FACTSHEET

TITLE: Comprehensive Plan Amendment No. 17005 – Change the Future Land Use Plan designation (North 70th Street and Arbor Road)

APPLICANT: Almond Opportunity, LLC

RECOMMENDATION: Approval (6-1: Corr, Edgerton, Finnegan, Harris, Weber and Scheer voting ‘yes’; Hove dissenting; Beckius and Washington absent).

STAFF RECOMMENDATION: Approval

REASON FOR LEGISLATION:

This is a request to change the Future Land Use map for the Abbott Sports Complex site and undeveloped land to the north. The changes are summarized below:

- Remove approximately 80 acres of Green Space and change to Industrial.
- Remove approximately 50 acres of Commercial and change to Industrial.
- Remove approximately 60 acres of Green Space and change to Agricultural Stream Corridor.

DISCUSSION / FINDINGS OF FACT:

1. On June 21, 2017, this proposed amendment to the 2040 Comprehensive Plan and the associated Change of Zone No. 17016 (Bill # 17-87) appeared on the Consent Agenda of the Planning Commission. Both applications were opened for public hearing as several people submitted comments and/or testified in opposition. In addition, there is an associated zoning agreement (Bill No. 17R-182) which is being prepared by the Law Department.

2. The staff recommendation of approval for this requested amendment is based upon the “Analysis” as set forth on pp. 2-3, concluding that industrial uses are appropriate for this site. N. 70th Street north of Cornhusker Highway is almost entirely surrounded by existing or future industrial uses. Industrial land is identified to the north and west of the site, and the wastewater treatment plant is to the south across Salt Creek. The staff presentation is found of pp. 6-7.

3. Testimony on behalf of the applicant is found on p. 7. There was no testimony in support of this application. Testimony in opposition is found on pp. 7-11, and the record includes comments in opposition submitted prior to the Planning Commission hearing which are found on pp. 14-25. The applicant’s rebuttal is found on p. 11.

4. Based on the testimony provided, the Planning Commission requested that the associated Zoning Agreement, which is included as part of the conditional approval for Change of Zone No. 17016 (Bill # 17-87), be amended to ensure that the current tenants be allowed to use the existing Abbott facility as indicated in the terms of their existing lease agreements. The applicant’s attorney confirmed that this is acceptable to the applicant/prospective buyer.

5. On June 21, 2017, the Planning Commission voted 6-1 (Beckius and Washington absent; Hove dissenting) to recommend Approval of this Comprehensive Plan Amendment.

6. On June 21, 2017, the Planning Commission voted 6-1 (Beckius and Washington absent; Hove dissenting) to recommend Conditional Approval of the associated Change of Zone No. 17016, as indicated in the amended zoning agreement (Bill # 17R-182).

FACTSHEET PREPARED BY: Geri Rorabaugh, Administrative Officer

DATE: June 28, 2017

REVIEWED BY: David R. Cary, Director of Planning

DATE: June 28, 2017
COMPATIBILITY WITH THE COMPREHENSIVE PLAN
The Comprehensive Plan notes that industrial development should be on sites with adequate road capacity, compatible with existing or planned residential uses, and outside of critical habitat areas. This site is located along N 70th Street and within ¼ mile of the N 56th Street / Interstate 80 interchange. There are no planned or existing residential developments located nearby. The floodway area of the site would remain as Environmental Resources, and per the zoning agreement associated with Change of Zone No. 17016 that area would not be developed with buildings. The proposed area is within the 2040 Future Service Limit, Tier I Priority B.
KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

Page 3.3 - Seek early identification of areas to be preserved - While planning for future growth is integral to LPlan 2040, it is equally important that environmental resource features be accorded similar attention. The community should invest planning resources into the early identification of those areas that are most valued as part of the Greenprint Challenge. This principle supports the notion of “getting ahead of the game” by knowing what resources are most valued, where they are located, and what actions should be made within the broader planning process to secure their future for the community.

P. 5.18 - Public Health & Safety Measures: Industrial zoning districts should be primarily for industrial uses.

P. 5.5-5.6 - Commercial and Industrial Development Strategies

- It is the policy that Commercial and Industrial Centers in Lancaster County be located:
  - Within the City of Lincoln or incorporated villages.
  - Outside of saline wetlands, signature habitat areas, native prairie and floodplain areas (except for areas of existing commercial and industrial zoning).
  - Where urban services and infrastructure are available or planned for in the near term.
  - In sites supported by adequate road capacity — commercial development should be linked to the implementation of the transportation plan.
  - In areas compatible with existing or planned residential uses.
  - In existing underdeveloped or redeveloping commercial and industrial areas in order to remove blighted conditions and to more efficiently utilize existing infrastructure.
  - In areas accessible by various modes of transportation (i.e. automobile, bicycle, transit, and pedestrian).
  - In a manner that supports the creation and maintenance of green space as indicated in the environmental resources section of this Plan.

P. 5.16 - LPlan 2040 foresees the demand for nearly 1,400 acres of additional industrial property over the planning period.

P. 5.16 - The City’s policy is to site Industrial Centers in the land use plan in advance in order to ensure public safety and adequate infrastructure. The Lincoln/Lancaster County Health Department should be involved in all siting of new industrial centers to ensure the public’s health and safety.

ANALYSIS

1. The Comprehensive Plan currently designates the following future land uses: Green Space, Environmental Resources, and Commercial. The request is to change a majority of the Green Space and Commercial areas to Industrial, with a small portion changing to Agricultural Stream Corridor.

2. A description of each land use is below along with an explanation of the proposed change.

*Green Space.* Public or privately-owned areas predominantly used for recreation, such as parks, golf courses, soccer or ball fields, and trails. Many green space areas also serve functions such as buffers between incompatible uses and as stormwater management areas. In some cases, privately-owned Green Space such as golf courses may also be appropriate to be considered for future Urban Residential development.

