MEETING RECORD

NAME OF GROUP:	PLANNING COMMISSION
DATE, TIME AND PLACE OF MEETING:	Wednesday, October 8, 2008, 1:00 p.m., City Council Chambers, First Floor, County-City Building, 555 S. 10th Street, Lincoln, Nebraska
MEMBERS IN ATTENDANCE:	Leirion Gaylor Baird, Gene Carroll, Michael Cornelius, Dick Esseks, Wendy Francis, Roger Larson, Jim Partington, Lynn Sunderman and Tommy Taylor; Marvin Krout, Ray Hill, Steve Henrichsen, Mike DeKalb, Brian Will, Tom Cajka, Christy Eichorn, Brandon Garrett, Mike Brienzo, Michele Abendroth, Jean Preister and Teresa McKinstry of the Planning Department; media and other interested citizens.
STATED PURPOSE OF MEETING:	Regular Planning Commission Meeting

Chair Gene Carroll called the meeting to order and read Resolution No. PC-01143 into the record in appreciation to Ray Hill for 38 ½ years of service. Ray is retiring on October 15, 2008. Motion made by Cornelius to adopt Resolution No. PC-01143, seconded by Sunderman and carried 9-0: Gaylor Baird, Carroll, Cornelius, Esseks, Francis, Larson, Partington, Sunderman and Taylor voting 'yes'.

Carroll then requested a motion approving the minutes for the regular meeting held September 24, 2008. Motion for approval made by Sunderman, seconded by Taylor and carried 7-0: Carroll, Cornelius, Esseks, Francis, Larson, Sunderman and Taylor voting 'yes'; Gaylor Baird and Partington abstaining..

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION: October 8, 2008

Members present: Gaylor Baird, Carroll, Cornelius, Esseks, Francis, Larson, Partington, Sunderman and Taylor.

The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 08017, CHANGE OF ZONE NO. 08049, USE PERMIT NO. 58G, USE PERMIT NO. 154D, SPECIAL PERMIT NO. 08042, CITY MISCELLANEOUS NO. 08011 and COUNTY MISCELLANEOUS NO. 08012.**

Ex Parte Communications: None

Sunderman moved to approve the Consent Agenda, seconded by Larson and carried 9-0: Gaylor Baird, Carroll, Cornelius, Esseks, Francis, Larson, Partington, Sunderman and Taylor voting 'yes'.

Note: This is final action on Special Permit No. 08042, 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.

COMPREHENSIVE PLAN CONFORMANCE NO. 08024, LANCASTER COUNTY ONE AND SIX ROAD AND BRIDGE CONSTRUCTION PROGRAM, FY 2009 AND 2010-2014. PUBLIC HEARING BEFORE PLANNING COMMISSION: October 8, 2008

Members present: Taylor, Partington, Sunderman, Francis, Larson, Esseks, Gaylor Baird, Cornelius and Carroll.

Ex Parte Communications: None.

Staff recommendation: A finding of conformance with the Comprehensive Plan, with conditional approval of the Arbor Road project subject to amending the Comprehensive Plan.

Staff presentation: **Mike Brienzo of Planning staff** explained that this is a review of the Lancaster County Road and Bridge Construction Program as to conformance with the Comprehensive Plan. Each year the County Engineer develops this Program to maintain and further develop the County road system. The findings by the Planning Commission will be forwarded to the County Board for a public hearing in November. Staff reviews the Program in terms of maintenance projects, safety, right-of-way engineering and new pavement in relationship to the County Long Range Transportation Plan.

Brienzo advised that the staff is recommending an overall finding of conformity with the Comprehensive Plan, with one exception, i.e. the Arbor Road project from N. 70th east about .7 of a mile to access the motocross track facility under development to the east of N. 70th Street. This project is not in the Comprehensive Plan to be paved but the County Board would like it paved to support the projected traffic to that area. Staff is recommending a finding of conformance, with a recommendation that the segment of Arbor Road be taken under review during the spring Annual Review of the Comprehensive Plan.

Carroll announced that the Planning Commission had a briefing on this application two weeks ago.

There was no testimony in opposition.

ACTION BY PLANNING COMMISSION: October 8, 2008

Larson moved a finding of conformance, with conditional approval of the Arbor Road project subject to amending the Comprehensive Plan, seconded by Francis and carried 9-0: Taylor, Sunderman, Francis, Larson, Partington, Esseks, Gaylor Baird, Cornelius and Carroll voting 'yes'. This is a recommendation to the Lancaster County Board of Commissioners.

