

**FACTSHEET**

**TITLE:** Pre-Existing Use Permit No. 3AH - Amend the boundary of the Gateway Mall Use Permit to construct up to 300 dwelling units and 70,000 sq. ft. of commercial space or some combination of both. (6400 Q Street)

**APPLICANT:** Commercial Investment Properties

**STAFF RECOMMENDATION:** Conditional Approval.

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission

**RECOMMENDATION:** Conditional Approval (8-0: Beckius, Hove, Edgerton, Finnegan, Harris, Joy, Washington, and Corr voting 'yes'; Scheer absent).

**OTHER DEPARTMENTS AFFECTED:**

**OPPONENTS:** None present at hearing.

**REASON FOR LEGISLATION:**

This is a request to amend the boundary of the Gateway Mall Use Permit to authorize up to 300 dwelling units and 70,000 square feet of commercial space or some combination thereof on the property generally located at 6400 Q Street. The request includes waivers to required residential parking and building height. This site is the former location of a car dealership and is presently vacant.

**DISCUSSION / FINDINGS OF FACT:**

1. This pre-existing use permit request appeared on the Consent Agenda of the Planning Commission on December 6, 2017.

2. The staff recommendation of conditional approval of this pre-existing use permit is based upon the “Analysis” as set forth on pp.2-3, concluding that the mixed-use that includes residential and commercial is appropriate for this site. This site can be easily served by existing infrastructure such as roads and utilities. Multiple commercial areas are located within walking distance of this site which makes this location desirable for residential development. The parking reduction and increase in building height should have minimal impact on surrounding properties.

3. On December 6, 2017, the Planning Commission voted 8-0 to recommend conditional approval of this special permit.

**FACTSHEET PREPARED BY:** Geri Rorabaugh, Administrative Officer  
**DATE:** December 11, 2017

**REVIEWED BY:** David R. Cary, Director of Planning  
**DATE:** December 11, 2017

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COMPATIBILITY WITH THE COMPREHENSIVE PLAN
The future land use map identifies this site for commercial and within a mixed use redevelopment node which has the potential for 500-1,000 future dwelling units. Therefore, the proposal is consistent with the Comprehensive Plan.

WAIVERS
1. Reduction of required parking from 2 to 1.4 parking stalls per dwelling unit as long as no more than 40% of the units have more than one bedroom. (Recommend Approval)

2. Height increase from 40 to 55 feet provided that at least a 20 foot setback is provided on 66th Street and Q Street. (Recommend Approval)

KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN
P. 1.9 - This property is shown as Commercial on the Future Land Use Map.
P. 6.2 - Increasing residential densities by adding new dwelling units to existing commercial areas in the form of mixed use centers also strengthens the buying power of adjacent neighborhoods by adding more “rooftops”.

P. 6.2 - Mixed Use Redevelopment should:
Provide a diversity of housing types and choices throughout each neighborhood for an increasing diverse population.

Encourage substantial connectivity and convenient access to neighborhood services (stores, schools, parks) from nearby residential areas.

Incorporate and enhance street networks with multiple modes of transportation in order to maximum access and mobility options.

Promote activities of daily living within walking distance.

Help to create neighborhoods that include homes, stores, workplaces, schools and places to recreate.

Encourage residential mixed use for identified corridors and redevelop Regional, Community, Neighborhood and Mixed Use Office Centers identified as nodes.

P. 6.4 - Nodes may be classified as Regional, Community, Neighborhood or Mixed Use Office Centers and can be thought of as “villages within the city” with a broad range of land use types including civic, residential, special needs housing, retail, office and service.

P. 6.5 - This area is highlighted on the Mixed Use Redevelopment Nodes and Corridors Map and is recommended for an estimated potential of 500-1000 dwelling units.

P. 6.7 - Mixed Use Redevelopment Nodes and Corridors should strive for residential densities of at least seven dwelling units per gross acre within buildable areas inside the project boundary.

UTILITIES: This site is served by existing utilities.