A majority of the site is currently designated as Green Space. This includes much of the existing Abbott Sports Complex and adjacent land to the north. The site was designated as green space to reflect the use as a sports complex. The site is proposed to be redeveloped for commercial industrial uses so Green Space is no longer an appropriate designation.

*Commercial.* Areas of retail, office, service and residential mixed uses. Commercial uses may vary widely in their intensity of use and impact. Individual areas designated as commercial in the land use plan may not be appropriate for every commercial zoning district.
An existing Commercial designation area is located directly north of the Green Space designation at N 70th Street and Arbor Road. The purpose of the Commercial designation was to provide a transition between the Industrial area further north and the sports complex to the south. Once the sports complex is redeveloped into industrial uses there is no longer a need for a Commercial transition area. The Commercial area currently includes a parcel in the H-3 Highway Commercial district that is being used for contractor services. The area also includes two farmsteads in AG zoning. This amendment does not change the existing zoning, and these existing uses would not be impacted. The Industrial designation would provide more flexibility for future redevelopment of the site.

**Industrial.** _Areas where railroads, manufacturing, trucking and transportation facilities are the dominant land use, with some commercial activities._

Discussion of the Industrial designation can be found later in this Analysis.

**Agricultural Stream Corridor.** _Land intended to remain in open space, predominately in agricultural use, but that may also include parks, recreation fields, or parking areas when near future commercial, industrial, or public uses. These areas are mostly in the 100 year floodplain, outside of the existing Lincoln urban development._

This portion of the site is in the 100 year floodplain and likely several decades from developing. It is within the 2040 Future Service Limit but is currently over ½ mile from any existing utilities. If the site develops into a larger industrial development this area could be used as parking or an open space amenity.

**Environmental Resources.** _Land and water masses which are of particular importance for maintenance and preservation, such as saline wetlands, native prairie, and some floodway and riparian corridors._

This area would remain unchanged. The zoning agreement associated with Change of Zone No. 17016 would prohibit development of buildings in the floodway.

3. The Comprehensive Plan includes a variety of redevelopment strategies for Industrial sites that are relevant to this proposed amendment.

   **It is the policy that Commercial and Industrial Centers in Lancaster County be located:**

   - **Within the City of Lincoln or incorporated villages.** This site is within the Future Service Limit. The portion included in the associated Change of Zone No. 17016 is within City Limits.
   - **Outside of saline wetlands, signature habitat areas, native prairie and floodplain areas (except for areas of existing commercial and industrial zoning).** The floodway would remain within the Environmental Resources designated area. Portions of the proposed Industrial area that include 100 year floodplain will need to comply with floodplain regulations when they are redeveloped.
   - **Where urban services and infrastructure are available or planned for in the near term.** This site is within the Future Service Limit.
   - **In sites supported by adequate road capacity — commercial development should be linked to the implementation of the transportation plan.** This site is located along an arterial and ¼ mile from an Interstate 80 interchange.
   - **In areas compatible with existing or planned residential uses.** The only residential uses in the area are a few scattered farmsteads.

**EXISTING LAND USE & ZONING:**

Sports Complex, Contractor Services, Agriculture, Residential

H-2 Highway Business, H-3 Highway Commercial, AG Agriculture

**SURROUNDING LAND USE & ZONING**

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<tr>
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<tr>
<td>North</td>
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<tr>
<td>South</td>
<td>Salt Creek, Sewer Treatment Plant</td>
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<td>East</td>
<td>Agriculture</td>
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<tr>
<td>West</td>
<td>Agriculture, Rock Crusher</td>
<td>I-1 Industrial, I-2 Industrial Park</td>
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Page 3 - Comprehensive Plan Amendment #17005, North 70th Project
HISTORY

1977  The site was shown as Agriculture/Industrial Reserve on the Future Land Use Map associated with the 1977 Comprehensive Plan.

1985  The site was outside the planning area for the 1985 Comprehensive Plan, but the surrounding area to the south was shown as Industrial and Public on the Future Land Use Map (reflecting the location of the Sewer Treatment Plant).


1994  A majority of the site was shown as Parks/Open Space on the Future Land Use Map to reflect the newly-developed Abbott Sports Complex.

APPROXIMATE LAND AREA: 190 acres total
130 acres of Industrial (Proposed)
60 acres of Agricultural Stream Corridor (Proposed)

LEGAL DESCRIPTION: Lots 47, 48, 50, 57, 59, 60, and 61, located in the South 1/2 of Section 27-11-7

Prepared by

Andrew Thierolf, Planner
(402) 441-6371 or athierolf@lincoln.ne.gov

June 12, 2017

Applicant: City of Lincoln

Contact: Andrew Thierolf
Lincoln-Lancaster County Planning Department
555 S 10th Street, Suite 213
Lincoln, NE 68508

Owner: Lincoln Sports Foundation, Inc.
PO Box 81407
Lincoln, NE 68501

Monte & Lisa Froehlich
129 N 10th Street
Lincoln, NE 68508

Daniel Scully Revocable Trust
9145 Pioneer Court
Lincoln, NE 68520

Ronald Vajgrt & Connie Hansen
7701 Arbor Road
Lincoln, NE 68517

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Provisional Land Use Change

Legend

- Area of Amendment
- Ownership Parcels
COMPREHENSIVE PLAN AMENDMENT NO. 17005 AND CHANGE OF ZONE NO. 17016

COMPREHENSIVE PLAN AMENDMENT NO. 17005, TO CHANGE THE FUTURE LAND USE PLAN DESIGNATION FROM “OPEN SPACE” AND “COMMERCIAL” TO “INDUSTRIAL” AND “AGRICULTURAL STREAM CORRIDOR”, GENERALLY LOCATED AT N. 70TH STREET AND ARBOR ROAD:

June 21, 2017

Members present: Corr, Edgerton, Finnegan, Harris, Hove, Scheer and Weber; Beckius and Washington absent.

