

BRIEFING NOTES

NAME OF GROUP: PLANNING COMMISSION

DATE, TIME AND PLACE OF MEETING: Wednesday, June 25, 2014, 2:15 p.m., Bill Luxford Studio Room 113, County-City Building, 555 South 10th Street, Lincoln, Nebraska.

MEMBERS IN ATTENDANCE: Cathy Beecham, Michael Cornelius, Maja V. Harris, Chris Hove, Dennis Scheer, Lynn Sunderman and Ken Weber (Tracy Corr and Jeanelle Lust absent); Marvin Krout, Steve Henrichsen, and Jean Preister of the Planning Department; DaNay Kalkowski of Seacrest & Kalkowski and Mike Eckert of Civil Design Group; media and other interested citizens.

STATED PURPOSE OF MEETING: Post-meeting briefing for further discussion on **“Pedestrian Connections and Block Length”**

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

Steve Henrichsen of Planning staff introduced DaNay Kalkowski and Mike Eckert, who attended to provide feedback on the staff proposal.

Henrichsen explained that the staff previously gave a presentation about pedestrian circulation and block length. After meeting with the Planning Commission and members of the development community, the proposal has been revised (as attached).

Due to there not being unanimous approval of the development community, Henrichsen advised that the proposal to change the block length requirement to 1100 feet will not be brought forward by staff. What was found is that with a much better method of measuring, it will reduce the problems with block length. Henrichsen then referred to page 8 of the handout which sets forth the proposal to “Provide a new ‘Connector Street’ standard to help reduce block lengths in residential areas.” This will provide a better tool for developers to use to make the block less than 1400 feet. The staff has removed the part of the proposal that was previously controversial. The actual proposal is on page 6, which would leave the block length at 1320 feet, noting a couple more exceptions, and keeping the block length at 1,000 feet in older neighborhoods, with a waiver process still in place.

Henrichsen then reviewed the remainder of the attached proposal, indicating that the staff would like to hear the thoughts of the Planning Commission and whether to proceed with a formal request to public hearing before the Planning Commission.

The proposed changes to the design standards are on page 8.

Mike Eckert of Civil Design Group stated that he has been working on the block length issue and conferred with developers for the last four months. The developers are very happy with the decision to retain the 1320 feet, and they are also very happy to have a clear definition of the measurement. He stated that the connector street issue is also appreciated by the developers. He appreciates the work Henrichsen has done with Public Works on the design standards. His constituents can fully support the proposal as set forth today.

DaNay Kalkowski of Seacrest & Kalkowski expressed her appreciation for the opportunity to review this and give feedback. The definition for calculation is very much appreciated. Also, with the pedestrian easement being a little wider, it will be a lot more functional and we are already seeing developers supporting that. She suggested that probably 95% of the developments will have an association, and most of those would have responsibility for maintaining the sidewalks in their association, so more green space along the side is not that big of a deal and it makes a good amenity.

Kalkowski indicated that the only concern she and her constituents had was the reduction of the block length, so leaving it alone is acceptable. When you look at the older and new developments with respect to block length, there have been a lot of things that have happened that impact laying out the development of the site, including detention ponds, which could have an impact on block length. We now have minimum flood corridors, stormwater quality standards, and much more emphasis on designing the development to keep in character with the landscape. All of those contribute to the need for some flexibility on the block length. Reducing the block length would take away a lot of that flexibility. She is fully supportive of retaining the 1320 block length.

Beecham inquired about the issues in handling the pedestrian easement in an outlot if there is no association created. Henrichsen advised that most of the associations created in the last 30-40 years are still there. The adjacent neighbors started taking over the property on one where the association was no longer active. The city staff has been discussing better language for the agreement creating an association to help explain how the city can actually restart the association to maintain the common open space. Kalkowski noted that there is normally language in the covenants creating the associations. Henrichsen further pointed out that if the association is allowed to dissolve, it does not mean the responsibility to maintain the outlot goes away. The responsibility is then left to the individual lot owners. The Law Department is working on some stronger language to improve the situation and allow the city to assess for maintenance or recreate the association.

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Cornelius assumes that it is reasonable to expect that the Planning Commission will see less waivers of block length once this language is adopted and incorporated into the ordinance. Henrichsen believes that this proposal builds in a lot of exceptions that will make a big difference.

Eckert commented that it will depend on the circumstances. He believes that staff is going to require a pretty compelling reason to allow a waiver request.

Cornelius stated that he also appreciates the change in the pedestrian easement language.

With regard to the next steps, Henrichsen stated that the proposal will be put into legislative format and sent to the development community for further review and then scheduled on the Planning Commission agenda for public hearing, possibly in August or September of this year.

The Commission agreed with this general direction.

