

MEETING RECORD

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

NAME OF GROUP: PLANNING COMMISSION

DATE, TIME AND PLACE OF MEETING: Wednesday, April 02, 2025, 1:00 p.m., Hearing Room 112, on the first floor of the County-City Building, 555 S. 10th Street, Lincoln, Nebraska.

MEMBERS AND OTHERS IN ATTENDANCE: Lorenzo Ball, Dick Campbell, Maribel Cruz, Brett Ebert, Gloria Eddins, Bailey Feit, Cristy Joy, Rich Rodenburg, and Cindy Ryman Yost. Paul Barnes, David Cary, Steve Henrichsen, Jacob Schlange, Jill Dolberg, Shelli Reid, and Laura Tinnerstet of the Planning Department, media, and other interested citizens.

STATED PURPOSE OF MEETING: Regular Planning Commission Hearing

Chair Ryman Yost called the meeting to order and acknowledged the posting of the Open Meetings Act in the room.

Chair Ryman Yost requested a motion approving the minutes for the regular meeting held March 19, 2025.

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

Minutes approved 8-0: Ball, Campbell, Ebert, Eddins, Feit, Joy, Rodenburg, and Ryman Yost voting "yes". Cruz abstained.

Chair Ryman Yost asked the Clerk to call for the Consent Agenda Items.

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

April 02, 2025

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

The Consent Agenda consisted of the following item: Change of Zone 25006

There were no ex-parte communications disclosed.

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

Campbell made a motion for approval of the Consent Agenda items; seconded by Joy.

Consent Agenda approved 9-0: Ball, Campbell, Cruz, Ebert, Eddins, Feit, Joy, Rodenburg, and Ryman Yost voting "yes".

TEXT AMENDMENT 24015, TO AMEND THE LINCOLN MUNICIPAL CODE TO: AMEND 27.02.070 F TO ADD A NEW DEFINITION FOR "FLOOR AREA FOR ACCESSORY BUILDINGS", AMEND 27.02.040 C, AND 27.02.190 R TO CLARIFY THE DEFINITIONS FOR CLUB, RECREATIONAL FACILITIES OUTDOOR, AND RECREATIONAL FACILITIES ENCLOSED COMMERCIAL; AND REVISE BOTH 27.63.500 SALVAGE YARDS AND 27.69.035 OFF-PREMISE SIGNS TO UPDATE REFERENCES TO NEBRASKA HIGHWAY 2 AND INCLUDE NEBRASKA PARKWAY.

PUBLIC HEARING:

April 02, 2025

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

Staff Recommendation: Approval

There were no ex-parte communications disclosed.

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

Staff Presentation-

Jacob Schlange, Planning Department, 555 S. 10th Street, Lincoln, NE, came forward and stated that he will be presenting on three different items that are packaged together in this text amendment. There is one new definition that is being proposed and some modifications to some existing definitions, and a text cleanup to a name change from Nebraska Highway 2 to Nebraska Parkway.

Schlange discussed that a new definition is being proposed for the maximum allowable floor area size for accessory buildings. Schlange stated that the update clarifies the exclusion of space designated for automobile storage, such as garages, ensuring consistency with the historical interpretations of the ordinance.

Schlange presented updates on definitions for club, enclosed recreational facilities, and outdoor recreational facilities. Schlange discussed that the changes aim to clarify the distinction between clubs (such as educational facilities for athletics) and recreational facilities, particularly in I-1 industrial districts. This change seeks to ensure that clubs don't avoid special permits (for safety and health reasons) by being misclassified as such. Facilities currently classified as "clubs" (e.g., Cooper YMCA, Boy Scouts facilities) will be reclassified to "Recreational Facility Indoor" or "Recreational Facility Outdoor," but this reclassification will not affect their operations. They will be grandfathered in if their current use is not permitted under the new

definitions. Schlange stated that notices were sent out in January to facilities that could be affected by the changes, inviting them to meet with him for further clarification. The Boy Scouts of America responded positively to the changes after a meeting.

Schlange also stated that there is an update to definitions regarding salvage yards and off-premises signs that was proposed to reflect the name change from Nebraska Highway 2 to Nebraska Parkway. Schlange stated this update will ensure consistency in the zoning ordinances, adding Nebraska Parkway while maintaining Nebraska Highway 2 where necessary due to jurisdiction in the extraterritorial jurisdiction (ETJ) of Lincoln.

