MEETING RECORD

NAME OF GROUP:	PLANNING COMMISSION
DATE, TIME AND PLACE OF MEETING:	Wednesday, March 29, 2006, 1:00 p.m., City Council Chambers, First Floor, County-City Building, 555 S. 10th Street, Lincoln, Nebraska
MEMBERS IN ATTENDANCE:	Jon Carlson, Gene Carroll, Michael Cornelius, Dick Esseks, Gerry Krieser, Roger Larson, Mary Strand, Lynn Sunderman and Tommy Taylor; Marvin Krout, Ray Hill, Mike DeKalb, Brian Will, Tom Cajka, Steve Henrichsen, Sara Hartzell, Jean Walker and Teresa McKinstry of the Planning Department; media and other interested citizens.
STATED PURPOSE OF MEETING:	Regular Planning Commission Meeting

Chair Jon Carlson called the meeting to order and welcomed new member Michael Cornelius. Chair Carlson also announced that a Leadership Lincoln group is in the audience observing today's meeting.

Carlson requested a motion approving the minutes for the regular meeting held March 15, 2006. Motion for approval made by Carroll, seconded by Strand and carried 7-0: Esseks, Carroll, Larson, Krieser, Strand, Sunderman and Carlson voting 'yes'; Cornelius abstaining; Taylor absent at time of vote.

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION: March 29, 2006

Members present: Carlson, Carroll, Cornelius, Esseks, Krieser, Larson, Strand and Sunderman; Taylor absent.

The Consent Agenda consisted of the following items: **SPECIAL PERMIT NO. 06011; COUNTY SPECIAL PERMIT NO. 06016; COUNTY SPECIAL PERMIT NO. 06017, Meadowlark Hills Community Unit Plan; SPECIAL PERMIT NO. 06015, COMPREHENSIVE PLAN CONFORMANCE NO. 06003, amendment to the Lincoln Center Redevelopment Plan; and COMPREHENSIVE PLAN CONFORMANCE NO. 06004, Declaration of Surplus Property.**

Ex Parte Communications: None.

Item No. 1.1, Special Permit No. 06011, and Item No. 1.3, County Special Permit No. 06017, Meadowlark Hills Community Unit Plan, were removed from the Consent Agenda and scheduled for separate public hearing.

Carroll moved to approve the remaining Consent Agenda, seconded by Strand and carried 8-0: Carlson, Carroll, Cornelius, Esseks, Krieser, Larson, Sunderman and Strand voting 'yes'; Taylor absent at time of vote.

Note: This is final action on Special Permit No. 06015, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days of the action by the Planning Commission.

Commissioner Taylor arrived.

SPECIAL PERMIT NO. 06011
FOR A PARKING LOT
ON PROPERTY GENERALLY LOCATED
AT N. 26TH STREET AND W STREET.
PUBLIC HEARING BEFORE PLANNING COMMISSION: March 29, 2006

Members present: Esseks, Taylor, Carroll, Larson, Krieser, Strand, Cornelius, Sunderman and Carlson.

Staff recommendation: Conditional approval.

Ex Parte Communications: None

This application was removed from the Consent Agenda due to two letters received in opposition.

Proponents

1. Thuy Nguyen presented the application as the owner of two of the three houses on the 2600 block of W Street, i.e. 2616 and 2602 W Street. He is also the owner of the Little Saigon Oriental Market and Restaurant. McDonald's and Walgreens are across W Street to the south. The three houses left on the block are surrounded by businesses and are old, deteriorated and a health hazard. The existence of the houses makes the area look bad. There are gang activities behind the houses in the alley. The applicant seeks to eliminate the drug traffic and gang activities for a healthier and better community by demolishing the houses and utilizing the lot for the use of the existing businesses which the applicants currently operate. He suggested that the Planning Commission give great consideration to the small businesses which have attributed a great deal of tax dollars to the city. This will create more jobs and help the economy.

Esseks inquired as to the nature of the applicants' business. Nguyen stated that they sell oriental groceries and seafood, and operate an oriental Vietnamese restaurant. They currently have about 24-25 parking spaces. The number of customers is increasing so they need to add more space for parking.

