MEETING RECORD

NAME OF GROUP:	PLANNING COMMISSION
DATE, TIME AND PLACE OF MEETING:	Wednesday, April 12, 2017, 1:05 p.m., Hearing Room 112 on the first floor of the County-City Building, 555 S. 10th Street, Lincoln, Nebraska
MEMBERS IN ATTENDANCE	Tom Beckius, Tracy Corr, Tracy Edgerton, Deane Finnegan, Maja Harris, Chris Hove, Dennis Scheer and Sandra Washington; (Ken Weber absent). David Cary, Steve Henrichsen, Brandon Garrett, Rachel Jones, Andrew Thierolf, George Wesselhoft, Brian Will, Geri Rorabaugh and Amy Huffman of the Planning Department; media and other interested citizens.
STATED PURPOSE OF MEETING:	Regular Planning Commission meeting

Chair Chris Hove called the meeting to order and acknowledged the posting of the Open Meetings Act in the room.

Hove requested a motion approving minutes for the regular meeting held March 29, 2017. Motion for approval made by Beckius, seconded by Finnegan and carried 8-0: Beckius, Corr, Edgerton, Finnegan, Harris, Scheer, Washington and Hove voting 'yes'; Weber absent.

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION: **April 12, 2017**

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

The Consent Agenda consisted of the following items: **COMPREHENSIVE PLAN NO. 17005, TEXT AMENDMENT NO. 17003, SPECIAL PERMIT NO. 494F,** and **STREET AND ALLEY VACATION NO. 17003**.

Corr disclosed that Text Amendment No. 17003 was presented during a Mayor's Neighborhood Roundtable meeting.

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

Note: This is **FINAL ACTION** on **COMPREHENSIVE PLAN CONFORMANCE NO. 17005** and **SPECIAL PERMIT NO. 494F** unless appealed to the City Clerk within 14 days. This is a recommendation to the City Council on all other items.

COMPREHENSIVE PLAN CONFORMANCE NO. 17006 - TO REVIEW AS TO CONFORMANCE AN AMENDMENT TO THE LINCOLN CENTER REDEVELOPMENT PLAN FOR THE NEW CITY CENTRE REDEVELOPMENT PROJECT.
PUBLIC HEARING BEFORE PLANNING COMMISSION: **April 12, 2017**

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

Staff recommendation: Conformance with the Comprehensive Plan

There were no ex parte communications disclosed.

Staff Presentation: **David Landis of Urban Development Department** stated the question before Commissioners today is whether this proposed amendment to the Lincoln Center Redevelopment Plan is consistent with the goals of the Comprehensive Plan. Staff finds that it is. A multiple-story building will replace the current Lincoln Journal Star Building, though the bank and garage located on the block will remain. Right now, the area is uninteresting from a pedestrian point of view. This project will add lots of activity. The proposal includes 100 underground parking stalls, 1st floor retail, more parking on 2nd floor, 3rd floor Class-A office space, and the upper floors will be market rate units.

This is a very large project at $92 million and will generate a considerable amount of TIF funds to be used for public enhancements. There is a significant amount of City right-of-way included in the area because the condition of the sewer is unknown. The developer is present at today's hearings and has early renderings of what the project could look like, though conversations about what the project will ultimately be are ongoing.

Harris asked what Class-A office is. Landis replied it is a term used among developers to indicate the highest quality. He does not know the specific criteria that make a space Class-A.

Proponents:

1. Tom Huston, 233 S. 13th Street, Suite 1900 appeared representing the applicant, Newman Development. They have a long history in mixed-use development around the nation. A preliminary rendering of a similar 10-story project was shown to give an idea of the mass of the building on the site. This site is a main traffic thoroughfare, is part of the P Street District, and will provide a link to the Haymarket. Those are the principle issues the architect is dealing with at this time. The building includes 35,000 square feet of retail on the 1st floor. Class-A office space is market defined and varies from city to city. This

building will include 88,000 square feet of the office space. The dwelling units will be single and 2-bedroom units. The rooftop may include an activity level, so the building will be almost 12 stories in height.

There was no public testimony on this item.

Landis came forward to clarify that the building is 11 stories. This will be one of the largest projects proposed in Lincoln. Assurity was around $55 million and the Veterans Campus around $100 million, but that is for the entire site and this is for a single building. It is positive for cities to build up and not out.