Staff Questions

Campbell asked for clarification on whether the Genesis Clubs (at 70th and A, and 56th and Old Cheney) are zoned for commercial districts.

Schlange responded that the Cooper YMCA and Madonna Rehabilitation Center, which both have recreation centers, were previously classified under a special permit for a club facility.

Campbell asked if the list mostly includes clubs and nonprofit organizations?

Schlange confirmed that it is correct, for those being reclassified as indoor facilities, both the Cooper YMCA and Madonna Rehabilitation Center have recreation centers and previously held a special permit for a club facility.

Campbell expressed his gratitude.

Rodenburg commented to Schlange that there would be no negative impact, mostly due to the grandfathering provision. Rodenburg then asked whether, under the new designation, these facilities would be unable to do something or if they would be restricted in any way.

Schlange explained that the requirement for a special permit would depend slightly on the specific facility. For most facilities, a special permit would be required; however, the proposal allows these facilities to avoid the process of applying for a new permit since they are already operating in this manner. Schlange noted that there might be one or two instances where this would not be allowed, but he couldn't provide a specific list of all such cases.

Feit asked if venues like Let's Pickle, which have indoor courts and are connected to food or a bar, should be categorized under this section, or if they should fall under a completely different category?

Schlange mentioned that this is a good question and that the indoor courts would be considered an accessory to the primary use of the restaurant or bar.

Ebert inquired about the new definition for floor area concerning accessory buildings. Ebert mentioned that her understanding is that the total allowed floor area applies to all combined accessory structures.

Schlange confirmed this understanding, explaining that it pertains to the total floor area of all accessory buildings and uses on the property, including attached garages and any sheds. The table shown specifically applies to residential districts (R1 through R8) as well as AG and AGR districts.

Proponents:

No one approached in support.

Neutral:

No one approached in a neutral capacity.

Opposition:

No one approached in opposition.

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

Campbell moved to approve Text Amendment 24015; seconded by Joy. Motion carried 9-0: Ball, Campbell, Cruz, Ebert, Eddins, Feit, Joy, Rodenburg and Ryman Yost voting 'yes'.

Campbell stated that this was a good cleanup, and it made a lot of sense.

CHANGE OF ZONE 24022, TO DESIGNATE APPROXIMATELY 22 PROPERTIES AS PART OF THE SOUTH HAYMARKET INDUSTRIAL LOCAL LANDMARK DISTRICT, ROUGHLY BOUNDED BY S. 7TH STREET, S. 9TH STREET, J STREET, AND N STREET.
PUBLIC HEARING: **APRIL 02, 2025**

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

Staff Recommendation: Approval

There were no ex-parte communications disclosed.

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

Staff Presentation-

Jill Dolberg, Planning Department at 555 South 10th Street, Lincoln, NE came forward and mentioned that she has 25 years of experience in the field of historic preservation. Dolberg presented a nomination for the South Hay Market Industrial Landmark Historic District, which had been prepared by her predecessor, Stephanie Rouse. Dolberg acknowledged Rouse for doing most of the work, stating that she was there to finalize the process.

Dolberg explained that the district spanned the area between J and M Streets and 6th and 9th Streets. The district's landmark status was a fulfillment of a recommendation made in the South Hay Market Neighborhood Plan from about eight years prior, marking an important milestone for the area. The district was significant in community development, industry, and transportation, with a period of significance running from around 1890 to 1946. There were 23 contributing properties and 10 non-contributing properties. The non-contributing properties were mainly vacant lots, post-1946 buildings, and properties that no longer retained their historic appearance.

Dolberg showed maps, including Sanborn Fire Insurance Maps, to illustrate the area's historical development. These maps documented the development of the area over time, including the arrival of railroad sightings in the district starting in the 1870s. By 1891, the area was already well connected with railroads, which played a significant role in its development as an industrial and manufacturing hub. By 1949, the area was fully developed with industrial buildings, warehouses, and other structures.