Strand inquired as to when the applicants purchased the two single family properties. Nguyen advised that they purchased 2616 in 1997, and 2602 about two years ago. Strand asked whether the properties were purchased with the intent of tearing them down and enlarging the area for commercial space. Nguyen stated that they had purchased the first one and planned to leave it as residential, and then they had planned to rent out the second one; however, because the houses are dilapidated and not inhabitable, they must be demolished.

Cornelius inquired as to where the overflow parking is now occurring. Nguyen stated that they generally end up at the entrance of the parking lot on the alley where a customer is attempting to drive in and out from the alley. There is congestion in the alley because of this.

Opposition

1. Joanne DeYong, 2620 W Street, which is the third house on the block, testified in opposition. Her major concern is being the only house left on the block, which puts her home in a commercial island. Tearing down the homes for a parking lot would decrease the value of her home and make it difficult to sell her home. This area needs residential dwellings. There are several projects that encourage home ownership in this area and this street should not be singled out for change. The contrast is good. Safety is an issue because there are children who play in the back yard and if a ball goes into the alley, they have to wait for an adult because the traffic has increased. She wants to continue to live in this residential area and she does not want to see it change.

Strand asked Ms. DeYong whether she has been contacted about selling her home. DeYong answered in the affirmative, stating that a third party approached her but they could not come to an agreement.

Strand inquired whether the two properties in question have been maintained and rented. DeYong stated that up until the first of the year, the house on the corner was rented and it is in good shape. The house in the middle was rented up until about a month ago and the owners have let it deteriorate. Her home at 2620 W Street is assessed at $58,000.

2. Renee Malone, who also lives on 26th Street, testified in opposition as past President of the **Clinton Neighborhood Organization**. This special permit is a very large concern. The DeYongs are established residents in the neighborhood. Once commercial encroaches more and more, 26th Street is in danger. It looks like the landlords have allowed the properties to deteriorate so that they can put in more parking. She has lived

in her home for 13 years. She lives right behind some houses on 27th Street which are also being allowed to deteriorate so that they can put in business or commercial, which would back up against her property. She believes it decreases the residential property values and hurts the neighborhood. She disagrees that a parking lot will curtail the gang activities. She believes residents living in the houses would be more effective in that regard. This area provides reasonable and affordable housing. No one is going to want to purchase the DeYong property because it is too small for another business. She suggested that there is additional parking in the evenings that can be used along 27th Street. The parking at the health care facility next door is also available in the evenings. There is also parking along 26th Street and along W Street for this business.

3. Tim Francis, 2511 T Street, testified in opposition on behalf of the **Hawley Area Association**. They do not want to see a homeowner penalized for being loyal to their neighborhood and their home. The Hawley Area Association boundaries are A Street, from 27th to 22nd, from O Street to the Bike Trail, which is essentially X Street. The Board met Tuesday evening and decided to support the DeYongs. The Board did review the staff report.

Staff questions

Strand noted that there is a letter from Urban Development indicating that this area is not under consideration for the 27th Street Plan. Tom Cajka of Planning staff confirmed that the property was shown in the North 27th Street Corridor Plan but is not included in any redevelopment project.

Strand commented that she was surprised that the staff would recommend approval, leaving a single home stranded and surrounded by commercial zoning. It's not like they are on the end or abutting, but completely surrounded. Cajka stated that the staff reviewed it from two aspects – the special permit or a change of zone. These three lots are surrounded by commercial or industrial zoning on three sides. He showed a map of the B-3 and I-1 zoning. There is commercial development from Vine to Y Street, from 27th to 26th, with the exception of the three houses. The whole area is really a commercial land use area and the border of the residential area is 26th Street. The staff considered asking the owner/applicant to rezone to B-3 to be in compliance with the area to the south and east, but the staff also determined that the special permit actually gives the home to the east more protection, more setback and more screening. Planning would not be opposed to an application to rezone all three lots to B-3. We know that if all three lots were rezoned to B-3, the likelihood that someone is going to purchase a house and keep it residential is not feasible and the B-3 zoning would be in compliance with the surrounding area if someone wanted to purchase the three lots and do commercial, or if Little Saigon wanted to purchase the third lot under business zoning. The staff believes that the B-3 zoning would increase the value of the property.

