plan.
 - 1.1.5 Delete disclaimer statement from the site plan.
 - 1.1.6 Change Road label to Driveway on the site plan.
 - 1.1.7 Revise so all labels on the site plan are the same size and readable.
 - 1.1.8 Add note to the site plan: "1. As required by Article 13.032. Expanded Home Occupations of the County Zoning regulations, the residents of the dwelling on site must either be the owners or the event center and/or be engaged in the operation and maintenance of the event center."
 - 1.1.9 Add note to the site plan: "2. Event Center is limited to no more than 30 persons (attendees) on site at one time."
 - 1.1.10 Add note to the site plan: "3. Driveways and parking areas shall be provided with an all-weather (paved, gravel or rock) surface to minimize dust and mud."
 - 1.1.11 Add note to the site plan: "4. t the three-season room will not be heated or cooled or else it would be counted as floor area."
 - 1.1.12 Provide a parking layout plan for parking near the retreat center building with dimensions that complies with typical parking standards and identifies parking stalls to the satisfaction of the Director of Planning. Label surface type of parking and show no parking inside the 60-foot side yard setback.
 - 1.1.13 Owners shall provide a landscape plan that shows a 60% screen from the ground to 10 feet above the ground along the east property line adjacent to all parking areas.

2. Before receiving building permits provide the following documents to the Planning Department:
 - 2.1.1 Verification from the Register of Deeds that the letter of acceptance as required by the approval of the special permit has been recorded.
 - 2.1.2 The applicant must provide the lagoon engineering analysis and documentation from the Nebraska Department of Environment and Energy related to the applicability of community water system requirements in Nebraska Title 179 - Public Water Systems.

Standard Conditions:

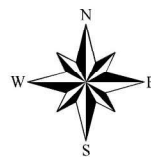
3. The following conditions are applicable to all requests:
 - 3.1 Before occupying buildings or starting the operation all development and construction shall substantially comply with the approved plans.
 - 3.2 All privately-owned improvements, including landscaping shall be permanently maintained by the Permittee.
 - 3.3 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.
 - 3.4 Before occupying this event venue, the City/County Health Department is to approve the water and wastewater systems.
 - 3.5 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
 - 3.6 The applicant shall sign and return the letter of acceptance to the County Clerk. This step should be completed within 60 days following the approval of the special permit. The Permittee shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds. Building permits will not be issued unless the letter of acceptance has been filed.



Eagleview, Lancaster County, NE GIS, Maxar

2024 aerial

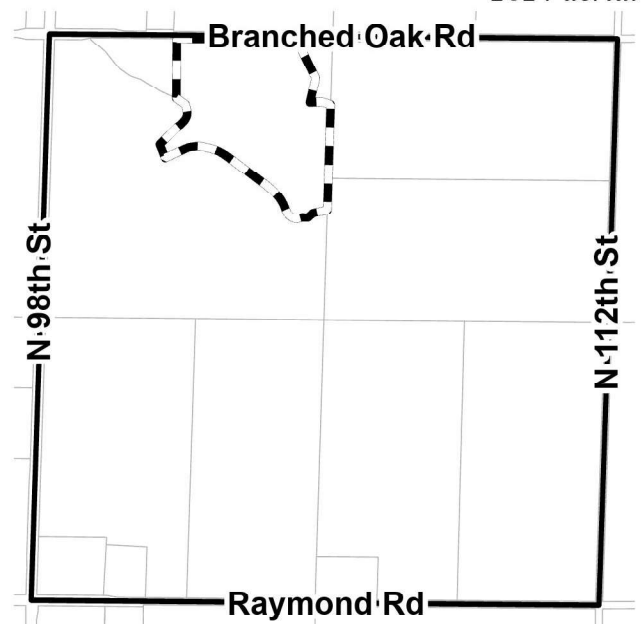
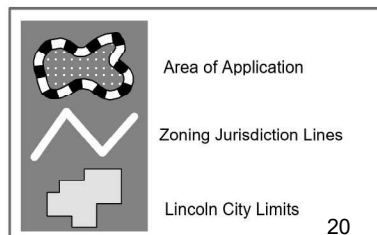
Special Permit #: SP25009 **N 98th St & Branched Oak Rd**