CHANGE OF ZONE NO. 07063 (REVISED)
I-80 WEST LINCOLN BUSINESS CENTER
PLANNED UNIT DEVELOPMENT,
ON PROPERTY GENERALLY LOCATED
AT N.W. 48TH STREET AND INTERSTATE 80.
PUBLIC HEARING BEFORE PLANNING COMMISSION: October 8, 2008

Members present: Taylor, Partington, Sunderman, Francis, Larson, Esseks, Gaylor Baird, Cornelius and Carroll.

Ex Parte Communications: None.

Staff recommendation: Conditional approval.

Staff presentation: **Tom Cajka of Planning staff** submitted a letter from Jeannette Fangmeyer, 5401 Wilkins Circle, in opposition.

Cajka also submitted a letter in support from the Arnold Heights Neighborhood Association. Their only concern is with additional traffic, but there is a trip cap on this proposal and the neighborhood association wants to make sure that the trip cap remains in the development plan.

Cajka advised that this application changes the previously approved PUD which came before the Planning Commission in February of 2008. The reason this is back before the Planning Commission is that the applicant has submitted what staff believes to be a substantial change from what the Planning Commission previously reviewed and approved. The only change is that the residential transition area previously approved is now being requested to be a neighborhood business area. The residential transition area was based on uses allowed in the R-T district of the zoning code, such as office, financial institution, church, etc. It was also allowed to have restaurants and multi-family residential. There was a building footprint cap of 12,000 sq. ft. with no trip caps in the R-T area.

The revised and proposed neighborhood business area would allow uses the same as in the B-2 zoning district, which allows more retail type uses, i.e. fast food restaurants, drive-thru banks, garden center, service station, laundromat, etc. The staff has agreed with the applicant to a cap of 70,000 sq. ft. of commercial space within this area and total daily trip

count not to exceed 4,400. These numbers are taken from what was recently approved across the street to the east in the Hub Hall development. Staff is recommending approval of this revision due to the approval of the Hub Hall development across the street to the east.

The applicant is also requesting a right-in/right-out onto N.W. 48th, to which the staff objects.

Esseks referred to Analysis #8 in the staff report where Health Department has related some concerns about placing commercial/industrial uses adjacent to residential, specifically loading docks, trash compactors, etc. Is there anything in the site plan indicating that the applicants will act upon this concern? Cajka explained that this issue is not involved in the change being requested today, and no conditions were previously added on this issue. There is 200' from the nearest residential and the applicant did agree to prohibit any type of risk management program uses – more dangerous type of chemicals – to be used or located any closer than 200' to the south right-of-way line of Holdrege.

Esseks asked Cajka to define what staff believes constitutes a “substantial” change. Cajka explained that a change in use (commercial versus residential) constitutes a substantial change. Another example would be addition to industrial (more intense commercial). An example of a revision not considered to be substantial would be changing single family to townhouses/duplexes.

Gaylor Baird observed that across the street we now have more intensive commercial uses and now in this site more commercial uses. Isn’t this change a bigger impact at this intersection as opposed to less of an impact? Cajka stated that it is an intersection of two arterials like we have in lots of areas of the city that handle even more traffic than what is projected at this intersection. This area was previously approved for 60,000 sq. ft. This revision only adds 10,000 sq. ft. of commercial with a trip cap. The trip cap will limit the type of uses they can have. He believes the trip cap is the answer.

Gaylor Baird also recalled that staff opposed the Hub Hall development because staff thought this neighborhood was adequately served. What has changed? Why are we now okay with increasing commercial space in this area? Cajka pointed out that some of the dynamics changed once the Hub Hall development received approval from the City Council. It is a fairness issue. He does not believe it is an intense change. The residential transition area even had some commercial uses. It is staff’s finding that this change will not impact the neighborhood significantly.

With regard to the right-in/right-out being requested, Cajka advised that the Hub Hall development received approval of this access by the City Council over the objection of staff. The main difference we see is that Hub Hall did not have access to N.W. 48th without

going through the neighborhood. Their only access would have been Holdrege. This development has other access points on three sides. Therefore, staff is opposed to the right-in/right-out onto N.W. 48th Street being proposed in this PUD.

