

## MEETING RECORD

**NAME OF GROUP:** PLANNING COMMISSION

**DATE, TIME AND PLACE OF MEETING:** Wednesday, January 26, 2011, 1:00 p.m., City Council Chambers, First Floor, County-City Building, 555 S. 10<sup>th</sup> Street, Lincoln, Nebraska

**MEMBERS IN ATTENDANCE:** Leirion Gaylor Baird, Michael Cornelius, Dick Esseks, Wendy Francis, Roger Larson, Jim Partington, Lynn Sunderman and Tommy Taylor (Jeanelle Lust absent); Marvin Krout, Steve Henrichsen, Brian Will, Jean Preister and Teresa McKinstry of the Planning Department; media and other interested citizens.

**STATED PURPOSE OF MEETING:** Regular Planning Commission Meeting

Chair Lynn Sunderman called the meeting to order and acknowledged the posting of the Open Meetings Act in the back of the room.

Sunderman then requested a motion approving the minutes for the regular meeting held January 12, 2011. Motion for approval made by Larson, seconded by Cornelius and carried 8-0: Gaylor Baird, Cornelius, Esseks, Francis, Larson, Partington, Sunderman and Taylor voting 'yes'; Lust absent.

**CONSENT AGENDA**  
**PUBLIC HEARING & ADMINISTRATIVE ACTION**  
**BEFORE PLANNING COMMISSION:**

**January 26, 2011**

Members present: Gaylor Baird, Cornelius, Esseks, Francis, Larson, Partington, Sunderman and Taylor; Lust absent.

The Consent Agenda consisted of the following item: **SPECIAL PERMIT NO. 10037.**

Ex Parte Communications: None

**Item No. 1.1, Special Permit No. 10037,** was removed from the Consent Agenda and scheduled for public hearing at the request of Mark Hunzeker.

**SPECIAL PERMIT NO. 10037**  
**FOR A DOMICILIARY CARE FACILITY**  
**ON PROPERTY LOCATED AT 4305 SOUTH 84<sup>TH</sup> STREET.**  
**PUBLIC HEARING BEFORE PLANNING COMMISSION:**

January 26, 2011

Members present: Francis, Corneli us, Gaylor Baird, Partington, Larson, Taylor, Esseks and Sunderman; Lust absent.

Ex Parte Communications: None.

Staff recommendation: Conditional approval.

Staff presentation: **Brian Will of Planning staff** explained that this is a request for a special permit for a domiciliary care facility located approximately southwest of the intersection of Pioneers Boulevard and South 84<sup>th</sup> Street. The facility will accommodate up to approximately 48 beds, and will consist of a main facility and separate auxiliary dwelling.

Will stated that the staff is recommending approval, finding this to be an appropriate land use at this location, subject to conditions of approval.

Proponents

**1. Mark Hunzeker** appeared on behalf of **Emerald Care Company** and requested that the Planning Commission defer this application for two weeks. There are two issues they are hopeful to resolve with Public Works having to do with water supply and with access to the site, including the request for a turn lane.

Hunzeker explained that the request from Public Works is to provide a turn lane to the facility. The applicant was hoping to be able to consolidate the access to the facility along with the access to the office building to the north and avoid the need for the turning lane. The applicant thought that they might be able to accomplish that with the property owner to the north, but have not been able to do so thus far.

A neighborhood meeting was held, which Hunzeker believes was successful without objection from the neighbors; however, they do have to resolve the turn lane question. If the turn lane is required without the help of the neighbor to the north, it will mean moving the access to the south end of the site, which will require moving from the high point on 84<sup>th</sup> Street (where we are now) down the hill, perhaps creating some sight distance issues. The intent of locating the access as shown was to try to preserve a row of trees along the 84<sup>th</sup> Street frontage by coming in behind the trees and installing a retaining wall east of the parking lot. If they are required to move the access point (and if they can meet the sight distance requirements), it may require removing those trees. Hunzeker is hopeful that this issue will be worked out with Public Works prior to the next meeting.

Hunzeker also explained that the other question is getting a water line to the site, which they are also working with Public Works to resolve. There is water available, but there are some reliability questions that have been raised by Public Works. There are also requirements for this facility based on state licensing issues that require the facility to maintain a 24-hour potable water supply as part of their emergency plan. Therefore, Hunzeker is not sure that the looping issue is quite as urgent or as big a public health issue as it might otherwise be. Hunzeker also hopes to have this issue resolved in two weeks.

Gaylor Baird moved to defer two weeks, with continued public hearing and action scheduled for February 9, 2011, seconded by Francis and carried 8-0: Francis, Cornelius, Gaylor Baird, Partington, Larson, Taylor, Esseks and Sunderman voting 'yes'; Lust absent.

There was no other testimony.

There being no further business, the meeting was adjourned at 1:10 p.m.

Please note: These minutes will not be formally approved until the next regular meeting of the Planning Commission on February 9, 2011.