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

One Square Mile:
 Sec.36 T12N R07E



GENERAL NOTES

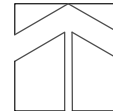
1. DESIGN LOADS
 - FLOOR:
 - 40 P.S.F. LIVE LOAD
 - 10 P.S.F. DEAD LOAD
 - ROOF:
 - 30 P.S.F. LIVE LOAD
 - 10 P.S.F. LIVE LOAD
2. FOUNDATION AND CONCRETE
 - A: PROVIDE 1/2" EXPANSION JOINT BETWEEN ALL CONCRETE SLABS & ABUTTING CONCRETE OR MASONRY WALLS IN EXTERIOR OR UNHEATED AREAS.
 - B: FROST FOOTING DEPTH TO BE 36" BELOW FINISH GRADE.
 - C: ANCHOR BOLTS 1/2" IN DIAMETER SHALL BE PLACED 15" INTO GROUTED C.M.U.'S OR 7" INTO C.J.P. CONCRETE. BOLTS SHALL BE SPACED AT 6'-0" O.C. MAXIMUM AND WITHIN 12" OF OPENINGS AND CORNERS.
 - D: ALL WOOD PLATES OR SILLS OR SLEEPERS THAT REST ON CONCRETE THAT IS IN DIRECT CONTACT WITH SOIL SHALL BE PREASURE TREATED S.Y.P. WOOD OR CONSTRUCTION GRADE REDWOOD.
3. CARPENTRY
 - A: UNLESS OTHERWISE NOTED, FRAMING LUMBER SHALL BE AS FOLLOWS:
 - 1: RAFTERS: #2 OR BETTER S.P.F.
 - 2: CEILING JOISTS: #2 OR BETTER S.P.F.
 - 3: FLOOR JOISTS: #2 OR BETTER HEM-FIR
 - 4: STUDS: CONSTRUCTION GRADE E.S.L.P.
 - 5: EXTERIOR DECK STRUCTURE: #2 OR BETTER (C.C.A.) S.Y.P.
 - 6: EXTERIOR HEADERS SHALL BE #2 H.F. W/ 7/16" O.S.B. BETWEEN.
 - 7: INTERIOR HEADERS SHALL BE #2 H.F. W/ 7/16" O.S.B. BETWEEN.
 - B: UNLESS OTHERWISE NOTED, PROVIDE
 - 1: DOUBLE HEADER JOISTS AND TRIMMERS AT ALL FLOOR OPENINGS.
 - 2: DOUBLE 2 x 6 HEADERS W/ 1/2" O.S.B. BETWEEN AT ALL INTERIOR NON-BEARING DOOR & WINDOW OPENINGS.
 - 3: DOUBLE 2 x 12 HEADERS W/ 1/2" O.S.B. BETWEEN AT ALL EXTERIOR & INTERIOR LOAD BEARING WINDOW AND DOOR OPENINGS.
 - 4: FLOOR SHEATHING SHALL BE 3/4" T & O INNERSEAL O.S.B. SPAN 15-3/4" & AND GLUE W/ PL400 (OR EQUAL) CONSTRUCTION ADHESIVE.
 - 5: ROOF SHEATHING SHALL BE 7/16" EXT. GRADE O.S.B.
 - 6: ALL EXTERIOR SIDE WALLS SHALL BE WRAPPED W/ TYVEK (OR EQUAL) HOUSE WRAP AS PER MANUFACTURERS RECOMMENDATIONS.
 - 7: ALL NON-RATED INTERIOR WALLS AND CEILINGS SHALL BE COVERED W/ 1/2" GYPSUM WALLBOARD. 1 HOUR RATED WALLS AND CEILINGS (COMMON GARAGE WALLS, CEILINGS AND PARTY WALLS) SHALL BE COVERED WITH 5/8" GYPSUM WALLBOARD. WALL AND CEILING FINISHES ARE LISTED UNDER BUILDERS SPECIFICATIONS.
 - 8: 2 KING STUDS REQUIRED BETWEEN OVERHEAD GARAGE DOOR HEADERS.
 - 9: MILLARD LUMBER SIZES LOAD BEARING HEADERS, WOOD BEAMS, AND TRUSSES.
 - C: TERMITE AND DECAY PROTECTION: WOOD EMBEDDED IN SOIL OR IN CONTACT WITH SOIL SHALL BE PRESSURE TREATED (C.C.A.) WOOD.
4. THERMAL PROTECTION:
 - A: UNLESS OTHERWISE NOTED, PROVIDE:
 - 1: R-13 BATT INSULATION IN ALL 2x4 EXTERIOR WALLS, R-19 BATT INSULATION IN ALL 2x6 EXTERIOR WALLS, R38 BLOWN INSULATION IN ALL CEILINGS ADJACENT TO THE EXTERIOR OR UNCONDITIONED SPACES.
 - 2: A 24" BAND OF R-5 RIGID INSULATION SHALL BE PLACED AT FOUNDATION WALLS OR FOOTINGS AND FLOOR SLAB PERIMETERS AT GRADE ELEVATION.
 - 3: SILL SEALER SHALL BE PLACED BETWEEN FOUNDATIONS AND SILL PLATES.
 - 4: PROVIDE CAULKING AT EXTERIOR PERIMETER OF ALL WINDOWS AND DOORS.
 - 5: ALL EXTERIOR SIDE WALLS SHALL BE WRAPPED W/ TYVEK (OR EQUAL) HOUSE WRAP AS PER MANUFACTURERS RECOMMENDATIONS.
 - 6: FLOORS TO HAVE R-30 INSULATION.
5. STAIRS AND RAILS
 - A: MAXIMUM STAIR RISE SHALL BE 7-3/4", MINIMUM STAIR RUN SHALL BE 10". MINIMUM HEADROOM SHALL BE 6'-8".
 - B: HANDRAILS SHALL HAVE A 1-1/4" MINIMUM TO 2" MAXIMUM DIAMETER. MOUNTING HEIGHT SHALL BE, NOT LESS THAN 34" OR MORE THAN 38" ABOVE STAIR NOSING.
 - C: GUARD RAILS SHALL BE, NOT LESS THAN 36" IN HEIGHT. INTERMEDIATE RAILS OR BALLUSTERS SHALL BE SPACED SO THAT A 4" SPHERE SHALL NOT PASS.
 - D: STAIR NOSING SHALL BE 3/4".
6. MISCELLANEOUS
 - A: TOILET ACCESS: WATER CLOSET SHALL BE LOCATED IN A CLEAR SPACE NOT LESS THAN 30" IN WIDTH, NOT LESS THAN 15" TO CENTERLINE OF CLOSET AND NOT LESS THAN 24" IN FRONT OF WATER CLOSET.
 - B: FIRE RATED DOORS: PROVIDE DOORS WITH A MINIMUM 45 MIN. RATING AT EGRESS BETWEEN GARAGE & RESIDENTIAL OCCUPANCY.
 - C: ALL FIREPLACES SHALL HAVE A U.L. APPROVED COMBUSTION AIR SOURCE.
 - D: UNLESS OTHERWISE NOTED:
 - 1: ALL INTERIOR WALLS ARE DRAWN AND DIMENSIONED 3-1/2"
 - 2: ALL EXTERIOR WALLS ARE DRAWN AND DIMENSIONED 4"
 - E: ALL WINDOW SIZES ARE GLASS SIZES.
 - F: ALL EXHAUST FANS ARE TO BE VENTED TO THE OUTSIDE.
 - G: 1/2" DRYWALL UNDER STAIRS CONTAINING ACCESS BY DOOR.
 - H: ATTIC VENTING TO HAVE 1 SQ FT TO EVERY 150 SQ FT OF ATTIC AREA
 - I: EGRESS WINDOWS ARE REQUIRED IN EVERY BEDROOM & MIN. 1 IN BASEMENT.
 - J: 5/8" TYPE X DRYWALL REQUIRED ON STEEL BEAMS IN GARAGES SUPPORTING FLOOR LOADS.
 - K: RADON SYSTEM INSTALLED PER LB 76-3504
 - L: 6 MIL POLY VAPOR RETARDER UNDER BASEMENT SLAB

