

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, February 11, 2025.

NAME OF GROUP:	PLANNING COMMISSION
DATE, TIME AND PLACE OF MEETING:	Wednesday, February 19, 2025, 1:00 p.m., Hearing Room 112, on the first floor of the County-City Building, 555 S. 10 th Street, Lincoln, Nebraska.
MEMBERS AND OTHERS IN ATTENDANCE:	Dick Campbell, Maribel Cruz, Brett Ebert, Bailey Feit, Cristy Joy and Cindy Ryman Yost. Lorenzo Ball, Gloria Eddins, and Rich Rodenburg absent. David Cary, Steve Henrichsen, Paul Barnes, Shelli Reid, Clara McCully, Jacob Schlange, and George Wesselhoft 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.

Note: This is **Final Action** on the following items **Special Permit 20047A, Special Permit 19021B, Special Permit 25004 and Special Permit 25005 unless** appealed by filing a Notice of Appeal with the **City Council** or the **County Board within 14 days.**

Chair Ryman Yost requested a motion approving the minutes for the regular meeting held February 5, 2025.

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

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

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

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

February 5, 2025

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

The Consent Agenda consisted of the following items: Text Amendment 25001, Annexation 25001, Change of Zone 25004, Annexation 25002, Change of Zone 25005, Special Permit 20047A, Street and Alley Vacation 25001, Change Of Zone 25002, Pre-Existing Special Permit 23K, Special Permit 19021B, Special Permit 25004 and Special Permit 25005

There were no ex-parte communications disclosed.

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

Campbell requested to remove SP25004 for public hearing.

Campbell moved approval of the remaining Consent Agenda items; seconded by Joy.

Consent agenda approved 6-0: Campbell, Cruz, Ebert, Feit, Joy and Ryman Yost voting 'yes'. Ball, Eddins, and Rodenburg absent.

SP25004 TO ALLOW FOR THE STANHULL SUBDIVISION CUP (COMMUNITY UNIT PLAN) FOR 3 DWELLING UNITS AND ASSOCIATED WAIVERS, ON PROPERTY GENERALLY LOCATED AT 10500 S. 56TH STREET.
PUBLIC HEARING:

February 19, 2025

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

Staff Recommendation: Conditional Approval

There were no ex-parte communications disclosed.

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

Staff Presentation

George Wesselhoft, Planning Department, 555 S. 10th Street, Lincoln, NE came forward and stated location is 10500 S 56th Street. This proposal is for an AGR CUP (Community Unit Plan) on approximately 14.5 acres.

The CUP includes one existing dwelling unit on South 56th Street, which is one of three proposed dwelling units. The other two new dwelling units would be located on lots off an extension of Aubree Avenue from the east. The CUP includes a concept for future urban buildout for the property once it is annexed and urban services become available.

The maximum density allowed for this AGR CUP based on the 14.5 acres is three dwelling units. This property falls within growth tier one, priority C, of the 2020-2050 Comprehensive Plan. This area is slated for development after 2036. The existing zoning is AGR, and since urban services and associated urban density zoning are not anticipated for at least another decade, it is appropriate to have an AGR CUP with provisions for future urban buildout.

The applicant requested five waivers, primarily related to height and lot requirements, such as setbacks and minimum lot sizes, as well as waivers concerning drainage and stormwater management. These requirements would be deferred until the area is urbanized—at which point city water and sewer services will be available, allowing for redevelopment to proceed.

Campbell asked, the future plan shows Millenium Lane will extend back to 56th street, why is it not required to be put in now for the two lots? His biggest concern is the additional traffic through their development by adding these lots. Is there some way to require that Millennium be installed as it becomes accessible?

Wesselhoft responded that street extension is conceptual, not proposed, if and when it would be urbanized. Currently, only two single-family dwellings will be added to the area to the east, which would minimally affect traffic.

Campbell asked if it could be required at this time or if it is conceptual.

Wesselhoft stated it is not proposed or required.

Campbell asked if the Planning Commission could request it in the future when this area comes back.

Wesselhoft stated the Commission can consider it again.

Feit asked if Aubree Avenue already comes through the area or if it would be an addition.

Wesselhoft stated it would be an addition.

