

## BRIEFING NOTES

*Advanced public notice of the Planning Commission briefing was posted on the County-City bulletin board and the Planning Department's website.*

<b>NAME OF GROUP:</b>	PLANNING COMMISSION
<b>DATE, TIME AND PLACE OF MEETING:</b>	Wednesday, June 9, 2021, 2:43 P.M., Council Chambers, County-City Building, 555 South 10 <sup>th</sup> Street, Lincoln, Nebraska.
<b>MEMBERS IN ATTENDANCE:</b>	Lorenzo Ball, Dick Campbell, Tracy Corr, Tracy Edgerton, Cindy Ryman Yost and Dennis Scheer; Cristy Joy absent.
<b>OTHERS IN ATTENDANCE:</b>	David Cary, Steve Henrichsen, Stephanie Rouse, Collin Christopher and Rhonda Haas of the Planning Department; and other interested parties.
<b>STATED PURPOSE:</b>	Briefing on the <b>"South of Downtown Planned Unit Development (PUD)"</b> .

Chair Tracy Corr called the meeting to order and acknowledged the posting of the Open Meetings Act in the back of the room.

**David Cary, Planning Department Director, 555 South 10<sup>th</sup> Street**, came forward and introduced Planners Collin Christopher and Stephanie Rouse stating that they have done a lot of the work for the South of Downtown Planned Unit Development (PUD). This presentation will give the Planning Commission a feel of what is in the proposal and allow for questions.

**Collin Christopher, Planning Department, 555 South 10<sup>th</sup> Street**, came forward and stated that the South of Downtown Redevelopment and Strategic Plan was approved by City Council on February 1<sup>st</sup>, 2021, which had already been approved by this board. Since then, a group of city and South of Downtown Community Development Organization (SDCDO) staff formed a working group to come up with alternatives and refine what is being proposed. In April, there was community outreach to inform the public on what was being proposed and to get feedback on the initial draft. Mid to late May, the proposal was refined based on this feedback and continued staff discussions.

The South of Downtown Coalition Steering Committee and several subcommittees voted to include the PUD, as a recommendation in the South of Downtown Redevelopment and Strategic Plan. This proposal has been presented to the Near South and Everett Neighborhood Associations, the SDCDO Board, the Nebraska Capitol Environs Commission, and additional community meetings with the neighborhoods.

Scheer stated that he thought that the state did a Master Plan of the Capitol Environs South of Downtown a few years ago and asked if they had gotten any input from the stated on this proposal. Christopher stated that the state did do a Master Plan and their representative was Amber Brannigan, who at the time, was part of the Coalition Steering Committee, and she did coordinate with the state's plan in the development of this PUD.

Campbell stated that the boundaries include the street on the south side of the State Capitol and go down to A Street and asked if that was correct. Christopher stated that the cutoff line is J Street and then it cuts down a half a block.

Christopher stated that at the community conversation held in January of 2020 the public was asked what kind of services they would like to see in the neighborhood. Some of the most popular responses were urban gardens, restaurants, cafes, coffee shops, food trucks and shops. Some of these uses were used to form the PUD. Christopher stated that this is an application that will be coming forward to the Planning Commission on behalf of the SDCDO, and the city does support this effort.

This PUD is an overlay of the underlying zoning and in some circumstances, the overlay could restrict uses that the underlying zoning would otherwise allow, but in this case that would not happen. Christopher stated that anything that is allowed in the underlying zoning will continue to be allowed and that this would add flexibility to the land uses that are viable within the PUD. This PUD is unique because there are no specific redevelopment solutions being proposed, but they are creating subdistricts and within each of these subdistricts they will allow specific additional uses in addition to what underlying zoning allows. This will open the possibility for infill, reuse, and redevelopment and how this is accomplished will be somewhat open to the ideas from developers, neighborhoods, and the people in the community.

Ball inquired what special permits and tools would be used to supersede what the underlying zoning requires. Christopher stated that Ms. Rouse would go into this in more detail during her portion of the presentation, but the larger point is that they are attempting to allow as many of these uses that are being proposed as, by right. He explained that they are trying to strip back some of the red tape by saying if the applicant meets the conditions, then it can be done by right. There will be somethings that go beyond the conditions that are already set and for these items there will be an amendment process to potentially allow those uses. This PUD will continue to evolve over time and should not be viewed as a final product but rather a starting point.

Scheer asked if it bothers the Planning Department to not have as much control. Christopher stated that the Planning Department will be tracking this closely, so that it does not get out of hand to where there are unintended consequences that they did not think of.

Corr asked what would be done if something were happening that they had not planned for. Christopher stated that they would come back and amend the PUD to address some of those issues.

Campbell stated that any changes that would be made would require the PUD to be amended, and then, approved as amended. Christopher said yes.

Christopher stated that this is absolutely a land use and zoning instrument, and it is not a building code instrument. He stated that there are some things that are allowed from a land use perspective, which could have building code implications when going from a residential use to commercial use. There are some limitations, and it could be cost prohibited in some circumstances for some of these uses.

