MEETING RECORD

NAME OF GROUP:	PLANNING COMMISSION
DATE, TIME AND PLACE OF MEETING:	Wednesday, August 16, 2006, 11:00 a.m., Rm. 113, County/City Building, 555 S. 10th Street, Lincoln, Nebraska
MEMBERS IN ATTENDANCE:	Gene Carroll, Jon Carlson, Michael Cornelius, Dick Esseks, Roger Larson, Lynn Sunderman and Tommy Taylor. Gerry Krieser and Mary Strand absent.
OTHERS IN ATTENDANCE:	Karl Fredrickson, Randy Hoskins, Virendra Singh, Mike Brienzo, Roger Ohlrich and Scott Cockrill of Public Works & Utilities; Brian Praeuner of StarTran; Marvin Krout, Mike DeKalb, David Cary, Sara Hartzell and Michele Abendroth of the Planning Department.
STATED PURPOSE OF MEETING:	**Long Range Transportation and Comp Plan Text Workshop**

The meeting was called to order at 11:00 a.m.

Singh began by stating that the meeting will focus on the Mobility and Transportation chapter of the Comprehensive Plan. Discussion began with the Existing Conditions of this chapter.

Esseks asked if it would be appropriate to have a summary of the work and what has been implemented from the StarTran citizen task force under the StarTran section. The reference to this group's work has been proposed for deletion. Singh noted that he would discuss that request with StarTran staff.

Esseks asked about updating the number of parking stalls downtown as well as the number of trail miles. Singh stated that staff would review these numbers.

Cornelius clarified the language in the Bicycle Facilities section in that *riding* bicycles on sidewalks in some commercial areas is not allowed.

The Future Conditions of the Mobility and Transportation section was discussed next.

Carlson asked about the term 'under-utilized' in reference to the bullet, "Increasing the use of under-utilized means of transportation". Commissioners agreed to keep the wording as proposed.

Hoskins noted that the new legislation of the Safe, Accountable, Flexible, and Efficient Transportation Equity Act (SAFETEA) was added.

Singh noted that one of the key elements of the Pedestrian section is the ADA compliance. Hoskins noted that one of the changes is the pedestrian aspect of multi-use trails.

Esseks asked if a reference to the sidewalk repair program could be made. He believes there should be an inventory made and a system for repair established. Hoskins stated that the compliance program looks at the standards and is a general policy of how we look at the needs of the community in terms of ADA compliance. Carroll stated there should be a priority order for the repairs. Carlson noted that there is text regarding these issues in the Pedestrian Standards section. Esseks suggested adding a phrase to the text as such, "Develop a dedicated funding mechanism and prioritization process for implementing *repairs and* improvements."

Esseks suggested adding text to the bullets in the Multi-Use Trails and Bicycle Facilities section as well as the Multi-Use Trails and Bicycle Facilities Standards for Developing Areas section, as such, "Provide cyclists safe, direct, and convenient access to all destinations served by the Lincoln area streets and roads network *and provide bike racks for commuters and shoppers*."

In the Public Transportation section, it was decided to change the term "brokerage service" to "contracted transportation services".

Hoskins noted the references to the Transit Development Plan and that the policies and changes from this study will be amended into the Plan at a later date.

In the Future Streets and Road Network, Hoskins noted the addition of the reference to managing and controlling access to arterial streets is very important. He also noted the addition of a paragraph referring to collector streets. Staff has been working toward making movement through neighborhoods less difficult. Carlson asked if a reference to the ½ mile intersections should be made. Larson noted that it can be difficult to find your way through some of the new neighborhoods. He believes there should be one east-west and one north-south continuous street which goes through the development. Commissioners asked staff to revise the paragraph to reflect these concerns.

Esseks feels that a reference to the older neighborhoods should be made in the Two Plus Center Turn Lane Program and suggested changing the sentence in the first paragraph, in part, as follows, "while preserving the character and viability of the *established neighborhoods and other components of the* built environment."

