

MEETING RECORD

NAME OF GROUP: PLANNING COMMISSION

DATE, TIME AND PLACE OF MEETING: Wednesday, March 28, 2007, 1:00 p.m., City Council Chambers, First Floor, County-City Building, 555 S. 10th Street, Lincoln, Nebraska

MEMBERS IN ATTENDANCE: Gene Carroll, Michael Cornelius, Dick Esseks, Gerry Krieser, Roger Larson, Mary Strand, Lynn Sunderman and Tommy Taylor (Jon Carlson absent); Marvin Krout, Ray Hill, Ed Zimmer, Brian Will, Jean Walker and Teresa McKinstry of the Planning Department; media and other interested citizens.

STATED PURPOSE OF MEETING: Regular Planning Commission Meeting

Vice-Chair, Gene Carroll, called the meeting to order and requested a motion approving the minutes for the regular meeting held March 14, 2007. Motion for approval made by Taylor, seconded by Krieser and carried 8-0: Carroll, Cornelius, Esseks, Krieser, Strand, Larson, Sunderman and Taylor voting 'yes' (Carlson absent).

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

March 28, 2007

Members present: Carroll, Cornelius, Esseks, Krieser, Larson, Strand, Sunderman and Taylor; Carlson absent.

The Consent Agenda consisted of the following item: **SPECIAL PERMIT NO. 07005, Yankee Hill Townhomes Community Unit Plan.**

Ex Parte Communications: None.

Item No. 1.1, Special Permit No. 07005, was removed from the Consent Agenda and scheduled for separate public hearing.

REQUESTS FOR DEFERRAL: None.

SPECIAL PERMIT NO. 07005,
YANKEE HILL TOWNHOMES COMMUNITY UNIT PLAN,
ON PROPERTY GENERALLY LOCATED
AT S. 84TH STREET AND YANKEE HILL ROAD.
PUBLIC HEARING BEFORE PLANNING COMMISSION:

March 28, 2007

Members present: Cornelius, Taylor, Krieser, Larson, Strand, Sunderman, Esseks and Carroll (Carlson absent).

Staff recommendation: Conditional approval.

Ex Parte Communications: None.

This application was removed from the Consent Agenda at the request of Tom Huston, on behalf of the applicant, and had separate public hearing.

Staff presentation: **Brian Will of Planning staff** reminded the Commission that last year in February, a change of zone and preliminary plat known as Jensen Park Estates was approved on this same property. The lot layout for that preliminary plat was very similar to what is shown today with 151 lots. This proposed community unit plan modifies that preliminary plat layout slightly with 164 units and includes the typical waiver requests for a CUP, including setbacks and lot area. Will suggested that this layout has some advantage over the original preliminary plat with one less crossing through the drainage and wetlands area and connections are being made to the two I.T. lots to the north. Staff is recommending conditional approval.

Proponents

1. Tom Huston appeared on behalf of the applicant, **Yankee Hill Townhomes**. He explained that he requested that this special permit be removed from the Consent Agenda because of site specific Condition #2.1.5. He submitted a motion to amend this condition as follows:

2.1.5 Trail Ridge Drive extended to Lot 111 I.T. shall be constructed as shown on the site plan for Special Permit No. 07005 and shall not be extended to Lot 111, Irregular Tract, to the north. Upon the approval of the final plat for Yankee Hill Townhomes, L.L.C., the public access easement and utility easements shall be dedicated to the City of Lincoln for the extension of Trail Ridge Drive. Further, Permittee shall establish an escrow account for the benefit of the homeowners association of the Yankee Hill Townhomes in the amount of the estimated cost of construction of the extension to fund such construction when Lot 111, Irregular Tract, develops.

He pointed out the drainageway on the map and where they are showing the street extending to just north of the units. The staff's proposed Condition #2.1.5 would require extension of Trail Ridge Drive all the way to the boundary line. This cannot be done at this time because of the existing wetlands. Huston advised that the applicant will be able to get a 404 Permit once the street connection is fully planned and Lot 111 is developed. The proposed amendment to Condition #2.1.5 provides that at the final platting process, the developer will dedicate the necessary public access easement and utility easements, escrowing the money necessary to make that street connection once Lot 111 is developed. The Army Corps of Engineers will not allow 404 Permits on piece-meal basis.

There was no testimony in opposition.

