BRIEFING NOTES

NAME OF GROUP:	PLANNING COMMISSION
DATE, TIME AND PLACE OF MEETING:	Wednesday, June 16, 2010, 12:00 noon, Room 113, First Floor, County-City Building, 555 S. 10th Street, Lincoln, Nebraska
MEMBERS IN ATTENDANCE:	Leirion Gaylor Baird, Michael Cornelius, Dick Esseks, Wendy Francis, Roger Larson, Jeanelle Lust, Jim Partington, Lynn Sunderman and Tommy Taylor. Marvin Krout, Steve Henrichsen, Mike DeKalb, Christy Eichorn, Brandon Garrett, Jean Preister and Teresa McKinstry of the Planning Department.
STATED PURPOSE OF MEETING:	Future Educational Briefings

Vice-Chair Michael Cornelius called the meeting to order and noted that Chair Lynn Sunderman will be arriving a little late.

Marvin Krout stated that one concern was how the Planning Commission receives information or sometimes not enough information. He would like input from the Commission. There will be a lot more long range discussions in the coming weeks. Some of the questions can probably be addressed. On the development review side, he can understand how the Commissioners would want more information. Other staff can be brought in to speak. Staff is in the process of developing what we refer to as use groups. It is a major overhaul of the zoning ordinance. It might be useful to have a set of discussions about the zoning ordinance.

Cornelius questioned if the other Commissioners were comfortable on having a workshop after a Planning Commission meeting.

Larson questioned if those would be public meetings. Cornelius replied in the affirmative.

Larson wondered about the length of the meetings. Lust suggested no longer than one and a half hours.

Esseks would like to have briefings which anticipate difficult applications. Krout stated that the only difficulty he sees is when there is a larger issue. It is sometimes impossible to untangle the issues. A pre-Commission briefing might not be in a manner which would be totally fair to the rest of the community. It's not always possible to anticipate difficult discussions.

Cornelius noted that it is in the authority of the Planning Commission to defer an item for a few weeks. If the Commission feels that more information is needed, he believes a continuation is more than appropriate.

Lust stated that one thing that concerns her is once an item is discussed between Commissioners via email, the Open Meetings Act is at question. She doesn't want to defer everything because Commissioners can't email staff anymore.

Krout stated that generally it is better to answer those questions in advance and he has no problem with staff answering questions and the email being distributed to all Commissioners. When a further discussion happens, that is when it gets questionable.

Gaylor Baird likes to let staff know about her concerns and questions so they can be prepared. Singling out applications for a briefing might make them more controversial. When an applicant tries to amend something at a meeting that staff and Commissioners have not seen yet, she would like to have time to review all the information.

Cornelius agreed. He has felt that also. Some applications can have fairly complicated motions to amend. He thinks it would be very appropriate to continue an application for two weeks.

Gaylor Baird would encourage staff to ask Commissioners for a delay of two weeks if they feel they need more information.

Larson wishes that there was a statement of purpose added to the staff report. He would like a clearer understanding of the end purpose of the application.

Gaylor Baird agreed.

Esseks sees consistency as very important. This Commission doesn't seem to be too concerned with legal issues. He questioned if legal challenges are a moot point.

Krout believes courts in Nebraska tend to lean more towards burden of proof which is on whoever is challenging the decision.

Cornelius believes the system works pretty well as it is. Commissioners should defer more items if we feel we need more information.

Partington would like to see more of an explanation of why the staff is giving a certain recommendation.

Lust would like to know the breadth of the zoning ordinance project. She wonders about dealing with it at the same time as the Comprehensive Plan. Krout replied that he doesn't see this as an either/or situation. He thinks it would be a good idea to give the Commissioners more information of how the zoning ordinance is structured.

Francis noted that the ultimate goal is to make the ordinance more streamlined and user friendly.

Sunderman stated that there are a lot of special permit types now. He questioned if a revamp would make it easier for Building and Safety to enforce. Krout replied that is part of the reason he has wanted to update the zoning code.

Sunderman wondered if this will have any impact on applications going through the process. Krout replied that most applications should be grandfathered in. It depends on how the ordinance is written.

Taylor thinks it might be a good idea to have a small glossary created that explains all the planning acronyms. Lust would like to see acronyms not used at all.

Krout stated that about two years ago, staff agreed that it might be better to have staff make a presentation at the beginning of the item and then have the applicant speak. Overall, he thinks it has worked. To go back to having the applicant presentation first would mean the Planning Commission would have to amend their bylaws again.

Lust explained that it was suggested to her that staff was pushing their opinion before the applicant had a chance to explain their application. She is not necessarily keen on the idea.

Sunderman stated that the tough part on having staff appear first is the technical side. We have applicants that might not be as experienced as others and he believes that having staff explain the facts first is more fair to them.

Taylor likes the way it is now with staff appearing first. He thinks we should wait on the questions until the applicant has appeared.

Gaylor Baird would like to see general guidelines on types of questions and who to ask. Lust wondered if the Commission should not ask questions during the staff presentation but wait until the staff questions part of the hearing.

Cornelius is not partial to a ban on asking any questions, although he would suggest that Commissioners wait to ask questions until after the applicant has made their presentation.

The briefing was adjourned at 12:55 p.m.