

BRIEFING NOTES

NAME OF GROUP:	PLANNING COMMISSION
DATE, TIME AND PLACE OF MEETING:	Wednesday, August 29, 2018, 1:05 a.m., City Council Chambers, Room 112, County-City Building, 555 South 10 th Street, Lincoln, Nebraska.
MEMBERS IN ATTENDANCE:	Tom Beckius, Tracy Corr, Tracy Edgerton, Deanne Finnegan, Chris Hove, Maja Harris, Christy Joy, and Sändra Washington; Dennis Scheer absent.
OTHERS IN ATTENDANCE:	David Cary, Paul Barnes, Steve Henrichsen, Andrew Thierolf, Kellee Van Bruggen, Tom Cajka and Amy Huffman of the Planning Department.
STATED PURPOSE:	Briefing on “Downtown Master Plan Update and County Accessory Dwelling Units” .

Acting Chair Corr announced The Open Meetings Act posted at the back of the room.

David Cary, Director of Planning Department, stated a lot of work has gone into these projects and Planning is proud of the results.

Andrew Theirolf, Planner, stated that today’s discussion will be an update about public outreach, market assessments, and various themes that have come up related to the Downtown Master Plan. An online survey was conducted and over 1,700 responses were received. The full report is available online. The top four comments were about the redevelopment of existing sites, more neighborhood retail and services, more events and entertainment options, and the central library branch. Groups involved in various discussions have included the Downtown Lincoln Association and the working group, which was comprised of various stakeholders. Based on those meetings, the primary themes were making downtown more kid and dog friendly, with more housing, the central library, more parking, and additional services and amenities. The goal is to make downtown a safe, innovative and livable area.

There were two community open houses. The first was on April 20, 2018 and had over 200 people in attendance. One of the main points brought up was the “missing middle” in downtown housing; there are no housing options within the \$150,000 - \$250,000 range. People also wanted to see better pedestrian crossings, a designated area for art and music, more greenspace, appropriate reuse of the Pershing site, and there was a renewed demand for a convention center.

The development forecast for the next ten years includes 480-1050 new housing units, not including off-campus student housing, although it is fair to expect student housing will also be in demand. The office segment of downtown includes up to 550,000 square feet. There are users who want their own purpose-built buildings, but some infill can also be expected. Retail is a niche segment with between 48,800 - 86,500 square feet expected. Hospitality will likely be focused on boutique properties with fewer than 50 rooms. The consultant said the upper end for a convention center would be 150,000 square feet of space, based on the hotels, existing meeting spaces and the airport. There is potential demand for the space, but nothing like Omaha's demand.

Corr asked if that recommendation is based on what exists now. Thierolf said it is the maximum number based on existing factors; the Visitor's Bureau said 100,000 square feet would be more appropriate. The large exhibit hall format of around 50,000 square feet is what is missing in Lincoln.

The overall theme is to create a center of opportunity. Looking at the bigger picture, there are superstar cities like Portland, Austin, and Denver where Millennials want to live, but those cities are becoming very expensive. Lincoln is in the next tier below that range and people are moving here from those larger cities because Lincoln is affordable and offers a good quality of life. The idea is to capitalize on that idea of being an opportunity city. Both Millennials and Baby Boomers are drawn to downtown living so it is important to develop critical amenities and new housing types for diverse needs. In the future we may see more medical offices, green space, repurposed buildings, surface parking, protection of historic properties, as well as coordination with the State and UNL.

Much of this planning is organized around "catalyst projects" including the Pershing Block, West Park, O Street, 11th and M Streets, 13th Street, 16th and 17th Street improvements, and a music district.

Several concepts were shown for the Pershing Block, including a civic plaza, green space, and moving the existing parking garage, which would come at an expense. One of the boldest concepts shows the library along O Street with mixed use, retail, residential, and a new parking structure.

The West Park area is part of the South Haymarket near Arena Drive. There is still lots of discussion about the area, but one popular proposed use is green space with a dog park. A big factor in this area is the amount of flood storage that will make it difficult to develop as anything but green space.

Along O Street, similar to the P Street Corridor identified in the last plan, there is a need for streetscape improvements, façade improvements, and supported projects like SCC, the Federal garage, and the LES building.

