City Council Introduction: June 16, 2014
Public Hearing: June 23, 2014 **Bill No. 14R-164**

FACTSHEET

TITLE: Amendment to the ANTELOPE VALLEY REDEVELOPMENT PLAN to add the "ELEVEN HUNDRED Y STREET PROJECT"

BOARD/COMMITTEE: Planning Commission

APPLICANT: David Landis, Director of the Urban Development Department

RECOMMENDATION: A finding of conformance with the Comprehensive Plan (8-0: Beecham, Sunderman, Corr, Hove, Cornelius, Scheer, Weber and Harris voting 'yes'; Lust absent)

STAFF RECOMMENDATION: A finding of conformance with the Comprehensive Plan

OTHER DEPARTMENTS AFFECTED: Urban Development

SPONSOR: Planning Department

OPPONENTS: Yes (See Minutes, p.12-14)

REASON FOR LEGISLATION:
To approve a proposed amendment to the Antelope Valley Redevelopment Plan to add the **"Eleven Hundred Y Street Project"** consisting of an infill multi-family apartment complex for 126 dwelling units on approximately 2.2 acres, generally located between 10th Street on the west, Y Street on the south, N. 12th Street on the east and the east/west alley between Y Street and Charleston Street on the north. The Antelope Valley Redevelopment Plan area north of Downtown is generally bounded by Salt Creek on the north, by the BNSF Railroad tracks on the south, by Antelope Creek on the east and by Interstate I-180 on the west; the area east of Downtown is generally bounded by 17th Street on the west, 27th Street on the east, the BNSF Railroad tracks on the north and "D" and "E" Streets on the south.

DISCUSSION / FINDINGS OF FACT:

1. This proposed amendment to the Antelope Valley Redevelopment Plan and the associated Change of Zone No. 14001 and Special Permit No. 14008 to approve the "1100 Y Street Community Unit Plan" were heard at the same time before the Planning Commission.

2. The staff recommendation to find the proposed amendment to the Antelope Valley Redevelopment Plan to be in conformance with the 2040 Comprehensive Plan is based upon the "Analysis" as set forth on p.6-7. The applicant/staff presentation is found on p.8-9.

3. The developer's testimony is found on p.10-11. Testimony in support is found on p.12.

4. Testimony in opposition is found on p.12-14. The issues and concerns of the opposition relate more to the impacts of the associated change of zone and special permit, including inappropriate development in an older, historic neighborhood; lack of green space; reverting the work done with neighborhood design standards to protect the core neighborhoods; traffic; parking; and the potential for phase 2 of the development.

5 The response by the applicant is found on p.14-16.

6. On May 28, 2014, the Planning Commission agreed with the staff recommendation and voted 8-0 to find the proposed amendment to the Antelope Valley Redevelopment Plan to be in conformance with the 2040 Comprehensive Plan (See Minutes, p.16-18 **(Comprehensive Plan Conformance No. 14011).**

7. On May 28, 2014, the Planning Commission also voted 7-1 to recommend approval of the associated Text Amendment No. 14004 and Text Amendment No. 14005; voted 8-0 to recommend approval of Change of Zone No. 14011; and voted 8-0 to adopt Resolution No. PC-01397 approving Special Permit No. 14009. The special permit has not been appealed to the City Council.

FACTSHEET PREPARED BY: Jean Preister, Administrative Officer **DATE:** June 9, 2014
REVIEWED BY: Marvin Krout, Director of Planning **DATE:** June 9, 2014

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LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for May 28, 2014 PLANNING COMMISSION MEETING

PROJECT #: Comprehensive Plan Conformance No. 14011

PROPOSAL: To review as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan, to add the "Eleven Hundred Y Street Project" consisting of 126 residential units in a multi-story apartment building and parking lot, on property generally located on the north side of Y Street between N. 10th Street and N. 12th Street.

The Antelope Valley Redevelopment Plan area north of Downtown is generally bounded by Salt Creek on the north, by the BNSF Railroad tracks on the south, by Antelope Creek on the east and by Interstate I-180 on the west; the area east of Downtown is generally bounded by 17th Street on the west, 27th Street on the east, the BNSF Railroad tracks on the north and "D" and "E" Street on the south, Lincoln, Lancaster County, Nebraska.

LOCATION: The north side of Y Street between N. 10th Street and N. 12th Street.

