IN LIEU OF
DIRECTORS' ORGANIZATIONAL MEETING
Monday, May 18, 2020
5:30 p.m.
https://www.youtube.com/lnktvcity or https://facebook.com/LNKTVcity

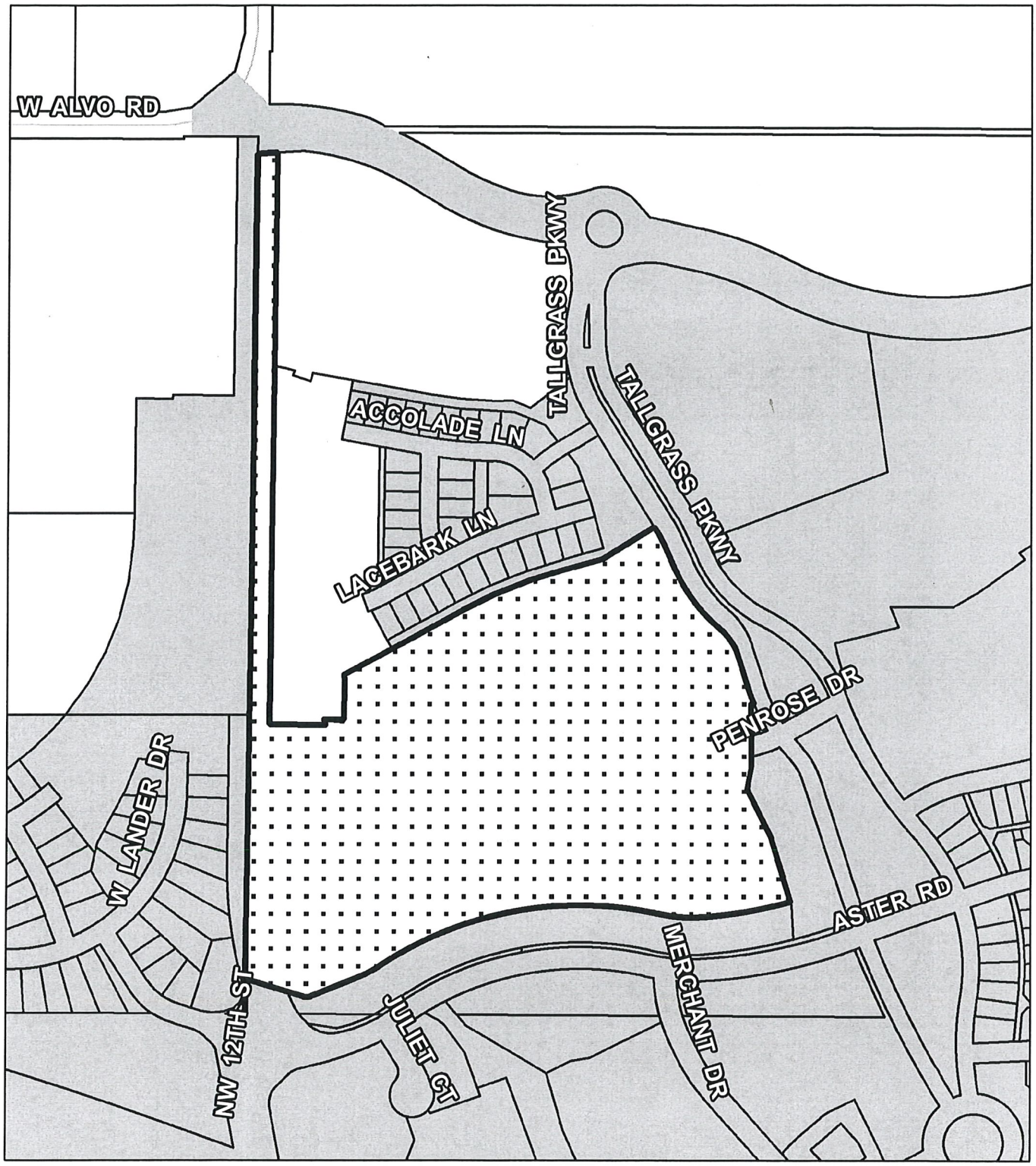
I. DIRECTORS CORRESPONDENCE

PLANNING

1. Annexation Map 20005
2. Action dated May 13, 2020
3. Final Action dated May 13, 2020

II. CONSTITUENT CORRESPONDENCE

1. SP20008 - Shiloh and Janalynn Menter
2. Local Swimming and Diving programs - Kris Hoffman
3. SP20008 - Andy Ringsmuth



Annexation by Ordinance
Fallbrook
NW 12th St & Aster Rd
Effective: May 12, 2020

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Area of Annexation
Tax Parcels
City Limits Before Annexation

0 195 390 780
Feet

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ACTION BY PLANNING COMMISSION

NOTICE: **The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, May 13, 2020, at 1:00 p.m. in Hearing Room 112 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.**

<u>PLEASE NOTE:</u> 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.

***** In order to limit the number of people gathering at any one time and our effort to adhere to required "social distancing" protocols, we are staggering the times of various hearings over several hours. These times are identified in () next to each agenda item. We are encouraging attendees to arrive no more than 15 minutes before their scheduled hearing. An agenda item will not begin before the time posted. *****

AGENDA

WEDNESDAY, MAY 13, 2020

<u>[Commissioner Edgerton and Finnegan absent]</u>

Approval of minutes, as amended, of the regular meeting held April 15, 2020. **<u>**APPROVED: 7-0; (Edgerton and Finnegan absent)**</u>**

1. <u>CONSENT AGENDA:</u>
<u>(Public Hearing and Administrative Action);</u>

<u>ANNEXATIONS AND RELATED CHANGE OF ZONES:</u>

1.1a ANNEXATION 20007, to annex approximately 19.15 acres, on property generally located at Northwest Dubois Street and West Big Sky Road.
Staff recommendation: Approval
Staff Planner: Rachel Jones, 402-441-7603, rjones@lincoln.ne.gov
<u>Planning Commission recommendation: APPROVAL: 7-0 (Edgerton and Finnegan absent). Public hearing before the City Council is tentatively scheduled for Monday, June 8, 2020, 3:00 p.m.</u>