Staff recommendation: Approval.

AND

CHANGE OF ZONE NO. 17016, FROM H-2 (HIGHWAY BUSINESS DISTRICT) TO I-1 (INDUSTRIAL DISTRICT), ON PROPERTY GENERALLY LOCATED AT 7620 N. 70TH STREET:

June 21, 2017

Members present: Corr, Edgerton, Finnegan, Harris, Hove, Scheer and Weber; Beckius and Washington absent.

Staff recommendation: Conditional Approval.

Tracy Edgerton disclosed that she had a conversation regarding the Volleyball Club of Nebraska.

Staff Presentation: Andrew Thierolf of the Planning Department said the Abbott Sports Complex is operated by the non-profit, Lincoln Sports Foundation. They determined the site may not be viable and it was listed for sale in November of 2016. The change of zone is for approximately 31 acres along the west portion of the site. It is currently zoned H-2 and could have a variety of commercial uses; however, the applicant seeks to do a more industrial use, such as a warehouse. There is a zoning agreement associated with this change of zone. The existing building could be redeveloped and any additional buildings would require a preliminary plat to look at streets, utilities, and other aspects associated with platting. Youth sports activities are required to be at least 300 feet from I-Industrial zones so many of the fields and tennis courts could remain.

The area is shown as “Green Space” to reflect the current use. If Abbott goes away, it is no longer appropriate to say it is green space. The area in general has some heavy industrial uses and there is a treatment plant located to the south, so the proposed Industrial designation is appropriate for the site.
Corr asked for more detail about the outdoor courts and fields and the building designated for
the change of zone. Thierolf showed that the courts were located to the east of the site and
the building is on the western end of the proposed Industrial zone.

Finnegan asked if the sports complex is privately run. Thierolf said yes; it is not a City park.

Scheer inquired about what other uses would be allowed under the current zoning. Thierolf said
a highway district allows retail and some heavier uses such as vehicle repair. There is a wide
variety. The line between the ‘H’ and ‘I’ zones is the manufacturing. It should be noted that
under the current zoning, a wide range of commercial uses could be allowed without any
approval from this body.

Edgerton asked how soon a change of zone takes effect once it is approved. Thierolf said it
would take effect after approval by the City Council. Edgerton said it is her understanding that
youth activities cannot take place within a certain distance of industrial zones. Thierolf said
that is true. Only a portion of this property is requested to be rezoned.

**Proponents:**

1. **Andrew Willis, Cline Williams, 233 S. 13th Street, Suite 1900,** came forward representing
the applicant who has entered into a purchase agreement with the current owners of the
property. The owner listed the property last November. There are no defined plans, but the
key component to the concept will be an industrial warehouse park. The change of zone
complements the surrounding area and fills a need in Lincoln. The applicant is doing their due
diligence on the purchase by requesting this change of zone in advance. The intention is to
accommodate the current use as long as possible, but it is felt that the best long term use of
this area is industrial.

Edgerton asked if the due diligence on the part of the applicant included looking at the
underlying leases in place. Willis said there are leases in place through the end of October or
November. The goal is to not interfere with them through the terms of the lease. The timing
of the project is not set, so it may be a matter of looking into month-to-month leases.

Corr asked for clarification about whether Willis represents the current or prospective owner.
Willis answered that he represent the prospective buyer.

Hove asked if the current owner investigated the viability of the current use thoroughly. Willis
said that is out of his area of expertise. He cannot speak for the current owner, but presumably
they determined it was not viable and that is why the property was listed.

**Opponents:**

1. **Jason Anderson, 3446 River Circle,** stated he is a longtime Lincoln resident and has used
the complex throughout the years including its glory days and more recently, when it has
deteriorated. His two kids participate in soccer and basketball. Lincoln does not need more
warehouses but does need additional sporting complexes, especially with those indoor sports
not offered at the newer complexes. He would like to see that area supported financially and noted the lack of TIF-funded projects at the north end of town.

2. Nate Cusick, 6400 Westshore Drive, stated that his position is generally neutral, but as a manufacturer of sporting equipment, he knows that it can be difficult to produce cash flow. It is his understanding that once the change of zone goes into effect, it can no longer be used for youth sports because it would part of the I Zoning District. This should be taken under consideration while the developer is moving forward since there is no guarantee of how long development will take and it would be best if the facility can keep its legs and continue its current use as long as possible. He understands that he cannot be in opposition to the ultimate change of use, but he advised caution in ending the current use.

Corr asked what other facilities are available for indoor basketball and volleyball. Cusick said there is a shortage all over the country. It is difficult for facilities to stay viable unless they are heavily financed by people who do not care whether they make a profit or not. This market is unusual in that there is infinite demand, but the cost of maintenance is such that they typical youth organization cannot afford it. Typically, it takes a third or fourth buyer who has purchased a complex for pennies on the dollar to keep things running.

3. John Cook, 1600 Court Street, stated that 10 years ago, his kids were paying $60 per hour to play in school cafeterias. It became more and more complicated to play in public schools for liability reasons. Abbott had a lot of room where soccer fields were not in use so he asked them to convert a quarter of the area to volleyball courts and $100,000 was raised to build four courts with plastic surface. He also connected Abbott with a successful club program in Chicago. He disagrees that complexes are not economically viable. There are several places where people are making a lot of money running clubs. Volleyball is currently the most popular girls’ sport. Abbott was a goldmine location because of its convenient located between Grand Island and Omaha. U.S. Olympian, Jordan Larson, practiced at the facility. The ball has been dropped in the management of this facility; several have been hired to manage it, and all have failed. We quit going there because it would not be open or cleaned. One former University of Nebraska players, Maggie Griffin, negotiated a lease with the owners and started a club at Abbott. She has 3 full-time and 45 total people employed. Thousands of kids are involved and it is making a profit.