LAND AREA: 2.2 acres, more or less

CONCLUSION: The redevelopment plan is in conformance with the Comprehensive Plan.

RECOMMENDATION: In conformance with the Comprehensive Plan.

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 16-30, Block 15, Cahn, Metcalf and Farwell's, Lincoln, Lancaster County, Nebraska.

EXISTING ZONING: B-3 Commercial District, R-4 Residential District and I-1 Industrial District

EXISTING LAND USE: Single-family dwellings and vacant property

SURROUNDING LAND USE AND ZONING:

North: Parking Lot/Single-Family Dwellings; B-3/R-4
South: Parking Lot/Railroad Tracks; P/I-1
East: Parking Lot/Railroad Tracks; P
West: Commercial/Single-Family Dwellings/Steel Fabrication Facility; B-3/R-4/I-1

ASSOCIATED APPLICATIONS:
CZ14011 - Change of Zone from B-3, R-4 and I-1 to R-8
SP14008 - Special Permit for a Community Unit Plan

TX14004 - Text Amendment to allow a Community Unit Plan in the R-7 and R-8 zoning districts
TX14005 - Text Amendment to establish design standards for a Community Unit Plan in the R-7 and R-8 zoning districts

HISTORY:
The North Bottoms Neighborhood was settled beginning in the 1870's. The houses along the north side of Y Street were constructed in the early 1900's.

This site was rezoned from I Commercial District , B Two-Family Dwelling District and K Light Industrial District to B-3 Commercial District, R-4 Residential District and I-1 Industrial District with the 1979 zoning update.

COMPREHENSIVE PLAN SPECIFICATIONS:
P. 1.9 - This site is shown as Commercial and Urban Density Residential on the Future Land Use Map.

P. 1.6 - Approximately 16% of new dwelling units will be built within the existing City, with about 3,000 in the Downtown and Antelope Valley areas, 1,000 in existing neighborhood, and 4,000 in mixed use redevelopment nodes and corridors.

P. 2.4 - Generation Y, the children of the Baby Boomers (those born between 1977 and 1004) also express a desire for a more urban setting that includes access to transit, proximity to amenities such as shopping and dining, and smaller dwellings that don't require a great deal of time spent on maintenance.

P. 2.5 - The City of Lincoln and the University of Nebraska have undertaken several major efforts in the West Haymarket, Antelope Valley and Innovation Campus areas over the past decade that include and encourage the development of residential infill and redevelopment projects.

P. 2.8 - Mixed use redevelopment, adaptive reuse and well-designed and appropriately-placed infill development, including residential, commercial and retail uses, are encouraged.

P. 2.9 - More compact, dense development clusters allow for savings in public infrastructure cost and improved accessibility to jobs, goods and services.

P. 4.4 - The community has also expressed its interest in good urban design through the Neighborhood Design Standards for infill development in older residential neighborhoods.

P. 4.8 - The project site is near the I-180 Primary Entryway Corridor.

P. 6.1 - The primary focus for new dwelling units is the "Greater Downtown" which includes Downtown property, Antelope Valley, the Haymarket and Innovation Campus.

P. 7.2 - **Guiding Principles.**

Provide flexibility to the marketplace in siting future residential development locations.
Strive for predictability for neighborhoods and developers for residential development and redevelopment.

P. 7.8 - New construction should continue the architectural variety (in existing neighborhoods), but in a manner that is sensitive to the existing neighborhoods.

P. 7.8 - Residential redevelopment in existing neighborhoods tends to occur naturally without public intervention over a long period of time, as individual properties become obsolete or are acquired piecemeal by private or nonprofit developers.

P. 7.9 - **Strategies for Redevelopment in Existing Neighborhoods.**

Promote the preservation, maintenance and renovation of existing housing and neighborhoods throughout the city, with special emphasis on low and moderate income neighborhoods.

Maintain and enhance infrastructure and services in existing neighborhoods.
Encourage increased density of existing apartment complexes and special needs housing where there is land available for additional buildings or expansions.
Recognize that broad economic diversity within existing neighborhoods encourages reinvestment and improves quality of life for all residents while acknowledging the need for affordable housing.
Preserve, protect ad promote the character and unique features of urban neighborhoods, including their historical and architectural elements.