INSULATION AND ENERGY CONSERVATION PER IECC 2018

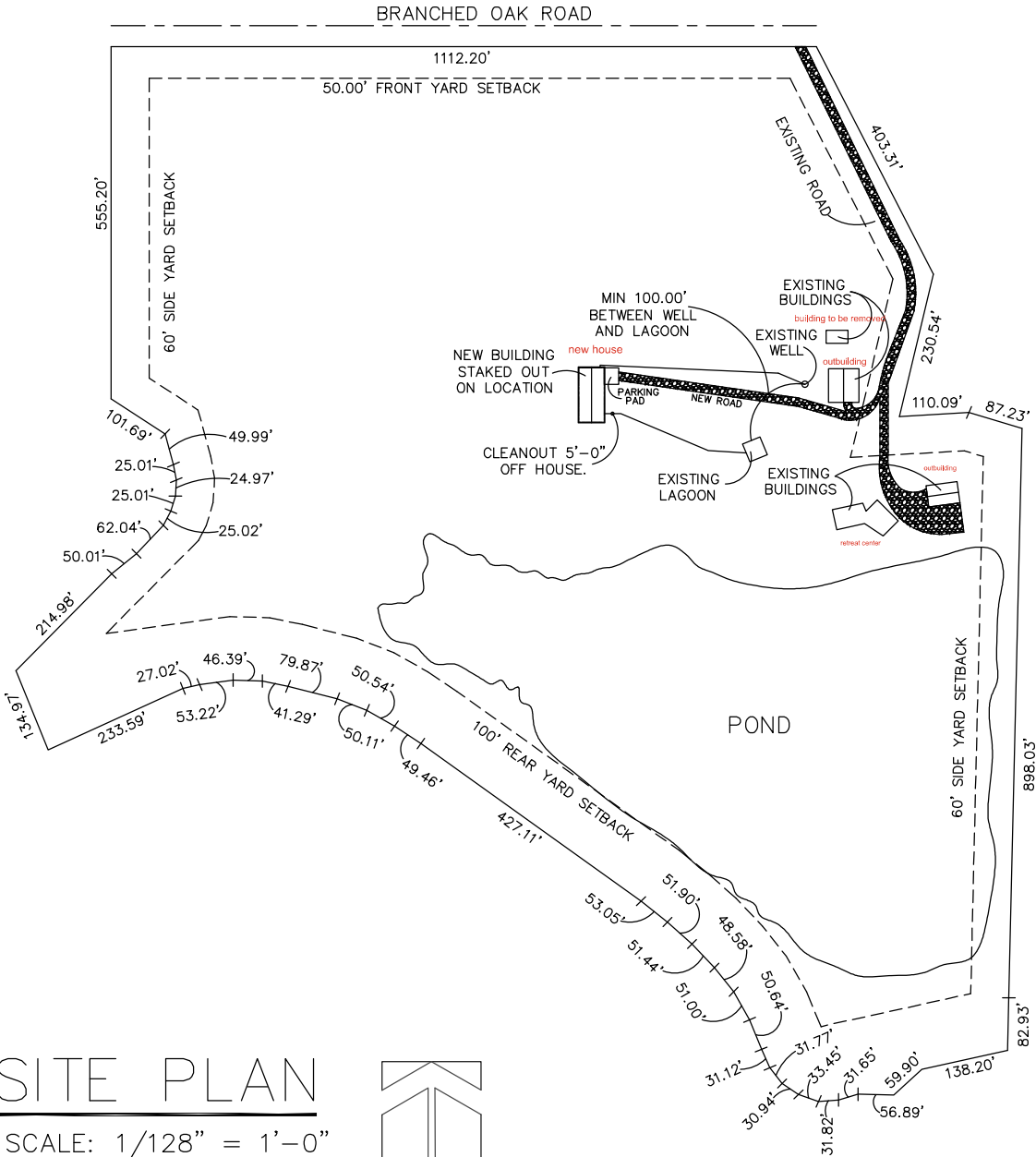
- A: UNLESS OTHERWISE NOTED PROVIDE:
 - 1: R-16 INSULATION IN ALL EXTERIOR WALLS
 - 2: R-38 INSULATION IN ALL CEILINGS
 - 3: R-13 INSULATION ON BASEMENT WALLS WHEN CONDITIONED SPACE
 - 4: ATTIC INSULATION DEPTH MARKERS EVERY 300 SQ FT FACING ATTIC ACCESS
 - 5: A 24" BAND OF R-5 RIGID INSULATION PLACED AT FOUNDATION WALLS OR FOOTINGS AND FLOOR SLAB PERIMETERS AT GRADE ELEVATION
 - 6: VAPOR BARRIER MAXIMUM 1.0 PERM IN INVENTILATED CEILINGS
 - 7: SILL SEALER PLACED BETWEEN FOUNDATIONS AND SILL PLATE
 - 8: ALL BUILDING JOISTS & PENETRATIONS TO BE CAULKED, GASKETED, OR SEALED
 - 9: THERMOSTAT - CAPABLE OF BEING SETBACK
 - 10: ALL SUPPLY AND RETURN DUCTS INSULATED TO MINIMUM OF R-8, DUCTS IN FLOOR TRUSSES MINIMUM OF R-6 DUCTWORK IN UNCONDITIONED SPACES MUST BE INSULATED TO MINIMUM R VALUES NOTED..
 - 11: ALL SUPPLY AND RETURN DUCTS INSULATED TO MINIMUM OF R-8, DUCTS IN FLOOR
 - 12: HEAT TRAPS ARE REQUIRED ON HOT & COLD INLETS FOR SYSTEMS WITH VERTICAL RISERS.
 - 13: SHOWER HEADS - USE 2.5 GALLONS PER MINUTE OR LESS
 - 14: RECESSED LIGHT FIXTURES INSTALLED IN THE BUILDING ENVELOPE IC RATED WITH NO PENETRATIONS OR INSTALLED INSIDE A SEALED BOX

SITE PLAN

SCALE: 1/128" = 1'-0"



