

**LINCOLN CITY PLANNING COMMISSION
MINUTES
July 18, 2023**

1. CALL TO ORDER, ROLL CALL, PLEDGE OF ALLEGIANCE

| Attendee Name | Title | Status | Arrived |
|----------------------|--------------|---------------|----------------|
| Brian Bunnnett | Commissioner | Present | |
| Clay Glasgow | Commissioner | Present | |
| Mellissa Sumner | Commissioner | Excused | |
| Marci Baker | Commissioner | Present | |
| Robert Vincent | Chair | Present | |
| Kim Blackerby | Commissioner | Present | |

2. CONSENT AGENDA

Commissioner Baker requested clarification regarding the minutes of the June 22, 2023, Planning Commission Work Session. Director Anne Marie Skinner stated that according to City Attorney Richard Appicello the work session ended when there was no longer a quorum, so minutes were concluded at that point. Commissioner Baker moved to approve the consent agenda, seconded by Commissioner Blackerby. The motion passed unanimously.

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| MOTION: | Approve the Consent Agenda of the minutes for the Planning Commission Regular Meeting on April 18, 2023, at 6:00 PM; Planning Commission Work Session on April 18, 2023, at 6:30 PM; Planning Commission Work Session on June 22, 2023, at 5:00 PM; and FR 2023-06 for CPA ZC 2023-05 |
| MOVER: | Baker |
| SECONDER: | Blackerby |
| AYES: | Baker, Blackerby, Bunnnett, Vincent |
| ABSTAIN: | Glasgow |
| EXCUSED: | Sumner |
| RESULT: | Passed |

3. PUBLIC HEARINGS/DELIBERATIONS

3.1. ZOA 2023-03 Miscellaneous Items

Chair Vincent opened the public hearing for ZOA 2023-03 at 6:03 PM. Director Skinner presented the verbal staff report, describing the components of the draft zoning ordinance amendment. The proposed motion and two options were also described. Public comments were received from Annette Guido, Janet Knipe, Patti Kroen, David Jamieson, and Ken and Eileen Mergentime. All comments expressed opposition to any change to the fence height requirements in the R1RE zone.

Melissa Birch, a Roads End resident for over three decades, provided testimony in favor of Option 1. (Option 1 leaves the fence height requirements in the R1RE zone as is, with no changes.) She emphasized the importance of maintaining the unique characteristics of the Roads End neighborhood as envisioned in the annexation and zoning process.

Annette Guido, a part-time Roads End resident, provided testimony in favor of Option 1. She emphasized the need to amend zoning only in instances that meet a clear community need.

Ken Mergentime, a full-time Roads End resident, provided testimony opposing Option 2 of the zoning ordinance amendment, which would change the fence height requirements in the R1RE zone to be the same as the rest of the city at a maximum of seven feet tall in the setback areas, and supporting Option 1. The Mergentimes raised a concern earlier in the year when their neighbor constructed a seven-foot-tall fence adjacent to Mergentime property, feeling it was a simple enforcement issue. He did not support unifying zoning codes.

Commissioner Blackerby moved to close the public hearing, seconded by Commissioner Baker and approved by the remainder of the Commissioners.

Commissioner Blackerby emphasized the unique nature of the Roads End neighborhood, and stated that making any changes to the current R1RE zoning would disrespect the important work done in the original zoning process.

Commissioner Blackerby moved to approve ZOA 2023-03 Miscellaneous Items with Option 1 which maintains the fencing requirements in the R1RE zone as they are today, seconded by Chair Vincent. Commissioner Baker recommended specific findings to include that Option 2 is not in alignment with the Aesthetics or Land Use goals in the Comprehensive Plan and that there needs to be a factual basis for ordinance amendments. Commissioner Baker also noted that public comments were 100% in favor of Option 1. The motion was approved by a vote of four in favor and one abstaining.

Commissioner Baker asked to clarify whether the edits discussed regarding R1 and R1-5 were included in the motion. Director Skinner noted for the record that the addition of “5” to the “R1” making it “R1-5) in Section 17.32.020.O was included.

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| MOTION: | Recommend to City Council to approve ZOA 2023-03 with Option 1, with the addition to Section 17.32.020.O of “5” to the “R1” making it “R1-5” |
| MOVER: | Blackerby |
| SECONDER: | Vincent |
| AYES: | Baker, Blackerby, Bunnett, Vincent |
| ABSTAIN: | Glasgow |
| EXCUSED: | Sumner |
| RESULT: | Passed |

3.2. Nelscott Urban Renewal (Tax Increment Finance) Area

Urban Renewal Agency Director Alison Robertson introduced herself and Elaine Howard of Elaine Howard Consulting LLC. Director Robertson provided an overview of their agenda for the presentation, including the role of the Planning Commission and an introduction to general urban renewal concepts. Additionally, the presentation included a map of the Nelscott Urban Renewal

Area boundary showing which properties were included in the program. Top projects identified through the community involvement process included pedestrian safety, economic development, road connections, emergency preparedness, and public utilities.