P. 7.10 - **Detailed Strategies for Existing Neighborhoods.**

Similar uses on the same block face
Similar housing types face each other: single family faces single family, change to different use at rear of lot
Redevelopment and infill should strive for compatibility with the character of the neighborhood and adjacent uses (i.e., parking at rear, similar setback, height and land use).
Encourage a mix of housing types all within one area
Encourage retention of single-family uses where appropriate in order to maintain mix of housing
Maintain existing pattern of streets for connectivity
Encourage alley access and shared driveways to parking areas in order to reduce interruptions to pedestrian traffic, to preserve on street parking capacity, and to reduce automobile conflict points

P. 10.18 - The BNSF railroad is shown near this site on the Existing Rail Lines Map.

ANTELOPE VALLEY REDEVELOPMENT PLAN SPECIFICATIONS:

P. 44 - **Antelope Valley Projects.** Enhancement of residential neighborhoods with proper balance of new residential housing products and reinvestment in quality housing stock.

P. 48 - **Future Market Potentials.** Development must be made possible but also guided through the adoption of targeted but flexible planning and zoning regulations and initiatives tailored to the area. Modifications in the zoning regulations should be adopted for Antelope Valley that includes flexible setback requirements, density maximums and other policies that encourage specific development types but also make the area attractive to developers.

P. 49 - **Market Assumptions.** The Redevelopment Plan assumes a projected build-out as shown below:

Townhouse: 424 units
Single Family: 360 units
Multi Family: 2,085 units

P. 50 - The studies completed by Concord and ERA suggest a demand for high quality multi-unit housing, for students on and off-campus, young professionals, empty nesters and others seeking to live and work in a vital, walkable urban environment. This market demand will help drive the redevelopment process as new high quality residential environments are infused into Lincoln revitalizing the community.

P. 54 - This area is shown as Medium Density Neighborhood and Low Density Conservation District on the Future Land Use Map.

P. 55 - **Neighborhoods.** New construction will be invited and encouraged provided primary emphasis is given to the preservation of existing buildings. The design of such new space should enhance and contribute to the aesthetic character and function of the existing buildings and the surrounding neighborhood form.

P. 60 - **Medium Density.** While current quality housing structures should continue, this category envisions replacement of lesser quality housing structures with new quality housing products. These blocks are to have a higher density to capitalize on the public improvements by providing greater activity and overall sense of community. This category should fade in density and character to blend seamlessly with the adjacent neighborhoods.

P. 63 - **Low Density Conservation.** The Conservation District designation means more emphasis should be placed on renovation rather than new construction. New housing products would be allowed, but generally only to replace the lesser quality housing structures that cannot be economically updated. All new and renovating construction should meet design criteria to ensure fulfillment of the traditional neighborhood ambiance.

P. 66 - **General Principals.** More choices, new residential products, compaction, unique attributes, easy walking distance, open spaces, public spaces, conservation, economic development, commercial buildings, economic restructuring, sustainability, public services, regional services, broad support, participation, public decisions and incentives.

P. 72 - **Neighborhood Enhancements Projects.** Improve important pedestrian and vehicular corridors, investigate existing housing or buildings which should be preserved, investigate existing housing which has been negatively impacted by past modifications, identify existing housing of acceptable quality, but needing maintenance improvements, identify existing properties in key commercial areas with land values that are lower than average, identify the few instances of blighted and dilapidated housing, purchase and clear the property, and either replat it to adjacent property owners or redevelop it into new mixed density housing.

P. 73 - **Residential Redevelopment and Housing Rehabilitation.** For the Neighborhood Enhancement Principles to be implemented, it will require site acquisition, relocation, demolition, construction and site preparation.

P. 73 - **Acquisition of Substandard Housing and Commercial/Industrial Structures.** Substandard housing and commercial/industrial structures contributing to substandard and blighting influences in the Redevelopment Areas, including structures that are inconsistent or incompatible with existing land uses, will be acquired and parcels made available for redevelopment.

P. 74b - **Streetscape Project in the North Bottoms Neighborhood.** The Plan identifies a streetscape project on 10th Street, between the viaduct (just to the south of Charleston Street) and extending to Military Road. Project elements include decorative lighting, sidewalk replacement, trash receptacles, bike racks, and landscaping, all in the City's right-of-way.