LEGAL: S36, T12, R7 6TH PRINCIPAL, LOT WAVERLY, LANCASTER COUNTY NEBRASKA
ADDRESS: 10405 BRANCHED OAK ROAD



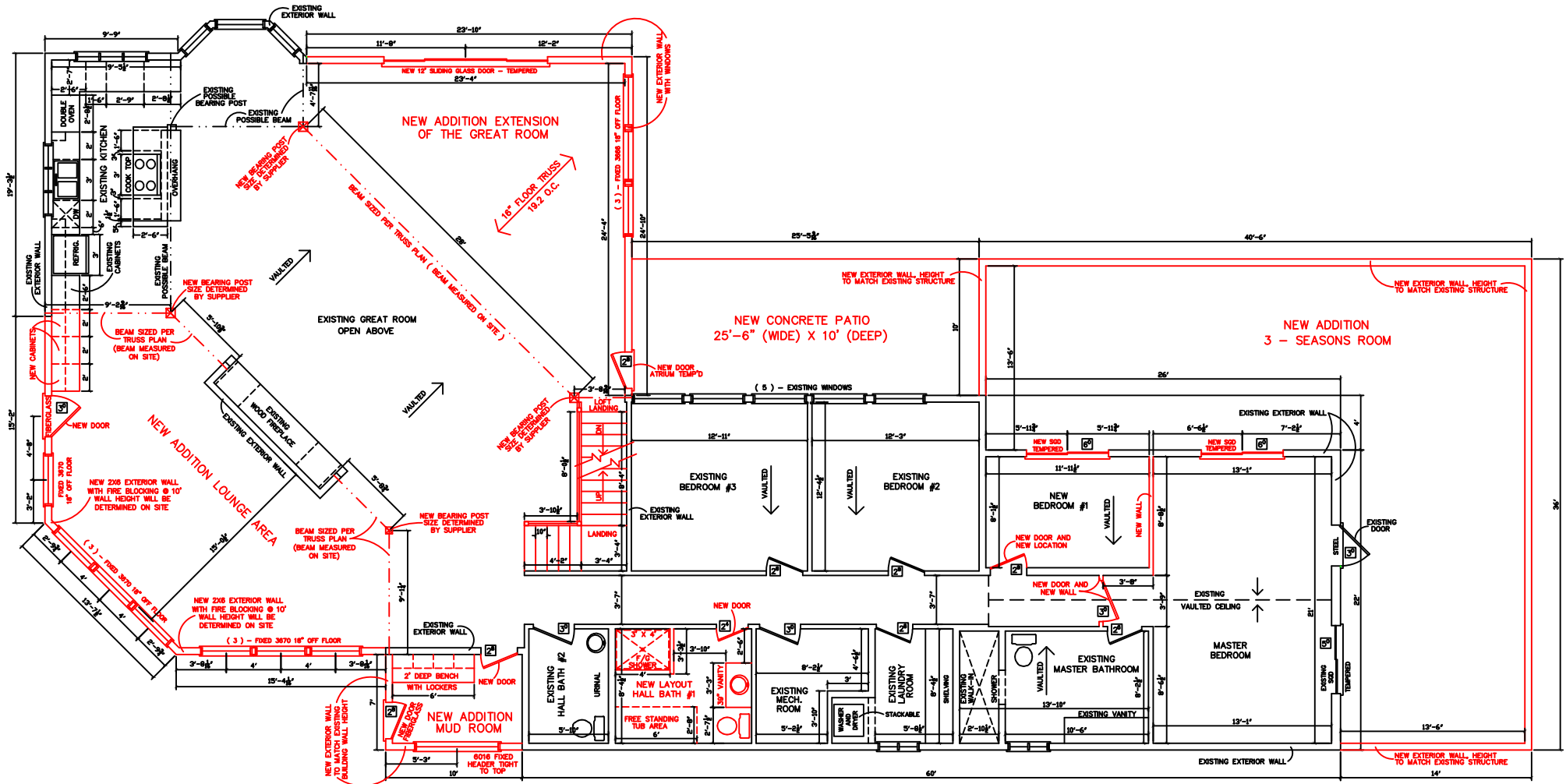
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DRIFTWOOD
- CUSTOM HOMES, LLC -
402.310.2758 / JAKE@DRIFTWOODCUSTOMHOMES.COM

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DATE:	01/17/25
ADDRESS:	10405 BRANCHED OAK ROAD
PROJECT:	JOSH LARSEN
SHEET	C-1

3700 square foot retreat space



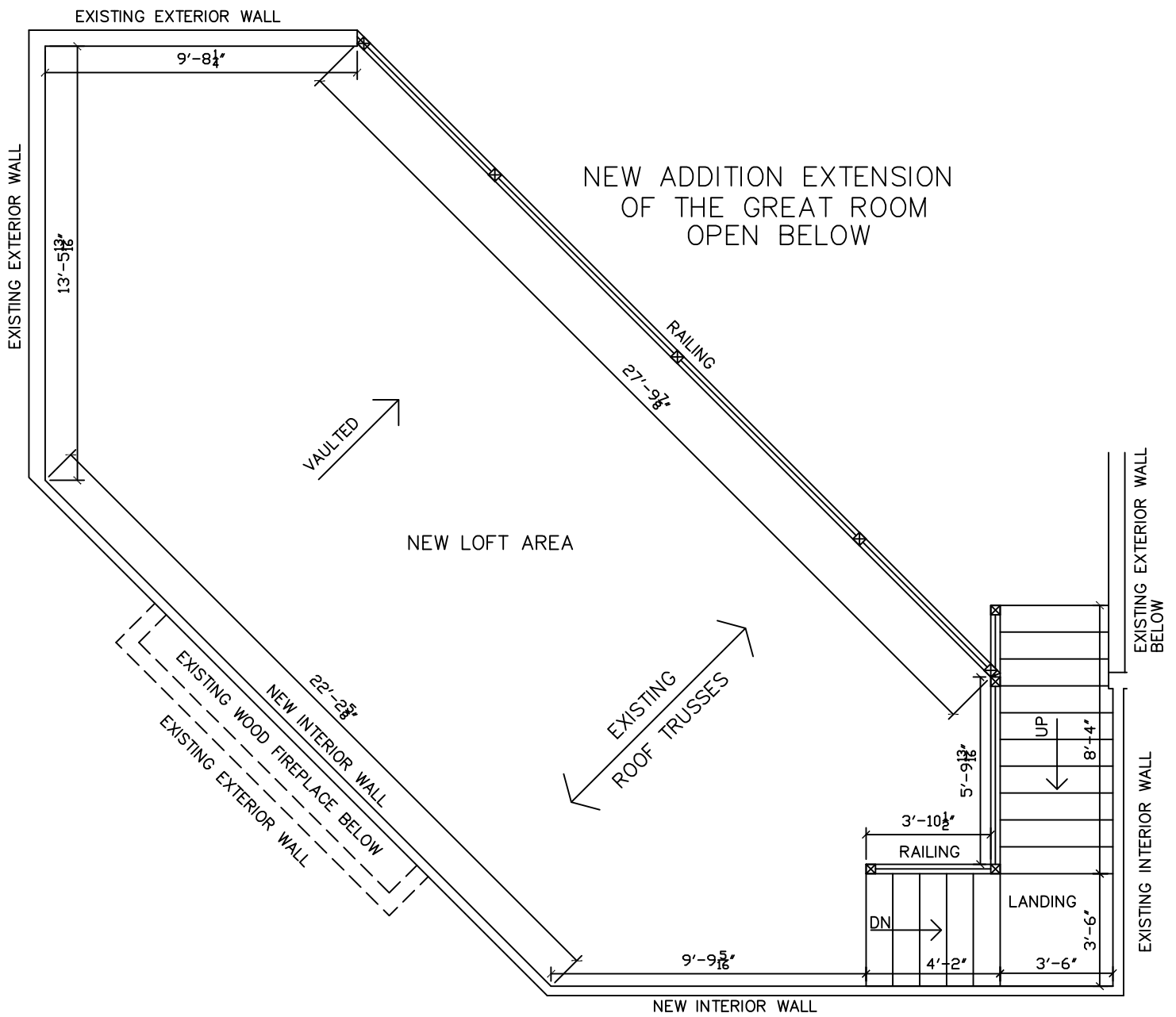
FIRST FLOOR PLAN

SCALE : NOT TO SCALE

EXISTING BUILDING FINISHED = 2319 SQ. FT.