Commissioner Blackerby asked for additional information relating to the funding set aside for Emergency Preparedness. Director Robertson stated that many of the projects had multiple benefits, so that some of the funding for parks, transportation and utilities would also address a number of public safety and security concerns.

The primary purpose for the presentation to the Planning Commission was to establish conformance with the current Comprehensive Plan.

Commissioner Blackerby asked for information regarding the Taft Urban Renewal Plan. Director Robertson stated that the Taft Vision Plan was part of the Year 2000 Plan. Specific elements of that plan included the sea wall construction, addition of parking and two-way traffic, and undergrounding of utilities.

Commissioner Blackerby asked about the impacts from Urban Renewal financing on other taxing districts in the area. Director Robertson shared that there would be impacts to other districts, except for the school district. Many urban renewal projects, however, have community-wide benefits that are prioritized by members of the public.

Commissioner Baker asked if there had been feedback from any of the other districts. Director Robertson stated that they are in the process of reaching out to those entities, including North Lincoln Fire and Rescue, Lincoln County, Lincoln County School District, and the North Lincoln Health District for additional comments for presentation to the City Council.

Commissioner Bunnett asked for further clarification as to whether the Planning Commission is being asked to recommend approval of the Nelscott Urban Renewal Plan, in addition to determining if the plan is in conformance with the Comprehensive Plan. Director Robertson responded that if the Planning Commission wanted to also recommend approval, but the primary purpose was to ensure conformance. Commissioner Bunnett asked if there were any other types of input the Planning Commission might provide, such as whether or not they supported the development of connector streets and the related acquisition. Director Robertson stated that those types of comments would typically be sought at the time of project implementation. The Urban Renewal effort is strictly the establishment of a financing program for future development.

Commissioner Blackerby asked for an update on the Roads End Urban Renewal Plan, and whether Lincoln City would have the capacity to run two distinct Urban Renewal programs. Director Robertson assured the commissioners that the city has such capacity. She suggested that it would likely be at least three to four years before the community visioning process would begin in Roads End. She also provided clarification regarding the approval by Lincoln County.

Commissioner Baker asked about the use of the employment area for health services. Director Robertson stated that living wage jobs would be an option that would be supported. Commissioner Baker asked if land acquisition could be used as set-asides for affordable housing in the future. Director Robertson stated that such acquisition would be in keeping with the program goals.

Commissioner Blackerby moved that the Lincoln City Planning Commission finds, based on the information presented in the staff report and the provided attachments, that the Nelscott Urban Renewal TIF Plan conforms with the Lincoln City Comprehensive Plan, and further recommends that the City Council approve adoption. Commissioner Bunnett seconded the motion and it was approved with four voting in favor and one abstention.

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| MOTION: | The Nelscott Urban Renewal Tax Increment Financing Plan conforms with the Lincoln City Comprehensive Plan and Planning Commission recommends that the City Council approve adoption. |
| MOVER: | Blackerby |
| SECONDER: | Bunnett |
| AYES: | Baker, Blackerby, Bunnett, Vincent |
| ABSTAIN: | Glasgow |
| EXCUSED: | Sumner |
| RESULT: | Passed |

3.3. Fernwood Second Amendment

City Attorney Richard Appicello presented the need for the Planning Commission to approve the second amendment to the declaration of covenants and restrictions for the Villages at Cascade Head – Fernwood.

Responding to a question from Commissioner Blackerby, Attorney Appicello provided more information about the location of Fernwood and Maplewood on NE West Devils Lake Boulevard, as well as some background regarding the Villages.

Chair Vincent moved to approve the motion, seconded by Commissioner Blackerby. The motion to approve was passed with four voting in favor, one abstaining.

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| MOTION: | Approve the second amendment to the declaration of covenants and restrictions for Fernwood of the Villages at Cascade Head |
| MOVER: | Vincent |
| SECONDER: | Blackerby |
| AYES: | Baker, Blackerby, Bunnett, Vincent |
| ABSTAIN: | Glasgow |
| EXCUSED: | Sumner |
| RESULT: | Passed |

4. DIRECTOR'S REPORT

Director Skinner stated that there were no agenda items pending for the August 1st regular meeting of the Planning Commission.

She had no updates to report on any recent land use cases. The Overlook Subdivision was set to expire 7/20/2023, but that the applicants submitted an application for a time extension. The Building Department remains busy, and to date has processed 299 building permit applications.

Responding to a question from Commissioner Blackerby, Director Skinner clarified that the construction of the new Grocery Outlet was not yet complete.

5. COMMENTS BY PLANNING COMMISSIONERS/CIC

Commissioner Blackerby also asked about the goals recently approved by the City Council, and requested a possible presentation at a future meeting.

Commissioner Baker stated that she had attended the Planning & Community Development Department Open House earlier in the afternoon and felt it was a nice and welcoming event and encouraged people to attend them in the future. She also thanked staff for providing signage for the meeting.

6. ADJOURN

Chair Robert Vincent adjourned the meeting and requested a short break prior to beginning the Planning Commission Work Session.

Respectfully submitted,

Anne Marie Skinner
Planning Director

Robert Vincent
Chair