Gaylor Baird inquired whether the principles used by staff to recommend denial of the Hub Hall development are now less important than consistency and fairness because that development was approved by the City Council. Cajka believes that one must consider the land use issue as an ongoing flowing pattern and when some things get approved over staff's objection, it has to be taken into consideration when the next development comes forward.

Marvin Krout, Director of Planning, suggested that when the Council makes a decision, that decision has some value in setting precedence and how the City Council policy stance is with regard to weighing all the factors in the Comprehensive Plan. He agreed with Cajka that there is a need to weigh consistency and fairness. He also believes that the staff did indicate that approval of the Hub Hall development would likely result in a request by this developer for additional zoning, and that staff would have a hard time saying no if that request was consistent. He also believes that it is a case of consistency and fairness. He acknowledged that there is a policy that says that primarily we should be looking at identifying one area of commercial. But once that line has been broken and the City Council approves the zoning on one side of the street, the staff finds it difficult to justify enough reasons to restrict this side of the street, especially with the limitations to which this development will be held. Both developments are similar in terms of their access, visibility, and appropriateness for commercial. The Planning Commission and City Council do have to be accountable for understanding that making decisions has some impact on future decisions. In this case, Krout believes it is appropriate to be fair and consistent.

Esseks believes there is another principle here. We were arguing about the issue of buffering residential areas from commercial and Mark Hunzeker came forward (in the Hub Hall development) with what looked like a site plan. He was going to put low intensity commercial uses, i.e. offices, right adjacent to the homes already on the other side. Do we have a site plan here? Or is it such that there will not be a gas station or drive-in right opposite the homes? Krout acknowledged that there is no site plan at this time; however, the developer is restricted by the traffic cap – the most intense commercial uses will be the ones generally wanting the most visibility from N.W. 48th Street.

Proponents

1. DaNay Kalkowski appeared on behalf of **Ringneck Development.** Back in February, this development received approval of the Planning Commission for a Comprehensive Plan amendment, change of zone and annexation for this entire PUD and showed 13 acres as residential transition at N.W. 48th and Holdrege, and that "residential transition" area was because of the discussions with the Planning Department. The R-T area was proposed with a cap of 60,000 sq. ft. of retail/office uses. There was a lot of discussion about what

would happen on the east side and Planning had indicated they would be recommending denial.

So, here we are again because in May the City Council approved the B-2 PUD on the east side of the street. We are now requesting a change of the R-T area to be called a "business neighborhood" area, changing the underlying zoning pattern in the PUD Development Plan to B-2 language. The primary reason is one of fairness. It is not a substantial increase in square footage (10,000) but there is a cap on trips under this scenario that did not exist previously. This change gives the developer the flexibility to attract the same uses as they are trying to attract on the east side and does not put this developer at a disadvantage.

Kalkowski also observed that this site does not have a lot of neighbors yet, other than to the north. This commercial area will be separated from any residential uses by a road, and they are even considering incorporating some higher density residential uses with the commercial uses in this area. This will not be dissimilar to B-2 areas that we have all around the city with yards for single-family residential right across the street. It provides knowledge that there will be some residential uses.

Kalkowski submitted a motion to amend to remove Condition #4.1.15 to allow the right-in/right-out on N.W. 48th. The traffic study has been revised to show the increased square footage and the commercial uses on the east side with the right-turn lane and the study shows that the addition of a right turn lane into this site does not impact the level of service for N.W. 48th Street. This is a request for the same thing that was granted to the development on the east side of the street.

As far as communication with the neighborhood, Kalkowski advised that the developer did have a large neighborhood meeting back in February. When they submitted this amendment, a copy was sent to the neighborhood association and they asked what would be the best way to communicate with their members. They wrote an article in the neighborhood newsletter and the developer attended their neighborhood association meeting last night. Up until today, she has not received any comments or questions from anyone. "This puts us on a level playing field with the property to the east."

Larson noted that the letter in opposition mentions that the developer refused to tell the ownership. Kalkowski did not understand that comment. Maybe she is referring to the first meeting. The ownership is Ringneck Development Company, although we did not name the individuals who are a part of Ringneck Development, LLC. Kalkowski does not believe that Ms. Fangmeyer asked any questions at the neighborhood meeting.

Esseks requested a site plan showing where the right-in/right-out on N.W. 48th will be located. Kalkowski stated that it is shown and has been drawn on the site plan to show that it works from a geometric standpoint with the length of the turn lane and the distance from Gary Gately and from Holdrege Street.