Cornelius inquired whether there is any information about the history of why the residential area bumps out into this commercial area, leaving this peninsula of residential. Cajka could only surmise that the North 27th Street redevelopment of the McDonald's bumped it out to 26th Street. He was not sure when the industrial zoning lines were established but it has been there for quite some time. He believes that the B-3 expanded with the redevelopment of Walgreens and McDonald's.

Esseks expressed concern about setting a precedent – the owner wants to use the houses for another purpose and the house to the east is vulnerable. It seems that we have to balance the rights and interests of the house to the east with the interests of the business owner. He is looking for justification to have that balance tip towards the business owner and he just does not see it in the staff report. He inquired whether staff can say that the community has a compelling interest in allowing this business to expand to the detriment of the house to the east. Cajka referred to the conditions of the special permit, which talk about negative impacts to the residential neighborhood. It appears that 26th Street is a pretty defined line for the neighborhood, even though the three houses exist to the east of 26th Street.

Esseks sees the reality of a family that is in jeopardy here. Maybe the solution is for that third property to be bought in an open exchange and then the person could rezone the whole area. Cajka agreed that the best solution would be to have all three lots owned by one person and rezoned to B-3.

Carlson inquired whether the applicant is in compliance with the parking requirements. Cajka did not know. He assumes they might be grandfathered. Building & Safety usually checks that when they come in for a building permit. Carlson suggested that if the Commission is considering a special permit for additional parking, it might be nice to know if they currently meet the parking requirements. Ray Hill of Planning staff offered that this particular piece of property where the grocery store is located is zoned I-1, which has a very low parking ratio. He does not believe we can say that just because they meet the zoning ordinance they don't need more parking. In more cases than not, the zoning ordinance is very short in the required number of parking spaces. Carlson suggested that the germane issue is balancing the legitimate needs of parking versus the interest of the homeowner. Hill further commented that there are often complaints about on-street parking. This special permit would provide an opportunity for the parking to be on a private parking lot rather than on the streets.

Sunderman noted that the second house from the corner appears to have a lot of cars parked behind it. Is there any restriction on using back yards for parking? Hill confirmed that parking is usually allowed in the rear yard for personal uses.

Response by the Applicant

Nguyen noted that there is a parking lot on the east side of the house for Long John Silvers, which has been there for a long time. He also indicated that if the special permit is granted, he will build a privacy fence similar to the one on the east side to protect the remaining house. This special permit will allow customers to have more space to come in and out of the business and they would no longer have the problem with cars being backed up. "We have to tear down the house anyway and we have to have this special permit to utilize that lot."

Carroll inquired what could be built if the single family home lot was zoned B-3. Cajka advised that the B-3 zoning district has zero setbacks, so you could build a business there as a single lot if zoned B-3.

ACTION BY PLANNING COMMISSION: March 29, 2006

Larson moved approval, with conditions, seconded by Taylor.

Larson agreed that it does seem odd to leave that one house sitting there by itself, but on the other hand, that whole half block is sitting there as sort of an island. The ideal situation would be for the applicant to purchase the other house and own the whole half block, but evidently they cannot agree on that. He can empathize with the owner of the third home having parking lots on both sides, but it looks like a deteriorating house on one side and a parking lot on the other.

Strand stated that she will vote against the motion because she does not believe a house should be left stranded in the middle. This is not the right procedure. She does not want to set a precedent for owners to allow rental houses to run down so that they can change them to commercial. We need to protect the houses that are in that price range because they meet a need. At some point, we have to offer some protection. If the owners cannot come to agreeable terms, then she believes this special permit should be rejected and the applicant should find some other solution. She would agree to B-3 zoning if the applicant owned all three houses.

Esseks agreed with Strand. He is very sympathetic to the interests of the business and he hopes that a solution can be found. Possibly the city should purchase the third property and assemble a necessary change in land use. He does not believe the entire burden should be placed upon the property owner of the third remaining home site.

Carroll stated that he will also vote against the motion. The best situation is rezoning all three lots to B-3. If we put the parking lot in, the value of the third residential lot goes down considerably. He believes the homeowner would be in favor of B-3 because it increases the value for sale in the future.