P. 82 - **North Bottoms University Parking Lot Area.**

New medium density residential opportunities
Easy access to campus
Site will not be available until after the "X" Street Bridge and related roadways are complete
Need to address floodplain issue

P. 82 - **10th Street-North Bottoms Main Street.**

Lincoln's "Greenwich Village"
Mixed-Use retail area integrating commercial and residential uses in the same building

P. 82 - **North Bottoms South Edge.**

New medium density residential opportunities
Need to address floodplain issue
Need to relocate existing business
Recreation area
Easy access to campus
Passive Park/Open Space buffer area from I-180

P. 91 - **Future Utilities and Infrastructure.**

Water System. As new redevelopment projects are identified, the City will need to carefully determine if the existing water system can handle the new projects.
Sanitary Sewer System. Similarly, a detailed sanitary sewer capacity study should be conducted to identify specific needs and projects, particularly on a case-by-case basis as redevelopment project occur.

P. 96 - **Sidewalk Repair Program Map.** Sidewalk repairs have been completed throughout the North Bottoms Neighborhood.

P. 105 - **Focus Areas.** Focus areas are an important neighborhood revitalization strategy that concentrate public and private resources in small neighborhood areas (12 to 30 blocks). Portions of all the Antelope Valley Neighborhoods (North Bottoms, Clinton, Malone/Hawley, Downtown, Woods Park and Near South) have or are implementing Focus Area strategies.

NORTH BOTTOMS NEIGHBORHOOD FOCUS AREA ACTION PLAN:

P. 5 - The biggest land use issue facing the North Bottoms Neighborhood is the conflict between residential and industrial areas.

P. 5 - Housing adjacent to the industrial area is largely rental and in poorer condition than owner occupied housing to the north. Expansion of the industry into a residential area, with no buffers, generally contributes to blighting conditions and neighborhood deterioration.

P. 11 - **Focus Area Strategies.** Reduce land use conflicts. If industrial uses move out of the neighborhood, encourage replacement with a green space buffer.

ANALYSIS:

1. This is a request to review an amendment to the Antelope Valley Redevelopment Plan for a determination of conformity with the Lincoln and Lancaster County 2040 Comprehensive Plan.

2. The proposal is to construct a multi-story residential building and a surface parking lot. Approximately 210 bedrooms in 126 residential units are proposed with 162 parking spaces and 72 bicycle parking spaces. The existing single-family dwellings would be demolished as part of the redevelopment.

3. The language in the Antelope Valley Redevelopment Plan related to this site shows Medium Density Neighborhood and Low Density Conservation District as future uses. The Medium Density Neighborhood designation surrounds the North Bottoms Neighborhood and is located between the residential neighborhood to the north and the industrial areas to the south.

   According to the Antelope Valley Redevelopment Plan, Medium Density envisions replacement of lesser quality housing structures with new quality housing products. Medium density blocks are to have a higher density to capitalize on the public improvements by providing greater activity and overall sense of community. The Medium Density category should fade in density and character to blend seamlessly with the adjacent neighborhoods.

4. The proposal to construct a multi-story residential building is in conformance with the recommendations of the Antelope Valley Redevelopment Plan for this site. Adding dwelling units to the Greater Downtown area is also a major goal of the Comprehensive Plan.

5. The North Bottoms Neighborhood worked with the Urban Development Department to draft a Focus Area plan in 2002. The Focus Area plan identified the conflict between residential and industrial areas as the biggest land use issue in the North Bottoms Neighborhood. The proposed project will help alleviate this conflict by establishing a transition between the industrial and residential areas.

6. The source of funds for public improvements will be Tax Increment Financing generated by this project. If this project receives TIF assistance, the design details of the development will be reviewed by the Urban Design Committee. The Urban Design Committee reviewed the project at the May 6th meeting and unanimously recommended approval of the project,

subject to continuing to address the concerns of the neighborhood to the north, screening of the parking lot and the scale of the building as it transitions to the north. Minutes from the May 6th UDC meeting are attached.

Prepared by:

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DATE: May 15, 2014

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COMPREHENSIVE PLAN CONFORMANCE NO. 14011, CHANGE OF ZONE NO. 14011 and SPECIAL PERMIT NO. 14008 THE 1100 Y STREET COMMUNITY UNIT PLAN (CUP)

PUBLIC HEARING BEFORE PLANNING COMMISSION: May 28, 2014

Members present: Beecham, Cornelius, Corr, Harris, Weber, Scheer, Sunderman and Hove; Lust absent.