Staff agreed with the proposed amendment to Condition #2.1.5, and suggested that it also become a note on the site plan for this special permit.

Response by the Applicant

Huston agreed to add a note to the site plan.

ACTION BY PLANNING COMMISSION:

March 28, 2007

Strand moved to approve the staff recommendation of conditional approval, with amendment to Condition #2.1.5 as requested by the applicant and adding it as a note on the site plan, seconded by Esseks and carried 8-0: Cornelius, Taylor, Krieser, Larson, Strand, Sunderman, Esseks and Carroll voting 'yes'; Carlson absent. This is final action, unless appealed to the City Council within 14 days.

CHANGE OF ZONE NO. 07011
FOR A LANDMARK DESIGNATION
OF THE TRINITY METHODIST EPISCOPAL CHURCH
LOCATED AT 1345 SOUTH 16TH STREET.
PUBLIC HEARING BEFORE PLANNING COMMISSION:

March 28, 2007

Members present: Cornelius, Taylor, Krieser, Larson, Strand, Sunderman, Esseks and Carroll (Carlson absent).

Staff recommendation: Approval.

Ex Parte Communications: None.

Staff and applicant presentation: **Ed Zimmer of Planning staff** appeared on behalf of the **Historic Preservation Commission**, as the applicant. This is the historic church at 17th & A Streets, with a combination of three major building campaigns, one of them linking to Dr. Huntington, who was the pastor from 1891 to 1896, and went on for a decade as

Chancellor of Nebraska Wesleyan University. Huntington School and Huntington Avenue were also named after Dr. Huntington. The foundation has a 19th century split-faced brick. There is ample interior evidence of the early construction, particularly in the 1893 windows. In 1910, the congregation began a campaign to develop on the corner of the property. When they built the 1893 portion, there was a small frame structure on the corner which was replaced in 1910. The original design was to be brick and limestone. They instead substituted an unusual material of concrete bricks rather than clay brick.

The cornerstone says 1887 and 1910. 1887 was the date it gained the name "Trinity".

The old sanctuary now serves as the parlor.

In 1957, the final major portion of the building was added, that being an education wing to the west designed by Clark and Enersen. It is in the international style but they carefully coordinated the brick color and limestone trim with the major portions of the building.

The Historic Preservation Commission recommends that the structure meets every characteristic of a Lincoln landmark as described in Chapter 27.57 of the Lincoln Municipal Code, and the Historic Preservation Commission agreed to sponsor this application.

Larson inquired as to what a landmark designation does. Zimmer explain that landmark status is a zoning overlay. The property is then eligible to request (but is not automatically approved) a special permit for historic preservation. It also declares and provides protections from exterior changes to the building without prior review by the Historic Preservation Commission. There is an orderly process if there is disagreement on those changes. Zimmer also pointed out that this property is in the Capitol Environs District, providing other protections.

Esseks inquired whether there is any precedent where a departing congregation wants to preserve the building as it exists, or where the next congregation wants to make some changes. Zimmer noted that there is other religious property that is landmarked; however, he did not know of a case where we had this transition process between congregations. He did know that the Transition Committee has been working closely with the future of this property. The ordinance provides much flexibility and makes it clear that the owner will prevail. With regard to any changes, short of demolition or full new construction, the Historic Preservation Commission can only impose a waiting period of 90 days. Demolition only doubles that period. It does not require a certain result but does require the consultation. So, if the next congregation believed it had to make a certain substantial change in the facade, Esseks assumes it would be likely that those changes would be allowed. Zimmer believes that it is not only likely, but guaranteed by the nature of the preservation ordinance that they could not be prohibited by landmark status. The Capitol Environs Commission does have stricter design review authority, but it would not be consistent with their powers to not allow something like a Star of David on the former Trinity Methodist Church at 17th and A.

There was no testimony in opposition.

ACTION BY PLANNING COMMISSION:

March 28, 2007

Larson moved approval, seconded by Cornelius and carried 8-0: Cornelius, Taylor, Krieser, Larson, Strand, Sunderman, Esseks and Carroll voting 'yes'; Carlson absent. This is a recommendation to the City Council.

There being no further business, the meeting was adjourned at 1:22 p.m.

Please note: These minutes will not be formally approved until the next regular meeting of the Planning Commission on April 11, 2007.

F:\FILES\PLANNING\PC\MINUTES\2007\pcm032807.wpd