TOPOGRAPHY: The property slopes down generally from west to east with a change of approximately 14 feet with further lower topography on the north side of the property in the area of Dead Man’s Run floodplain.

TRAFFIC ANALYSIS: N 66th Street is a minor arterial; Q Street is a local street.

PUBLIC SERVICE: The nearest fire station is located at 901 N Cotner Boulevard.

ANALYSIS

1. This request is to amend the Gateway Mall Use Permit to expand the boundary to include the property located at 6400 Q Street to authorize up to 300 dwelling units and 70,000 square feet of commercial space or some combination thereof. This is the former McGinnis Ford location and is currently vacant. Including the approval of both residential units and commercial floor area now provides flexibility for redevelopment of this site. Mixed-use is allowed and encouraged in the B-5 district.

2. 6400 Q Street is presently zoned B-5 and is part of the larger Gateway Mall B-5 area on the north side of O Street which extends from approximately North 70th Street to North Cotner Boulevard. This general area has numerous commercial uses including Gateway Mall.

3. North 66th Street is a minor arterial while Q Street is a local street that serves as access to the Gateway Mall. The existing access onto North 66th Street and the existing eastern access point from Q street shall be relinquished as part of the proposal.

4. Gateway Mall and the surrounding blocks are identified as a redevelopment node in the Comprehensive Plan. Nodes are identified in the Comprehensive Plan as “Commercial Centers...that are encouraged to be redeveloped into walkable residential mixed use centers.” The redevelopment node map identifies the area surrounding Gateway
Mall as a Primary Area for Mixed Use Redevelopment and notes that between 500 and 1,000 dwelling units could be developed in and around Gateway Mall. The proposal to add 300 residential units at this location is supported by the Comprehensive Plan and the Redevelopment Nodes concept.

5. The use permit will allow for waivers to the residential parking requirements and the maximum building height. The applicant is requesting a reduction of required parking for residential from 2 stalls per dwelling unit to 1.4 stalls per dwelling unit. The parking reduction would as long as no more than 40% of the units have more than one bedroom. A similar provision was put in place for the apartments approved with the amendment to the Gateway Mall Use Permit in 2016 (PEUP3AG). Also, a waiver is being requested to increase the allowable height from 40' to 55'. The height increase would be under the provision that at least a 20 foot setback is maintained on 66th Street and Q Street.

6. The adjacent zoning to the north is I-1 Industrial. While historically, the Lincoln-Lancaster County Health Department has recommended at least a 300 foot buffer between residential uses and industrial zoning, given that the industrial area to the north currently does not have industrial uses of concern and in the near-term will more than likely see a change of zone away from industrial, there is not a concern with the proposed redevelopment. The area to the north is appropriate for rezoning to H-3 Highway Commercial in the future.

7. There is a flood area on the property associated with Dead Man’s run. As a condition of approval, the applicant will be required to show NRD easement and floodplain with cross sections and flood elevations to the satisfaction of Public Works Watershed Management.

8. Residential developments in the B-5 district must provide a minimum amount of open space. The total amount required is figured based on the number of dwelling units. If 300 dwelling units are proposed, then approximately 6,365 square feet of open space is required, and would be addressed at the time of building permit.

9. This location is appropriate for mixed-use and high-density residential. The site is already served by existing infrastructure and roads. The location is within walking distance of numerous commercial services including retail and grocery stores. The proposal conforms to the Redevelopment Nodes and Corridors concept and should further support redevelopment in the area. Subject to the conditions of approval this request is supported by the Comprehensive Plan.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Vacant, B-5

SURROUNDING LAND USE & ZONING

North: Commercial: I-1
South: Commercial; B-5
East: Commercial: B-5
West: Commercial; B-5

APPROXIMATE LAND AREA: 5.72 acres, more or less

LEGAL DESCRIPTION: See attached.