Coach Cook concluded by saying he said he is fighting for this facility because a lot of money was raised and he does not want it to go away. It is an important resource for the community, for girls, and for those who can’t normally afford to participate. Kids can be coached along with college players, by great coaches, and can develop role models. The vision for this facility never came to fruition, but it is not because it is not an economically viable enterprise.

Finnegan asked if Ms. Griffin still has a lease at Abbott. Cook said he does not know the details because he is not directly involved, but she worked out a deal where she has control when she wants and there are times when others can use it. He believes the lease runs through November.

Hove asked if Griffin runs her club out of the entire building. Cook said a quarter of the building is used. There are other clusters of uses. Maggie’s portion is volleyball only and no multi-use.
Scheer asked Cook if he is aware of whether Maggie or any other lease holders have had conversations with the owners about their successful use of the facility. Cook said he has heard frustration over how the facility is run. The building is deteriorating. It is not his intention to cast blame; maybe there is not enough staff or funding. His point is that in cities like Ralston, nice, new courts are built. That was a $4 million project that the city supported. It is a beautiful facility and he finds it hard to believe that the same thing can’t be done here in Lincoln. Especially because Lincoln is the epicenter of women’s volleyball.

4. Angelo Stabler, 3620 C Street, Director of Guidance to Success Youth Club, grew up in north Lincoln and has seen kids in the worst situations possible, with no parents who look out for them. They take care of themselves, running the streets, or are in and out of foster care. He works with these kids, many of whom have lost hope in a system that should be helping them. They feel forgotten. His kids use Abbott for 20-25 basketball programs for at-risk youth. Even though they have only used the facility for around six months, the kids love it there and call it a home. His organization busses kids there and pays for those who can’t afford to do something they love to do. Other communities have beautiful facilities. With the right people and the right support, this is an opportunity to come together to provide this resource for our community for those with no other outlet.

Hove asked how often his group uses Abbott. Stabler said 3-4 days a week for four hours at a time. They take 60-80 kids.

5. Andrea Tarnick, 457 Fletcher Avenue, stated she runs the local roller derby league in Lincoln. They use Abbott around nine months out of the year and have had to find new practice homes several times due to facilities closing, including State Fair Park, Pershing, and Skate Zone. They have a youth and adult program and can attest to the fact that there is not enough sporting space, especially north. They also require a hard surface and the newer indoor facilities are turf. They would like to see Abbott stay as it is.

Edgerton asked if they have a lease. Tarnick said they rent month-to-month, as needed.

6. Adam Lenhoff, 8610 Misty Blue Circle, came forward as owner of Lincoln Elite Gymnastics, which is located at the Abbott complex. His business started a year and a half ago and now has over 100 kids involved. His own daughters play volleyball for a club still located at Abbott. Lincoln is in need of more indoor courts. This resource is being taken away from thousands of kids. He noted that he does not pay much to be located at Abbott and he wonders why they do not ask for more, if they are not profitable. He would be willing to pay more. He has around $100,000 worth of equipment there. He does not know who is in charge of maintenance, but he has personally had people come out to do work for free to keep heating and air conditioning running. In his opinion, if the owners are not making a profit, it is because their hearts are not in it.

7. Jennifer Lesoing, 6001 The Knolls, came forward as owner of the Lincoln Shooting Stars elite girls’ basketball program. She believes the owners’ hearts are in it. Her family opened Bison Sports and ran it for three years. They worked tirelessly on the program, but it was not profitable. Abbott was already deteriorating when they move equipment into one quadrant that they fixed up for their program. Our own people put up the time and money to keep things
running. Those who can afford youth sports often go to bigger and better places. Her program
does not turn anyone away. Once the land is rezoned, all of these sports will not be played at
this location. It would be great if there was help from the City to find an area far enough outside
of the I Zone. Her teams travel around the country to fabulous facilities and there is a need for
that in Lincoln.

Hove asked if they rent the entire facility. Le soing said they run their quadrant. They have
moved in a lot of equipment and flooring. It is hard to ask tenants to pay more when they are
doing month-to-month leases and no one knows what the future of the site will be.

Finnegan asked if they were aware that the building was for sale. Lesoing said the Board was
aware.

8. Jim Bovaird, 3435 S. 79th Street, stated he is not representing anyone formally today, but
he has been a volunteer for Cornhusker Shooting Stars and runs an extreme soccer club. They
also rent a space. Speedway is an awesome facility, but he will not pay $250 per hour. His
organization is at-cost; he does not charge parents or pay anyone and the organization runs on
volunteers. He spent last weekend volunteering 30 hours. The niche Abbott provides cannot be
matched. If this zoning happens, it will not be positive for Lincoln as a community. Abbott
serves a different need from the facilities located in more affluent parts of town. It would be
best to maintain this facility. He hoped there would be a long term plan for maintenance and
changing the zone now would be short-sighted.

9. Tory Ryan, 5300 Rockford Drive, came forward to say that as a mom and a home schooling
parent, she has used Abbott for many things. A group of homeschool parents bring 60-70 kids
during afternoons to play various sports. It is helpful to have a location in the north. Speedway
is beautiful, but Sporting Village does not have volleyball or basketball. Lincoln is lucky to have
this facility and it is serving a big need. In her experience, management at Abbott has always
been very kind and offered affordable services.