1.1b CHANGE OF ZONE 20012, from AG (Agriculture District) to R-3 (Residential District) over approximately 19.15 acres, on property generally located at Northwest Dubois Street and West Big Sky Road.
Staff recommendation: Approval
Staff Planner: Rachel Jones, 402-441-7603, rjones@lincoln.ne.gov
Planning Commission recommendation: APPROVAL: 7-0 (Edgerton and Finnegan absent). Public hearing before the City Council is tentatively scheduled for Monday, June 8, 2020, 3:00 p.m.

1.2a ANNEXATION 20008, to annex approximately 49.32 acres, more or less, on property generally located at North 105th Street and Century Lane.
. **Staff recommendation: Approval**
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov
Planning Commission recommendation: APPROVAL: 7-0 (Edgerton and Finnegan absent). Public hearing before the City Council is tentatively scheduled for Monday, June 8, 2020, 3:00 p.m.

1.2b CHANGE OF ZONE 20013, from AG (Agricultural District) to R-3 (Residential District), on property generally located at North 105th Street and Century Lane.
Staff recommendation: Approval
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov
Planning Commission recommendation: APPROVAL: 7-0 (Edgerton and Finnegan absent). Public hearing before the City Council is tentatively scheduled for Monday, June 8, 2020, 3:00 p.m.

CHANGE OF ZONE:

1.3 CHANGE OF ZONE 20009, from R-3 (Residential District) to R-3 PUD (Planned Unit Development) to allow up to 130,000 square feet of commercial floor area and up to 322 single and multiple-family dwelling units with waivers to the zoning and subdivision regulations, on property generally located at South 59th Circle and Pine Lake Road.
Staff recommendation: Conditional Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
This application was removed from the Consent Agenda at the request of the applicant for public hearing. Planning Commission recommendation: CONDITIONAL APPROVAL, as set forth in the revised site plan included with the staff report dated March 19, 2020: 7-0, (Edgerton and Finnegan absent). Public hearing before the City Council is tentatively scheduled for Monday, June 8, 2020, 3:00 p.m.