WITH PROPOSED ADDITION FINISHED = 3233 SQ. FT.

3 SEASON ROOM = 873 SQ. FT.



LOFT FLOOR PLAN

SCALE : NOT TO SCALE

FINISHED LOFT = 559 SQ. FT.

BOR Company Retreat Center

Application Letter

- A. We currently have no plans to have any sort of on-site sales on this property.
- B. We understand this and there will only be two people living on site.
- C. The property is right at 40 acres in total.
- D. All current drives and parking are already very nice established rock surfaces
- E. The residence is not going to be used for any part of the business.
- F. The planned building for the retreat center is roughly only 3700 square feet.
- G. There is two other outbuildings on this property that are under 15,000 square feet in total that will be used for storage and equipment.
- H. The east property line is roughly 180 feet from the retreat center. On the other side of the east property line is a crop field with no public road or houses for over a ½ mile. The rest of the property lines are well over 200 feet and the retreat center is surround by trees and can not be seen from any road ways.
- I. We will comply with any regulations for dust control.
- J. We will file for any building permits that are needed before any work will take place.
- K. We understand this and will comply with this.
- L. At this time there is no signage for this property/business and we have no planes of adding one.
- M. A site plan will be summited.

We plan to use the current space for company training events and company outings. These events will be limited to 10-20 people per event. We estimate there will be one employee that will manage the event space for use. We are currently working with Benesch engineering to make sure the current lagoon will meet all requirements and handle the extra flow.

- a. On-site sales shall be limited primarily to products grown, manufactured, processed, treated or assembled on the premise;
- b. Except for a Family as defined by this Resolution, no more than two (2) persons participate in the home occupation on the premises. For purposes of Section [13.032](#), participation shall exclude deliveries;
- c. The lot area shall be ten (10) acres or larger;
- d. Driveways and parking areas shall be provided with an all-weather (gravel or rock) surface to minimize dust and mud;
- e. No more than 50% of the floor area of the residence may be used for said business when the home occupation is located within the residence;
- f. The total floor area for all buildings used for said business shall not be more than 10,000 square feet;
- g. Outside area used for work area, storage or other business activity (of vehicles, equipment, or materials used in the business) and parking shall not exceed 15,000 square feet;
- h. All outside business related activity shall be located at least 200 feet from all premise property lines and shall be visually screened from public streets and adjacent property lines. Said visual screening shall be approved as part of the special permit;
- i. Dust control of nearby unpaved roads to mitigate the impact of traffic approaching and leaving the premise may be required;
- j. Building permits will be obtained as required for all new construction and remodeling of existing buildings under this permit;
- k. Only one vehicle/truck over 2.5 tons (gross weight) is permitted on the site. No more than four (4) business vehicles shall be parked or stored outside on the site at any one time;
- l. There is no sign other than one non-animated, non-illuminated, non-reflecting nameplate not more than twenty (20) square feet in area, which name plate designates the home occupation carried on within;
- m. A site plan for this special permit shall be approved and followed. The Planning Commission/County Board may establish additional conditions such as hours of business operation, maximum daily non-resident trips to and from the business, as deemed appropriate for compatibility, health, safety and welfare relative to this use and activity. (Resolution No. [R-17-0040](#), May 30, 2017; Resolution No. [R-09-0076](#), September 29, 2009; Resolution No. [R-18-0078](#), November 20, 2018)

BOR Retreat

Dear planning,

I am writing to inform you about the current arrangements for the property located at [address of property], which is also home to the retreat center. The individuals residing on the premises will be responsible for the ongoing care, maintenance, and management of both the property and retreat center.

These residents will ensure that the property is well-maintained, secure, and used in accordance with the applicable regulations and standards. Their role includes overseeing general upkeep, managing any visitors, and ensuring the retreat center operates smoothly and responsibly.

We believe that this arrangement will further enhance the quality and functionality of the property and the retreat center, providing a dedicated and attentive presence on-site at all times.

Should you require any further details or clarification, please do not hesitate to contact me.

Thank you for your time and consideration.

Yours faithfully,
Joshua Larsen



LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

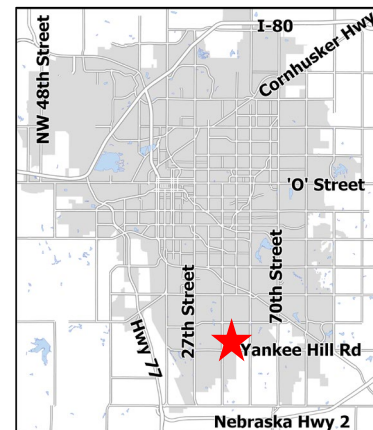
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Street and Alley Vacation #25002	FINAL ACTION? No	DEVELOPER/OWNER Chateau Properties North, LLC
PLANNING COMMISSION HEARING DATE March 19, 2025	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION Generally located at S. 44 th Street and Dillon Drive.

RECOMMENDATION: CONFORMS TO THE COMPREHENSIVE PLAN

BRIEF SUMMARY OF REQUEST

This is a request to vacate an existing 0.47 acres of right-of-way (ROW) originally platted as Grainger Parkway adjacent to S. 44th Street and Dillon Drive. This is located within the Chateau at Yankee Hill Planned Unit Development (PUD) at the northeast corner of Yankee Hill Road and S. 44th Street. At the time of the first final plat in 2021, this area was dedicated showing the transition from S. 44th Street to Grainger Parkway heading north. During development of the PUD, it was determined that S. 44th Street and Dillon Drive would need to be realigned slightly to the west to meet Grainger Parkway, leaving this area of ROW that is no longer needed.



JUSTIFICATION FOR RECOMMENDATION

The request for vacation of this portion of ROW is justified as it will not be developed as a street or public use in the future. The developer has dedicated and constructed the new public ROW, Dillon Drive which now connects to Grainger Parkway. The .47-acre area is shown over Outlot G in the PUD plan which is designate for detention and open space. Since the developer has dedicated and constructed the existing Dillon Drive, the vacated property will be deeded back to the abutting landowner at no cost.