COMPREHENSIVE PLAN CONFORMANCE NO. 17006
ACTION BY PLANNING COMMISSION: **April 12, 2017**

Finnegan moved conformance with the Comprehensive Plan, seconded by Corr.

Beckius said this proposal has a significant impact in keeping downtown vibrant and it is consistent with the Comprehensive Plan. It is the right kind of project in the right place.

Scheer said this is a great continuation of the development occurring downtown. This is not an intrusion, but will fit in with the plan and approach that is currently being accomplished.

Edgerton noted the connection to what has already been accomplished in the Haymarket. This will draw people into the core of downtown. It is positive and exciting.

Corr said this project clearly aligns with the Comprehensive Plan.

Washington hopes this spurs a grocery location downtown. The more people living downtown, the better.

Finnegan said this is a positive project that will change the face of Lincoln.

Hove agreed this is an exciting project and he will support the motion.

Motion for conformance carried 8-0: Beckius, Corr, Edgerton, Finnegan, Harris, Scheer, Washington and Hove voting ‘yes’; Weber absent. This is a recommendation to the City Council.

Steve Henrichsen, Planning Department, came forward to ask that Use Permit No. 15002A be called before the text amendments listed on today’s agenda, as the applicants have kindly agreed to this change.

USE PERMIT NO. 15002A - TO ADD 120 DWELLING UNITS ON 12.23 ACRES, GENERALLY LOCATED AT NW 12TH STREET AND ISAAC DRIVE.
PUBLIC HEARING BEFORE PLANNING COMMISSION: **April 12, 2017**

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

Staff recommendation: Conditional Approval

There were no ex parte communications disclosed.

Staff Presentation: **Andrew Thierolf of the Planning Department** stated this is an application to expand the existing Highlands Apartments Use Permit. Currently approved are 120 units over roughly 5 acres. This would add 120 units on about 12 acres, for a total of 240 units on approximately 17 acres.

The site plan shows 2-story, 12-plex buildings with some attached parking. Apartments will be located on both the 1st and 2nd floors. The prior use permit had three existing waivers, including one for height up to 40 feet, a reduction in parking from 2 to 1.5 stalls, and an allowance for tandem parking. These proposed units have garages and a stall. Typically, that would not be allowed, but it was waived and those waiver approvals would carry over to this application as well.

The biggest item of concern is over the grading and drainage plan, as a lot of detention is required for this site. Watershed Management looked at this and more attention will be needed because the proposal would not meet detention needs. This could result in the loss of the southernmost building, but all of the comments are fixable.

Proponents:

1. Brad Marshall, Olsson Associates, 601 P Street, Ste. 200, appeared on behalf of the applicant. The market is different now. The proposal is for 12-plex buildings and the site plans are being worked out now. There could be nine or ten buildings, depending on detention needs. The requirements predate to 1994-1995 when owners came up with a plan to share detention. Now, the site facilitates detention for three different properties.

Washington asked if reducing the number of buildings will solve the problem. Marshall said yes. Scheer asked for more details about the detention strategy. Marshall said in the alternative layout, one unit is dropped from the site plan. The area to the south is the existing area put in as part of the two projects. They are working with the sellers to keep the detention in place and to move most of the project to the north end of the site. Beckius asked if this will necessitate off-site detention. Marshall said the details of any needs above and beyond are being worked on. That goes along with quality standards.

Corr asked if sidewalks will be included for connectivity. Marshal said there is access from public ways to the internal area. They will work with Planning on that.

Beckius said he assumes that although the buildings are of a different scale, that they will mirror the existing buildings. Marshall said that is correct.

There was no public testimony on this item.

USE PERMIT NO. 15002A
ACTION BY PLANNING COMMISSION: **April 12, 2017**

Corr moved conditional approval, seconded by Edgerton.

Hove stated this expansion makes sense and it sounds like all of the specific concerns are being addressed.

Motion for conditional approval carried 8-0: Beckius, Corr, Edgerton, Finnegan, Harris, Scheer, Washington and Hove voting 'yes'; Weber absent. This is FINAL ACTION unless appealed to the City Clerk within 14 days.