10. Lizzy Lesoing, 6001 The Knolls, Ellie Bovaird and Susie Bovaird, 3435 S. 79th Street,
came forward as teammates at Cornhusker Shooting Stars. They use the facility approximately
nine hours per week. During tournaments, they spend all day there. They have a lot of memories
and are very emotional about the potential loss of Abbott.

Corr asked what sport they play. Ellie Bovaird said basketball.

Finnegan expressed her gratitude to the young girls for coming forward. Testifying in front a
group like this is difficult even for adults and this board appreciates their point of view.

11. Sue Bowden, 7153 S. 94th Court, came forward as a retired public health nurse. She moved
to Lincoln to be closer to her granddaughters and has spent many hours at Abbott. She has seen
firsthand the needs that the facility meets. She has traveled to other facilities around the
nation and admits it is embarrassing to come back to this facility because it lacks so much. But
what it lacks in physical things, it makes up for in heart. As was stated, kids are not turned
away, scholarships are provided, and kids can be on equal footing with kids who can afford
more expensive facilities. It is important as a nation to provide for the physical and emotional health of kids.

**Staff Questions:**

Edgerton asked about the tenants and their opportunity to move forward with what they have in place if this zoning change moves forward. They are primarily youth sports so even though the industrial may not come for some time, it is her understanding that the zone change would change the ability to utilize the area. Thierolf said the zoning agreement as it is written now does say they must be 300 feet. An option could be to amend the agreement to state that existing that existing tenants can remain.

Finnegan asked if it was true if the current, private owner could just close down if they wanted to. Thierolf said yes. The area is zoned H-2 so they could redevelop right now without any action by this board.

Harris asked if there would need to be another round of input from the involved parties to change the zoning agreement. Thierolf said that at the very least, the applicant would need to be consulted. Harris asked if there would be any foreseeable problems with tenants being allowed to stay for an indefinite amount of time. Thierolf said it would not be desirable if some of the tenants remained and some type of heavier industrial was next door. Harris asked if there is a way to have a condition to say there would be no dangerous uses allowed. Thierolf said there would be some way to do it correctly, in order to avoid any type of health risk. He maintained that it would be best to ask the applicant their thoughts on any proposed changes.

Edgerton asked for confirmation that the applicant is the prospective owner, and there has been no testimony provided by the current owner. Thierolf said that is correct.

**Applicant Rebuttal:**

Willis came forward to express that he unfortunately does not have a good response to the opposition to this change. The comments were addressed to the current owner and use. They put this property up for sale, and that was presumably a financial decision. The prospective buyer is simply looking at options for redevelopment, which could happen today without a change of zone. They believe there is a need for a larger, industrial warehouse park. It is the developer’s intention to not interfere with any current leases; they would support an amendment to at least add that they will run through the term of those.

Corr asked if the applicant would still be interested in the property if a change of zone is not approved. Willis said he can’t answer definitively, but that is currently one of the conditions. Corr asked if they would be amenable to a 2-week delay to address these questions. Willis said he left a message with the applicant during today’s testimony but has not yet heard back. The short answer is that there is a timeframe for the contract so it may not be possible. If the Commissioners would like to delay vote on this item until later in the hearing, it is possible his client will return his call.
Henrichsen came forward to say that it is fine to move this item farther down on the agenda for action. Commissioners agreed that was the best course.

**COMPREHENSIVE PLAN AMENDMENT NO. 17005 and CHANGE OF ZONE NO. 17016** were called.

Willis said that after speaking with his client, he can confirm that the timing of the contract will not work if there is a delay in voting.

Harris asked if they were willing to accept a change to the zoning agreement regarding the honoring existing leases. Willis said yes, that was the intention all along.

**COMPREHENSIVE PLAN AMENDMENT NO. 17005**
**ACTION BY PLANNING COMMISSION:**

Weber moved approval, seconded by Scheer.

Weber said he will support these applications. There are many compelling reasons to keep the building but, unfortunately, this is private enterprise and they could make the decision to get rid of the building, no matter the zoning.

Scheer agreed. He is uncomfortable adding the condition mentioned by Harris regarding honoring leases because he would not want to move forward with just the word heard today. This is complicated because, for the record, this is not the fault of the applicant; this is an owner issue. The applicant is just responding to an opportunity. As Commissioner Weber stated, everything could just go away because the owner has the right to do what they want with their property.

Edgerton echoed the thoughts of Scheer and Weber. The issue before this body is the zoning change and not what is going on with the property now. The owner has the opportunity to sell this property and take all of this away, and there would be nothing we could do about it. It is her hope that the testimony given today will give the owner an idea to see what they could do to engage people about this use and to continue conversation as this moved forward. She feels helpless and like she must support the change of zone.

Finnegan said her heart hurts because her grandchildren are involved in youth sports. The fact is, this is a private business and, as such, the owner has the right to sell or just walk away. For that reason, she will support the change of zone. She hopes the owner might reconsider, even if that is doubtful.

Corr said she would support a motion regarding the leases. Taking a narrow viewpoint, the proposed zoning does fit in the area. She added that for those who came out to testify, this will still go before City Council so there is more time to get the word out. If she had a lot of money, she would buy the facility herself, but from a Planning perspective, we have to let business take its course.
Hove wondered if anyone wanted to make a friendly amendment regarding the leases. Henrichsen said the first item is Comprehensive Plan Amendment so that amendment could be added to the motion for the change of zone.

Harris noted that although there is nothing wrong with the change of zone from a land use perspective, there was hesitation to move approval because of what is being taken away. If there were a way to allow this business to continue, the vote would be different. She will support the approvals, but with a heavy heart.

Hove said he is very torn on this tough item. He will not support the motions for approval. The current owner is a foundation so he is amazed that as such, they are unable to keep the current use viable. He would hope they could find a solution for this type of facility. If the land use and zone change, they change forever, and he is not ready to make that decision.