Prepared by

George Wesselhoft, Planner

Date: November 22, 2017 Revised: December 6, 2017
Owner: Campbell LLC
9315 Tuscan Court
Lincoln, NE 68520

Applicant: Commercial Investment Properties
7211 S. 27th Street
Lincoln, NE 68512
Tschle6632@aol.com

Contact: Erin Bright
Olsson Associates
601 P Street, Suite 200
Lincoln, NE 68508
(402) 458-5608
ebright@olssonassociates.com

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CONDITIONS OF APPROVAL - PRE-EXISTING USE PERMIT 3AH

This approval permits up to 300 dwelling units and 70,000 square feet of commercial space, or some combination thereof with waivers to reduce required residential parking from 2 to 1.4 stalls per unit as long as no more than 40% of the units have more than one bedroom and height to increase allowable height from 40’ to 55’ provided that at least a 20 foot setback is provided on 66th Street and Q Street.

Site Specific Conditions:

1. The permittee shall cause to be prepared and submitted to the Planning Department a revised and reproducible final plot plan including 3 copies with all required revisions and documents as listed below upon approval before receiving building permits.

   2.1   Add note existing east driveway access on Q Street shall be relinquished.

   2.12  Show NRD easement and floodplain with cross sections and flood elevations to the satisfaction of Public Works Watershed Management.

   2.23  Provide documentation from the Register of Deeds that the letter of acceptance as required by the approval of the use permit has been recorded.

3. Prior to building permit for new construction:

   3.1 Submit an administrative amendment with a grading plan for the area of construction.

Standard Conditions:

4. The following conditions are applicable to all requests:

   4.1 Before occupying the buildings all development and construction is to substantially comply with the approved plans.

   4.2 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters must be in substantial compliance with the location of said items as shown on the approved site plan.

   4.3 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.

   4.4 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefore to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.

   4.5 The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions/ordinances approving previous permits remain in force unless specifically amended by this resolution.

Page 5 - Pre-Existing Use Permit 3AH
Pre-existing Use Permit Amendment #: PEUP3AH
Gateway Shopping Center
N 66th St & Q St

Zoning:

R-1 to R-8 Residential District
AG Agricultural District
AGR Agricultural Residential District
O-1 Office District
O-2 Suburban Office District
O-3 Office Park District
R-T Residential Transition District
B-1 Local Business District
B-2 Planned Neighborhood Business District
B-3 Commercial District
B-4 Lincoln Center Business District
B-5 Planned Regional Business District
H-1 Interstate Commercial District
H-2 Highway Business District
H-3 Highway Commercial District
H-4 General Commercial District
I-1 Industrial District
I-2 Industrial Park District
I-3 Employment Center District
P Public Use District

One Square Mile:
Sec.21 T10N R07E

2016 aerial

Pre-existing Use Permit Boundary
Area of Application
Zoning Jurisdiction Lines
Lancaster County Jurisdiction
November 8, 2017  
Revised November 13, 2017

George Wesselhoft  
City of Lincoln Planning Department  
555 S. 10th Street, Suite 213  
Lincoln, NE 68508

RE: Application for Amendment to Use Permit PEUP3AF  
       Gateway Shopping Center

George,

On behalf of the developer, Commercial Investment Properties, I am submitting application for amendment on the Gateway Shopping Center Use Permit #PEUP3AF. The purpose of the amendment is to include an adjacent property, labeled as Area “I”, into the Use Permit boundary. The subject property is currently zone B-5 and is proposed to be developed with residential apartment buildings and commercial space. We are requesting a total of 300 dwelling units and 70,000 sq. ft. of commercial space, or some combination of both. Parking will be provided by a combination of surface and under building parking at a ratio of 1.40 stalls/bedroom unit. A waiver is also being requested to increase the allowable height from 40’ to 55’ in Area “I”.

Please find the attached documents including: application and review fee check. I will upload our proposed site plan for the Use Permit amendment once we receive the ProjectDox notification.

If you should have any questions, please feel free to contact me, 458-5608.