At 11th and M Streets, no right-of-way needs to be purchased. There is an ample amount along both streets to allow for green space and conversion to parallel parking. This also involves the removal of the bike lane from 11th street and relocating it to 13th Street.

Washington wondered how many lanes each street would have. Thierolf said both would have two lanes; M Street would lose a lane.

Harris asked if the bike path will be inside of landscaping, or sharing the road with cars. Thierolf said it would potentially be sidewalk inside the landscaping.

Thierolf went on to say it is still early in the discussion stages when it comes to the improvements to the other streets. A big factor could be the redevelopment of Pershing, which would serve as a catalyst for improvements in the surrounding areas.

Designating music district was one thing that came out of the discussions that had a lot of support. The consultants were impressed with the active live music scene in Lincoln and believes it is a special asset that should be cultivated. One area under consideration is the 14th & O Street area where there are several smaller venues and Tower Square. The district might see physical improvements, programming, marketing, and special signage.

Other notable projects were the West Haymarket and P Street Corridor which are both nearing completion, and the K Street Building which has great potential for reuse. SCC would like to remain downtown but potentially with better facilities. There are some underused blocks throughout downtown, including the Post Office block. There could be more 2-way street conversions, and possible reuse of the Bennett Martin site if a central library is decided upon.

Parallel to this process has been the autonomous shuttle. 3,500 people participated in the survey and over 2,000 rides were given. There are two grant applications underway. The goal is to have five shuttles in 2019, 10 by 2021, and in the long term, as many as 40 or more. There has been lots of positive feedback from the Bloomberg Grant, so we hope to hit the ground running if funds are awarded.

Kellee Van Bruggen, Transportation Planner, came forward with an update on BikeLNK and the Bike Share programs. The input has suggested that our trail systems are a great asset, but facilities for safe bike travel on streets is still lacking. A consultant was hired at the beginning of the year, and these efforts coordinate with the Downtown Master Plan, though it should be

noted, the bike facilities are city-wide. There has been much public input via an online survey and public comments. Citizens were asked what their barriers are for biking now, and where they would travel, and what aspects of bike facilities are working well now. The draft bike network compiled by the consultants is complete.

Public outreach has occurred through emails, social media, posters and postcards, an LES sustainable living event, farmers markets, coffee shops, libraries, and Matt Talbots. There was also a public meeting held on August 20th.

The report from the consultants serves as a facilities design guide and discusses things like separated bike lanes, and one-way vs. two-way. Facilities can be done at various levels of expense using candlestick barriers, concrete planters, and using parking to provide separation. The bike lanes on 11th and 14th Streets are painted. Bike boulevards are popping up around the country to introduce traffic calming measures to slow drivers down on neighborhood roads. Side paths are trail-width facilities installed along arterial roads. Upgraded crossings are another way to make crossing major thoroughfares safer.

Information is available online, and people are able to click on a map to give site-specific comments. The draft network will develop into project creation and prioritization. Around 38 miles of construction is proposed, along with Public Works projects. Restriping could allow for wide traffic lanes to be shrunk down to fit bike lanes. Low-cost options are recommended the most. The proposal includes eliminating 39.5 miles of existing facilities where they are not working, and making 82 intersection enhancements.

Public input will be taken until September 12th. The bike network report will be refined based on public feedback, and then plans will be developed for how to implement ideas over the next 5-10 year period. Additional feedback will be sought for that refined plan.

Thierolf said the Downtown Master Plan is on a similar schedule and will come through the Planning Commission as a Comprehensive Plan Amendment this fall, then on to City Council at the start of next year.

Harris noted that the Journal Star was supportive except for the idea of the boulevards. She wondered what research there is to support how boulevards would prevent non-local vehicles from using streets and how any changes would impact commuters during peak hours. Van Bruggen said the boulevards are a new type of facility so we have asked for examples of how it has worked in other communities. She will also ask that the impact to commuters be addressed. The ones currently proposed are on low-volume traffic roads that tend to have speeding problems. Comments were received from one individual who said that peak traffic on 17th is higher. The plans will be reassessed based on comments.

Harris wondered if changes are visible as the density increases. Van Bruggen said there are several instances where it fluctuates among facility types because the roadway type changes. The painted lines tend to be downtown where there are more commercial corridors. Signage and some painting are possibilities in residential neighborhoods. Other areas include trails that connect to existing facilities. The consultants are mindful of existing roadway conditions and things can be adjusted as necessary.