Motion carried, 6-1: Corr, Edgerton, Finnegan, Harris, Scheer, and Weber voting ‘yes’; Hove dissenting; Beckius and Washington absent.

CHANGE OF ZONE NO. 17016
ACTION BY PLANNING COMMISSION: June 21, 2017

Corr moved Conditional Approval with an amendment to the Zoning Agreement to ensure that the terms of the current tenants’ leases are carried out, seconded by Weber and carried 6-1: Corr, Edgerton, Finnegan, Harris, Scheer, and Weber voting ‘yes’; Hove dissenting; Beckius and Washington absent.
I am writing in concern of the possible rezoning and sale of Abbott Sports Complex. Our daughter has been a loyal customer/student with VCN since 2012. The commitment of three days of volleyball a week with wonderful instructors has helped her develop into a responsible, committed, respectful young teenager.

I think it is imperative that we keep a sports facility on the north side of Lincoln for accessibility of residents as well as many that travel from the east and west on the I-80 corridor. I ask of you all to not make a decision in haste, keep the facility open for the many young children benefiting, and make a facility available on the north side of Lincoln for transition before this would be closed and changed.

Respectfully,

Jeri & Scott Johnson
Ceresco, NE
From: Jina Ragland [mailto:jina.ragland@gmail.com]
Sent: Wednesday, June 21, 2017 9:38 AM
To: Planning <Plan@lincoln.ne.gov>
Subject: Rezoning Abbott Complex

Planning Commission Members:

I am writing to you today to voice strong concern and request your opposition to the rezoning proposal that you will be discussing today as it relates to the Abbott Sports Complex.

I ask you to strongly consider the implications such a decision will have on the young people in and around our city. Our daughter has been playing sports through the complex since she was 3 years old (she is now 13). Over the past 10 years, she has played volleyball through the NVA and VCN programs (since she was 3 years old) as well as played soccer for a couple of seasons through CSA and utilized both the indoor and outdoor fields at Abbott for such play.

I continue to be distraught knowing that the youth (especially those kids living on the northern side of Lincoln) will be negatively affected by rezoning; Lincoln already lacks sufficient facilities to provide adequate training for our youth in all levels and aspects of athletics. To eliminate yet another facility that has gym space for basketball, volleyball, soccer and tennis, would be providing a disservice to the youth in our community. It is already difficult enough to find space for teams to practice, scrimmage, or simply have access to for further advancing their skills (We are also members of the YMCA and find it very difficult on a regular basis to get into the gym just to access the hoops for shooting, volleyball, skill advancement, individual work, as they are always tied up with organized adult scrimmages, before and after school/summer programs, etc.) The facilities for our children continue to lack in availability. Please don't rezone and create further burdens on our kids in accessibility to these indoor facilities and programs.

We have been blessed to be part of the Volleyball Club Nebraska (VCN) program since it's inception in 2012. Our daughter trains for volleyball through the VCN program year round via fall and winter seasons and various summer camps.
Maggie Griffin has taken a program and built it from the bottom up; making it one of the best all around volleyball clubs in the state. VCN not only teaches volleyball skills, but more importantly, teaches our children lessons that are far more valuable than any skills learned on the court; they teach life skills to help them find success in school, in their future careers, in their relationships. They learn to work hard, set goals, and achieve those goals on and off the court,
through competitive play, but also in their everyday life. VCN teaches our kids about discipline, accountability, being a good and respectful teammate, and most importantly, teaching them how to be a leader. These skills will equip our kids to be future leaders in our communities; and hopefully stay in our community and utilize them.

Maggie has done an amazing job bringing into our city, several weekends every year, various out of town/out of state volleyball clubs/teams that play in tournaments at Abbott Sports Complex. Those teams bring with them ongoing revenue into our city through multiple night hotel stays, dining and retail purchasing to businesses while they are here.

Choosing to rezone Abbott Sports Complex sends a message to thousands of kids (and families) that walk or have walked through the doors of Abbott via various programs that they and the program they are part of are not an important part of the Lincoln community. There is not another facility available at present that would be able to accommodate the time, space, and needs that are presently being provided through the VCN program.

I challenge the Planning Commission to be part of the solution, not further enhancing the problem. We need to find better ways to enable these types of programs to continue to flourish in our communities. Why not encourage more development in this area of Lincoln to support these programs (housing, retail, hotel, dining) instead of always pushing out and eliminating the advancement. North Lincoln has a lot to offer if given a fair and adequate chance, which seems lately isn't always the case or focus. We have great families and kids that contribute in making Lincoln a great city.

I ask you to strongly consider the repercussions and message you would be sending to our children and families by rezoning the complex. Please consider the other possibilities that can come and would be more beneficial to the future of our city.

Thank you for the opportunity to comment.

Regards,

Jina Ragland
1660 LaPlata Ct.
Lincoln, NE 68521
From: Lisa Kastanek [mailto:Lisa.Kastanek@prc.us.com]
Sent: Wednesday, June 21, 2017 9:57 AM
To: Planning <Plan@lincoln.ne.gov>
Subject: RE: Abbott Sports Complex

Dear Planning Commission Members,

My two daughters have been a part of the Cornhusker Shooting Star program since 4th grade and from that experience each secured a full ride basketball scholarship to a division one college worth a minimum of $150,000.00 each. This would not have been even remotely possible without their club experience and exposure.

It is not simply ‘unfortunate’ that this complex is considering closing, as stated by the LJS article, it’s DEVASTATING to the youth of our community.

I understand the shortfall of operating expenses, but the investment in our youth has got to be realized by this community and I’m shocked more is not being done to maintain this facility for the hundreds and hundreds of kids who need it to give them opportunity to succeed.