Applicant:

Mike Eckert, Civil Design Group, 8535 Executive Woods Drive, on behalf of Heidi Hull, came forward and stated the mailing that went out to the neighbors was confusing. It involved both the AGR plan and the future build-through plan, leading to some misunderstanding about the potential for multiple lots and a connection. They are extending Aubree to accommodate just two lots. They will go through the process of connecting to city sewer and water when those services become available,

Campbell stated he noticed the existing drive would disappear.

Eckert stated the driveway would be removed, and the property would get access to Millennium Drive. They will maintain their driveway access for now. When the owner decides to pursue further subdivision and city sewer and water become available, the existing driveway will be removed. The plan may change, but they would go through the public hearing process.

Campbell asked what direction the property drains, and where sewer and water would come from.

Eckert stated it mostly drains to the northwest. The sewer will come from Salt Creek and flow in that direction.

Joy asked when the property would be annexed, and what Tier. Wesselhoft stated it is Tier 1 Priority C and may be 10 years.

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 stated, based on public comments, it is important to emphasize that these two lots are intended for family members, as indicated by the applicant. It makes sense to add two lots in this context.

Joy stated her concern was with increased traffic when more lots are added in the future, but that is part of the future plan and not required at this time. Any changes

would go through the public hearing process. She is content with the two lots being accessed through Aubree Lane.

Ryman Yost state she is pleased the Commission took a moment to review this, ensuring everyone understood the situation. Ryman Yost stated that she is in support based on the fact it meets land use requirements.

Campbell moved to approve, seconded by Joy. Motion carried 6-0: Campbell, Cruz, Ebert, Feit, Joy and Ryman Yost voting 'yes'. Ball, Eddins, and Rodenburg absent.

TEXT AMENDMENT 25002, AMENDING LINCOLN MUNICIPAL CODE TO MODIFY THE H-2 ZONING DISTRICT TO BECOME A MIXED-USE DISTRICT SUPPORTIVE OF HIGH QUALITY DEVELOPMENT, INCLUDING AMENDMENTS TO 27.41 H-2 HIGHWAY COMMERCIAL DISTRICT, 27.06 USE GROUPS, 27.72 HEIGHT AND LOT REGULATIONS, AND THE CREATION OF A NEW DESIGN STANDARD FOR SIDEWALKS IN H-2 WITH ASSOCIATED UPDATES TO OTHER SECTIONS OF LINCOLN MUNICIPAL CODE THAT REFERENCE SIDEWALKS; ALONG WITH OTHER CHANGES WITHIN THE H (HEAVY COMMERCIAL) AND I (INDUSTRIAL) ZONING DISTRICTS TO PROVIDE MORE FLEXIBILITY AND STREAMLINE THE ORDINANCE; AMENDING 27.39 H-1 INTERSTATE COMMERCIAL DISTRICT TO REMOVE THE H-1 DISTRICT FROM THE ZONING ORDINANCE WHILE ALSO AMENDING ANY REFERENCE TO H-1 IN TITLE 27 AND OTHER SECTIONS OF LINCOLN MUNICIPAL CODE AND DESIGN STANDARDS; AMENDING 27.43 H-3 COMMERCIAL DISTRICT TO PROVIDE A NEW NAME AND DESCRIPTION WITH ASSOCIATED CHANGES TO 27.06 USE GROUPS AND 27.72 HEIGHT AND LOT REGULATIONS; AMENDING 27.45 H-4 GENERAL COMMERCIAL DISTRICT TO UPDATE THE DISTRICT DESCRIPTION, AND UPDATING 27.63 SPECIAL PERMITS TO STREAMLINE THE LIST OF USES IN THE PLANNED SERVICE COMMERCIAL SPECIAL PERMIT; AMENDING 27.51 I-3 EMPLOYMENT CENTER DISTRICT TO REVISE THE MINIMUM DISTRICT SIZE.

PUBLIC HEARING:

February 19, 2025

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

Staff Recommendation: Approval

There were no ex-parte communications disclosed.

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

Staff Presentation

David Cary, Planning Department, 555 S. 10th Street, Lincoln, NE came forward and stated this is a package of changes considered in the Planning Department for a

while. They identified the 48th and O area as an opportunity for more diverse investments, development, and redevelopment. The main goal is to allow for residential uses to occur in a true mixed-use fashion. This is the primary impetus behind our proposal, and additional related changes will accompany this plan.

