

PLANNING COMMISSION RECORD
Briefing Session

NAME OF GROUP: PLANNING COMMISSION

DATE, TIME AND PLACE OF MEETING: Wednesday, January 5, 2005, 12:00 Noon, Room 113, First Floor, County-City Building, 555 S. 10th Street, Lincoln, Nebraska

MEMBERS IN ATTENDANCE: Jon Carlson, Gerry Krieser, Dan Marvin, Mary Bills-Strand and Lynn Sunderman; (Gene Carroll, Roger Larson, Melinda Pearson and Tommy Taylor absent). Marvin Krout, Ray Hill, Tom Cajka and Teresa McKinstry of the Planning Dept.

STATED PURPOSE Staff briefing on the **Proposed Amendments to the Subdivision Ordinance**

Tom Cajka provided the Commissioners with a copy of the proposed amendments. The proposed changes were distributed to various city staff for comments. Parks Dept. is the only department that has provided comments so far.

Some definitions are being changed. Mr. Cajka reviewed the proposed definitions.

Carlson inquired about the definition of major street. Ray Hill replied that the intent is to refer back to the Comprehensive Plan. Those streets that are shown in the Comprehensive Plan other than local streets, are going to be called major streets.

Mr. Cajka stated regarding requisites for final plat approval, a new proposal states that a cash contribution can be made to the city for sidewalks and street trees. The city will then pay for the construction of the sidewalk and installation of street trees and the developer is out of the equation.

Marvin wondered if the funds paid will be used for the sidewalk in that project, or will it be used for another part of town. Mr. Hill replied that it is staff's intention that the contribution will be specifically used for the sidewalk for which it is intended.

Marvin Krout believes this has already been done on an ad hoc situation. This will further strengthen the fund. Staff will talk to the City Attorney's office about the specifics and get back to the Commission.

Marvin inquired who calculates the cost. Mr. Krout replied that it becomes the city's responsibility no matter what the cost at the time of construction. It makes much more sense to construct the sidewalk and street trees at the same time as the construction of the street.

Bills-Strand wondered whose responsibility it would be to fix the sidewalk if it is already installed and the developer tears it up while grading their lots. Staff believes it would be the responsibility of the developer to fix it.

Marvin wondered why street trees must be installed by a certified landscape contractor. Mr. Krout replied that staff can check with Parks Dept. on how strong their feeling is on someone being certified. Marvin feel that this excludes a portion of the landscapers. Mr. Krout explained that as he understands it, the actual certification is that the Parks Dept. wants to make sure that people doing the planting will go through a program that they conduct on the proper way to do it. Staff will contact Parks Dept. and make sure they are prepared to answer this question.

Mr. Cajka noted that there are many clean-up items in the proposed amendments. Some requirements have been changed for double frontage lots. Improvements have been addressed.

Mr. Hill stated that in earlier meetings to discuss these proposed changes, homeowners associations were concerned that an association couldn't be created at an early point. This does not prevent the creation of a homeowners association. The maintenance of improvements cannot be turned over to an association until they have been installed correctly.

The meeting was adjourned at 12:50 p.m.

Respectfully submitted,

Teresa McKinstry
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Planning Department