SPECIAL PERMITS:

1.4 SPECIAL PERMIT 1791A, to allow a residential healthcare facility, on property generally located at 1430 South Street. *****FINAL ACTION *****
Staff recommendation: Conditional Approval
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov
Planning Commission 'final action': CONDITIONAL APPROVAL, as set forth in the staff report dated May 6, 2020: 7-0 (Edgerton and Finnegan absent). Resolution No. PC-01701.

1.5 SPECIAL PERMIT 15062A, to allow for the expansion of the sale of alcohol for consumption on and off the premises, on property generally located at 925 Robbers Cave Road. *****FINAL ACTION *****
Staff recommendation: Conditional Approval
Staff Planner: Brian Will, 402-441-6362, bwill@lincoln.ne.gov
Planning Commission 'final action': CONDITIONAL APPROVAL, as set forth in the staff report dated April 23, 2020: 7-0 (Edgerton and Finnegan absent). Resolution No. PC-01702.

2. REQUESTS FOR DEFERRAL: None.

3. ITEMS REMOVED FROM CONSENT AGENDA: See Item 1.3.

4. PUBLIC HEARING AND ADMINISTRATIVE ACTION:

(* 1:00 P.M. PUBLIC HEARING ITEMS: ***)**

SPECIAL PERMIT:

4.1 SPECIAL PERMIT 16021B, to allow for an amendment to current special permit, amending the number of events held per month, on property generally located at 12400 West Denton Road. *****FINAL ACTION *****
. **Staff recommendation: Conditional Approval**
Staff Planner: Tom Cajka, 402-441-5662, tcajka@lincoln.ne.gov
Planning Commission 'final action': CONDITIONAL APPROVAL, as set forth in the staff report dated April 30, 2020: 6-0 (Joy declared a conflict of interest; Edgerton and Finnegan absent). Resolution No. PC-01703.

(* 2:00 P.M. PUBLIC HEARING ITEMS: ***)**

USE PERMIT:

4.2 USE PERMIT116A, to revise a portion of the commercial area to allow up to 180 multi-family dwelling units or 43,300 square feet of commercial floor area, and a revised commercial lot layout, with up to 216,000 square feet of total commercial floor area, on property generally located at North 84th Street and Northern Lights Drive. *****FINAL ACTION *****
Staff recommendation: Conditional Approval
Staff Planner: Rachel Jones, 402-441-7603, rjones@lincoln.ne.gov
Planning Commission 'final action': CONDITIONAL APPROVAL, as set forth in the revised staff report dated May 4, 2020, as agreed upon by staff and the applicant: 7-0 (Edgerton and Finnegan absent). Resolution No. PC-01704.

SPECIAL PERMIT:

4.3 SPECIAL PERMIT 20005, to allow for an alternative to imprisonment facility with up to 6 persons in an existing residence, on property generally located at 420 South 28th Street. ***** FINAL ACTION *****
Staff recommendation: Conditional Approval
Staff Planner: George Wesselhoft, 402-441-6366, gwesselhoft@lincoln.ne.gov
Due to enhanced public interest on this application, this special permit hearing was postpone per Directed Health Measure 2020-03; the hearing is tentatively scheduled for June 10, 2020.