Tom Beckius, City Council Office, 555 S 10th Street, Lincoln, NE came forward and stated this text amendment update will allow for increased density and create a more walkable, vibrant mixed-use environment in the district. Enhancing housing opportunities is a priority for the community, as highlighted in the Comprehensive Plan. The continuous review of the code by the Planning Department is essential for this initiative. Please reach out to Director Cary or himself with suggestions for adjustments.

Paul Barnes, Planning Dept, 555 S 10th Street, Lincoln, NE came forward and stated, the intent of this proposal is to create a mixed-use district that supports high-quality development by introducing residential uses. The goal is to ensure that this area features walkable, pleasant, and safe spaces for pedestrians.

They are incorporating residential uses into the H-2 district and removing some incompatible uses that are not in use in the H-2 district and are not compatible with residential areas. New streetscape design standards will be implemented in the H-2 district to enhance safety and walkability. They are revising the current alcohol separation requirements to align more closely with those of the B-2 and B-5 districts. The area in question is located at 48th and O Street. To the west, it is bounded by 40th Street, and to the east by O Street, extending south to Holdrege. They would be removing uses such as sexually oriented live entertainment, truck wash facilities, recycling, salvage operations, bottling works, and grinding shops. Currently, these uses are not present in the H-2 district, thus avoiding any potential legal non-conforming situations. New sidewalk design standards will be enforced during the redevelopment of properties or when the city undertakes major street projects. These standards will dictate that sidewalks be positioned at least 10 feet from the back of the curb, enhancing safety for pedestrians, cyclists, and drivers. This setback will also provide space for planting trees to beautify the area. In instances where space is limited, public access easements will allow for the sidewalk to extend partially or fully onto private property. The Urban Design Committee has reviewed this aspect of the project and unanimously supports its approval. They are updating the alcohol separation requirements to reflect those for the B-2 and B-5 districts. This change pertains to how to measure separation distances from residential areas or other protected uses, such as churches, daycare centers, and parks. One example: Fresh International Market on O Street is currently unable to sell alcohol, while the Hy-Vee grocery store across the street can. The proposed change will redefine how the alcohol setback is measured—from the door of the establishment rather than the building

edge—thereby allowing opportunities for businesses like Fresh International Market to sell alcohol. Another example is the True Hotel, which currently has restrictions on serving alcohol due to its proximity to a daycare. They are updating the name to better reflect its current use and treatment in the community, as it is no longer solely adjacent to highways. There will also be minor setbacks and use updates for the H3 district to make it more flexible, except when it borders residential uses. The H1 district will be deleted as it no longer exists in the community, while H4 will undergo minor text updates for the plan service commercial special permit—mainly a cleanup to align the uses listed in the code with those in the use tables, without changing the intended uses. This proposal aims to enhance the livability and functionality of the area while ensuring it meets modern community needs.

Campbell stated they allowed alcohol as permitted use anywhere in Village Gardens. Could they propose an amendment permitting alcohol use throughout the district? It would be difficult for housing to be near, on the 2nd or 3rd floor with restaurants below.

Barnes stated since residential uses are allowable within this H2- District, they would not need to impose a separation from alcohol sales near residential properties within H-2. Alcohol sales would be permitted in this new H-2 District, and the established protection and distance requirements would apply to other uses.

Feit asked if any businesses at 48th and O were involved in the discussion.

Barnes stated they did do outreach and held an open house at Culler Middle School last September. They notified all properties zoned H-2, as well as those proposed to be rezoned to H-2. The open house was held in the evening, from 5 to 7 p.m. Only one person attended, and they were not opposed to the proposals. They provided them with further information, and to his knowledge, they have not received any other opposition to date.

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 25002; seconded by Joy. Motion carried 6-0: Campbell, Cruz, Ebert, Feit, Joy and Ryman Yost voting 'yes'. Ball, Eddins, and Rodenburg absent.

Campbell stated the Planning Department did a great job on this. Former Planning Commissioner and now City Councilman, Tom Beckius has strongly advocated for this type of initiative. The residential-commercial model has proven to be popular. People enjoy walking to restaurants and various stores, making it beneficial for the larger neighborhood.