Sincerely,

Erin Bright  
Olsson Associates
WAIVER LIST:

1. Maximum building height from 40 feet to 65 feet for any new addition to area "A" measured from the average adjacent grade of the addition to the highest point of the addition, excluding necessary mechanical appurtenances.

2. Parking ratio for all uses to 1 stall per 300 square feet of gross building square footage unless otherwise noted.

3. Area 'H' building height from 40 to 55 feet provided that at least a 20 foot setback is provided to the north and to the west, except in the area adjacent to the L.E.S. substation. Area 'I' building height from 40 to 55 feet provided that at least a 20 foot setback is provided on 66th St. & "Q" St.

4. In area 'H' & 'I', 1.4 parking stalls are required per dwelling unit as long as the total number of apartment units with more than one bedroom does not exceed 40% of the total number of units.

DEVIATION LIST (AREA 'H'):

1. A reduction to the minimum separation distance between adjacent connections of 330' on N Cotner Blvd
2. A deviation of the required 1/2 mile access breaks along N. Cotner Blvd, to utilize existing left hand center turn lane
3. A deviation for continued use of the existing left hand northbound turn lane in N Cotner (non-median divided)
4. A deviation to the requirement that a right hand turn lane be constructed for southbound traffic on N. Cotner Blvd
5. A deviation to maintain a 20' throat length on all access points
6. The underground parking garage entry on N. Cotner Blvd shall be designed to allow to vehicles to stack on the driveway out of the southbound lane
GENERAL NOTES:

1. EXISTING SIGNS ARE SHOWN ON THE SITE PLAN. NEW SIGNS NEED NOT BE SHOWN ON THIS SITE PLAN, BUT NEED TO BE IN COMPLIANCE WITH CHAPTER 27.59 OF THE LINCOLN ZONING ORDINANCE AND MUST BE APPROVED BY THE BUILDING & SAFETY DEPARTMENT PRIOR TO INSTALLATION.

2. BANNER SIGNS (RESOLUTION A-88555)

   A. BANNERS AND BANNER HARDWARE MAY BE INSTALLED ON EXISTING LIGHT POLES IN THE PARKING LOTS THAT ARE UNDER GATEWAY'S OWNERSHIP AND CONTROL, AS INDICATED ON THIS SITE PLAN.

   B. EACH LIGHT POLE MAY HAVE A PAIR OF BANNERS, WITH EACH BANNER BEING A MAXIMUM 8 X 2 1/2 FEET IN AREA.

   C. BANNERS MUST BE AFFIXED TO THE BANNER HARDWARE ALONG THE TOP AND BOTTOM PERIMETERS AND TO THE POLES IN A WAY THAT THEY REMAIN RIGID.

   D. THE HEIGHT OF THE BANNER SHALL NOT EXCEED 18 FEET.

   E. EXISTING LANDSCAPE MATERIALS ALONG THE 0 STREET FRONTAGE SHALL REMAIN IN PLACE AND BE REPLACED AS REQUIRED TO MAINTAIN THE CURRENT LEVEL OF SCREENING.

   F. THE PERMITTEE MUST SUBMIT INFORMATION TO THE BUILDING AND SAFETY DEPARTMENT WITH THE SIGN PERMIT THAT IS SUITABLE FOR THE DEPARTMENT TO DETERMINE THE BANNERS AND HARDWARE WILL WITHSTAND WIND LOADS.

   G. BANNERS SHALL BE MAINTAINED AND REPLACED AS NEEDED SO THAT THEY DO NOT PRESENT A TORN OR FADED APPEARANCE. IF ANY BANNERS FALL OUT OF COMPLIANCE WITH THIS CONDITION AND THE PERMITTEE AFTER APPROPRIATE NOTICE TO BRING ANY BANNERS INTO COMPLIANCE FAILS TO DO SO, THE BUILDING AND SAFETY DEPARTMENT MAY ORDER THE PERMANENT REMOVAL OF ALL BANNERS.