*** * * * * * * * * ***

FOR ANYONE WISHING TO SPEAK ON AN ITEM NOT ON THE AGENDA, THIS HAS BEEN SUSPENDED UNTIL FURTHER NOTICE

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Adjournment **2:30 p.m.**

PENDING LIST: *None.*

PLANNING COMMISSION FINAL ACTION NOTIFICATION

TO: Mayor Leirion Gaylor Baird
Lincoln City Council

FROM: Geri Rorabaugh, Planning

DATE: May 13, 2020

RE: Notice of final action by Planning Commission: May 13, 2020

Please be advised that on May 13, 2020, the Lincoln City-Lancaster County Planning Commission adopted the following resolutions:

Resolution PC-01701, approving **SPECIAL PERMIT 1791A**, to allow a residential healthcare facility, on property legally described as Lots 5-10, Block 1, Electric Park Addition, located in the NW 1/4 of Section 36-10-6, Lincoln, Lancaster County, Nebraska, generally located at 1430 South Street;

Resolution PC-01702, approving **SPECIAL PERMIT 15062A**, to allow for the expansion of the sale of alcohol for consumption on and off the premises, on property legally described as a portion of that part of Lot D, County Clerk's Subdivision of Lots 17 and 18, Fairmont, City of Lincoln, as referred to in INST. NO. 2016-38116, Records of Lancaster County, and Lot 3, Robbers Cave Subdivision, City of Lincoln, all located in the NE 1/4 of Section 2-9-6, Lincoln, Lancaster County, Nebraska, generally located at 925 Robbers Cave Road; and

Resolution PC-01704, approving **USE PERMIT 116A,** to revise a portion of the commercial area to allow up to 180 multi-family dwelling units or 43,300 square feet of commercial floor area, and a revised commercial lot layout, with up to 216,000 square feet of total commercial floor area, on property legally described as Lots 1, 2, 10 and 11, Block 2, Northern Lights 3rd Addition, Lots 2, 3 and 4, Northern Lights 15th Addition, and Outlots A and B and Lots 1 and 2, Northern Lights 17th Addition, all located in the SE 1/4 of Section 15-10-7, Lincoln, Lancaster County, Nebraska, generally located at North 84th Street and Northern Lights Drive.

The Planning Commission action on this application is final, unless appealed to the City Council by filing a notice of appeal with the Planning Department within 14 days of the action by the Planning Commission.

The Planning Commission Resolution may be accessed on the internet at www.lincoln.ne.gov (Keyword = PATS). Use the “Search Selection” screen and search by application number (i.e. SP1791A, SP15062A, UP116A). The Resolution and Planning Department staff report are in the “Related Documents” under the application number.

Angela M. Birkett

From: Janalynn Menter <jl_jungle@hotmail.com>
Sent: Monday, May 11, 2020 12:50 PM
To: Council Packet
Subject: Appeal re: SP20008

CAUTION: This email comes from a sender outside your organization.

Hello!

I am appealing the planning commissions decision for the huge 4 plex buildings they are creating across the street from us on Telluride Circle. I'm not able to attend in person today due to various circumstances including homeschooling my children. Here are my comments along with some pictures from last night where we couldn't even get access to our street due to emergency vehicles. Our street is SMALL. Adding 28 4-plexes will increase the congestion tremendously and will effect the intersection at Telluride Dr & Fletcher in such a negative way. There are SO many cars leaving our neighborhood constantly already due to multiple rental properties with 3-to sometimes 8 people living in these dwellings. I am not against building on the land across from us, but these dwellings they want to create are going to be filled with more traffic than this area is capable of.

We are also disappointed with the how the City of Lincoln seems to have forgotten the North end of the city. There are no parks within walking distance, no trails, and what we have left of a community is trying to be overrun with these huge 4-plex buildings.

Lastly, here are the photos taken as we tried to enter our street last night. This is a narrow street that we feel the Planning Commission has NOT taken into consideration. Anyone else with an emergency would not have been able to get in our out of our street last night. We sat behind these vehicles unable to gain access to our OWN HOME!