Taylor stated that he seconded the motion for approval because the next purchaser that buys that house is going to be facing the same issue. It is not like the area is going to be growing as residential. It's going the other way. He sympathizes with the current owner of the third house, but the progress of that area is going the other way. He believes this is a good proposal for an expanding business. He agrees with the staff recommendation. It is not a best case scenario but he thinks it would be fair to let this proceed.

Krieser stated that he will vote against the motion because leaving one house there is not the right thing to do. If the business owner could purchase the third house and change the zoning, he would be in favor.

Carlson stated that he will not support the motion. He agrees that it is important to respect the existing affordable housing. If the business owner wants to expand and make a parking lot, then we need to send a policy message that we will not leave the house isolated. If they cannot buy the third house, the burden goes back to the person wanting to make the change. They need to find a way to make that happen. By turning down the special permit, we can send that message. He would want to see all three properties included in any zone change to B-3.

Motion for conditional approval failed 2-7: Taylor and Larson voting 'yes'; Esseks, Carroll, Krieser, Strand, Cornelius, Sunderman and Carlson voting 'no'.

Strand moved to deny, seconded by Carroll and carried 8-1: Esseks, Carroll, Larson, Krieser, Strand, Cornelius, Sunderman and Carlson voting 'yes'; Taylor voting 'no'. This is final action, unless appealed to the City Council within 14 days.

COUNTY SPECIAL PERMIT NO. 06017
MEADOWLARK HILLS COMMUNITY UNIT PLAN
ON PROPERTY GENERALLY LOCATED
AT S. 25TH STREET AND MARTELL ROAD.
PUBLIC HEARING BEFORE PLANNING COMMISSION: March 29, 2006

Members present: Esseks, Taylor, Carroll, Larson, Krieser, Strand, Cornelius, Sunderman and Carlson.

Staff recommendation: Conditional approval.

Ex Parte Communications: None

This application was removed from the Consent Agenda due to one letter in opposition.

Additional information submitted for the record: Mike DeKalb of Planning staff submitted a letter from Kathy Morris at 17700 S. 25th Street, Roca, indicating that she is not in opposition, but would like the developer to consider moving Meadowlark Lane further to the north.

Proponents

1. Pat Hurlbut, 6711 S. 33rd Street, presented the application as the applicant. He and his wife are the owners of Meadowlark Enterprises, LLC, and have contracted to purchase this 200 acres from the Doolittle family. He is planning to develop 12 acreage lots ranging in size from three to six acres. The focus is to preserve the large existing trees by curving the road. One of the other features is a hiking and bridle path which generally circles the property. One of their goals is to preserve and enhance the equestrian aspects. They intend to have covenants which will require that the majority of the land on the acreages be restored to native trees, prairie grasses and flowers.

Hurlbut stated that he has worked with the staff and agrees with the recommended conditions of approval. He also mailed a letter and site plan to the adjacent neighbors, and received one phone call with questions.

With regard to the letters received, Hurlbut pointed out that he could legally subdivide the 200 acres into ten 20-acre parcels, but by doing that he would lose control of the goal to restore as much of the property to native prairies as possible. Furthermore, the houses would be scattered over the whole area rather than clustered in the CUP.

As far as Salt Creek, Hurlbut advised that this property is not on the Salt Creek, but adjacent. There are no saline wetlands on the property so the concern about the Tiger Beetle is not pertinent.

With regard to Meadowlark Lane, Hurlbut pointed out that the proposal meets the sight distance design standards and slope standards for the approach. The road is also positioned with safety in mind.

With regard to mailboxes, Hurlbut did talk with the Roca Post Office and there is no discretion as to where the cluster boxes would be located. They will be required to be located on the east side of the street. He is willing, however, to work with the post office to try to put the mailboxes somewhat to the south side of the road, if that is desirable.

With regard to the design of Meadowlark Lane, Hurlbut stated that it was designed such that it would save as many trees as possible and not interfere with the natural habitat as much as possible.

Larson inquired as to the proximity of the South Beltway. Hurlbut believes that this property is about 1.5 to 2.0 miles south of the South Beltway. Meadowlark Lane is a proposed road which will intersect with S. 25th running generally east and west.

Esseks inquired whether the covenants have been drafted to protect the tree masses and the prairie grass. Hurlbut advised that the covenants are not yet in writing. His vision is to allow fescue or some other grass nice to walk on in close proximity to the homes (about 1/3 acre), and that the remaining portion of the three- to six-acre lots would be restored to native prairie grasses and flowers.

