

## MEETING RECORD

**NAME OF GROUP:** PLANNING COMMISSION

**DATE, TIME AND PLACE OF MEETING:** Wednesday, November 13, 2013, 1:00 p.m., Hearing Room 112 on the first floor of the County-City Building, 555 S. 10<sup>th</sup> Street, Lincoln, Nebraska

**MEMBERS IN ATTENDANCE:** Cathy Beecham, Michael Cornelius, Tracy Corr, Chris Hove, Jeanelle Lust and Dennis Scheer (Lynn Sunderman and Ken Weber absent); Marvin Krout, Steve Henrichsen, Brandon Garrett, Jean Preister and Teresa McKinstry of the Planning Department; media and other interested citizens.

**STATED PURPOSE OF MEETING:** Regular Planning Commission Meeting

Chair Jeanelle Lust called the meeting to order and acknowledged the posting of the Open Meetings Act in the back of the room.

Lust requested a motion approving the minutes for the regular meeting held October 30, 2013. Cornelius moved approval, seconded by Scheer and carried 6-0: Beecham, Cornelius, Corr, Hove, Lust and Scheer voting 'yes'; Sunderman and Weber absent.

**COMPREHENSIVE PLAN CONFORMANCE NO. 13012,**  
**WHM MAINTENANCE BUSINESS IMPROVEMENT DISTRICT;**  
**COMPREHENSIVE PLAN CONFORMANCE NO. 13013,**  
**WHM MANAGEMENT BUSINESS IMPROVEMENT DISTRICT;**  
**and**  
**COMPREHENSIVE PLAN CONFORMANCE NO. 13014,**  
**WHM CORE BUSINESS IMPROVEMENT DISTRICT,**  
**ON PROPERTY GENERALLY LOCATED IN THE WEST HAYMARKET AREA.**  
**PUBLIC HEARING BEFORE PLANNING COMMISSION:** November 13, 2013

Members present: Cornelius, Hove, Corr, Scheer, Beecham and Lust; Sunderman and Weber absent.

Staff recommendation: A finding of conformance with the 2040 Comprehensive Plan.

There were no ex parte communications disclosed.

Proponents

**1. Dallas McGee of the City Urban Development Department** provided background information. Business Improvement Districts (BID's) are not new to Downtown Lincoln, the first having been established about 30 years ago. At one point there were five maintenance BID's in Downtown, which were then combined into a single district a number of years ago.

Two years ago, the Downtown Lincoln Association (DLA) created a committee to look at how the existing BID's could serve the core Downtown as well as West Haymarket and Antelope Valley. Ed Swotek was the chair of that committee which made recommendations to the Mayor on the creation of BID's in West Haymarket. The Mayor then directed the establishment of a board to make official recommendations that would come before the Planning Commission and then the City Council. The board consisted of eleven members from a broad range of business and property owners throughout the area. The Mayor identified the boundaries within which the board would work, i.e. bounded by Pinnacle Bank Arena Drive on the west and north, 10<sup>th</sup> and 11<sup>th</sup> Streets on the east and L Street on the south. The group met four times between August and October and made a series of recommendations resulting in the proposed creation of three business improvement districts.

McGee then showed the boundaries of each BID. The WHM Maintenance BID is the extension of the maintenance BID that is already in the Downtown, including all of West Haymarket north of Pinnacle Bank Arena Drive and south to N Street. The maintenance district is assessed by front footage.

The WHM Management BID provides management services, including those areas in West Haymarket of new construction, including the Railyard from 7<sup>th</sup> Street west to Pinnacle Bank Arena Drive and south to N Street.

The WHM Core Management District provides additional enhanced management services to properties within the area, similar to services being provided now in the core of Downtown.

The next step is for the City Council to take action and recommend a resolution of intent to create the districts. Once that is done, all property owners within the districts will be notified and given opportunity to ask any questions or express concerns or opposition. After the resolution of intent, the City Council will have a second public hearing creating the BID's. After that public hearing, the BID's will take effect a short period of time later.

John Kay was the Chair of the Board but unable to attend today's meeting.

**2. Ed Swotek**, previous chair of the **Downtown Lincoln Association** (DLA) and current chair of the BID Evaluation Committee, testified in support. In 2010, Lincoln entered a new

era. At that time, voters approved to move forward with the arena and as a result of that public commitment, the community has made a commitment to a new and bold future for Downtown Lincoln. This commitment already has and will continue to reap huge dividends for our community. It is already serving as the catalyst for the millions of dollars of new development. With this commitment, we also have responsibility to continue to keep this new development clean, safe and inviting, and leverage this development in order to maximum the return on the investment. The DLA has been doing such for the last several decades. Downtown Lincoln is one of the finest and healthiest downtowns anywhere within the nation.

Swotek went on to state that West Haymarket is a natural extension of the existing Downtown area, and as a result, the DLA was prompted to carefully consider whether to expand the maintenance and business advocacy services to this area. The DLA formed a group of business leaders and owners in the area to evaluate this opportunity to expand the DLA BID services. The group spent over two years looking at this area block-by-block, street-by-street and property-by-property. They reached out to several property owners that may be impacted by this expansion of the BID to get their input and thoughts. As a result of this group's work, they came to a very evident conclusion, i.e. the West Haymarket area would greatly benefit from the DLA-related services for both maintenance and business advocacy, and many of the property owners are very supportive.

The DLA made recommendations to the committee and believes this is the right move for Lincoln and the right move for Downtown.

**3. Terry Uland, President of the Downtown Lincoln Association,** agreed with the previous testimony and advised that DLA already has a temporary contract for maintenance in the West Haymarket with JPA because of the length of time this process takes and because there is a need to keep the streetscape up and in good appearance.

Beecham inquired whether the BID board would continue to be in existence. Uland explained that it gets a little complicated but there will be one board that can handle both BID's, while being careful to have representatives across the whole geography. Thus, the board will continue as a combined board.

Beecham then inquired whether there will be public meetings, and Uland stated that all of the DLA meetings are always open meetings.

There was no testimony in opposition.

**COMPREHENSIVE PLAN CONFORMANCE NO. 13012**  
**ACTION BY PLANNING COMMISSION:**

November 13, 2013

Beecham moved to approve a finding of conformance with the Comprehensive Plan, seconded by Hove.

Lust believes this is a great next step for the continued maintenance of what we have already established, and it is certainly in conformance with the Comprehensive Plan.

Motion carried 6-0: Cornelius, Hove, Corr, Scheer, Beecham and Lust voting 'yes'; Sunderman and Weber absent.

**COMPREHENSIVE PLAN CONFORMANCE NO. 13013**

**ACTION BY PLANNING COMMISSION:**

November 13, 2013

Cornelius moved to approve a finding of conformance with the Comprehensive Plan, seconded by Hove and carried 6-0: Cornelius, Hove, Corr, Scheer, Beecham and Lust voting 'yes'; Sunderman and Weber absent.

**COMPREHENSIVE PLAN CONFORMANCE NO. 13014**

**ACTION BY PLANNING COMMISSION:**

November 13, 2013

Hove moved to approve a finding of conformance with the Comprehensive Plan, seconded by Cornelius and carried 6-0: Cornelius, Hove, Corr, Scheer, Beecham and Lust voting 'yes'; Sunderman and Weber absent.

There being no further business, the meeting was adjourned at 1:20 p.m.

Please note: These minutes will not be formally approved until the next regular meeting of the Planning Commission on November 27, 2013.