

BRIEFING NOTES

NAME OF GROUP: PLANNING COMMISSION

DATE, TIME AND PLACE OF MEETING: Wednesday, March 11, 2009, 12:15 p.m.
Room 113, County-City Building, 555 S. 10th Street,
Lincoln, Nebraska

MEMBERS IN ATTENDANCE: Gene Carroll, Michael Cornelius, Dick Esseks, Leirion Gaylor Baird, Roger Larson and Tommy Taylor. Wendy Francis, Lynn Sunderman and Jim Partington absent.

OTHERS IN ATTENDANCE: Dennis Bartels of Public Works; Steve Henrichsen, Tom Cajka and Michele Abendroth of the Planning Department; other interested parties.

STATED PURPOSE OF MEETING: Proposed Amendments to Title 26, Subdivision Ordinance

The meeting was called to order at 12:15 p.m.

Steve Henrichsen explained that staff is proposing three text amendments to Title 26, the Subdivision Ordinance. These amendments will be on the next agenda.

Tom Cajka stated that the first amendment is to add a definition for the term 'access road'. This was brought about due to concerns about the number of driveways on arterial roads. They want to consolidate access points as much as possible. The problem is that it conflicted with the subdivision ordinance. Therefore, applicants needed to ask for a waiver to the subdivision ordinance. This amendment will allow staff to ask for that without any waiver required. Staff did not want to call the road a frontage road. They wanted to give some flexibility to the developer and not impose a more stringent requirement.

Larson asked about the public's reaction to this amendment. Cajka replied that he only received one phone call regarding the amendment, and they were okay with it. Henrichsen stated that there may be some people who object to this, but others will see the benefits.

Larson asked who will maintain the road. Henrichsen stated that the owner will maintain the portion that is on their property.

Esseks brought up the issue of maintaining the road as well as public safety in terms of emergency service. Henrichsen stated that the developer could set up a neighborhood association to maintain the road.

Carroll stated that this is more for infill and smaller areas. It is a tool to be used wisely and sparingly. Cajka stated that it only applies to lots that front arterial streets.

Gaylor Baird asked if there are any trade-offs in allowing this amendment. Henrichsen stated that a possible concern could be aesthetic in that there would be a road with another road next to it.

Esseks expressed a concern that there could be several decision makers who would have to agree on maintenance. Henrichsen stated that staff will consider a neighborhood association requirement.

Cajka continued with the second amendment. He stated that this amendment deals with appeals to a final plat. Currently, after a final plat is approved by the Planning Director, any aggrieved person can appeal that decision within 14 days. In essence, the planner has to hold that final plat for 14 days before it can be filed at the Register of Deeds. Historically, very few final plats have ever been appealed. This amendment would remove that 14 day waiting period. However, the subdivider could still appeal the decision.

Cajka stated that the third amendment is regarding waivers. Currently, if a subdivider asks for a waiver and the Planning Director has recommended denial, it goes to Planning Commission, who advises the City Council. This amendment would change it so that the Planning Commission would have final action. It would only go to City Council if it was appealed.

The meeting was adjourned at 12:54 p.m.

Respectfully submitted,

Michele Abendroth
Planning Department

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