   H. BANNERS SHALL BE ALLOWED FOR TWO YEARS AFTER THE APPROVAL OF THIS USE PERMIT. THE PERMITTEE MAY SUBMIT A REQUEST TO THE PLANNING DIRECTOR THAT CAN BE APPROVED ADMINISTRATIVELY TO EXTEND THE USE OF THE BANNERS FOR A SPECIFIC OR INDEFINITE PERIOD OF TIME.

3. IMPROVEMENTS SHOWN ON THIS PLAN ARE CONCEPTUAL AND SUBJECT TO MINOR CHANGE.

4. IN AREAS A-G THE PARKING REQUIREMENT IS 1 SPACE PER 300 SQUARE FEET OF GROSS FLOOR AREA FOR ALL USES. THE PARKING ARRANGEMENT AS SHOWN IS FOR ILLUSTRATION PURPOSES AND MAY BE MODIFIED.

5. AREA A IS PERMITTED AT 1,336,500 SQUARE FEET OF GROSS FLOOR AREA. FLOOR AREA IN AREAS 1 & B MAY BE INCREASED ADMINISTRATIVELY UP TO 15% OF THESE AMOUNTS. AREAS A-G DO NOT HAVE A LIMITATION ON FLOOR AREA.

6. ADMINISTRATIVE AMENDMENTS TO THE USE PERMIT ARE NOT NECESSARY IF ALL OF THE FOLLOWING ARE MET:

   A. NO BUILDING EXTENDS INTO THE SETBACKS AS SHOWN. IF A SETBACK IS NOT SPECIFICALLY IDENTIFIED ON THE PLAN, THE SETBACK SHALL BE PER THE ZONING ORDINANCE;

   B. THE PARKING REQUIREMENTS ARE MET FOR THE PROPERTY IN QUESTION;

   C. NO ACCESS DRIVES OR INTERNAL CIRCULATION DRIVES OTHER THAN INTERNAL PARKING LOT ARE ALTERED;

   D. THE FLOOR AREA CAP FOR AREAS A AND B ARE NOT EXCEEDED FOR ANY CHANGES IN THESE AREAS. THE FLOOR AREA CAP MAY BE INCREASED UP TO 15% BY ADMINISTRATIVE AMENDMENT.

7. A PEDESTRIAN STREETSCAPE ZONE SHALL BE PROVIDED ALONG *STREET, N. 66TH STREET, *STREET, P* STREET AND N. COTNER BOULEVARD. IF THE STREETSCAPE ZONE DOES NOT EXIST THEN IT MUST BE INSTALLED AT THE TIME OF BUILDING PERMIT FOR NEW CONSTRUCTION, AN ADDITION OR THROUGH AN AMENDMENT TO THE USE PERMIT. THE REQUIREMENT TO INSTALL THE STREETSCAPE ZONE MAY BE WAIVED BY THE PLANNING DIRECTOR AT THE TIME OF BUILDING PERMIT.

   A. THE STREETSCAPE ZONE SHALL INCLUDE A PLANTING AREA BETWEEN THE CURB AND A SIDEWALK OF AT LEAST 8 FEET FOR STREET TREES AND A 5 FOOT WIDE SIDEWALK.

   B. PUBLIC ACCESS (FASMDN) SHALL EXTEND OVER ANY PORTION OF THE PUBLIC SIDEWALK THAT IS LOCATED ON PRIVATE PROPERTY.

   C. THE STREETSCAPE IS NOT REQUIRED IN AREA A ADJACENT TO THE 50' BUFFER ALONG *STREET AS LONG AS THE 50' LANDSCAPE BUFFER REMAINS.

   D. NO PARKING, DRIVEWAYS OR OTHER DEVELOPMENT SHALL OCCUR IN THE FRONT YARD SETBACKS OR THE 50 FOOT LANDSCAPE BUFFER ALONG *STREET EXCEPT FOR SIGNAGE.