APPLICATION CONTACT

Mike Eckert, (402) 434-8494 or
meckert@civildg.com

STAFF CONTACT

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

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

Vacation of this portion right-of-way will not negatively impact the transportation system and subject to the conditions of approval, this request is in conformance with the Comprehensive Plan.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Elements Section

Transportation Element

The street is shown as a local in Figure 4.23 of the Long Range Transportation Plan.

Local Streets: These streets serve as conduits between abutting properties and streets of higher functional classification. Local streets provide the lowest level of mobility and are generally designed to carry low levels of traffic at the lowest posted speeds.

P25: Open Space with Development - The community should continue to acquire parkland and conserve open space areas commensurate with expanding development, population growth, and community needs.

Action Steps

4. Designate areas for future urban development outside of the floodplain and floodway in order to mitigate the impacts of flooding and preserve natural flood storage. Floodplain in public ownership should remain in public ownership. However, where it is determined that there is public benefit to releasing floodplain property to private ownership, flood storage capacity should be maintained through easements, deed restrictions, or other tools.

P71: Public ROW and Access - Manage public ROW and access to balance multimodal mobility needs and protect the value of adjacent property.

ANALYSIS

1. This is a request to vacate an undeveloped portion of Grainger Parkway right-of-way at S. 44th Street within the Chateau at Yankee Hill Planned Unit Development (PUD) generally located at the northeast corner of S. 40th Street and Yankee Hill Road. The area to be vacated is approximately 0.47 acres and is an unimproved extension from S. 44th Street to what was originally platted as Grainger Parkway, now adjacent to Dillon Drive. The right-of-way request for vacation does not affect any transportation or easements within the Chateau Development or surrounding areas.
2. The small area of right-of-way to be vacated abuts and existing Outlot D, zoned R-3 Residential on the east and Outlot B zoned H-4 and Dillon Drive on the west, all within the Chateau at Yankee Hill PUD.
3. During the development of the PUD, the initial final plat proposed this area for the northern extension of Grainger Parkway from S. 44th Street. During development the roadway alignment was shifted to the west, now shown as Dillon Drive which now extends north to Grainger Parkway. This adjustment in the location left a small area of previously dedicated right-of-way which will no longer be used for a future street. Since the developer has constructed the alternative right-of-way, Dillon Drive, this vacation will not impact the existing traffic flow within the PUD or remove any proposed street connections. The vacated area currently abuts Outlots B & D, owned by Chateau Properties North LLC which are shown for future open space and detention on the approved PUD.
4. This request to vacate the undeveloped right-of-way will allow the owner to include this in a future final plat back into the outlots for open space and detention that was previously approved in the Chateau Properties PUD.
5. Lincoln Municipal Code Chapter 14.20 requires the City to establish the proper price to be paid for the right-of-way, as well as any amounts necessary to guarantee required reconstruction within the right-of-way. There will be no fee assessed by the City for this area of right-of-way vacation as the owner has already dedicated and developed the new public roadway, Dillon Drive, connecting S. 44th Street to Grainger Parkway. Since the new roadway alignment has been constructed, there are no existing utilities in the vacated area so no easements will need to be retained.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Undeveloped / R-3 PUD

SURROUNDING LAND USE & ZONING

North: Undeveloped / Green Space & Detention	R-3 PUD
South: Dillon Drive / Sid Dillon Hyundai	H-4 PUD
East: Multifamily / Green Space & Detention	R-3 PUD
West: Undeveloped Commercial	H-4 PUD

APPLICATION HISTORY

April 2020 - CZ#19031 approved the Chateau Planned Unit Development for up to 860 dwelling units over approximately 54 acres.

Dec 2021 - CZ#19031A approved an expansion of the PUD by 107 acres from AG to R-3, H-4, and O-3 PUD and included 148,000 square feet of commercial space and 221 residential dwelling units.

Aug 2023 - CZ#19031B was submitted to modify the R-3 PUD Apartment Area to allow wall signs associated with the multifamily complex. This amendment is scheduled to be heard at the September 20, 2023, Planning Commission meeting.

Oct 2023 - CZ#19031C was submitted to modify the existing Chateau at Yankee Hill PUD O-3 zoning classification along S. 40th Street.

APPROXIMATE LAND AREA: 0.47 acres, more or less

LEGAL DESCRIPTION: See Attached

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

Date: March 6, 2025

Applicant/
Owner Chateau Properties North, LLC
3100 S. 72nd Street
Lincoln, NE 68506
(402) 464-8351
stefan@chateaudev.com

Contact: Civil Design Group
Mike Eckert
8535 Executive Woods Blvd. Suite 200
Lincoln, NE 68512
(402) 434-8494
meckert@civildg.com

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/SAV/25000/SAV25002 S. 44th Street.bmc.docx>



Street and Alley Vacation #: SAV25002
S 44th St & Dillon Dr

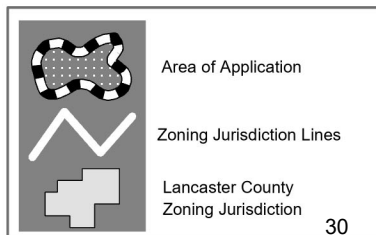
2024 aerial



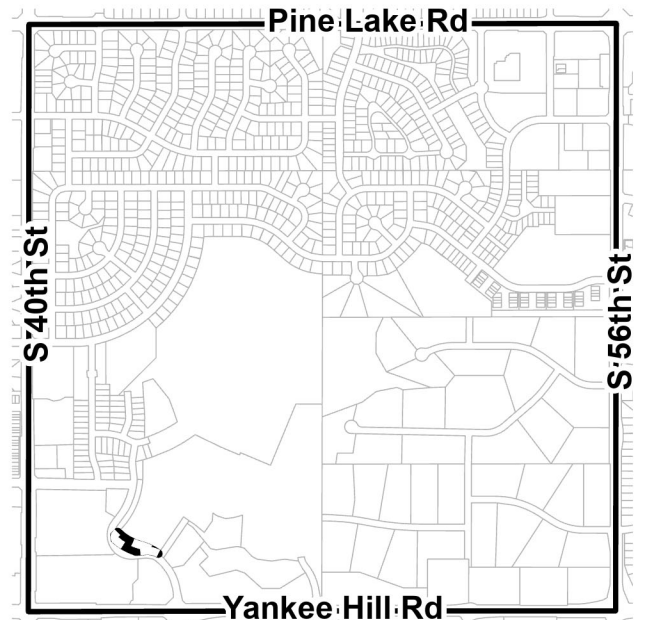
Zoning:

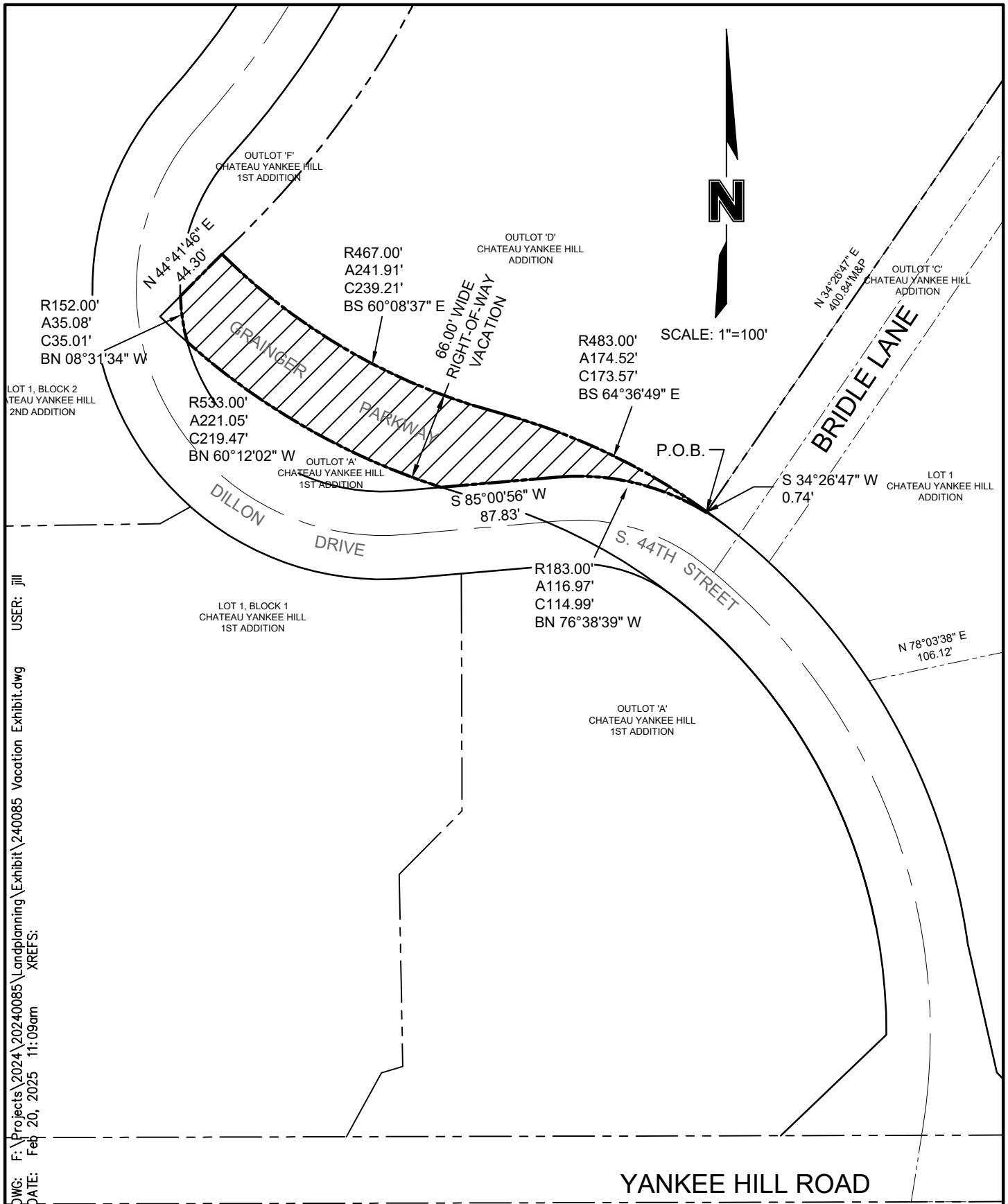
- R-1 to R-8** Residential District
AG Agricultural District
AGR Agricultural Residential District
O-1 Office District
O-2 Suburban Office District
O-3 Office Park District
R-T Residential Transition District
B-1 Local Business District
B-2 Planned Neighborhood Business District
B-3 Commercial District
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

One Square Mile:
 Sec.20 T09N R07E



30





DWG: F:\Projects\2024\20240085\Landplanning\Exhibit\240085 Vacation Exhibit.dwg
 DATE: Feb 20, 2025 11:09am
 USER: jll
 XREFS:

drawn by: JDS
 checked by: -
 project no.: 2024-0085
 date: 02/18/2025

GRAINGER PARKWAY RIGHT-OF-WAY VACATION EXHIBIT LINCOLN, NEBRASKA



Civil Design Group, Inc.
 8535 EXECUTIVE WOODS, DR., SUITE 200
 Lincoln, Nebraska 68512
 Ph. 402-434-8494 Fax 866-215-8747
 www.civildg.com

CONSULTING ENGINEERS • LAND USE PLANNERS
 CIVIL DESIGN • SITE DEVELOPMENT • PLANNING AND ZONING

EXHIBIT

1

RIGHT-OF-WAY VACATION

A legal description of a part of Grainger Parkway located in the Southwest Quarter of Section 20, Township 9 North, Range 7 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska and more particularly described as follows:

Beginning at the Southwest Corner of Outlot 'C' "Chateau Yankee Hill Addition"; Thence Southwesterly, on the Southerly extension of the Northwesterly Line of said Outlot 'C', on an assumed bearing of S 34°26'47" W for a distance of 0.74' to a point on the Northerly Right-of-way Line of South 44th Street;
Thence on the Northerly Right-of-way Line of South 44th Street and the Northerly Right-of-way Line of Dillon Drive, the following 2 courses:
On a curve turning to the left with an arc length of 116.97', with a radius of 183.00', with a chord bearing of N 76°38'39" W, with a chord distance of 114.99';
Thence S 85°00'56" W for a distance of 87.83' to a point of intersection with the Southerly Right-of-way Line of Grainger Parkway;
Thence on the Southerly Right-of-way Line of Grainger Parkway, with a curve turning to the right with an arc length of 221.05', with a radius of 533.00', with a chord bearing of N 60°12'02" W, with a chord distance of 219.47' to a point on the Easterly Right-of-way Line of Dillon Drive;
Thence Northerly, on the Easterly Right-of-way Line of Dillon Drive, with a curve turning to the right with an arc length of 35.08', with a radius of 152.00', with a chord bearing of N 08°31'34" W, with a chord distance of 35.01' to the most Southerly Corner of Outlot 'F' "Chateau Yankee Hill 1st Addition"; Thence N 44°41'46" E, on the Easterly Line of Outlot 'F' "Chateau Yankee Hill 1st Addition", for a distance of 44.30' to a point on the Northerly Right-of-way Line of Grainger Parkway; Thence on the Northerly Right-of-way Line of Grainger Parkway the following 2 courses:
On a curve turning to the left with an arc length of 241.91', with a radius of 467.00', with a chord bearing of S 60°08'37" E, with a chord distance of 239.21';
Thence with a reverse curve turning to the right with an arc length of 174.52', with a radius of 483.00', with a chord bearing of S 64°36'49" E, with a chord distance of 173.57' to the **Point of Beginning** and having a calculated area of 0.47 acres more or less.