Marvin Krout, Director of Planning, then discussed some upcoming workshops including a reFORM update on July 9th, with the goal to meet with individual property owners in September or October on the proposed changes of zone resulting from the reFORM effort.

Briefings on multi-family apartments and developments as well as the South Haymarket Neighborhood Plan will also be scheduled in the near future.

Meeting adjourned at 3:15 p.m.

Pedestrian Circulation and Block Length Project

Current Subdivision & Zoning Requirements Relating to Pedestrian Easements & Block Length

26.23.040 Street and Other Public Way Widths.

(b) The minimum right-of-way widths shall be as follows:

Classification	Width
Local streets: Residential	60 feet
Pedestrian ways	5-foot easement for the sidewalk

26.23.080 Dead-end Streets.

All permanent dead-end streets shall have a sixty foot minimum radius turnaround, except the turnaround may be modified when the dead-end street is a continuation of a temporary dead-end street and access to the street is not desirable and is not required for the lots in the proposed subdivision. Dead-end streets shall not have more than a potential of forty dwelling units nor be longer than 1,000 feet as measured from the centerline of the intersected street on a direct line to the farthest point of the cul-de-sac. (Ord. 13956 §18; September 17, 1984; prior Ord. 13157 §48; June 29, 1981; Ord. 11370 §1; May 19, 1975).

26.23.125 Pedestrian Way.

A pedestrian way shall be required when a block exceeds 1,000 feet in length and where needed for pedestrian traffic. (Ord. 11370 §1; May 19, 1975).

26.23.130 Block Sizes.

(a) Block lengths shall not exceed 1,320 feet between cross-streets except where a major street, other man-made barrier, lake, or other natural barrier forms one boundary of a block.

(b) At the sole determination of the city, the 1,320 feet maximum block length may be increased if substantially different zoning or land use forms one boundary of the block. (Ord. 13157 §54; June 29, 1981; prior Ord. 11370 §1; May 19, 1975).

26.23.140 Lot.

(h) Residential lots proposed to be made servient to pedestrian way easements and adjacent residential lots shall be of sufficient width to provide the additional required setback between the residence and the pedestrian way, plus the five foot wide pedestrian way easement.

27.72.180 Additional Exceptions to the General Requirements.

(c) **Minimum Separation Between Buildings and Pedestrian Way Easement.** The minimum separation between a building and a pedestrian way easement shall be ten feet.

PROPOSED REVISIONS

1. **Increase the “effective area” of a pedestrian easement from 5 feet to 15 feet to provide more space between the sidewalk and any fence or building.**
 - a. The sidewalk will remain at 4 feet wide, but the easement required in Section **26.23.040** (b) is increased from 5 to 15 feet.

PROPOSED TEXT

26.23.040 Street and Other Public Way Widths.	
(b) The minimum right-of-way widths shall be as follows:	
Classification	Width
Pedestrian ways	<u>15</u> 5-foot easement for the sidewalk

- b. Since the easement is 5 feet wider on either side of the sidewalk, then the setback to any building in Section **27.72.180** (c) may be reduced from 10 to 5 feet.
- c. Add to Section **27.72.180** (c) a prohibition against fences within a **15 foot wide** pedestrian easement.

PROPOSED TEXT

27.72.180 Additional Exceptions to the General Requirements.
(c) Minimum Separation Between Buildings, <u>Fences</u> and Pedestrian Way Easement. The minimum separation between a building and a pedestrian way easement shall be ten feet, <u>when the easement is five feet wide and seven and half feet when the easement is ten feet wide and five feet when the easement is fifteen feet wide.</u> <u>Fences are prohibited within fifteen foot wide pedestrian easements.</u>

- d. Revise Section 26.23.140 (h) on lot width to delete the **entire** statement since it is unnecessary. The easement will be in an outlot in most circumstances. In the case when it is on private property developers routinely make the lot wider.

PROPOSED TEXT

26.23.140 Lot.
(h) Residential lots proposed to be made servient to pedestrian way easements and adjacent residential lots shall be of sufficient width to provide the additional required setback between the residence and the pedestrian way, plus the five foot wide pedestrian way easement.