Esseks wondered what type of easement would be on the outlots. Hurlbut stated that some of the outlots are for the bridle path and some are being preserved for agricultural use, although he would maintain ownership of the agricultural areas. His long range plan is to also restore much of that to native prairie. At this time, he does not plan to build homes or develop the agricultural area.

Carlson pointed out that the CUP uses the density. They would need another change of zone to build more lots on this parcel. Mike DeKalb of Planning staff concurred that the CUP uses up all of the density in the AG zoning and they would not be able to build on the outlots unless there were a change of zone and amendment to the special permit.

Esseks wondered what would happen if the land is annexed. DeKalb stated that if Roca were to grow this far, their jurisdiction would govern and pre-existing uses would be allowed.

Krieser inquired about the availability of water. Hurlbut stated that he has a letter from Rural Water indicating that the water supply is adequate.

With regard to the mailboxes, the Roca Post Office advises that the rural carrier travels from a south to north direction so they would require that the mailbox be on the east side of the road. **Mike Eckert of Civil Design Group** does not believe the developer has any choice. The post office will require some type of cluster box and the post office will determine the location. The developer would like to move it a little bit to the south and they will attempt to work with the post office.

2. Cecil R. Morris lives directly across from the proposed development toward the south end. He stated that he also talked with the post office and they were firm in telling him that as long as there is no county maintenance on the road, the mailboxes must be in a cluster on the east side of the road. However, he believes that the road could be moved down the hill to the north end, Lot 1. Where Meadowlark Lane is planned to intersect S. 25th Street is quite a high bank and there is going to have to be quite a cut in that bank and there will be a decline in the road which will affect the sight vision. If they would move the road down at the north end, it would become more level with S. 25th Street and it would mean that the mailboxes would be located further down from Kathy Morris' house.

3. A representative of **NPPD,** headquartered in Columbus, testified that NPPD is neither for nor against the proposal. He showed the location of the railroad right-of-way on the map and advised that it is currently not operated as railroad right-of-way but NPPD does maintain ownership should the need ever arise, and there is a real possibility that could occur. He requested that this be kept in mind should the construction go forward in the future.

4. Jill Hurlbut, 6711 S. 33rd, testified in support as one of the applicants. She pointed out that she and her husband are not developers. This development has become sort of a vision and dream for their future. They have looked for over a year for property that they felt preserved the natural surroundings. They were looking for a property where they could preserve the trees and the natural topography and try to add to the parcel instead of taking away. They wish to live in the country and enjoy the country on a small acreage.

There was no testimony in opposition.

Staff questions

Strand asked staff about the location of Meadowlark Lane and how it intersects with 25th Street, and the cut that was mentioned by Mr. Morris. DeKalb advised that the location was reviewed by the County Engineer. The applicant has agreed to make all the corrections required by the County Engineer and the proposed location meets all the design standards.

ACTION BY PLANNING COMMISSION: March 29, 2006

Carroll moved to approve the staff recommendation of conditional approval, seconded by Sunderman and carried 9-0: Esseks, Taylor, Carroll, Larson, Krieser, Strand, Cornelius, Sunderman and Carlson voting 'yes'. This is a recommendation to the Lancaster County Board of Commissioners.

COMPREHENSIVE PLAN AMENDMENT NO. 06002
and
WAIVER NO. 06002
ON PROPERTY GENERALLY LOCATED
AT S. 84TH STREET AND ROKEBY ROAD.
PUBLIC HEARING BEFORE PLANNING COMMISSION: March 29, 2006

Members present: Esseks, Taylor, Carroll, Larson, Krieser, Strand, Cornelius, Sunderman and Carlson.

Staff recommendation:

> Comprehensive Plan Amendment: Approval of Option A, if the property owners agree to fund the sanitary sewer costs associated with adding this additional area, or approval of only Option B, if the applicant is the only property willing to fund the improvements.
>
> Waiver: Approval of the area included in Comprehensive Plan Amendment No. 06002 with Developer Agreement to pay for the cost of over-sizing the sanitary sewer.

Ex Parte Communications: None

Steve Henrichsen of Planning staff requested a two-week deferral to allow additional time to complete the sewer study.