Staff recommendation: A finding of conformance with the Comprehensive Plan on the amendment to the redevelopment plan; approval of the change of zone; and conditional approval of the special permit, as revised on May 28, 2014.

There were no ex parte communications disclosed.

Staff presentation:

1. Wynn Hjermstad, Community Development Manager of the Urban Development Department, spoke on the redevelopment plan amendment. Amending the redevelopment plan is the first step in the process of acquiring tax increment financing (TIF) under the state statutes.

Hjermstad showed the location of the proposed project. The “slip road” that will be referenced from time to time is a little road coming off of 10th Street that is really just a slip-in road and is not declared city right-of-way at this point. With the railroad tracks, it is a challenging site. Hjermstad also showed the site plan showing Y Street and the slip road. The building is situated as such because of the railroad tracks. The City has a policy of not locating residential development within 300' of a railroad track, thus the building was moved back to accommodate that standard. What is being proposed is 126 units with 163 parking stalls including 72 bike racks. In terms of TIF, some of the improvements which could be pursued include continuing to pave Y street; constructing a connecter at 12th Street up to Charleston; paving the alley; constructing a median on 10th Street that would restrict left turns out of the project; constructing sidewalk along Y Street as well as 12th Street; storm sewer; sanitary sewer; street trees; and lights. These are improvements that are part of the project, but in terms of the redevelopment process these are items eligible for TIF.

Hjermstad advised that the developer has had neighborhood meetings, one with the adjacent property owners and then one that was neighborhood-wide. The proposal has also been reviewed by the Urban Design Committee (UDC), which did approve it, subject to returning to the UDC once the developer has more design items in place. The UDC suggested more parking lot screening and moving the building to provide more separation to the neighborhood to the north.

Hjermstad observed that it will be a tall building and putting it right up to the alley with single-family adjacent could be a big barrier. What the developer has done with the building is a "step" design so that it steps up as you move away from the single-family and from the alley, and they have done shade studies so that the shade of the building will not block out the single-family houses. The total cost of the project is 7.8 million dollars with approximately $700,000 in TIF (these are preliminary numbers).

If the Planning Commission finds the amendment to be in conformance with the Comprehensive Plan today, Hjermstad advised that the plan amendment will go on to City Council for approval at the end of June. They are just beginning to work on the redevelopment agreement which goes to the City Council which spells out how TIF will be used, with construction to begin shortly after City Council approval of the agreement in August.

Beecham inquired as to the procedure if the UDC is not happy with the changes that come back. Hjermstad noted that UDC is advisory. **Marvin Krout, Director of Planning,** came forward and explained that UDC is advisory to the Mayor, so the Mayor will consider their recommendations as he goes through the negotiations on the TIF. In the CUP, there are references that do set the pattern in terms of setbacks and elevations and building materials.

2. Paul Barnes of Planning staff addressed the change of zone and CUP special permit. The change of zone is for the block north of Y Street currently zoned B-3, R-4 and I-1, and the proposal is to change the zoning to R-8, which is the highest density zoning district for residential in Lincoln. R-8 districts are primarily located near the south edge of Downtown. In this case, R-8 is a transitional zone between the traditional mixed use Downtown to the more traditional single-family neighborhood, which can be seen on the south end of Downtown. There are railroad tracks that are heavily used to the south; Salt Creek Roadway, which is considered part of greater Downtown; adjacent to UNL campus; and some additional industrial uses to the south and west. Barnes suggested that this could be considered somewhat of a transitional zone already.

The CUP includes a request to waive the front and rear yard setbacks, reducing the front yard to zero feet for the building and the parking lot along the 10th Street slip-road and along Y Street and continuing to the east and wrapping around the parking lot. The rear yard setback reduction to 8 feet is for the rear of the building. There is discussion that a portion of Y Street would be vacated; however, that is not part of today's discussion. If Y Street is vacated, that would allow the building to shift to the south, creating more of a setback between the building, the alley and the residential houses to the north.

Barnes further explained that the CUP allows not only for the reduction in setbacks, but allows us to incorporate some of these design issues to the site and to the building that may otherwise cause a sensitivity to the adjacent neighborhood. The building elevations show a "step back" approach with a taller portion of the building along Y Street and then a step down to about 22 feet along the alley side. The building overall would be 4-5 stories, the fifth being a two-story mezzanine-type loft unit on the south. The exhibit specifies materials which would be used on the building, i.e. brick and mortar on the north side and more modern materials on the south.