2. Revise the block length from 1,320 feet to 1,100 feet and revise how the block length is measured.

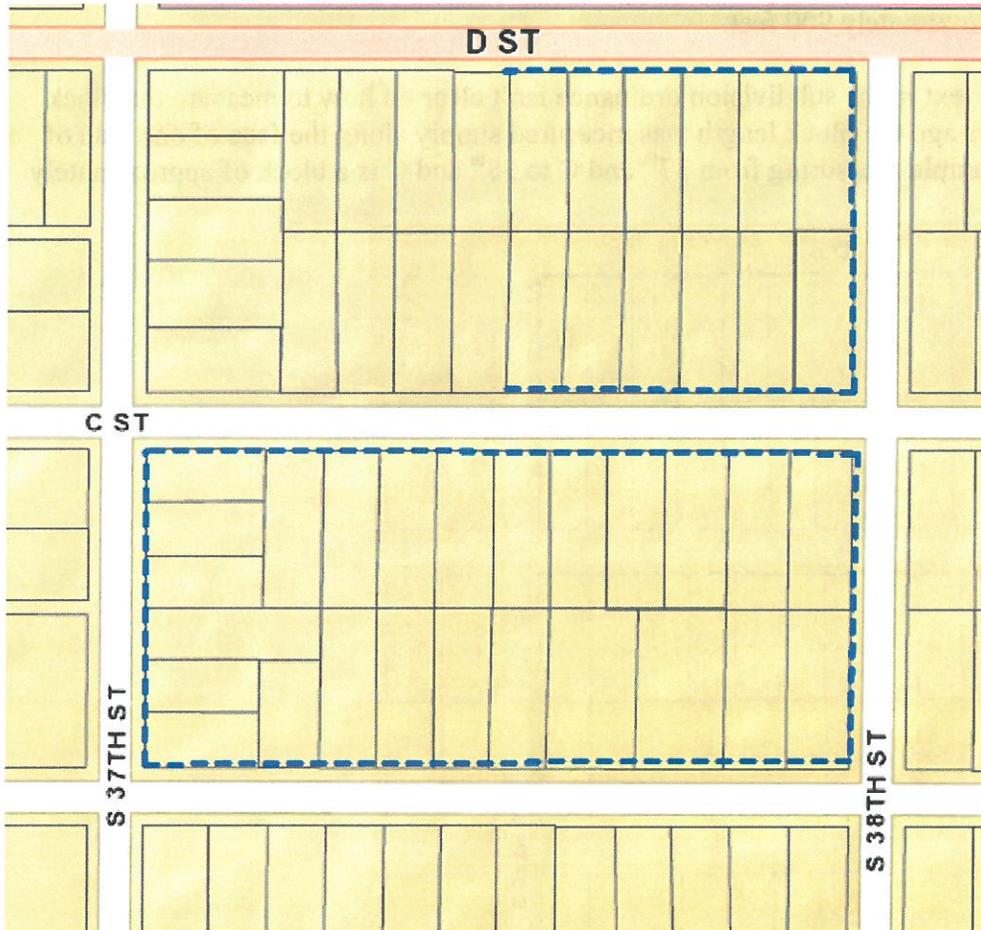
a. Currently the block length is measured from the intersection of two cross streets to the other intersection of the two cross streets that form the block. Thus, in the example below measuring from the intersection of 37th and D Street to the intersection of 38th and C Street gives a block length of approximately 900 feet.

However, the text in the subdivision ordinance isn't clear on how to measure the block length. So many years ago the block length was measured simply along the face of one side of the block. In this example measuring from 37th and C to 38th and C is a block of approximately 600 feet.



Measuring along the block face results in an incorrect and significantly lower number. The length of a block is important in terms of determining how long a pedestrian must travel. The longer the block the longer a pedestrian must travel out of their way to get from one point to another on a block. In the example below, walking from point A on D Street to point B on C Street along the edge of block is approximately 900 feet. This is the length a pedestrian must walk since there isn't a sidewalk directly from point A to B. So the block length is 900 feet which is the result of the current method of measuring block length.

The same result is also made by measuring around the entire block and dividing by two. So measuring along B, C, 37th and 38th Street as shown below results in a block of 1,800 feet when divided by two is 900 feet. (All distances in this example have been rounded for purposes of this demonstration.) Since many blocks are very odd in shape and have more than four sides, staff proposes to measure along the entire block and dividing by two since it is a more accurate method.



- b. The proposal is also to reduce the block length allowed from 1,320 feet to 1,000 feet in “older neighborhoods.” In general this would mean neighborhoods originally platted prior to 1950, the same date used for the Neighborhood Design Standards. In older more established neighborhoods it is important to maintain the continuity of blocks and the higher level of pedestrian and vehicular access. Many blocks were measured throughout Lincoln. While a maximum block length of 1,000 feet would be more desirable many suburban blocks are in the 1,000 to 1,100 feet range using the proposed method, so the proposal is a maximum of 1,100 feet.