TEXT AMENDMENT NO. 16015 - TO AMEND THE LINCOLN MUNICIPAL CODE RELATING TO AIRPORT ZONING REGULATIONS TO MODIFY REQUIREMENTS FOR HEIGHT PERMITS.
PUBLIC HEARING BEFORE PLANNING COMMISSION: **April 12, 2017**

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

Staff recommendation: Approval

AND

COUNTY TEXT AMENDMENT NO. 16016 - TO AMEND ARTICLE 18 OF THE LANCASTER COUNTY ZONING REGULATIONS TO SPECIAL HEIGHT AND USE NEAR AIRPORTS TO MODIFY REQUIREMENTS FOR HEIGHT PERMITS.
PUBLIC HEARING BEFORE PLANNING COMMISSION: **April 12, 2017**

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

Staff recommendation: Approval

AND

TEXT AMENDMENT NO. 17004 - TO AMEND THE LINCOLN MUNICIPAL CODE RELATING TO AIRPORT ZONING REGULATIONS TO MODIFY REQUIREMENTS FOR HEIGHT PERMITS, AND ADDING A SECTION REGARDING FAA NOTICE.
PUBLIC HEARING BEFORE PLANNING COMMISSION: **April 12, 2017**

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

Staff recommendation: Denial

There were no ex parte communications disclosed on any of these applications.

Staff Presentation: **Rachel Jones of the Planning Department** explained that these amendments were drafted over a number of months with the help of representatives from the Airport Authority, Home Builders Association of Lincoln (HBAL), Planning Department, Building and Safety, and both the County and City Attorneys. There were many meetings and many compromises made. The first application is from HBAL and the second is the accompanying County application. In these versions, all revisions were agreed upon by everyone involved. Text Amendment No. 17004 was brought forward by the Airport Authority. Their version is the same except for an additional section added on FAA Section 77 requirements. Their proposal is not supported by HBAL or the City. That amendment does not have an accompanying County application because the Airport Authority determined one would not be necessary.

The two major goals of the text amendments were to reduce areas affected by airport overlay and to streamline the process for attaining height permits. One exhibit shows shaded areas representing land at higher elevations. That area has been reduced and property could be removed administratively by providing a certified grading plan. Right now, every building must have a height permit. The amendments would allow a blanket height permit to cover multiple structures, such as in a subdivision, so that could be significant financial savings that could be passed onto builders and owners. The amendments would exclude certain single and 2-family residential homes.

The FAA section proposed by the Airport Authority relates to Part 77 requirements that construction notification must be given within the vicinity of the airport. Every builder would have to use an online tool to determine if notice is required. If it is, they would have to submit their plans and the FAA would issue a letter stating whether the proposal would be hazardous to air navigation. A builder could meet all other local regulations, but would still be required to meet with the Airport Authority if the FAA determines the structure would affect airport approaches and departures. That would constitute a new inclusion into our local codes and into the building code process.

The City is not supportive of the changes proposed by the Airport Authority. It adds a new restriction in the building process and is burdensome to applicants. There are already many regulations and review processes to protect the airport. The airport is taken into consideration in the designation of future land use and the Airport Authority is routed on reviews for several types of applications. It is the opinion of the City that the Part 77 review should take place earlier in the process rather than at the time of applying for a building permit so the applicant has appropriate time to learn what the extra step is all about. A further objection of the City is that it will ultimately fall to City staff to answer questions about using the online tool and other steps. Building and Safety does not have the staff time to coordinate this effort and it would add to the already complex process. In looking at other City's in the central United States, no others had zoning regulations that went this far in terms of regulations that require an applicant to meet with an Airport Authority. It is not a requirement of the FAA to include the Part 77 notification in our local code.

The City has offered compromises but the Airport Authority has expressed that the compromises would not go far enough. We would be supportive of notifying applicants of the Part 77 requirements because certainly many people are not aware of them, but not in support of tying it into the local review process. Jones offered several options available throughout the review process where notification could occur earlier.

Harris asked if Planning Commission would have power over the notification process, other than to recommend the language change. Jones said Planning Commission would not act on steps occurring during the review process. Harris asked if any particular notification option was preferred. Jones said Staff would most likely accept any or all of the suggestions.

Washington asked if Planning would be willing to recommend all of the compromises as a package. Jones said that is a good question. In terms of voting, Planning Commission does not have say over particular text but, yes, all of the compromises would be acceptable.