Barnes pointed out that there is a revised staff recommendation to state that the building footprint and parking spaces shown on the site plan are conceptual and that minor adjustments could be made.

Cornelius inquired whether there was any response from the owners of the property currently zoned R-3 and R-4 to this zoning change. Barnes advised that the developer has all of the properties north of Y Street under contract.

Harris noted that the Comprehensive Plan shows this site as commercial and urban density residential on the future land use map, so urban density residential appears to fit right in. What about the commercial designation? Is there a conflict there? Barnes responded, stating that the future land use map in the Comprehensive Plan generally shows the properties fronting on 10th Street as commercial. The intent is that if a property were to redevelop and propose a commercial use, that would be supported. The Comprehensive Plan does not tie it to commercial only, but it is used as a guide.

Beecham inquired whether there has been any feedback from the property owners that front on Charleston. Barnes indicated that the Planning Department has not received any communications.

Proponents

1. Chris Elsey, Elsey Partners, 1532 College Avenue F19, Manhattan, Kansas, presented the proposal. Elsey Partners is a student housing development company, and they are primarily interested in this site because they want to promote walkability in this community. What he originally proposed was a substantially larger project of potentially three phases, with upwards of 1,000 beds, but that was not well accepted by the North Bottoms neighborhood. He has transitioned and moved the project to the current location on Y Street, which is sort of isolated and is on the east side of 10th Street. It does have the slip-road that comes off of the bridge, which is currently the only way in and out of the property. Elsey is proposing to add the connection to 12th Street along to the east. Elsey acknowledged that he did have some concerns from the neighborhood previously and he was hopeful that this site would be more isolated from the rest of the neighborhood.

Elsey is attracted to this area because of easy walking distance, right off the pedestrian bridge, to the University, West Haymarket and Haymarket Park, and all the amenities around the arena. Elsey confirmed that he does have the entire block under contract. contingent upon approval of this project.

Elsey stated that it is on a 2.5-acre site, with a mix of one-, two- and three-bedroom apartments. Elsey Partners is a student housing developer, but these are not 4-bedroom and 4-bath suites. There are some one- and two-bedroom apartments. He would not prohibit other young professionals or empty nesters from living in these apartments, but he believes there will be a high percentage of students in this complex.

Elsey pointed out that he has pushed the building back as far as possible to the south to create more of a buffer to the neighbors to the north. There will be street trees and landscaping, and the building was moved to the south. The UDC was concerned about screening of the parking lot and the headlights, so a median was added to the parking lot to create screening to the neighbors to the north.

Elsey also pointed out that in this block along Charleston Street, it appears that there are only two owner-occupied's on that stretch and the remainder are rental units. He believes that this

fact conveys that this is an appropriate location because there is a demand needing to be met with the existing demographics, particularly in this block.

Elsey showed images depicting that the building is stepped down from the south to the north. This basically reduced the bedroom count by 50, from 260 beds to 210 beds.

A shadow study was conducted with the winter solstice and that is how they determined the angle of the building. It will have no more shadow occurrence than a two-story building. They are proposing a landscape entry plaza on the south.

Beecham referred to the minutes from the UDC about how this will add to a historic area. She asked Elsey to address what has been done to blend in with the historic character. Elsey stated that they will accomplish that with the materials on the back side of the building. Most of those homes along Charleston are predominantly siding, but we wanted to keep kind of a higher-end feel. There will be siding on the back of the building mixed with brick. Beecham wondered about windows/glass on the north side. Elsey acknowledged that there is some glass on the entry portion, and there are two-story apartments on the upper floor which will have larger 8x12 windows on the top. Beecham does not want the neighbors on Charleston to be looking at a solid wall in their back yards.

Elsey noted that they did not incorporate any balconies. The interior court yard includes a swimming pool so that the community space is located within the interior of the building to keep things isolated.

Corr asked whether the applicant was looking at both sides of Charleston Street. Elsey's answer was, "yes".

Harris referred to the photographs and rendering and asked whether those assume the vacation of the alley. Elsey explained that the mockups do incorporate vacation of 10 feet of the Y Street right-of-way. The right-of-way on the west half where the road is paved on Y Street is significantly larger than on the east half, so that is where they are proposing to be granted some of the right-of-way.