Joy agrees with Campbell and loves the hard work. She will support it.

Feit agrees. Feit appreciates the ability to enhance neighborhoods, provide infill, and create more housing options. This encourages residents to walk rather than rely on vehicles, which aligns beautifully with our city's goals. Great job to the Planning Department.

CHANGE OF ZONE 25001, TO REQUEST A CHANGE OF ZONE FOR PROPERTY SPLIT BETWEEN H-2, H-3 AND R-2 TO BE REZONED TO R-T (RESIDENTIAL TRANSITION) ON PROPERTY GENERALLY LOCATED AT 1045 N 35TH STREET.

PUBLIC HEARING:

February 19, 2025

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

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 this is related to the H-2 package. A review was done of other properties outside of the 48th and O. There were two, and this is one of them. This specific property is approximately 0.72 acres and is split-zoned between H-2, R-2, and H-3. The proposed zoning change will convert it to Residential Transition (RT) zoning. Historically, this property was located north of a railroad that ran through the area. There has been an industrial presence here for some time, with a lumber yard operation to the south in the H-3 zoning district. The H-2 zoning is a remnant of this more intensive commercial use. Previously, a printing shop operated on this site, but to his knowledge, there is currently no business operating there. The RT zoning is proposed to provide a buffer between the heavier commercial activities to the south

and the surrounding neighborhood, which is zoned R-2 to the northwest and east of this property. RT zoning would still permit some commercial activities, office uses, and personal services, while also allowing for low-density residential housing.

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 Change of Zone 25001; seconded by Joy. Motion carried 6-0: Campbell, Cruz, Ebert, Feit, Joy and Ryman Yost voting 'yes'. Ball, Eddins, and Rodenburg absent.

Campbell stated this change brings things into better compliance and creates a clearer understanding, as having three different zoning classifications on one property does not make sense.

Ryman Yost stated she appreciates the Planning Department's comprehensive approach to reviewing these areas in our community. Ryman Yost enjoys driving around the city and witnessing vibrant businesses and thriving residential communities, thanks to the efforts of the Planning Department and city government. Ryman Yost fully supports this, along with the rest of the package.

CHANGE OF ZONE 25003, TO CHANGE THE ZONE FROM B-1 & B-3 TO H-2 FOR VARIOUS PROPERTIES GENERALLY LOCATED ALONG 48TH & O STREET, IN THE AREA BETWEEN N 44TH STREET AND N 52ND STREET AND BOUNDED ON THE NORTH SIDE OF N 48TH STREET BY Y STREET AND ON THE SOUTH BY S 48TH AND M STREET; AND TO CHANGE THE ZONE FROM B-3 TO P PUBLIC ON THE PROPERTY LEGALLY DESCRIBED AS OUTLOT B, PHOENIX ADDITION.

PUBLIC HEARING

February 19, 2025

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

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 this proposal involves a change of zone from B-1 and B-3 to H-2 for multiple properties in the area roughly bounded by 44th Street to the west, 52nd Street to the east, Y Street to the north, and M Street to the south. One property currently zoned B-3 will be rezoned to P (Public) and is overseen by the Parks Department. In total, this area is approximately 31.4 acres. Four of these areas are currently zoned B-3, and three are zoned B-1. All of these are commercial areas. The proposed change of zone will not alter how businesses in this area currently operate. It will facilitate future development in residential uses while creating a more cohesive H-2 district by unifying all these areas. Many of the B-1 and B-3 zones were previously changed from H-2 to reduce the parking requirements, but the parking requirement for H-2 was removed last year. Currently, neighboring areas are subject to different parking requirements, which this change will simplify.

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 Change of Zone 25003; second Joy. Motion carried 6-0: Campbell, Cruz, Ebert, Feit, Joy and Ryman Yost voting 'yes'. Ball, Eddins, and Rodenburg absent.

Campbell stated he credits the Planning Department for pulling this together and making it more cohesive.

Campbell moved to adjourn the Planning Commission meeting of February 19, 2025; seconded by Joy. Motion carried 6-0: Campbell, Cruz, Ebert, Feit, Joy and Ryman Yost voting 'yes'. Ball, Eddins, and Rodenburg absent.

There being no further business, the meeting was adjourned at 1:57 p.m.