8. ALL TERMS AND CONDITIONS OF PRE-EXISTING USE PERMIT NO. 3 SHALL APPLY UNLESS SPECIFICALLY AMENDED BY THIS USE AMENDMENT.

9. SIGNS A & B ARE LOCATED WITHIN THE PUBLIC RIGHT-OF-WAY. THEY WILL BE REMOVED FROM THE RIGHT-OF-WAY IF REQUESTED BY THE NEBRASKA DEPARTMENT OF ROADS OR IF A NEW CENTER SIGN IS REQUESTED AT THAT LOCATION. REMOVING THE SIGNS WILL BE DONE AT NO COST TO THE CITY.

10. SCREENING IN AREA H & I WILL COMPLY WITH THE LANDSCAPING AND SCREENING STANDARDS FOR MULTIPLE FAMILY DWELLINGS FOUND IN CHAPTER 3.50 OF THE DESIGN STANDARDS. THE LANDSCAPE PLAN SHALL BE APPROVED AT THE TIME OF BUILDING PERMIT.

11. METHODS TO MEET WATER QUALITY STANDARDS WILL BE SUBMITTED AND APPROVED BY WATERSHED MANAGEMENT PRIOR TO OBTAINING A BUILDING PERMIT.

12. BUILDING FOOTPRINTS FOR AREA * ARE CONCEPTUAL. FINAL SITE AND BUILDING LAYOUT WILL BE SUBMITTED BY ADMINISTRATIVE AMENDMENT TO THIS PLAN PRIOR TO BUILDING PERMIT.

13. SITE: DATE USER: ehertz 17-3214_1.pdf 4-21-96A
GENERAL NOTES:
1. EXISTING SIGNS ARE SHOWN ON THE SITE PLAN. NEW SIGNS NEED NOT BE SHOWN ON THE SITE PLAN, BUT NEED TO BE IN COMPLIANCE WITH CHAPTER 27.05 OF THE LINCOLN ZONING ORDINANCE AND MUST BE APPROVED BY THE BUILDING & SAFETY DEPARTMENT PRIOR TO INSTALLATION.

2. BANNER SIGNS (RESOLUTION A-8555)
   A. BANNERS AND BANNER HARDWARE MAY BE INSTALLED ON EXISTING LIGHT POLES IN THE PARKING LOTS THAT ARE UNDER CATEC'S OWNERSHIP AND CONTROL, AS INDICATED ON THIS PAGE.

3. AMENDED BY THIS USE AMENDMENT.

4. SIGNS A & B ARE LOCATED WITHIN THE PUBLIC RIGHT-OF-WAY. THEY WILL BE REMOVED FROM THE PUBLIC RIGHT-OF-WAY IF REQUESTED BY THE LINEAR WIDE DEPARTMENT OF ROADS OR IF A NEW CENTER SIGN IS REQUESTED AT THAT LOCATION. REMOVING THE SIGNS WILL BE DONE AT NO COST TO THE CITY.

5. SIGNS A AND B WILL COMPLY WITH THE LANDSCAPING AND SCREENING STANDARDS FOR MULTIPLE FAMILY DWELLINGS FOUND IN CHAPTER 350 OF THE DESIGN STANDARDS. THE LANDSCAPE PLAN SHALL BE APPROVED AT THE TIME OF BUILDING PERMIT.

6. METHODS TO MEET WATER QUALITY STANDARDS WILL BE IMPLEMENTED...

7. COMMERCIAL PARKING STILL REQUIRES 1 PER 300 S.F. IF APARTMENTS ARE NOT BUILT.

8. COMMERCIAL FLOOR AREA AND EACH DWELLING UNITS ALLOWED.

9. 1,177,581

10. 212,850

11. 103 APARTMENT UNITS

12. 300 APARTMENT UNITS + 70,000 SF

13. 3,032

14. 810

15. 425 PER WAKER #4

16. 233 STALLS REQUIRED FOR 70,000 SF

17. PARKING TABLE

| Area Designation | A | B | C | D | E | F | G | H | J | K | L | M | N | O | P | Q | R | S |
| Permitted Uses   | Commercial | Commercial | Commercial & Residential | Commercial & Residential |
| Commercial Floor Area and Each Dwelling Units Allowed | 1,177,581 | 212,850 | 103 Apartment Units | 300 Apartment Units + 70,000 SF |
| Existing Number of Parking Stalls in Designated Area | 4,449 | 830 | - | - |
| Current Stall Requirement per 1,000sf | 3,032 | 710 | 425 per WAKER #4 | 233 Stalls Required for 70,000 SF |
LEGAL DESCRIPTION