Proponents/Opponents for All Proposed Text Amendments:

1. DaNay Kalkowski, Seacrest & Kalkowski, 1128 Lincoln Mall, Suite 105, came forward as spokesperson on behalf of HBAL and two developers within the vicinity of the airport. The HBAL group came together with builders, developers and engineers with the goal of working with the City and Airport Authority to amend the regulations to streamline the process and eliminate unnecessary costs, particularly for residential home construction. The amendments submitted by HBAL were agreed upon by all of the parties and no one got 100% of what they wanted, so there was a good deal of compromise. Part 77 is a federal regulation, so whether or not it is included in local code, builders have to comply with it. The regulation suggested by the Airport Authority goes too far in what it is asking people to do by making anyone within 20,000 feet fill out the online assessment at the point of getting a building permit. There are several options for the necessity of that step to be determined earlier in the process. Another issue is that the FAA notice is just that, simply

a notice. It provides no authority to come back and say a structure cannot be built. Basically, a developer or builder will have gone through the time and expense of the entire review process only to reach the Part 77 step when it is too late. We are supportive of the compromises proposed by Staff today.

Washington asked if HBAL would accept the Part 77 regulations at an earlier phase in the planning process. Kalkowski said that the developer will have to be looking at that as part of the planning phase and when considering marketability. Areas that require the FAA notices should be identifiable earlier in the process, maybe at the platting stage, and not one lot at a time.

Washington asked when in the process a building permit is granted. She noted that if a family buys a house from a developer, they may not know about these regulations. She wondered how a buyer would become educated. Kalkowski said that is a good question because homeowners are not always diligent about filing the proper records for projects. Even if it were part of a subdivision agreement, owners may not pay that much attention. It should be part of the due diligence of a buyer to get the restrictions for anything that could break the regulated height.

Harris asked whether they would still be opposed to tying the notification to the permit, even if it were earlier in the process, since the ordinance would require people to go through this process even if it were unnecessary. Kalkowski said this involves bringing a federal regulation into local zoning and they should be required to support that, not Building and Safety Department. Kalkowski indicated she is unsure whether there is a “blanket” notice available.

2. Bill Austin, Baylor and Evnen, 1248 O Street, appeared as legal representation for the Airport Authority. He noted that airport zoning has been in place since 1979 and with subsequent changes in state and federal regulations, the City of Lincoln has complied and passed ordinances that have proven quite effective in protecting the airport. In the current zoning code, height permits are required in areas within 7,700 feet of the runways, or in areas over 1,248 feet above sea level, within a certain proximity of the airport. These areas have required a permit regardless of whether the building is proposed at the 75-foot height or not. The purpose of this is to avoid breaking the 150-foot imaginary approach zone and to keep planes and passengers safe. Planning has suggested that a provision be added that if a structure is not over 50 feet, it should be allowed to waive the requirement for a height permit. The problem is that there are some areas where even a 50-foot structure would break the height limit due to elevation.

Compromises made by the Airport Authority include using the nearest runway elevation to determine what was included in the “shaded” area. That reduced the amount of land included by 45%. It was also agreed that sites could grade out of the area. Blanket permitting was also agreed to, as long as they are on file and can be closed with post-construction certification. That became a sticking point.

Throughout our meetings, we expressed concerns that people are unaware of Part 77. It is important knowledge because if the FAA identifies a hazard, it could change approach and departure to this airport, thus reducing its utility. We are sympathetic that the cost of permitting keeps rising; however, if a developer proposes to build in these zones, that is the extra cost, similar to choosing to build within a floodplain.

We were still in the process of reviewing the amendments when the HBAL application was filed. Our application was an attempt to continue the process. It was mentioned that it is inappropriate to include in a city ordinance since it is a federal regulation, but that is also how floodplains are managed. Building and Safety would not bear the costs of this process, which is a simple procedure. We are just asking for notification that the applicant has complied with a law that they should be complying with. We were not approached earlier with alternatives but would be happy to do this earlier in the review process. We would just like to know that at the time of building permit, it has been done. Mr. Austin concluded by giving examples of other communities with similar regulations, some even stricter than what the Airport Authority has proposed.

Beckius asked what action the Airport Authority would take if it were discovered during the review process that proposed structure would impede the approach zone. Austin said they would contact the builder and collaborate in the hopes of eliminating effects on the airport. We initially requested to be able to stop a project with too much impact. In the worst case, we could seek laws of eminent domain, but that would be extreme.

Hove said people could still build, but it could affect landing procedures, which affects the airport as a whole. Austin said that is correct. Including Part 77 at least ensures that people are complying, and it opens the potential for discussion.