The block lengths would still be permitted to be longer than 1,100 next to arterial streets, drainage ways and other significant natural features. This is typical in Lincoln where blocks over a quarter mile (1,320 feet) are typical along drainage ways and arterial streets. The block length would also be over 1,320 feet in industrial areas which typically have less pedestrian activity.

c. The final part of this proposal would also eliminate the provision about block length and different zoning as the City is encouraging access from residential to commercial areas. Even though a residential and commercial area may be adjacent, that is not a reason for longer block length. It is desirable to have multiple connections to most commercial areas from a residential area.

d. The measurement around the perimeter of the block would be measured at the lot line. The perimeter measurement would not include following the lot line within a cul-de-sac. (see example at right) Instead at a cul-de-sac the perimeter measurement will cross the street, in the same manner a person or vehicle going around the block would travel.



e. Alleys or private lanes may reduce a block length depending upon their configuration. In the example at the right, the block on the left side is “T shaped” and so the private lane (a privately owned alley) between N. W. 7th and N. W. 8th Street shortens the travel distance for pedestrians and vehicles. In the block on the right hand side the private lane doesn’t reduce the distance from N. W. 6th to N. W. 7th Streets. So the proposed text notes that depending upon the circumstances an alley or private lane may reduce block length.



PROPOSED TEXT

26.23.130 Block Sizes.

(a) Block lengths shall not exceed 1,320 feet ~~between cross streets~~ except where a major street, school, park, or other man-made barrier; lake, or other natural barrier forms one boundary of a block. Block lengths shall not exceed 1,000 feet in the area annexed into the city limits prior to December 31, 1949. The block length in blocks with commercial and industrial uses shall not exceed 1,320 feet. The block length shall be determined by measuring along the property line of any block and dividing by two. For blocks with a cul-de-sac street, the perimeter measurement may cross the street rather than proceeding along the property line of the cul-de-sac.

(b) At the sole determination of the city, the 1,320 feet maximum block length may be increased if substantially different zoning or land use forms one boundary of the block. alleys or private lanes may be counted if they help reduce the travel distance for vehicle and pedestrians.

3. Revise the block length for requiring pedestrian easements from 1,000 to 1,100 feet to match new standard. This will provide for a pedestrian sidewalk for those blocks next to arterial streets or drainage ways where the block is over 1,100 feet. Require new pedestrian easements to be in an outlot when there will be an association to maintain it and other private common areas.

A pedestrian way is typically on private property along the lot line between two lots. However, in circumstances where there is an association maintaining common open space it would be better to have the association also maintain the sidewalk. The sidewalk is a benefit to everyone within the subdivision so it is more equitable to have a common association maintain the surface and shovel the sidewalk as needed. An outlot also avoids any problems caused by owners constructing fences or building in the pedestrian easement.

When there is not an association, then the 15 foot easement should be placed 10 feet on one lot and 5 feet on the adjoining lot. That way the entire sidewalk, centered in the easement, falls on one lot. This clarifies which owner is in charge of shoveling the walk and repairing the surface. Since the sidewalk on private property it falls to the private owner to maintain the surface.

PROPOSED TEXT

26.23.125 Pedestrian Way.

A pedestrian way shall be required when a block exceeds 1,000 feet in length and where needed for pedestrian traffic. In subdivisions with common open space or private roadways the pedestrian way easement shall be in an outlot.

PROPOSED TEXT

26.23.080 Dead-end Streets.

All permanent dead-end streets shall have a sixty foot minimum radius turnaround, except the turnaround may be modified when the dead-end street is a continuation of a temporary dead-end street and access to the street is not desirable and is not required for the lots in the proposed subdivision. Dead-end streets shall not have more than a potential of forty dwelling units ~~nor be longer than 1,000 feet as measured from the centerline of the intersected street on a direct line to the farthest point of the cul-de-sac.~~

4. Provide a new “Connector Street” standard to help reduce block lengths in residential areas. Amend Section 26.23.040 Street and Other Public Way Widths to allow a new Connector Street with the following dimensions (see illustration below):

- 38’ wide right-of-way
- 22’ wide pavement width (face to face, which is approximately 24 feet back of curb to back of curb) to provide for two travel lanes of 11’ each (including gutter)
- No parking on either side of the street
- 8’ between sidewalk and curb (place for utilities and street tree) on one side of the street within the right-of-way
- 4’ sidewalk on one side of the street
- 2’ space between sidewalk and property line
- 10’ utility and street construction/ maintenance easement on private property outside of right-of-way on opposite of street

Note: If a sanitary sewer is necessary, it will be on the side of the ROW with the street tree and sidewalk in the standard location. Thus, the location of sidewalk will be determined by the sanitary sewer which is typically on the north and west side of a local street. Typically, a water main will be required in the connector street to provide looping. Due to the reduced ROW width, the water main will be under the concrete when there is a sanitary sewer line. Thus, taping the main in a connector will not be allowed.

- There will be a 22’ minimum between sidewalk and any garage face (due to typical 20 foot setback to property line which is 1 foot from sidewalk)
- Allow greater than three percent 3% platform slopes up to four percent (4%)
- Allow a smaller “k- value” in the vertical curves
- For use as a Local Residential street only
- A single connector street may not be more than 300 feet in length.
- One connector street may not directly lead to more than one another connector.
- A connector street should not be used as connection to arterial street or commercial collector street due to its narrow width.

