

## MEETING RECORD

**NAME OF GROUP:** CITY BOARD OF ZONING APPEALS

**DATE, TIME AND PLACE OF MEETING:** Friday, May 29, 2015, 1:30 p.m., City Council Chambers, First Floor, County-City Building, 555 S. 10<sup>th</sup> Street, Lincoln, Nebraska

**MEMBERS IN ATTENDANCE:** Andrew Budell, Tim Francis, and Lynn Sunderman; (Annette McRoy, and Scott Sandquist absent); Tim Sieh of City Attorney; Terry Kathe of Building and Safety; David Cary, Steve Henrichsen, Brian Will and Amy Hana Huffman of the Planning Department.

**STATED PURPOSE OF MEETING:** Regular Board of Zoning Appeals meeting

Lynn Sunderman, Acting Chair, opened the meeting and acknowledged the posting of the open meetings act posted at the back of the room. He called for a motion to approve the revised agenda. Motion for approval made by Budell, seconded by Francis.

Sunderman then made a friendly revision to the agenda to remove the election of a new Chair and Vice-Chair until all members are present. Budell and Francis accepted the friendly amendment. Motion carried 3-0; Budell, Francis, Sunderman voting 'yes'; McRoy and Sandquist absent.

He called for a motion approving the minutes of the regular meeting held August 29, 2014. Motion for approval made by Francis, seconded by Budell and carried 3-0: Budell, Francis, and Sunderman voting 'yes'; McRoy and Sandquist absent.

**APPEAL NO. 15002**  
**REQUESTED BY MAPES INDUSTRIES, FOR AN EXCEPTION TO THE PARKING REQUIREMENT TO ALLOW A REDUCED NUMBER OF PARKING STALLS THAN REQUIRED FOR A PROPOSED EXPANSION, ON PROPERTY GENERALLY LOCATED AT 7700 N. 56<sup>TH</sup> STREET.**

**PUBLIC HEARING:**

**May 29, 2015**

Bruce Bailey, 1609 N Street, came forward to say that the facts were presented very well in the staff report. Based on the number of employees working per shift, Mapes has asked for approximately 60 stalls instead of the required 160. There are 13 acres onsite to show where parking can be, and where it is. In a few years, they may be back for another expansion.

Rather than move the parking lot, which is a natural placement as it is, they would come forward at that time and explain again where parking would be located and how many people would be on premises per shift. The number working per shift has been verified.

Sunderman ask for clarification that there are 18 employees per shift, for a total of 36 employees, plus 14 staff members and visitors, which adds up to fifty on-site per shift. Adequate parking for sixty is being shown.

Bailey said that is correct.

There was no addition testimony in support or opposition.

Brian Will, Planning Department came forward to answer staff questions.

Sunderman asked what the motion should be if the Board agrees with the applicant that this is a unique circumstance for which the zoning ordinance can be modified through this exception. He also wondered if future expansion needed to be addressed at this time.

Will replied that future expansion is speculative at this point, so there is no need to say anything in that regard. This is an exception, based on the finding that this is a unique use and therefore, the strict application of parking requirements is not appropriate. A vote to approve this would mean the exception has been granted. If different people came in, they would be required to meet the regular parking requirements; the exception is not granted on the property, but on this specific use.

Sunderman asked if they come in for expansion in the future, does th null and void any movement we made today. For example, if they doubled in size, what would happen with their parking?

Will replied that he did not think it would make it null and void, but rather, they would need to come in and ask the question all over again. The exception before the Board today accommodates the expansion as it is underway today. If they expand beyond that, addition parking has to be provided unless they go through the entire process again.

**ACTION:**

Francis moved approval. Seconded by Budell.

Sunderman clarified that motion before the Board is the approval of the exception to change the required number of stalls from 161 stalls to 59 stalls, so long as the use remains the same.

Francis confirmed that is correct.

Motion for approval carried 3-0: Budell, Francis, and Sunderman voting 'yes'; McRoy and Sandquist absent.

Budell moved to adjourn, seconded by Francis.

The meeting was adjourned at 1:42 p.m.