Here are my original comments shared at the last meeting:

1. Start off by saying that my husband and I have lived at 2369 Telluride Cir for almost 14 years. We are familiar with the neighborhood, people who live here and know our neighbors.
2. I also want to say that we are supportive of a development project but have several concerns about the current proposal:
3. The density of the development is so tight. When looking at what is proposed it is going to be SO many homes fit into a small area. This is not comfortable for the current people in the neighborhood or for the ones that will be moving in to these developments. It seems like they are trying to cram in as many homes as possible and seems greedy instead of making it an enjoyable neighborhood to live in.
4. Lack of PARK space for North Creek neighborhood.In the proposed layout, there is a lot of wasted land that would be much better used for a park. We would love to see a playground, basketball, skateboard and even some public parking space. Since it is so crowded in the proposed development could they get rid of units #21-24 or turn them to face Kokomo Dr. and make a park space for the neighborhood?As stated in my original comments submitted online:

(Public park space for the children of North Creek and surrounding neighborhoods is very limited. The closest public park (with or without equipment) is Schleich Park, at N. 34th & Ridge Park Drive. This park is a<u>one mile walk</u> for existing residents surrounding the proposed development and a further distance for those living south and west of the development. Additionally, from our neighborhood, persons must cross both 27th Street AND Fletcher Avenue/N. 33rd Street to access the park. These roads consist of multiple lanes of traffic with 40 or 45 mph speed limits, creating a potentially hazardous situation for children and parents.

The next closest park is Keech Park, located between the Walgreens Store and Eisley Library on Superior Street. From our neighborhood, using the fastest route to the park (Fletcher to 14th Street, a<u>two mile walk</u>) a complete sidewalk system does not exist along Fletcher Avenue. Again, traffic on both Fletcher and N 14th Street, as well as Superior, is moving at a high rate of speed, creating potentially hazardous situations for parents and children.)

5. Parking: I understand from the comments made in the Staff Report that there is a requirement for 1 guest parking stall for every 2 units. I also understand that our development predated this requirement but that doesn't mean that it should not still be required. If it is a requirement now for the city, why would that change for homes that were already in existence?<u>There is a reason for this so that there is not OVERCROWDING.</u> There are currently several rental properties already on our street. These new homes look like they will be rental properties as well. In our experience they will house multiple people and sometimes multiple families with a car for each person. For example, next door to us is a rental property with 3-5 people living there all with their own cars. Which they park 3 in the driveway and then 2 on the street.

1. My husband works as an essential worker for a company where he is required to have a company vehicle. He has to park this on the street across from our house. In the new development there will be driveways directly across the street and very little street parking. After he has worked ALL day in a physically exhausting job, are we asking him to park it 2-3 blocks away and walk with his tools and whatever else back to our house? The other day a new neighbor was moving in and had to ask him to move his truck so that they could even fit the moving truck in to move into their home. It wont even be possible to fit a moving truck onto our street without blocking driveways or access to the street.
2. This is a SINGLE LANE small road that is going to become WAY OVERCROWDED. There is no parking on the south side of Telluride Circle unless you block mailboxes and neighbors driveways which is what is going to happen.
3. Can the developers turn the duplex #17-20 so that they face Kokomo Dr instead of Telluride Cir? This would allow some parking to be kept on the north side of Telluride Cir while allowing the developments to still be built.

6. I'm asking for the Planning Commission to put yourself in our position. If you lived where we are for the past 13 years and now want to invite a few family members or friends over for a gathering and they have to park 2-3 bocks away each time? My Dad is blind with several health issues. Obviously we would have him park in the driveway when they come to visit. But how would you feel if you invited someone over and there was no where to park. I just want you to think of the elderly people in our neighborhood. Take time to drive down our street and see the current overcrowding of parked cars – please think about the best thing for the people that love this neighborhood and our community.

As stated in my previous comments which you should have access to, our street has NO parking on the south side of the street where all of our homes are. We live in townhomes and there is not enough space to be used for parking.

Shiloh & Janalynn Menter

Get Outlook for iOS

Angela M. Birkett

From: Kristopher Hoffman <k.k.hoffman@hotmail.com>
Sent: Monday, May 11, 2020 2:56 PM
To: Mayor; Council Packet
Subject: Local Swimming and Diving programs
Attachments: Dear Mayor.pages.zip

CAUTION: This email comes from a sender outside your organization.