Subject to any and all easements and restrictions of record.

PETITION TO VACATE PUBLIC WAY
with
RELEASE AND WAIVER OF RIGHTS AND TITLE,
AND QUITCLAIM DEED TO CITY OF LINCOLN

TO THE HONORABLE CITY COUNCIL OF THE CITY OF LINCOLN, NEBRASKA:

The undersigned property owner(s) hereby petition you to vacate the following street, alley, or other public way, commonly known as: (i.e.: *Elm Street from 1st to 2nd St. or East-west alley, from the north line of 1st St. to the south line of 2nd St.*)

Grainger Parkway (See attached legal description)

in the CITY OF LINCOLN, NEBRASKA, with the City reserving in said street, alley, or other public way such title, rights, easements, and privileges as it may deem necessary. In consideration of the vacation of the above-described street, alley, or other public way, we, and each of us, for ourselves, our heirs, personal representatives, successors, and assigns, hereby waive and release any and all claims, causes of action, rights of access, and demands of every nature, known or unknown, which may accrue to us, or which we now have, or which we may hereafter have as a result of such vacation; and hereby quitclaim unto the City of Lincoln, Nebraska, and to its successors and assigns forever, all right, title, interest, estate, and demand, both at law and in equity, in and to all of said street, alley, or other public way.

TO HAVE AND TO HOLD the above-described street, alley, or other public way together with all tenements, hereditaments, and appurtenances thereto belonging unto the City of Lincoln, Nebraska, and to its successors and assigns forever.

The undersigned hereby represent(s) that he, she, they, or it is(are) the owner(s) of the following described property in Lincoln, Lancaster County, Nebraska, abutting on said street, alley, or other public way: (Legal description from deed or abstract NOT street address, i.e. Lot 10, Block 500 Boardwalk Addition NOT 4500 Park Place Blvd.)

Chateau Properties North, LLC - Outlot 'B', Chateau
Yankee Hill 1st Addition and Outlot 'D', Chateau
Yankee Hill Addition

INFORMATION SHEET

An Information Sheet must be filled out completely by the owners of each parcel abutting the requested vacation. The attached **Petition to Vacate Public Way** must also be filled out completely according to the instructions contained in the Instruction Sheet.

1. Name of Petitioner (Current Titleholder/s): Chateau Properties North, LLC
If more than one individual, indicate if you are:
_____ joint tenants with right of survivorship, OR _____ tenants in common
2. Petitioner's Address: 3100 S. 72nd St.
Lincoln, NE 68506
3. Petitioner's Telephone Number: (402) 464-8351
4. Name of street, alley, or other public way sought to be vacated: S. 44th Street
5. Legal description of Petitioner's property which abuts the public way sought to be vacated: Outlot 'B'.
Chateau Yankee Hill 1st Addition and Outlot 'D', Chateau
Yankee Hill Addition
6. Why are you seeking to have this street, alley, or other public way vacated?
It is unused platted Right-of-Way. A new Right-of-Way has
been dedicated (Dillion Drive)
7. What use or uses do you propose to make of the public way should it be vacated?
Residential Uses
8. Do you intend to purchase that portion of the vacated public way which abuts your property as described in the **Petition to Vacate Public Way** and/or other portions of the vacated public way?
This Right-of-Way was dedicated previously by the adjacent owner. _____ YES X NO
9. Name and address of person to whom tax statement should be sent:
Chateau Properties North, LLC
3100 S. 72nd St.
Lincoln, NE 68506

The property will be appraised and the purchase price of the portion abutting your property must be paid by you to the City Clerk unless you have indicated that the portion abutting your property will be sold to any other abutting owner willing to pay the purchase price. The Vacation Ordinance will not be introduced before the City Council until the full price of the entire public way proposed to be vacated has been paid.

***** IMPORTANT: BE SURE THAT THE PETITION TO VACATE PUBLIC WAY HAS BEEN PROPERLY EXECUTED BY ALL TITLEHOLDERS TO YOUR PROPERTY AND ATTACH IT TO THIS INFORMATION SHEET.**

DATED this 21st day of February, 2025.

Chateau Properties North, LLC

[Name of Titleholder]

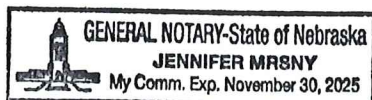
By: [Signature]
Managing Member

***(ALL TITLEHOLDERS OF THE REAL ESTATE DESCRIBED ON THE PRECEDING PAGE
MUST SIGN THIS PETITION BEFORE A NOTARY PUBLIC)***

STATE OF Nebraska)
) ss.
Lancaster COUNTY)

The foregoing instrument was acknowledged before me on this 21st day of February,
2025, by Stelan Gaspar, managing member of Chateau Properties North LLC
on behalf of said limited liability company.

(Seal)



[Signature]
Notary Public

SIGNATURE PAGE FOR LIMITED LIABILITY COMPANY



Civil Design Group, Inc.

Consulting Engineers & Land Use Planners
Civil Design • Site Development • Planning & Zoning

February 19, 2025

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

Re: Petition to vacate the unused duplicate Right-of-Way (ROW) of Grainger Parkway north of Yankee Hill Rd and S. 44th St. CDG Project #2024-0085.

Dear Mr. Cary:

On behalf of the Chateau Properties North, LLC we submit the enclosed application to vacate .47 acres of public ROW named and final platted as Granger Parkway as shown on the enclosed exhibits. After this ROW was dedicated development constraints determined that the public ROW connecting Yankee Hill Road to Grainger Parkway needed to be moved further to the west. The developer therefore deeded, via final platting, the new public ROW known as Dillon Drive immediately west of the Grainger Parkway ROW thus alleviating the need for the portion of Grainger Parkway shown in this petition to vacate public way.

With this application we submit the following items:

Petition to Vacate Public Way
Application for Street and Alley Vacation
Application Fee of \$240.00
Exhibit and Legal Description of ROW to be vacated

I hope that this letter in conjunction with the plan sets assists you in reviewing this Petition to Vacate Public Way. Please feel free to call me at (402) 434-8494 so that I can address any questions you may have.

Sincerely,

Mike Eckert, AICP

cc: Chateau Properties North, LLC