Dolberg pointed out that the district was distinct from the Haymarket area in several ways. While the Haymarket was a commercial and warehouse district, the South Haymarket had been focused on industry, with large industrial buildings, manufacturing, and warehouses situated near the rail lines for easy shipment. It had developed in a more organic fashion due to its expansive land, while Haymarket remained more constrained by its geography.

Dolberg also shared historic photos of the area, such as the Lincoln Paint and Color Building and the Western Mattress Company Building, which was likely the oldest building in the district. Dolberg explained that these buildings offered a glimpse into the area's historical significance.

Dolberg explained that flooding had been a concern in the area, particularly before the 1950s. However, since then, the district has undergone significant changes, including flood mitigation efforts. Dolberg explained that landmarking the district had several benefits, such as altering floodplain standards for contributing properties and allowing for special permits for flexible reuse. Additionally, it provided access to state and federal tax credits that could assist with funding renovations for these historic buildings.

The landmark designation also served to protect the historic character of the properties, ensuring that future developments maintained the district's historical integrity. Dolberg mentioned that public outreach for the project included meetings with the Haymarket Business Association and noted that the community had shown positive support for the designation.

Dolberg concluded her presentation by thanking everyone for their time and offered to answer any questions from the group.

Staff Questions

Rodenburg stated that back in the day, he purchased an 1800s-built property in Walton and contacted Ed Zimmer about possibly having it recognized for historic significance and making it a landmark. Zimmer had replied that if he wanted to change a light fixture, he would have to apply in triplicate, and he recommended against it until renovations were completed. Rodenburg then asked if, once these buildings were added to the historic designation, they would be restricted from changing light fixtures.

Dolberg explained that it depended on whether the light fixtures were on the exterior or the interior of the building. Dolberg clarified that they were primarily concerned with changes made to the exterior of a building. If someone were reconfiguring their interior spaces or redecorating, the Planning Department didn't get involved in that. However, if someone wanted to change their windows or make exterior renovations, those changes would be reviewed against the standards.

Dolberg also mentioned that while they would love to see the standards followed every time, there were exceptions in certain cases, such as when adhering to the standards would be cost-prohibitive or hazardous. For example, some buildings might contain asbestos, which could create complications. Dolberg pointed out that these circumstances meant they couldn't always adhere strictly to the standards.

Dolberg then explained that this was where the Historic Preservation Commission came into play. If a project fell outside the design standards, people could bring their plans to the commission for input, recommendations, and approval, provided they made a compelling case.

Campbell had asked if any of the properties that wanted to expand and add on would have been required to match the existing building with the expansion.

Dolberg stated that no, not necessarily. The Cotswold Building had an addition added to it, and it had been locally landmarked. The addition was required to follow the same set of standards, which called for the new addition to be compatible and sympathetic to the historic nature of the original building, rather than mimicking it. While its appearance and massing were slightly different, it still maintained a simple box shape, remaining submissive to the historic original. Dolberg had mentioned that this was the goal they typically aimed for.

Proponents:

No one approached in support.

Neutral:

No one approached in a neutral capacity.

Opposition:

No one approached in opposition.

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

Ball commented on the presentation, acknowledging the significance of the department's work. Ball mentioned that the department's history spanned three-quarters of a century and praised its role in managing building, economic development, and floodplain management. Ball noted that these efforts provided the capacity for growth and expressed his appreciation for the presentation and the department's contributions

Campbell moved to approve Change of Zone 24022, seconded by Joy. Motion carried 9-0: Ball, Campbell, Cruz, Ebert, Eddins, Feit, Joy, Rodenburg and Ryman Yost voting 'yes'.

Chair Ryman Yost had expressed her appreciation to David and the planning staff, acknowledging that this meeting involved many administrative matters. Ryman Yost had then pointed out, as Ball had mentioned, that it was a great example of how the community and the department worked to preserve history while planning for an exciting future. Chair Ryman Yost concluded by inviting anyone wishing to speak on an item not on the agenda to do so.

Campbell moved to adjourn the Planning Commission meeting of March 19, 2025; seconded by Joy.

Motion carried 9-0: Ball, Campbell, Cruz, Ebert, Eddins, Feit, Joy, Rodenburg, and Ryman Yost voted "yes"

There being no further business, the meeting was adjourned at 1:32pm.