Gaylor Baird inquired why the zoning was good enough in February but is not good enough now. Kalkowski stated that, specifically, it is that the R-T allows office and some neighborhood retail uses, but in general a large retail is not allowed in R-T. By granting the B-2 on the east side of the street, it puts this development at a disadvantage when it comes to marketing the type of uses to attract this site. We didn't ask for B-2 previously because staff would not support it. When the City Council approved something for a land use on the other side of the street, that sort of set the tone for what is allowed and what may be permitted in this area. She urged that the same types of uses on the west side are appropriate.

There was no testimony in opposition.

Staff questions

Francis asked for clarification of the right-in/right-out granted in the Hub Hall development. Cajka confirmed that the Hub Hall development was granted a right-in/right-out on N.W. 48th with a deceleration lane. The Planning Commission voted not to grant that access and the City Council approved it.

Esseks asked staff to talk about the importance of distance between access roads going onto a major arterial. Chad Blahak of Public Works stated that Public Works recommended denial of the right-in/right-out in the Hub Hall development based on the fact that fewer connections to major streets result in less impact. N.W. 48th Street is not classified the same as other arterials such as Pine Lake Road on 40th Street, which is a "minor" arterial. N.W. 48th is considered a "principal" or "major" arterial akin in function to Highway 2, "O" Street, or 84th Street. That was the primary reason for a stronger recommendation of denial for the right-in/right-out. What weighed heavier on the City Council is the fact that Hub Hall Heights only had the one connection to W. Holdrege (a "collector" street) or through the residential neighborhood.

Blahak went on to state that the same holds true with N.W. 48th – we have two full access connections already flanking this proposed site. To be consistent with the policy of Public Works to try to minimize the amount of connections to major roadway facilities, we felt that there was definitely sufficient access to this site without this right-in/right-out.

Esseks asked staff to summarize the public safety benefits of having the amount of space between two access points. Blahak stated that whenever you add conflict points to an intersection or stretch of roadway, you increase the likelihood of crashes. It is hard to quantify that but there are crash studies that we can show. The more conflict points you add, the more crashes are likely to occur on that stretch of roadway.

Response by the Applicant

Kalkowski stated that one of this development's full access movements is to Holdrege Street, which is the same as Hub Hall on the east side. This development has access to West Gary Gately to the north, but that is almost at a quarter mile. This area extends a lot further to the north than the Hub Hall development. She believes the right-in/right-out is appropriate and not inconsistent with additional accesses that have been granted in other areas. It has been modeled in the traffic study and it does not show a change in the level of service to N.W. 48th Street to add the right-in/right-out.

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Larson moved approval, with conditions, with amendment to delete Condition #4.1.15, as requested by the applicant, seconded by Taylor.

Esseks commented that there is the principle here of trying to promote public safety by having quarter mile separations for access points on major arterials. We have to abide by what promotes good planning standards. The right-in/right-out across the street was not the Planning Commission's action. For us to be consistent, we need to say no. Here is a clear case of where we should say no in terms of public safety to avoid crashes.

Gaylor Baird stated that her concerns are big picture concerns, yet what Director Krout said about precedence has given her pause. This body has the flexibility to take applications on a case by case basis and to make exceptions to the ordinances. We need to really think about the fact that the decisions we make set a precedence that can be used in other applications. Yet, she is not sure it makes sense to go forth in a domino effect for consistency purposes. We need to think about what a vote today for this actually implies. She thinks it implies a lot less flexibility to make exceptions to the rules.

Taylor is in favor of the right-in/right-out. This area needs help commercially anyway. A quarter mile is four blocks – he believes for that area it is going to help them out. We want people to stop and shop in the area. We need to make it convenient for the uses intended.

Partington clarified that he was not present when the Hub Hall decision was made and he was hoping the staff and/or applicant could enlighten on the impact of not getting this right-in/right-out or the safety impact. Is it marginal or significant? Carroll apologized but advised Partington that the time to ask the staff or applicant additional questions has passed.

Cornelius observed for Partington that the applicant has indicated that they modeled the situation and it was negligible and the staff has indicated that this is a quantifiable change – adding conflict points increases the number of accidents – and we have guidance from the Comprehensive Plan.