Dear Mayor Gaylor Baird and City Council Members:

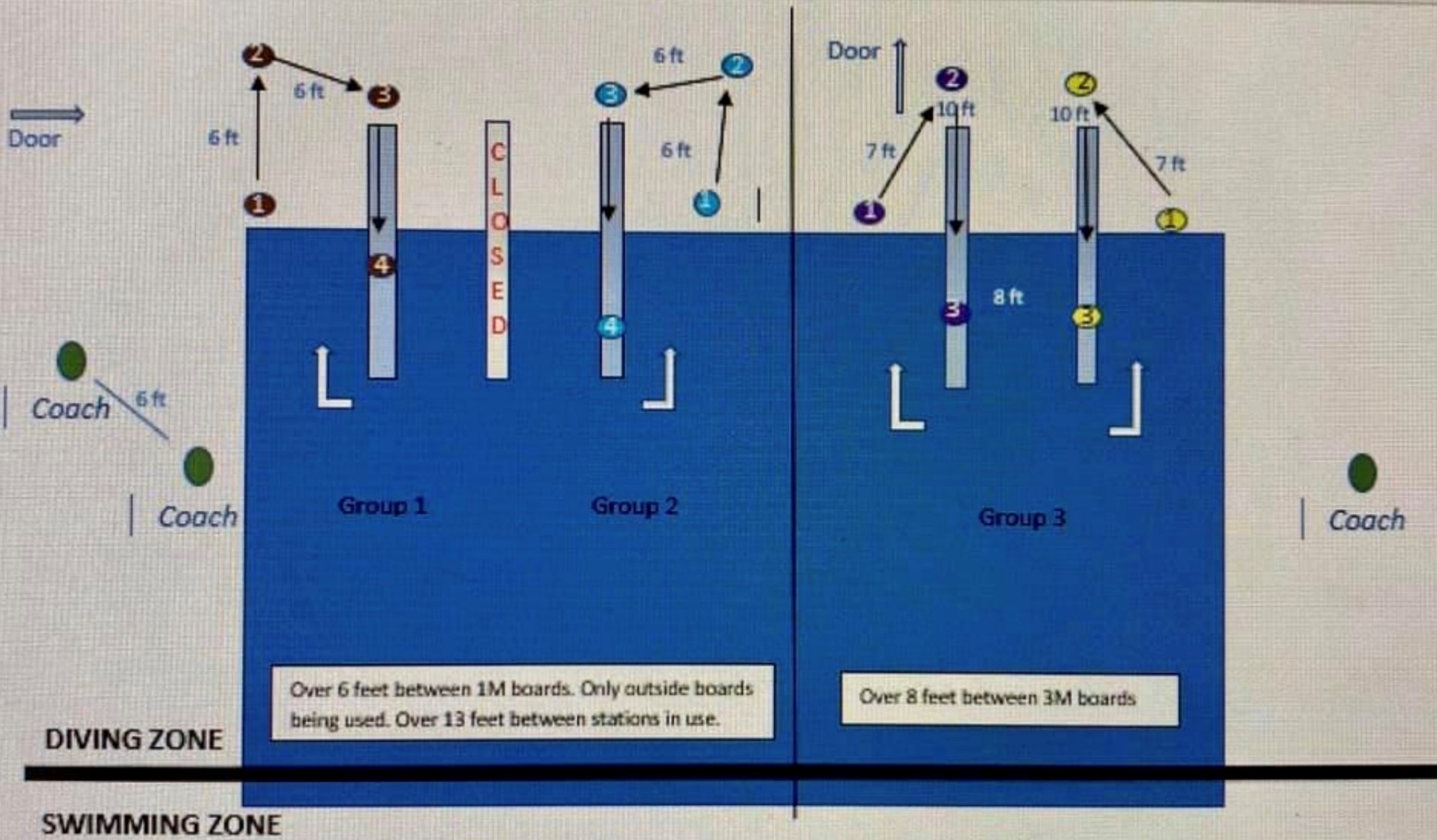
My name is Kris Hoffman, owner and Head Coach of Nebraska Diving Club here in Lincoln. I am writing to express the concern I have regarding our local Swim and Dive programs and the opportunities they provide, if some pools do not open for the summer. I realize the possibility of not opening the pools are both financial and health related concerns. Most of the aquatic clubs in Lincoln practice at Woods Memorial pool during the summer. Our Club programs will not survive if we are unable to provide training and competition opportunities to our kids in these sports. Woods pool is the only facility in the state that can provide platform training to our Jr. National qualifiers and Olympic hopefuls. College Scholarships will be lost and the dreams of these kids will slowly vanish.