A short recess was taken at 12:06 p.m., reconvening at 12:17 p.m.

Esseks pointed out the 48th and Fremont area is proposed for 4 lanes plus turn lanes. He noted that there are homes along this street and asked how this would be resolved. He believes that if we are really serious about protecting the neighborhoods, we need to make exceptions. Carroll noted that although it is important to protect the residential areas, he believes the four lane street should continue north in this area, as it does not make sense to have a small segment of two lanes. He also believes there is enough setback that the houses will not be lost. Esseks believes that a compromise would be a qualification statement noting there are four blocks of residential housing along this street, and they regret any damage of any property values and lifestyle. However, since it is such a small segment, an exception has to be made. Carroll asked if we are going to be specific about every road. Esseks stating that he accepts the justification for the four lanes, but he would like a statement made so that it cannot be used as precedence in the future. Larson stated

that he believes this street needs to be four lanes up to Cornhusker and into Superior. Carlson disagrees as he believes people will adjust their speed in this area.

Carlson moved to change the draft to reflect that 48th Street between Fremont and Greenwood be changed from 4+1 to 2+1, seconded by Esseks. Carroll believes this is wrong because it creates a bottleneck and it creates a safety issue for the neighborhood. Motion failed 3-4. Carroll, Larson, Sunderman, and Taylor voting 'no'; Carlson, Cornelius and Esseks voting 'yes'. Krieser and Strand absent.

Esseks moved the addition of a statement as such, "The Commission notes that there is housing on both sides and regrets the negative effect that this widening may have, but concludes this relatively short segment needs to be widened since there are 4 lanes both north and south." There was no opposition to this addition.

In the Financial Analysis section, Larson asked if we would be able to complete all projects through 2030 if the $140 million sales bond were passed. Hoskins stated that it would, assuming the additional tax increases are approved as well. Sunderman suggested clarifying the language on the potential revenue sources, as follows, in part, "These options involve a number of additional revenue sources potentially including *proposed state* gas and *City* sales tax increases".

Hoskins noted that the Intelligent Transportation System section was changed to reflect the updated study and projects.

In the Urban Street Network Standards section, Hoskins noted that this section was changed to reaffirm the commitment to looking at streets differently between new areas and the built environment.

Carlson asked if a reference should be made to the traffic model, as follows: "Priority should be given to real time measurements over model estimates." He agrees that we should use new technology, but he does not want to rely solely on the model. Hoskins stated that he is fine with that addition, as they always take measurable conditions over the model estimates.

In the Railroads section, Carlson requested that a sentence be added to explore other uses for the railroad tracks, specifically light rail.

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

Respectfully submitted,

Michele Abendroth
Planning Department

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MEETING RECORD

NAME OF GROUP:	PLANNING COMMISSION
DATE, TIME AND PLACE OF MEETING:	Wednesday, August 16, 2006, 2:30 p.m., City Council Chambers, First Floor, County-City Building, 555 S. 10th Street, Lincoln, Nebraska
MEMBERS IN ATTENDANCE:	Jon Carlson, Gene Carroll, Michael Cornelius, Dick Esseks, Roger Larson, Mary Strand, Lynn Sunderman and Tommy Taylor (Gerry Krieser absent); Marvin Krout, Steve Henrichsen and Teresa McKinstry of the Planning Department; Rick Peo of the City Attorney's office; and other interested citizens.
STATED PURPOSE OF MEETING:	Downzone Committee

Steve Henrichsen stated that the main purpose of this text amendment is to address some concerns expressed about downzoning and nonstandard uses. Downzoning may mean that some homes are now on lots that have a nonstandard lot area, lot width or setbacks. The zoning ordinance contains provisions to allow nonstandard lots to have single family or two family homes rebuilt on them, even if they are nonstandard. This proposal would revise the standards to allow existing homes to be rebuilt or vacant lots to be rebuilt with a single family home and eliminate the category nonstandard.