Strand moved to defer, with continued public hearing and action scheduled for April 12, 2006, seconded by Larson and carried 9-0: Esseks, Taylor, Carroll, Larson, Krieser, Strand, Cornelius, Sunderman and Carlson voting 'yes'.

There was no other public testimony.

CHANGE OF ZONE NO. 06012
FROM R-2 RESIDENTIAL AND O-2 SUBURBAN OFFICE PARK
TO B-1 LOCAL BUSINESS,
ON PROPERTY GENERALLY LOCATED
AT S. 10TH STREET AND VAN DORN STREET.
CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION: March 29, 2006

Members present: Esseks, Taylor, Carroll, Larson, Krieser, Strand, Cornelius, Sunderman and Carlson.

Staff recommendation: Conditional approval.

Ex Parte Communications: None

The Clerk announced that the applicant and the Irvingdale Neighborhood Association have requested a two-week deferral.

Strand moved to defer two weeks, with continued public hearing and action scheduled for April 12, 2006, seconded by Larson and carried 9-0: Esseks, Taylor, Carroll, Larson, Krieser, Strand, Cornelius, Sunderman and Carlson voting 'yes'.

There was no public testimony.

ANNEXATION NO. 06004;
CHANGE OF ZONE NO. 06016,
FROM AG AGRICULTURAL TO R-3 RESIDENTIAL
AND O-3 OFFICE PARK;
SPECIAL PERMIT NO. 06014,
SOUTHLAKE COMMUNITY UNIT PLAN;
and
USE PERMIT NO. 06003,
SOUTHLAKE OFFICE PARK,
ON PROPERTY GENERALLY LOCATED
AT S. 91ST STREET AND HIGHWAY 2.
CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION: March 29, 2006

Members present: Esseks, Taylor, Carroll, Larson, Krieser, Strand, Cornelius, Sunderman and Carlson.

Staff recommendation: Conditional approval of the annexation, special permit and use permit, and approval of the change of zone.

Ex Parte Communications: None

Proponents

1. DaNay Kalkowski appeared on behalf of **Eiger Corp.,** the applicant and owner of property located east of 91st, west of 98th, north of Hwy 2 and south of Prairie Lake, just east of the regional shopping center.

This is a request for annexation, change of zone to O-3 and use permit for 42,000 sq. ft. of office uses for the area located directly to the east of 91st Street (4 acres). This is also a request for annexation, change of zone to R-3 and a CUP for 90 dwelling units further to the east all the way over to 98th Street. In 2003, the city approved a Comprehensive Plan Amendment that showed a portion of the area east of 91st Street as commercial, and the remainder as residential. As part of that amendment process, Eiger worked with the Heritage Lakes neighbors to the north, which resulted in the filing of some private covenants on the Eiger property south of the lake. The covenants govern the size, height and look of the office buildings in the use permit. The covenants also impose many of the Heritage Lakes covenant standards on the residential area that are being proposed today.

Kalkowski agreed with the conditions of approval, as revised; however, she requested one additional condition on the use permit:

#2.1.1.16 Reduce the size of the buildings to no more than 8,000 sq. ft. of floor area and add a note that states, "No building shall be greater than 8,000 sq. ft. or 28 feet in height".

The private covenants Eiger entered into with the neighbors require that no building be greater than 8,000 sq. ft. or 28 feet in height. The site plan shows three buildings with an 8,000 sq. ft. footprint. Some have additional square footage on the lower level because of walkouts. This will amend the plan to show the buildings with the total size of no more than 8,000 sq. ft. and add a condition to the site plan stating this restriction on size and height. This simply provides additional notice in case any of the office lots are sold and it will show up on the plan.

Kalkowski advised that the developer met with the neighbors on March 16th, with five neighbors attending. Condition #2.1.1.16 is to address one of the concerns raised by the neighbors and to make sure there is compliance with the private covenants.

Kalkowski pointed out that the staff is recommending approval of the waivers. With the amenity of the lake and the shopping center to the west, this development will be a nice addition to the city. There is a walking path along a portion of the south side of the lake that the residents of the office park and townhome area will be able to utilize. The plan shows sidewalks on both sides of private roadways and connections to get to the walking path along the lake.