I think there are solutions to our current situation regarding the health of the community. I believe if we have strict policies in place with regards to a detailed waiver of liability, wearing masks when moving through entrances, social distancing, frequent sanitation procedures as well as proper hygiene protocol, we can provide a safe environment for kids to resume training. As many pools around the country are reopening, our National governing body has written a set of guidelines to to help in our return. https://www.teamusa.org/USA-Diving/USA-Diving-Return-to-Training-Guidelines Here is an example of how practices could work on the diving side of the pool. The platform is not in the diagram, but would look similar in regards to an athlete rotation.

As far as the financial aspect, I'm sure there is a reasonable solution that does't hurt the local clubs and helps provide some relief to the city budget in some way.

Sincerely,

Kris Hoffman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Coach
Group 1
Group 2
Group 3
Over 6 feet between 1M boards. Only outside boards being used. Over 13 feet between stations in use.
Over 8 feet between 3M boards
DIVING ZONE
SWIMMING ZONE

Angela M. Birkett

From: Andy Ringsmuth <andy@andyring.com>
Sent: Monday, May 11, 2020 4:36 PM
To: Roy A. Christensen; James M. Bowers; Jane Raybould; Sandra J. Washington; Bennie R. Shobe; Richard W. Meginnis; Tammy J. Ward
Cc: Council Packet
Subject: Special Permit 20008

Follow Up Flag: Follow up
Flag Status: Completed

CAUTION: This email comes from a sender outside your organization.

Council members,

I was not able to attend the council meeting today, May 11, regarding Special Permit 20008. Please consider my thoughts below. I am sending this message as I watch the online council meeting.

What is the purpose of zoning and street regulations when they can be simply tossed aside any time a wealthy developer shows up?

When people buy a home and move into a neighborhood, we should be able to count on future projects ADHERING TO ESTABLISHED STANDARDS AND REGULATIONS. Instead, what do we get? A variance for this, a waiver for that, an exception for that developer, a modification for another developer.

Why even have standards and regulations? Approving this project renders ALL street/property/etc. regulations null and void. When you make an exception for one cash-laden developer, you must then make an exception for ALL developers and suddenly the regulations and standards are rendered meaningless.

Is that what we want? Is that the message you intend to convey? By allowing this project to go forward, that is exactly the message you ARE conveying, in no uncertain terms. Rules and guidelines are put in place for a purpose. When they are casually tossed aside, what purpose do they serve? Look at the list of exceptions the city is being asked to approve. It is quite ridiculous. I genuinely and sincerely would appreciate an answer to this question.

Our neighborhood needs an adequate park for our children to use, especially in a world where it is increasingly likely that people will be spending less time out in commercial venues. People purchased their homes along Telluride Circle presuming the land would be used for a church. In fact, this land was owned by a church organization for several years, and generally churches make for excellent neighbors.

Instead, now it appears we will have far too many homes crammed in like sardines on lots which are too small for them, as evidenced by the waiver requests for a minimum lot size of 2,200 square feet and minimum lot width of 25 feet. Are we trying to be like New York, Chicago and San Francisco? Or are we Lincoln?

Thank you for your time.

Andy Ringsmuth
5609 Harding Drive

Lincoln, NE 68521-5831
(402) 304-0083
andy@andyring.com

“Better even die free, than to live slaves.” - Frederick Douglas, 1863