The first part would remove nonstandard from existing single family and two family residences. This would amend the height and area regulations in R-1, R-2 and R-3 zoning districts. When an existing lot has a single family or two family dwelling on it and has less lot area or width or both, it shall not be considered nonstandard.

This would also permit an existing two family dwelling with less than the required ten foot side yard setback in the R-2 district to be enlarged, extended or rebuilt as long as the minimum five foot side yard setback is provided. An existing two family dwelling with at least a five foot side yard setback would not be considered nonstandard. If you are supposed to have a five foot setback, this doesn't fix that. If you already have a special permit, it allows you to rebuild if it burns down to the ground.

Esseks questioned if someone has turned their house into a duplex, if it burns down to the ground, can they rebuild if they keep the same setbacks? Henrichsen replied that part of this amendment talks about lot area and if you have a minimum five foot side yard setback, that you are not considered nonstandard. This is trying to allow the duplexes that already existed to remain legal.

Esseks believes this reduces the risk of downzoning. Henrichsen stated that neighborhoods have stated they are not trying to get rid of duplexes, they are trying to make the neighborhoods more livable.

Carroll stated the front yard setback must still be followed which is a special permit process. Henrichsen replied he was correct. There is already a provision today for people with nonstandard setbacks. These people would have to go through the special permit route to get rebuilt. This is one provision for single family and two family.

Henrichsen further stated that multi family was looked at. In R-1, R-2, R-3 and R-4 uses made nonstandard through a downzoning or if destroyed, could rebuild the number of licensed units they had at the time the use was destroyed. Multi family built before 1978 could already be grandfathered in. This would state that all multi family dwellings licensed at the time of this change would become nonstandard, not just those built before 1978.

Carroll questioned if these have to be rebuilt with the special permit process. Marvin Krout replied they can rebuild if they meet the setbacks. If they don't, they can go through the special permit process.

Esseks believes this would only apply to buildings with three units or more. Henrichsen replied he was correct. Three units or more is considered multi family.

Carlson believes he has apartments that are affected by this. He has confidence that he could rebuild given these requirements.

Carlson believes that buildings with more units are taller, have more air conditioning units, need more parking and create more noise. Henrichsen stated that staff cannot find a special permit in the last five years in this category that has been turned down.

Henrichsen noted that in the text, staff is looking at a provision regarding two lots that are not owned in common. If someone had two vacant lots, it could be considered as one premise. You could put the lots together. If a house was built on one and the other lot was sold, the opinion has been that one lot could be sold off as long as the lot wasn't being used as setbacks. It did not clarify vacant lot or occupied lot. This is trying to put in the code what the current interpretation is.

Rick Peo stated the idea was if you owned two lots side by side, together they created one legal lot. Staff tries to make a distinction that these can create separate lots if you so desire, but they can be combined to create one lot.

Henrichsen stated these text amendments will comprise numerous pages. This will affect all of the residential zoning districts.

Peo stated the provisions for nonconforming have been tailored to make it pretty easy for someone to rebuild. The State Legislature said we can adopt ordinances to get rid of nonstandards. We continue to follow the direction the city has always had. In some of the older areas, it is best to keep housing available.

Henrichsen stated that this will help clarify what is nonstandard.

Larson wondered if R-4 zoning will be eliminated. Henrichsen stated that there will be some. The Woods Park downzoning application will be coming forward along with another neighborhood downzoning application. The neighborhoods will be doing neighborhood meetings and notification.

Larson noted it seems to him that R-4 was in the center of the city and now it seems it is being pushed to the outer areas of the city.

Esseks pointed out that some communities have a political culture of fairness. You are giving the owners of two units added protection.

Henrichsen stated that we aren't trying to eliminate two family, three family and multi family in the neighborhoods. The Neighborhood Roundtable expressed their opinion that this was much more fair. This will appear before Planning Commission on September 13, 2006.

The meeting concluded at 2:50 p.m.

Respectfully submitted,

Teresa McKinstry
Planning Department

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