3. Jon Large, Deputy Director - Engineering, Airport Board, stated one major area of concern is what future construction could do to airport approaches. Despite the City's substantial efforts to protect us, without review from an airspace perspective, we really cannot know the potential impact of a ground structure. The Part 77 evaluation done by the FAA is a complicated review that considers many technical aspects and contingencies. This kind of expertise is not available locally. The other concern is pilot and passenger safety. Without the notice and review, there is potential for an obstruction that the FAA is unaware of. Pilots rely on the safe procedures for approach issued by the FAA.

The information required for the evaluation--the latitude, longitude, elevation, and height of the structure and all of that information is readily available online. This information can be entered into the Airspace Analysis and there is a quick response as to whether a notice would be required because a structure penetrates various FAA surface levels. With the proper paperwork in place, we have no problem telling the Board of Zoning Appeals that there is no objection to a waiver in allowable height of a structure. The language proposed by the Airport Authority leaves the door open as to timing and a blanket review process.

Large concluded by noting that these text changes are meant to have a positive impact for the development community. The airport authority seeks to protect any degradation of their airspace and that cannot happen without a fair review.

Harris asked why their proposal does not include the blanket review. Large said he believes the FAA will still review structures individually, but there is a process where multiple structures can be submitted at one time. Austin added that their proposed language does not exclude that possibility. This is a competing application so they are willing to make amendments.

Harris asked about the language discrepancy between FAA Part 77 and the applicant's version. She wondered if that was intended to provide some buffer. Austin replied that their proposal would apply to Lincoln. If anyone, anywhere builds above 200 feet, they must file the 7460 Form. There are particular situations that would not apply in Lincoln, such as heliports and shorter runways. The rules are applied differently in various communities.

4. Bo Jones, Tru-Built Construction, came forward on behalf of HBAL to state that they appreciate efforts to reach compromise and to streamline processes. The addition of the FAA Part 77 would be very time consuming and would lead to additional cost to builders. When applying for a permit for Fallbrook, the need for the height permit was brought to our attention. The cost for that was $800. The online assessment tool asks for information that is not readily available and must be obtained by a surveyor, which slows the process and adds cost. By the time a builder is applying for a building permit, every other aspect of the review has been done. It is not productive to suddenly get a red flag when you are ready to build. There are already codes in place to forbid buildings taller than 35 feet so it seems reasonable to figure out a way to do a blanket process for an entire residential area. Lots can be on the market for years which means builders may have to learn the rules all over again.

5. Mike Eckert, Civil Design Group, appeared on behalf of one of his clients, Starostka-Lewis, who have another development west of Fallbrook. He agrees that notification should not be tied to the building permit, but should be done earlier, such as during the preliminary plat phase. Look at the grading, find the highest point, and submit that information, which is easy for a single lot. To go through the entire process of platting, grading and selling the lot, only to have a builder discover the need to meet this requirement does not makes sense. It is for these reasons that he supports the HBAL version of the proposed text amendments.

6. David Haring, Executive Director for the Lincoln Airport Authority, explained that the notice from the FAA can have four to five levels of results. The first two are "no impact" or "minor impact," which would mean that a structure just has to be lit. The next two results are more significant because they can reduce utility of the airport. The 5th level is when the airport has jurisdiction on airport property where structures can be removed. The core result is that any action cannot have a negative impact on approaches. As an example,

at another airport, a wind turbine pierced the air zone by 3 feet; this would have created a 200-foot adjustment in flight patterns, which would have made that airport non-weather worthy in the winter. If we catch obstacles early in the review process, we can find a solution. The airport is a community asset valued at $122 million and we continue to invest in that resource. The proposed text changes offered by HBAL have no foundation in protection of the airport, only in convenience for developers. We are happy to work with everyone, but impacts to approaches must be discussed first and the airspace must be the primary consideration. That is what this ordinance is about.

Washington asked if the Airport Authority is interested in working with applicants much earlier in the planning review process. Haring said the important thing is challenge of getting the teeth into the ordinance requiring the notification. That is one reason local governments are relied upon to carry out federal regulations. There should be a way to evaluate any worst-case scenarios and work on dealing with those situations. He is amenable to just about any solution that protects approaches. From his perspective, if there is a way to determine things on the front end of the process, then we have the opportunity to react to protect those approaches.

Washington asked at what point issues with a cell tower project came up. Large said it came up in 2015. Washington wondered if it came up during a permit to build or later. Large said the tower was submitted for FAA review in 2015 and he believes it went to Building and Safety in the last couple of months.