Finnegan commented that as students have been returning to UNL, she has seen many near-disasters because people from out of town don't know how to drive around the bike lanes. She asked if there is a way to educate people, especially since there are so many out of town people during school and football season. Van Bruggen said that education and enforcement are components of the entire package, though it is challenging to educate people here only for short periods of time. There was a concerted effort made to educate students in the hopes that they would educate parents.

Hove commented that it would be helpful to be provided with numbers including usage and economic benefits, especially when addressing those who are not as supportive. It would be helpful to know the goals of proposed projects. Van Bruggen said numbers are tracked on N Street and there has been internal talk about doing more counts. Costs per mile will be added to projects once the details are worked out.

Washington said she is impressed by the plans and levels of engagement. She agreed that it will be important to look at how bike traffic interacts with auto traffic, and if congestion will increase in certain areas.

Washington went on to say that she is uncomfortable with the student housing near bars and wonders how to keep the downtown attractive for Baby Boomers and families, which may not be a good mix with students; some of the goals don't support one another. She also expressed concern about security with regard to the Federal parking garage; a concept showing the walkway may not be appropriate, considering the use. Thierolf said the walkway was just one concept. They met with representatives from the Federal Building and they gave guidelines for what they would hypothetically want. Discussions on student housing will continue. There is a lot that we do not know about it in general. The demand is there; current enrollment is catching up with the number of off-campus student rooms being 95% full. Van Bruggen added that it will be important to remain cognizant the no damage is being done to commuting routes, whether by bike or car; everyone wants a safe commute, so all of this will have to be addressed.

Beckius asked for more information about shared lanes and what efforts will be made to distinguish them. Van Bruggen said there are questions about the best placement of lanes. More research is needed and hopefully the consultant can provide some guidelines. Beckius commented that he lives on a shared bike lane and was unaware of it, so it would be interesting for people to know they might already be experiencing the lanes, so it is not a completely foreign idea to them. Van Bruggen said that having more signage has been considered and it is lacking in some areas.

Harris asked if any major employers have a demand for their employees. Van Bruggen said the advisory committee does have business representation. Staff can reach out to employees. There are some who have shown interest in being bike-friendly. UNL Adventure Center is highly rated. Harris commented that businesses are a major stakeholder in this.

Beckius asked where the south boundary of the Downtown Master Plan is. Thierolf said it is G Street.

Hove commented on the importance of getting the plan in place and communicating it. Potential investors will be more likely to make plans if concepts and use designations are in place. There is a risk of falling behind otherwise.

Beckius commented that one thing he has heard from the commercial market is that the tracts of land are so large, that there is no opportunity for smaller, private investment. It would be interesting to see redevelopment that could cater to the smaller investor so we do not see the repeat of the same few investors. Thierolf agreed that a theme of comments has been that there are only a few investors downtown.

Tom Cajka, County Planner, came forward to state that the City adopted guidelines for Accessory Dwelling Units, and there is now interest in having guidelines for the County. An ADU is a self-contained unit on the same lot as a main family dwelling. It will often have one kitchen, bed and bath, some with a small living area. ADUs share utilities with the principle dwelling, but have a separate entrance. They should have no more than two bedrooms and should be under the same ownership as the main house.

ADUs are attractive alternatives for Baby Boomers looking to downsize, single-person households, and younger generations who are now waiting longer to get married, buy homes, and start families. ADUs can also be guest houses, hobby houses, or dwellings for people who need medical assistance. They also provide a way to supply extra income, and a way to “age in place” in their own neighborhood. ADUS can be attached, but will still have a separate, second entrance with no internal connection. They can also be separate stand-alone cottages.

There are very few examples for rural ADUs, in fact, none were found in Nebraska. Pottawattamie County, IA has very detailed requirements and a 600 square foot maximum. Johnson County, KS has very different requirements with detailed regulations about appearance, shared access, owner occupancy, and a 900 square foot maximum. Some require doubling the acreage in each district, and specified the single access to right-of-way and owner occupancy.