Gaylor Baird recalled that a lot more discussion was focused on the amount of commercial use in this area and whether or not it was appropriate to increase it when the Hub Hall development was before the Commission. Mark Hunzeker urged us to make an exception in the Hub Hall case. Now it's back to us as predicted by staff – if we do it for one side of the street, it will need to be done for the other.

Sunderman is opposed to granting the right-in/right-out. Hub Hall had one entrance and exit onto W. Holdrege and nothing else other than through the neighborhood and that was the reason for the right-in/right-out. This development has access on three sides. He is comfortable with the B-2 zoning and he does not think it changes the impact on the neighborhood. It may allow the fast food restaurant which would have not been allowed with the R-T, but there would have to be a lowering of office space or whatever else to offset that.

Esseks asked for clarification of the Planning Commission vote on the right-in/right-out for the Hub Hall development. Carroll suggested that it doesn't matter because the City Council approved it and it's going to be there. Ray Hill of Planning staff advised that the Planning Commission did not recommend approval of the right-in/right-out for the Hub Hall development, but it was granted by the City Council.

Carroll agrees that the B-2 is appropriate with the trip cap of 4,400. Since the City Council approved the change of zone across the street, he thinks it should be balanced in terms of equality. He agrees that the right-in/right-out should be approved. With a quarter mile distance between entrances, he believes it is warranted since there is one across the street.

Gaylor Baird is concerned whether the right-in/right-out is good planning. Where does it stop? Is it our role to look down the road and make the bet that this will be passed at City Council? Or should we abide by the Comprehensive Plan? She thinks it should be denied now because the same principles are in place with the intense commercial uses and the traffic issues.

Motion for conditional approval, with amendment deleting Condition #4.1.15, which then allows the right-in/right-out on N.W. 48th Street, carried 6-3: Taylor, Partington, Sunderman, Francis, Larson and Carroll voting 'yes'; Esseks, Gaylor Baird and Cornelius voting 'no'. <u>This is a recommendation to the City Council.</u>

COUNTY CHANGE OF ZONE NO. 08050
FROM COUNTY "AG" AGRICULTURAL DISTRICT
TO COUNTY "B" BUSINESS DISTRICT
ON PROPERTY GENERALLY LOCATED
AT HOMESTEAD EXPRESSWAY/HIGHWAY 77
AND HICKMAN ROAD.
PUBLIC HEARING BEFORE PLANNING COMMISSION: October 8, 2008

Members present: Taylor, Partington, Sunderman, Francis, Larson, Esseks, Gaylor Baird, Cornelius and Carroll.

Ex Parte Communications: None.

Staff recommendation: Denial.

Staff presentation: **Mike DeKalb of Planning staff** submitted an e-mail message from Kurt Anderson with some concerns about aesthetics with business development along Highway 2 and suggesting that business areas should be consolidated and not stretched out with pockets along the highway.

DeKalb explained that this property is about one-half mile south of the Hickman intersection on Highway 77, and is shown in the Comprehensive Plan as Agricultural. The application is for a change of zone from AG to B Business on 8.8 acres. Staff recommends denial.

Esseks inquired whether the County Board has approved an application like this in the last several years. DeKalb responded "no". The closest would be the Bennet interchange at the intersection of two highways which was probably 10 years ago.

Proponents

1. Judy and Mike Rosecrans appeared as the applicants. They live in the 8 acres just south of Lincoln on Highway 77, using about one acre for living area, so there are 7.8 acres that they are proposing to use for people to park their RV's, motor homes, boats, campers and extra vehicles. The Rosecrans' will continue to live there so they would be able to watch the activity night and day. There are several lakes, parks and recreational areas nearby. With the rising cost of gas, they came up with this idea of using their 7.8 acres for parking of RV's, boats, etc., since there are several places to fish. There is a weigh scale directly on the west side of their property. The other three sides are all agricultural. There is already a turn lane with NDOR driveway approval for business as well as residential. They are going to use the property for parking so there will not be a lot of traffic like a business or gas station. There is a turning lane coming from the north to turn into this property. They have had several calls from neighbors in response to the letter sent out by the Planning Department, but no one has expressed a concern.

The property is 7.5 miles south of Saltillo Road. This will not be a “business” type use. This would just be a place for parking outside of the city limits.

Esseks asked how the clients would access the parking area. Ms. Rosecrans explained that when you come into their driveway, you can either go up to the house or there is a separate driveway 100 yards from Hwy 77 to access this parking area.