Staff Questions:

Washington asked why language from 2002 is now being taken out. Jones said the general idea is that the post-construction elevation certificate should not necessarily be required for every type of development. Washington asked if the change would impact commercial development. Jones said that every structure that requires the height permit would require the certificate after. One change is exempting single and 2-family homes from that requirement. That was agreed upon by everyone.

Hove said it seems like all parties are close to agreement on this. He wondered if it would make sense to defer the item so details can be further worked out.

Steve Henrichsen, Planning Department, said this has been a positive hearing. Staff was under the impression that the parties were farther apart than they are. He recommended that, since this is essentially one item, Planning Commission recommends approval to both versions, subject to the condition that the HBAL version add language that a developer would submit the Part 77 requirement very early in the process, and that the Airport Authority version make the same recommendation. The idea builds on the fact that the developer is in a better position during the application submission and review processes to work with staff and the Airport Authority to make it clear to the applicant whether

a proposal violates airspace or not. Staff agrees there is merit to that idea. There is time between now and a City Council hearing to work on language that would satisfy both parties.

Hove asked for confirmation that it is suggested that both version be recommended for approval. Henrichsen said that is correct. It would be best for this to continue to move forward because it could have an impact on development currently underway.

Scheer noted that it is a very different situation to require the Part 77 notification at that very specific building permit process versus asking a developer to address the issue during the planning process.

Harris asked if this means the developer would bear the costs. Henrichsen said the developer would submit the Part 77 and if it is learned that a proposal could change an approach, that would be an immediate red flag, which would be pertinent information before we would want to recommend approval.

Beckius asked what areas, jurisdictionally, are covered by the Part 77 requirements. Henrichsen said the area withing the 3-mile City limits are within that area of approach. That is why the Airport Authority's text amendment focuses on the city and does not offer the County counterpart.

Applicant Rebuttal:

Kalkowski said that this may get to the heart of what we were trying to express, with regard to Part 77, in that it is not a zoning ordinance because by the time you get to the point of seeking a building permit, all the zoning has been done. This is a protection for the airport, but the developer needs to know much earlier in the process so that there is authority to do something. In general, the direction this is heading seems appropriate and we could look into it, along with checking on the blanket permitting. The developer would have more resources to do these things.

Austin stated they agree to work with HBAL and Planning to come up with language that is satisfactory to all. We ask for the language to be more general to cover various possible changes and there may be some details to address, such as lots that would no longer need a CUP or splitting a lot.

TEXT AMENDMENT NO. 16015
ACTION BY PLANNING COMMISSION: **April 12, 2017**

Beckius moved approval, as amended by Staff, seconded by Washington.

Beckius said it is commendable that HBAL and the Airport Authority worked with the City to bring these amendments to the point that they are. He thanked everyone for working together. He hopes the can is not being kicked down the road and that the spirit of cooperation continues.

Harris said today the focus was on differences, but it is clear there is a lot of agreement here. The result makes good, common sense and cuts through "red tape". This was a good team effort and today it culminated in even more cooperation.

Hove supports these changes and is encouraged by the movement made today. Everyone has the same goal to streamline things, while making sure the public and passengers are safe.

Motion for approval carried 8-0: Beckius, Corr, Edgerton, Finnegan, Harris, Hove, Scheer, Washington and Hove voting 'yes'; Weber absent. This is a recommendation to the City Council.

COUNTY TEXT AMENDMENT NO. 16016
ACTION BY PLANNING COMMISSION: **April 12, 2017**

Edgerton moved approval, seconded by Beckius and carried 8-0: Beckius, Corr, Edgerton, Finnegan, Harris, Hove, Scheer, Washington and Hove voting 'yes'; Weber absent. This is a recommendation to the County Board.

TEXT AMENDMENT NO. 17004
ACTION BY PLANNING COMMISSION: **April 12, 2017**

Washington moved approval, as amended by Staff, seconded by Finnegan and carried 8-0: Beckius, Corr, Edgerton, Finnegan, Harris, Hove, Scheer, Washington and Hove voting 'yes'; Weber absent. This is a recommendation to the City Council.

There being no further business to come before the Commission, the meeting was adjourned at 3:25 p.m.

Note: These minutes will not be formally approved by the Planning Commission until their next regular meeting on Wednesday, April 26, 2017.