Omaha has facility after facility to help their youth gain advantage in the athletic realm which transfers to positive life skills that only athletics can offer. This decision puts our Lincoln youth behind and at risk. If our children do not have affordable facilities to practice, they are not prepared to compete and will fail. When in actuality it is not the child who has failed, but the decision makers in this community who have failed our children. We all know the negative avenues that prevail in the absence of organized athletics.

If this facility ‘goes away’, then what are the alternatives for our youth? When will Lincoln put our children first and do what’s best for them and our community’s growth and future?

The decision to eliminate this facility will send those who can afford it to Omaha and those who can’t to the streets. I couldn’t feel stronger about protecting our youth and encourage you to find a way to keep this facility active and open. Task forces need to be created to do what’s best for our youth and make a difference that will ensure a positive future for Lincoln.

I beg you, do not take this decision to close Abbott Sports Complex lightly. Our children have no alternatives and you are sealing their fate.

Kindest Regards,

Lisa

Lisa Kastanek, RN, CCRC
Physician Research Collaboration, LLC
Managing Partner
3901 Pine Lake Road, Suite 120
Lincoln, NE 68516
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From: Renee Hosek [mailto:renee_hosek@yahoo.com]
Sent: Wednesday, June 21, 2017 9:59 AM
To: Planning <Plan@lincoln.ne.gov>
Subject: Abbott Sports complex rezoning

As a life-long member of the Lincoln Community and parent of a current 5-year Volleyball Club Nebraska (VCN) player, I ask you to VOTE NO on the rezoning of the land currently housed by Abbott Sports Complex. The possible closing of Abbott Sports Complex would affect so many families, organizations and programs that support north Lincoln in such a negative way. North Lincoln families and it’s young citizens are already disadvantaged in the facilities and programs that are offered compared to other areas of Lincoln. Rezoning the land Abbott Sports Complex occupies would take away opportunities for north Lincoln’s youth to develop and improve not only their athletic abilities, but their social and emotional growth as well. As adults, we need to support the youth in our community by offering opportunities to build productive and successful citizens. By taking away facilities that house youth clubs and activities ran by caring adult coaches and mentors would be detrimental to the future citizens of Lincoln. Please take this in consideration when placing your vote and VOTE NO on the rezoning of the land that is home to Abbott Sports Complex and a home away from home to many of Lincoln’s youth. Thank you.

Renee Hosek, M.S., CCC-SLP
Speech-Language Pathologist
North Star High School
402-436-1305 ext 65128
Subject: Comments in Opposition to CPA17005 and CZ17016 - RE: Abbott Sports Complex

From: Julia Holmquist [mailto:mdiva46@gmail.com]
Sent: Wednesday, June 21, 2017 10:38 AM
To: Hove, Chris
Subject: Zoning action - Abbott Sports

Hi Chris,

Hope this note finds you well. I see that you are the Chair of the Planning Commission and want you to know that I am concerned about the proposed zoning action on Abbott Sports Complex that you will consider today.

I have several concerns, mainly the plan that was mentioned in the LJS yesterday to turn the sports complex into a storage facility. Both of my daughters played club volleyball for several years in this facility and I can attest to what a great place it was for training opportunities for volleyball and basketball etc. The location for this training facility also allows easy access to the interstate for athletes that live outside of Lincoln. I also am concerned about the lack of facilities and access to sports training in North Lincoln. This complex is a perfect location for club tournaments and brings in a number of people into our community (especially north Lincoln) that otherwise wouldn't be here.

I urge you to deny the zoning change until further research and accommodation can be made with the current tenants of Abbott Sports Complex.

Again, I appreciate your taking the time to read this and consider my concerns and hope that you are enjoying your summer.

Please contact me if you have any questions.

Best,

Julia Engel Holmquist
7417 Stevens Ridge Road
Lincoln, NE 68516
402-450-9214
From: Planning
Subject: Comments in Opposition to CPA17005 and CZ17016 - RE: Abbott Sports Complex

-----Original Message-----
From: Bridget Zimmerman [mailto:bzimmerman15@gmail.com]
Sent: Wednesday, June 21, 2017 10:39 AM
To: Planning <Plan@lincoln.ne.gov>
Subject: Rezoning of Abbott Sports Complex area

To: Lincoln Planning Commission

This email is in reference to the proposal to rezone the area on North 70th Street where the Abbott Sports Complex currently resides. Unfortunately the timing of the proposal review falls during the week of the national volleyball tournament in Florida when many of the families directly impacted by your decision are out of town and unable to voice our concerns in person.

Lincoln is a great city, however it is already short of facilities for youth activities. To allow the possible destruction of a facility currently used by over 1000 youths a year does not send the message our city is concerned about providing facilities to meet the needs of our youth.

Abbott Sports Complex is in a prime location to host sporting events due to its close proximity to the interstate. The teams utilizing the facilities draw members from the Omaha area as well as from Kearney, Sandy Creek, Aurora, etc. A contributing factor to this is the easy access from I-80. This means multiple times a week these families are coming to Lincoln and finding something to do while their child(ren) attends practices; this almost always involves spending money in our city. There are also multiple volleyball and basketball tournaments currently hosted at the field house which bring in hundreds of out of town families into Lincoln. If the field house is demolished, there is no other place in Lincoln able to support this activity; let alone a facility on the north side of Lincoln.

Please understand there have been past rumors over the years of the possible sale of the Abbott Sports Complex but previously that is exactly what they have been, rumors. Yesterday was the first time many in the general public were made aware of the validity of these rumors thanks to an article in the Lincoln Journal Star. We ask at the very least you postpone any possible rezoning of this area so the citizens of Lincoln have an opportunity to explore other options to keep this facility available for the youth of our city.

