

## MINUTES

### PRE-COUNCIL MEETING

Monday, July 14, 2008

10:15 a.m.

Conference Room #113

## Downtown/Antelope Valley Design Standards

**Members present:** Jon Camp, Doug Emery, Robin Eschliman, Dan Marvin, John Spatz and Ken Svoboda

**Others present:** Kent Seacrest of Seacrest and Kalkowski Law Firm; Terry Uland of Downtown Lincoln Association; Kyle Fischer of the Chamber of Commerce; John Hendry of the Law Department; David Landis, Dallas McGee and Wynn Hjermsstad of the Urban Development Department; Steve Henrichsen, Ed Zimmer and Michele Abendroth of the Planning Department; media and other interested parties.

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The meeting was called to order at 10:18 a.m. The Nebraska Open Meetings Act was acknowledged.

David Landis began by stating that action on the Downtown/Antelope Valley Design Standards will take place in 6-8 weeks. The majority of the public input process has taken place already.

The proposals are generally public but there will be some private proposals as well. The public portions include text amendments to the B-4 zoning district as well as map changes. The private form is the Assurity project at 20<sup>th</sup> and R Streets as well as other projects.

The public process began with the 2005 Downtown Master Plan which included a set of design standards. It failed to get traction at that time as the standards were qualitative which are more subjective. They quickly learned that more quantitative standards with a checklist would get more support. There were six public meetings with neighborhoods and property owners. They also met with Downtown Lincoln Association, the Chamber of Commerce and the Lincoln Independent Business Association. They received many suggestions and they were able to incorporate many of the suggestions.

Landis noted that there were many questions including whether or not there is a grandfather clause, which there is. Other concerns were related to parking.

The main reason for the standards is to attract private investors. We also want to track the record in other communities. Many of the cities have development plans and design standards. The Haymarket District is an area of successful use of design standards. It has an identity to itself and the standards have added to its attractiveness. Neighborhood Design Standards have also been implemented in Lincoln. They have been a success and have helped to shape the community in a positive way.

Ed Zimmer then reviewed what will be before the Planning Commission on Wednesday, July 16. They envision this closely paralleling the Neighborhood Design Standards in that it will be a

review during the building permit process. The areas being addressed in the Downtown/ Antelope Valley Design Standards are building materials which are specifically defined, simple and objective. Parking is also reviewed particularly where it is positioned on a site. Drive thrus are also addressed in how it relates to the pedestrian. Rooflines, windows and entrances are also addressed.

The appeal process is clearly defined. The first appeal would be to the Planning Director who could approve a project based on the fact that it meets the intent of the standards. Neighbors within 200 feet would also be notified. If a project is denied by the Planning Director, the next step would be an appeal to the body that has jurisdiction of the area, namely Urban Design Committee, the Capitol Environs Commission or Historic Preservation Commission. The final appeal would be to the City Council.

Zimmer then reviewed the B-4 zoning changes. The key changes are in prohibiting some of the uses. In the area east of 17<sup>th</sup> Street, primarily for the Antelope Valley area, certain uses would be prohibited such as auto body repair, car washes and vehicle sales. Staff is proposing a minimum height of 20 feet with a maximum height in a few areas being revised. The parking requirement in Antelope Valley has been revised to allow parking to be provided within 300 feet rather than requiring it all to be on-site. There is still no required parking in Downtown or between N and P Street in Antelope Valley. In Antelope Valley, the parking requirement for restaurants has changed from 1 space per 300 square feet to 1 space per 600 square feet. Text has been added to identify that all new Downtown Design Standards apply to all property zoned B-4 and O-1. Finally, staff is proposing map changes to several properties in the zoning district.

In response to a question regarding the use of planned unit developments (PUDs), Zimmer stated that staff is proposing the use of standards and not PUDs.

Svoboda asked if Assurity supports these standards. Landis stated that they support the standards. Svoboda then asked if Downtown Lincoln Association's concerns have been addressed. Zimmer stated that staff has tried to address many of their concerns and has worked very closely with DLA.

Camp asked about the parking requirement. Zimmer stated that there has been a lot of discussion about parking. Staff believes this to be a conservative proposal that essentially keeps in place what is already there. Landis added that they want to use the right-of-way in a proactive way that uses dense parking in a positive way. Camp stated that he hopes developers want to provide on-site parking.

Emery asked if there is a concern that the standards will put an area at a disadvantage in terms of attracting developers. Zimmer stated that many developers have stated and experience has shown that design standards are an advantage as developers know what will happen next to them. Emery questioned the appeal process in overriding a body which has already made a decision. Zimmer stated that past experience has shown that similar appeal processes have been very effective.

Spatz stated that he will evaluate this item on whether the process is fair and that the public was heard. He asked if we are creating an identity with these standards. Landis stated that we are not creating an identity, but more of a feel.

Marvin asked if the 21<sup>st</sup> & K Street project is in the design area. Zimmer stated that it is outside the area.

The meeting was adjourned at 11:02 a.m.

Respectfully submitted,

Michele Abendroth  
Planning Department

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