Ball inquired if it would set precedent for any other change of zone that might have a similar situation or if it would be on a case-by-case basis? Ball also inquired if a developer wanted to do a mixed use would it come back before the Planning Commission. Christopher explained that there would be uses that are allowed if they meet the conditions of the PUD. Approving this proposal will allow for developers to do some of the mixed-use opportunities, from a land use perspective. If their proposal goes beyond the conditions set in this PUD, the developer will need to do an Administrative Amendment. If their plan meets the intent of the PUD, the planner will make a recommendation to the Planning Director for approval of the Administrative Amendment. Christopher stated that there is another threshold that could be met if does not meet the conditions of the PUD, but it does meet the intent and should be considered, and those requests would go before the Planning Commission for an amendment to the PUD. **Stephanie Rouse, Planning Department, 555 South 10<sup>th</sup> Street**, came forward and stated that these would be done on a case-by-case basis, because a certain type of use for one neighborhood may be a good fit but not for another neighborhood.

Christopher stated that the guiding principles were set up at the very beginning of this process to facilitate a better balance of uses that fit the urban scale and the residential character of the neighborhood, and with the intent of effectively meeting the needs of the residents and business owners. This supports an increase in private reinvestment and innovative development solutions in the neighborhoods for nonstandard residential lots, while still maintaining affordable housing options.

Christopher stated that the boundaries are slightly different from what was included in the redevelopment plan. Publicly zoned land was not included and to the north past Lincoln Mall Street where there is B-4 zoning for the downtown area was also excluded because B-4 zoning is already mixed use. There will be a separate text amendment that come forward to address the changes being proposed to the O-1 Districts throughout the City of Lincoln, because there are very few of them and they are mainly in the downtown area. He stated that they are wanting to make restaurants a more viable use within the O-1 District, and some of the restrictions are being pulled back to allow increased size, direct access from the street and to potentially allow alcohol sales for restaurants.

Rouse stated that in the PUD all the underlying zoning will remain for those uses and they would be proposing additional uses within the PUD. Rouse shared some of the proposed new permitted uses in the Downtown Transitional District would be for restaurants, retail sales, cooperative

housing small scale food or beverage production, savings and loan associations and change some of the regulations for home occupations and urban gardens. Rouse stated that they have dropped some of the uses in the mixed-use district and now the uses are for personal services, small scale food and beverage production and office, home occupations and urban gardens. In the southern end of the district where they are trying to preserve the residential character the land uses will be cooperative housing, home occupation and the urban gardens.

Campbell asked for the definition of cooperative housing. Rouse stated that there are two kinds of cooperative housing, and one is the financial structure of cooperative housing where the occupants would need to buy shares of the housing and they would still have their own apartment. After conversations with Building & Safety that would be considered an apartment and because these are the higher density residential districts it would be a use permitted in these districts. Rouse shared that they added a definition for the other type of cooperative housing to allow for this type of use where it would be more of a community residential use when they would have their own bedroom but share the rest of the residence.

Rouse stated that there would be some temporary uses allowed in the downtown transitional and the mixed-use districts would be to allow for food trucks to be on residentially zoned property. Retail sales and personal services would also be allowed in neighborhoods, but they would not be allowed to use any of the required parking stalls and would only be allowed for six months.

Corr inquired if a food truck was allowed on church property now. Rouse stated not on residential property.

Rouse stated with this approval process if they meet the conditions then they can get their building permit. An Administrative Amendment is only needed if it falls within a certain range of intensity and finally, the full amendment is if the use exceeds the criteria but may be allowed through a public hearing with the Planning Commission. The new parking requirements would be to match the current B-3 parking requirements for all uses, with some exceptions.

Rouse stated that this will help support single-family and two-family infill on nonstandard lots, because it can be difficult when trying to meet building code to rebuild or expand, and further stated that they are proposing to relax some of those lot requirements but just on the single- and two-family units.

Corr asked if they have a map to show the number of lots that are nonstandard that the proposed PUD would affect. Rouse stated that they are shown in blue on the map shown, and they tried to catch everything without going too low on the lot size. Campbell stated that there would be some nonstandard lots that remained. Rouse said yes and that it would be just a small portion of lots. Corr stated that basically this proposal would allow for some of the nonstandard lots to be developed with this new PUD process without needing to come to the Planning Commission. Rouse said yes if they can meet the side and rear setbacks.

Rouse stated that this would allow for one freestanding sign per lot and each business could have a wall sign that could cover 15 percent, per elevation of the wall. Illumination is allowed except for home occupation and urban gardens. Rouse stated that there is a cap on the square footage for a sign, so that one sign does not take up the signage area for the entire building. There may be additional review requirements within this PUD area from other boards that the applicant would need to follow.

Rouse stated that discussions with the neighborhood groups were geared towards making sure that this would benefit the neighborhoods and not allow for investors take over and put in things that do not serve the neighborhood. If a redevelopment is going to be on a larger scale a housing component has been added to keep residential in the area. This will relax the home occupation regulations to benefit the residents who live there, and it will allow for more uses by right, which avoids the burden of the approval process.

Campbell asked if there was a minimum size required for a house and asked if small houses could be built on the smaller nonstandard lots. Rouse stated that she does not think that the code has a minimum house size.

Ryman Yost stated that she is excited about this project and that the community has been involved.

Campbell stated that he would encourage them to spend time with Building & Safety so that they understand that this would have a separate set of codes. Rouse said that they have had some discussions with Building & Safety already.

There being no further business, the meeting was adjourned at 3:18 p.m.