Thank you for your consideration.
Bridget and Tray Zimmerman
5448 NW 4th St
Lincoln, NE 68521
Dear planning commission members,

I'm writing to ask that you carefully consider the zoning request on Abbott Sports Complex. My kids have been attending practice and games at Abbott for over 5 years. All three of them also attended school there one year while their school was under construction. I volunteer there several hours a week, often cleaning up and trying to fix things around the complex.

Lincoln NEEDS the facilities that Abbott possesses. A quick internet search of open storage buildings around town leads me to believe that there are other spaces to fill the need for a storage facility, however, there is no other option for affordable facility rental for youth sports practice and games. Lincoln is already behind the times in terms of community sports facilities. Most other larger cities have either corporate or city sponsored complexes. The current owner indicates the facility is "underutilized". While this may be true, that doesn't mean that it isn't being heavily utilized. The basketball/volleyball/indoor soccer complex is in use by multiple teams every night of the week for everything from volleyball to roller derby. In addition, the complex is heavily utilized on the weekends for volleyball and basketball tournaments. Fresh ownership may very well be needed to improve the maintenance and utilization of the complex, however, there is a solid group of permanent tenants that would love to work together to solve the financial issues. Turning the space into a warehouse is quite honestly a horrible waste.

The City has shown recent support only for sports facilities in higher socioeconomic areas. The development of Speedway Village (whose rental fees are cost-prohibitive to any true non-profit youth sports group) in South Lincoln and the construction of brand new YMCA's in Fallbrook and South Lincoln and send a loud and clear message that youth sports are for the privileged. That is not not the mission of many who rent space at Abbott Sports Complex and I know of several kids first hand who are college educated because of their scholarships obtained through participation in teams at Abbott.

Again, please do not take this decision lightly. The ramifications are far reaching and hurt the kids and the community.

Sincerely,
Lia Bovaird
-----Original Message-----
From: Colleen Ziegelbein [mailto:colleenziegelbein@gmail.com]
Sent: Wednesday, June 21, 2017 11:27 AM
To: Planning <Plan@lincoln.ne.gov>
Subject: Abbott rezoning Information

Hello,
Thank you for considering more information and perspectives with the Abbott Complex. I am the mother of six children that have all been participating in a variety of activities at the Abbott sports complex. We are all well aware that Mrs. Abbott’s first vision, mission and plan has been very successful over the decades, but due to time and funds it's been difficult to maintain what she began several years ago. It’s my understanding that she was a very successful and wealthy woman in Lincoln and chose to continue her values and goals in the Lincoln community by providing for the children and young adults so that they could have a beautiful and safe place to learn and practice whichever activities she could provide for them. Mrs Abbott has served Lincoln well and it would be a huge disappointment to see something such as industrial financial gain not continue her legacy to provide for the children in Lincoln. I have heard that there's over 200 acres out there to work with and I am requesting that they would do whatever they need to to take care of their industrious needs, but please do not remove the football field, the gym, and the tennis courts so there can be thousands of more children and several more decades of Lincoln youth that can continue Mrs. Abbott's mission. When my husband passed away four years ago I have been putting even more effort into surrounding my children with community leaders and coaches that can help me teach my children accountability, commitment, teamwork, leadership, empathy and goal oriented, hard-working life skills. Most of the clubs that work out of Abbott are based on creating successful teams and individuals to go to work at each practice and the tool in their hands just happens to be a basketball, volleyball, soccer, football or tennis ball. The sport is the medium of how all these life lessons are being taught, molded, educated, mentored, cared for and raised by a village in Lincoln. So please, one more time, please consider leaving a section of the Abbott complex zoned for activities so that the youth can continue their sports just as Mrs. Abbott had wished for, established and provided for our community.

Thank you for your time and God bless your decisions for what’s best for the youth of Lincoln.
Colleen Ziegelbein
From: Jeff & Audra Schawang [mailto:ajschawang@charter.net]
Sent: Wednesday, June 21, 2017 12:34 PM
To: Planning <Plan@lincoln.ne.gov>
Subject: Abbott Sports Complex

I just wanted to send a quick note in support of Abbott Sports Complex. While I understand there are some financial challenges with the property, there are also some awesome youth programs still located there that might not have immediate options for relocating if the zoning is changed. I know there are two top notch club volleyball programs currently using this facility. My daughter has played for VCN Nebraska for several years and they operate all year long, offering programs to boys and girls of all ages. VCN teaches so much more than just volleyball. They teach life skills such as teamwork, discipline, accountability, independence, leadership and so much more.

I am fearful of what may happen to some of these youth clubs if Abbott is no longer an option. Finding another facility that is big enough to be transformed into volleyball courts, is affordable, has enough parking to support tournaments, etc. will be a challenge. Not to mention how much time it could take to do so. What would happen to these programs in the meantime?

I would like to see the Planning Commission take this into consideration so that the community does not lose these programs.

Thank you for your consideration.

Audra Schawang
402-499-4159
ajschawang@charter.net
From: Michelle Hrbek [mailto:mmhrbek@gmail.com]
Sent: Wednesday, June 21, 2017 12:38 PM
To: Planning <Plan@lincoln.ne.gov>
Subject: Please do not rezone Abbott Sports Complex

My name is Michelle Hrbek and I am writing to express my concern over the possible rezoning of the Abbott Sports Complex, 7600 N. 76th Street. My hope would be that the board would not consider the move to rezone due to the fact that our family utilizes the facility for an array of sporting events. My daughter has been a member of VCN (Volleyball Club Nebraska) for the last several years and both of my sons have attended camps and games offered through VC.

The club at the facility works to build strong women athletes, many of which go on to play at a collegiate level. Without the facility I worry about the success of the institution and programs that operate out of the complex.

Please consider the impact of your decision on the young athletes and clubs that use the complex.

Sincerely,

Michelle Hrbek