LOTS 1, 2, 3, 4, & 5, GATEWAY SHOPPING CENTER
SUBDIVISION; LOT 1, 2, 3, & OUTLOT 'A', Q PLACE, EXCEPT
EAST PART FOR STREET; LOT 256 OF IRREGULAR TRACTS
EXCEPT THAT PART LYING NW OF A LINE 40' EAST OF THE
CENTERLINE OF COTNER BLVD. AND EXCEPT PARTS IN NW
AND SOUTH FOR ROAD; LOT 262 OF IRREGULAR TRACTS
EXCEPT SOUTH PART FOR ROAD; LOT 263 OF
IRREGULAR TRACTS EXCEPT SOUTH PART FOR ROAD; LOT 263 OF
IRREGULAR TRACTS EXCEPT 544.35 SF IN SOUTH FOR
STREET; LOT 265 OF IRREGULAR TACTS EXCEPT 2835.5 SF
IF SOUTH PART FOR ROAD; LOT 266 OF IRREGULAR TRACTS
EXCEPT THE SOUTH PORTION OF RIGHT OF WAY OF 'O'
STREET, (AREA 'H') LOT 163 IRREGULAR TRACT EXCEPT
182.63 SF IN THE SE CORNER FOR STREET; (AREA 'I') LOT
212 EXCEPT 3,741 SF FOR ROAD IN THE SE.

ALL LOCATED IN THE S 1/2 OF SECTION 21, TOWNSHIP 10
NORTH, RANGE 7 EAST, OF THE 6TH P.M. LANCASTER
COUNTY, NEBRASKA.
CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:    December 6, 2017

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

The Consent Agenda consisted of the following items: TEXT AMENDMENT NO. 17013, COUNTY TEXT AMENDMENT NO. 17014, TEXT AMENDMENT NO. 17017, COUNTY TEXT AMENDMENT NO. 17018, TEXT AMENDMENT NO. 17020, ANNEXATION NO. 17023, CHANGE OF ZONE NO. 07063B, CHANGE OF ZONE 17033, PRELIMINARY PLAT NO. 17005, SPECIAL PERMIT NO. 1219N, SPECIAL PERMIT NO. 17041, COUNTY SPECIAL PERMIT NO. 17043, PRE-EXISTING USE PERMIT NO. 3AH, AND USE PERMIT NO. 140F.

Scheer declared a Conflict of Interest on Change of Zone No. 17033 and Preliminary Plat No. 17005, and recused himself from voting on the Consent Agenda.

Hove and Finnegan disclosed that they read an article in the Lincoln Journal Star regarding Pre-Existing Use Permit No. 3AH.

Text Amendment No. 17013, Text Amendment 17014, Text Amendment No. 17020, Special Permit 1219N, and County Special Permit No. 17043 were removed from the Consent Agenda to have separate Public Hearing.

Vice-Chair Corr called for a motion.

Hove moved approval of the remainder of the Consent Agenda, seconded by Beckius and carried, 8-0: Beckius, Corr, Edgerton, Finnegan, Harris, Hove, Joy, and Washington voting 'yes'; Scheer absent.

Note: This is FINAL ACTION on Special Permit No. 17041 and Preliminary Plat No. 17005 unless appealed by filing a letter with the City Clerk within 14 days. This a recommendation to the City Council or County Board on all remaining items.

Scheer returned to the Chambers.