The ADU Working Group was comprised of seven members with varied backgrounds and interests. Five meetings were held. The group helped with the creation of conditions, definitions, and the purpose of ADUs. After several meetings, a public meeting was held on July 25th. There were around attendees. After that hearing, the working group finalized the recommendations for conditions. The owner must reside on premises in either structure. The lot size requires the same as what is needed for the principle dwelling. The minimum lot size for a house in the county is 20 acres, with a few exceptions.

Beckius noted that 40 acres is a sizeable amount of land; he wondered if there was discussion about going smaller. Cajka said the minimum amount needed for a house and an ADU was discussed. If the lot needs 20 acres for a house, then you want to double that so that the density is not being increased in the County. The working group thought 40 acres was going a bit too far; it should not be the intention for the ADU to be a second house. With the limits in size of the ADU and the additional conditions, 20 acres seemed sufficient. Beckius noted that since the majority will need to tie into the existing infrastructure, the ADU will most likely be close to the main unit.

Cajka said some communities have strict design standards. It was not needed in this case since the impact to adjacent lots should be minimal. There was considerable discussion on making sure the ADU was not serving as a fully-fledged second house so the working group came up with a statement to help guide conditions. The main point was that the ADU remain clearly subordinate to, and permanently associated with the existing principal dwelling.

It was concluded ADUs would be done by special permit. If, later, we find there have been no problems, this can be revised to be a conditional use. The total square footage shall not exceed the less of 800 square feet, or 40% of the main dwelling, based on floor area prior to the construction of the ADU. It can have no more than two bedrooms and the owner must live on the property. The ADU cannot be divided off and sold separately and it must use the same access. Height and setbacks will be the same as the main house, even if the district allows something taller. The ADU must not be closer to the right-of-way than the main house and it must share utilities unless the owner can demonstrate there is a practical problem with sharing due to topography or some other unique site consideration. Septic system size is based per bedroom, so if the ADU added bedrooms and the tank became small, it would be necessary to

get a new or second septic system. We made it so that any of these conditions may be waived with the exception of owner occupancy and the shared access to the road.

Harris noted that special permits are usually final action by Planning Commission. Cajka agreed that it would go to County Board only if waivers are requested. Harris asked why not let the final word, with approved waivers, be at Planning Commission, and then neighbors could appeal the decision if they were unhappy. She wondered if the process was being dragged out unnecessarily if everyone was happy with the decision at the Planning Commission level. Cajka said that there is consistency to apply the rule that if waivers are requested, it automatically moves on to the higher body. Washington asked if it is a one-step process if they meet all the conditions. Cajka said yes.

Steve Henrichsen, Development Review Manager, stated that since this is brand new, these conditions were placed in an effort to fit into the rural character and to maintain the open space. The working group wanted it to clear that there is serious intent to protect that. The regulations can be changed over time if they are found to be too strict and if it is clear that everyone is following the rules and getting approval. There is a house that has a second dwelling that is trying to get approved for the second, larger house. Their interest would be to find a very permissive ADU ordinance. Our charge is to make sure that it is not the case that anyone can use this as a way around the rules regarding the requirements for a full second house. This is about defining basic needs and providing a smaller unit.

Harris said the City ordinance talks about keeping the appearance consistent with the main house. Henrichsen said that applies mainly to historic properties. That is not a requirement in the County. Harris asked if it was felt that it was not fair to apply design standards since there are none for the County. Cajka said that is true. Henrichsen said a homeowner can already build in any style as long as they meet the building code.

Beckius asked if there was a way to make sure the ADU was not simply a personal trailer, or something temporary that is hooked up to infrastructure. Henrichsen said to qualify as an ADU, it would have to meet building codes, so things like a foundation and permanent utilities are required.

Beckius wondered if there was any discussion on how many ADUs would be allowed per 20 acres. What if there were a site with 160 acres? Henrichsen said there are already people who cluster homes on larger properties. Beckius asked if there could be eight ADUs on a property of 160 acres, for work hands, for example. Henrichsen said yes, as long as it could be proved that they are associated with the business.

Corr asked how this will impact other accessory buildings. Cajka said that was not specified since once a parcel is over 10 acres, there is no limit to the number of other types of accessory buildings that are allowed on a property. Henrichsen concluded by stating this information has been available on the Planning website and was emailed to developers.

There being no further business, the meeting was adjourned at 12:50 p.m.

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