Carlson noted that the analysis in the staff report raises concern about vehicle trips. Kalkowski confirmed that there has been further discussion on the traffic memo, and the revisions have been accepted by Public Works. The traffic concerns have been addressed.

There was no testimony in opposition.

Brian Will of Planning staff offered that the majority of this area is subject to an existing annexation agreement, so one of the conditions of approval is that the trip cap be updated to include this office development. We want to make sure in developing this area that we keep track of that traffic cap.

Will also agreed with the added Condition #2.1.1.16 on the use permit.

ANNEXATION NO. 06004
ACTION BY PLANNING COMMISSION: March 29, 2006

Strand moved to approve the staff recommendation of conditional approval, seconded by Sunderman and carried 9-0: Esseks, Taylor, Carroll, Larson, Krieser, Strand, Cornelius, Sunderman and Carlson voting 'yes'. This is a recommendation to the City Council.

CHANGE OF ZONE NO. 06016

ACTION BY PLANNING COMMISSION: March 29, 2006

Strand moved approval, seconded by Carroll and carried 9-0: Esseks, Taylor, Carroll, Larson, Krieser, Strand, Cornelius, Sunderman and Carlson voting 'yes'. This is a recommendation to the City Council.

SPECIAL PERMIT NO. 06014
ACTION BY PLANNING COMMISSION: March 29, 2006

Strand moved to approve the staff recommendation of conditional approval, seconded by Carroll and carried 9-0: Esseks, Taylor, Carroll, Larson, Krieser, Strand, Cornelius, Sunderman and Carlson voting 'yes'. This is final action, unless appealed to the City Council within 14 days.

USE PERMIT NO. 06003
ACTION BY PLANNING COMMISSION: March 29, 2006

Strand moved to approve the staff recommendation of conditional approval, as revised, adding Condition #2.1.1.16 as requested by the applicant, seconded by Carroll and carried 9-0: Esseks, Taylor, Carroll, Larson, Krieser, Strand, Cornelius, Sunderman and Carlson voting 'yes'. This is a recommendation to the City Council.

COUNTY CHANGE OF ZONE NO. 06003
FROM AG AGRICULTURAL TO
AGR AGRICULTURAL RESIDENTIAL
and
COUNTY PRELIMINARY PLAT NO. 06001,
THE PRESERVE AT CROSS CREEK 2ND ADDITION,
ON PROPERTY GENERALLY LOCATED
AT S. 58TH STREET AND ROCA ROAD.
CONT'D PUBLIC HEARING BEFORE PLANNING COMMISSION: March 29, 2006

Members present: Esseks, Taylor, Carroll, Larson, Krieser, Strand, Cornelius, Sunderman and Carlson.

Staff recommendation: Approval of the change of zone and conditional approval of the preliminary plat.

Ex Parte Communications: None

The Clerk announced that the applicant has requested a two-week deferral.

Taylor moved to defer two weeks, with continued public hearing and action scheduled for April 12, 2006, seconded by Strand and carried 9-0: Esseks, Taylor, Carroll, Larson, Krieser, Strand, Cornelius, Sunderman and Carlson voting 'yes'.

OTHER ITEMS NOT APPEARING ON THE AGENDA March 29, 2006

Members present: Esseks, Taylor, Carroll, Larson, Krieser, Strand, Cornelius, Sunderman and Carlson.

Steve Henrichsen of Planning staff distributed notebooks containing proposed text for the 2030 Comprehensive Plan Update, which will be discussed during workshops on April 12th and April 26th from 11:00 a.m. to 1:00 p.m. These notebooks contain 10 chapters of existing text to which staff is recommending changes.

The Planning Commission is scheduled to have two more sessions in June to go over the final five chapters, including transportation, financing and business and commerce.

The first five chapters will be covered on April 12th. The Commissioners were requested to e-mail any general topics the Commissioners would like to discuss on those first five chapters to shenrichsen@lincoln.ne.gov prior to April 12th.

Carlson urged the Commissioners to read the material ahead of time. If anyone has specific questions, please e-mail them to shenrichsen@lincoln.ne.gov.

There being no further business, the meeting was adjourned at 2:20 p.m.

Please note: These minutes will not be formally approved until the next regular meeting of the Planning Commission on April 12, 2006.

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