Larson inquired whether this would be permanent parking. Ms. Rosecrans stated that she could see RV’s being parked there for a long period of time. This would alleviate parking the RV’s and boats on the streets or in driveways in the smaller towns. There is a big hill, so there is really no need for a buffer. You cannot see the parking area very well from Hwy 77. For now, the plan is to put a chain link fence around the parking area and white rock. They have no plans in the future to offer propane or other accessories for sale. They might consider putting up a Morton building sometime in the future for indoor storage.

Larson inquired how far the parking would be from Highway 77. Mr. Rosecrans stated that the parking would start about 100 yards from the highway and go back to the north. Taylor confirmed with the applicant that this will be an organized business activity.

There was no testimony in opposition.

Staff questions

Gaylor Baird asked staff to elaborate on Analysis No. 6 that approval of this “spot” zone would encourage stripping of highways in the County. DeKalb suggested that under similar circumstances, land locations and similar county Comprehensive Plan designations, this would set a precedent. There would need to be some findings indicating why this is unique versus the rest of Highway 77 in order to approve.

Esseks inquired what the Comprehensive Plan says about this type of proposal. DeKalb believes there are five places in the Comprehensive Plan which specifically provide that commercial and business should be directed toward the towns.

Esseks assumes that the reasons for this principle of concentrating commercial activity in the towns is that there are problems when scattered in the countryside. This is on Highway 77 and these vehicles would be slowing down, turning into the driveway, and then come out trying to increase their speed on Highway 77. He senses a traffic hazard. DeKalb responded stating that Highway 77 is State-controlled and the County Engineer did not comment because it is a State-controlled facility. The applicants will need to work with the Department of Roads on access. They will be required to provide whatever is needed to accommodate the turning movements, volumes and types of traffic.

Francis inquired what other types of business would be allowed under the B zoning. DeKalb advised that the County B zoning does not require a use permit. It is straight zoning with

a long list of various commercial uses – just about any commercial or light industrial without any review by anyone. The closest city equivalent zoning would be B-3.
Gaylor-Baird believes that approving this would set a precedent and it would be unfair to say no to like applications in the future, and that is where it becomes tricky.

Taylor agreed that this would in a sense be setting a precedent, but is there any other activity out there similar to this that may require some other form of zoning? DeKalb answered "no". There are areas in the county where there is proper zoning for this kind of activity. For example, north on Hwy 79 up in the Raymond area, there is a heating and ventilating business and storage of RV's; to the south of this location in Princeton there is industrial zoning on the east side of the road with storage and mini-warehousing.

Sunderman commented that such locations are located around or near an existing town as opposed to out in the country. DeKalb agreed.

Esseks confirmed with DeKalb that in DeKalb's memory, it has been 10 years since a freestanding commercial enterprise like this was approved on a public highway. DeKalb agreed.

Response by the Applicant

Mr. Rosecrans suggested that this type of business will be low traffic and they already have the turn lane existing off the highway so there is a place to slow down. With there being so many lakes and recreational places in the area, it will be a convenient place for the vehicles to park.

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Sunderman moved to deny, seconded by Esseks.

Sunderman believes it is a nice idea and the principle is good but the location needs to be closer to Martell.

Larson agreed that it is a great concept to have a place where these vehicles can be parked away from the residences in these small towns, but he is concerned about Analysis #6 where this could lead to possible strip zoning along the highway. He wishes that the eastern half could be zoned but not the western half adjacent to the highway. He is concerned about the entrances to our city and if we start strip zoning along south Hwy 77, we will soon have an unattractive entrance into our city.

Taylor really likes the idea and sometimes things are a precedent because no one else has thought of it or has the unique circumstances of this applicant. He is in agreement with denial, however, because he does not want there to be more of this kind of activity established which could cause problems on the highway. He believes that approval of this

change of zone will open up a flood gate for other activities which would not be attractive for our city's entrance.

Motion to deny carried 8-1: Taylor, Sunderman, Francis, Larson, Esseks, Gaylor Baird, Cornelius and Carroll voting 'yes'; Partington voting 'no'. This is a recommendation to the Lancaster County Board of Commissioners.

There being no further business, the meeting was adjourned at 2:30 p.m.

Please note: These minutes will not be formally approved until the next regular meeting of the Planning Commission on October 22, 2008.

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