Corr asked how many of the houses on the Y Street side are owner-occupied. Elsey confirmed that he currently has those under contract, but there are three owner-occupied.

Corr noted that Urban Development talked about electric sub-metering for responsible energy consumption. Elsey explained that this was an attempt to not put 120 meters on the back of the property, so there is sub-metering where you can put one meter on the back and put just a little donut around the cable to monitor the usage by the residents. However, LES is not going to allow the sub-metering. There will be a meter, and Elsey Partners will receive an individual bill and assess it to the tenants. They intend to place a cap on the use of electricity for the tenants. The electric bill will be part of the rent. If the tenant exceeds the cap amount, they will be required to pay the additional amount separately. He wants to encourage responsible energy use. It has been found that DVR's and flat screen televisions actually have a pretty high load that people do not realize. The tenants will be so advised.

Support

1. Walt Bleich, 1062 Y Street, a 30-year resident of North Bottoms and one of the affected landowners, testified in support. When he was first contacted by Elsey, he did not have any interest in selling; however, during the negotiations they made a very fair offer which was hard to turn down, i.e. twice what the house is worth, so he has a vested interest in this project. He understands the opposition and suggested that a lot of it seems to be based on nostalgia, looking at the way the neighborhood used to be in the past and not the way it is today. The block has three owner-occupants. A fourth person whose parents own the house is living there. All of those houses are on contract. There are already students living in those houses. He believes this project may alleviate a lot of the problems that he has seen by having these students living in the neighborhood. Philosophically, he is in tune with this kind of project. We need to move as a society more to vertically developing residential housing rather than simply spreading out and gobbling up good agricultural land. We need to revitalize the neighborhood. He does have some concerns with TIF transferring the tax burden to existing taxpayers, but he understands that seeking TIF has to do with improvements requested by the City or restrictions on the kind of project they want. His concern about TIF is alleviated by those improvements.

In terms of redevelopment, Bleich suggested that Lincoln is at a crossroads. We are heading toward a redevelopment brick wall with our natural resources, especially water. He understands there might be some long range plans by the City to find new water resources, but we need to either start to look at capping new redevelopment or we need to move forward with another pipeline. That discussion needs to happen as soon as possible.

2. Brian Mihulka, owner of 1108 Y Street, testified in support. He believes this is a good development, especially with the location near the railroad tracks. It is also a good transition and most of the houses are rentals at this point anyway.

Opposition

1. Wendy Thrasher, 806 Y Street, testified in opposition. She was also opposed to the original project. She believes that there is a lot of neighborhood opposition to this second project as well. At one of the neighborhood meetings in the beginning, Elsey continued to portray this as "student housing," but when pressed, he defined it as "young urban professional housing". Thrasher takes issue with the inappropriate placement of such a modern looking building in a historical district. There is a sign right by Y Street that glorifies the North Bottoms Neighborhood. A number of people living there actually built and kilned the bricks that built the Haymarket District downtown. She believes that this type of project is very disrespectful in that regard.

Thrasher also stated that she does not find fault that it would be beneficial to have more housing in the area to accommodate UNL students and workers in the Downtown area. But, she would like to preserve this historical neighborhood of the North Bottoms. If this is truly being portrayed as "student housing", there needs to be a disclaimer that they are willing to rent to anyone. If portrayed as "infill housing," it would be possible for a family to rent an apartment in this building.

Thrasher believes the plan needs more green space for children, such as a small playground. Urban professionals do tend to have young children and they need some place to play.

Thrasher also takes issue with restricting the electrical usage and including that as part of the rent. It might perhaps even be unconstitutional. TIF will put a burden on the taxpayers. The property owners/neighbors have wanted that area improved for quite some time and now approximately one-fifth of this apartment building expense will be TIF.

With regard to parking, Thrasher stated that Elsey represented to the neighborhood at their last meeting that he would only have 70 parking spaces. Now suddenly it is more than 70. She has a hard time understanding the applicant and how quickly he is changing things.
Thrasher believes that the North Bottoms is a residential neighborhood and a historic residential neighborhood and it should stay that way. She strongly urged that the Planning Commission to table this proposal for further consideration.

2. Annette McRoy, 1142 New Hampshire, testified in opposition. She expressed confusion on this project because the City has worked very hard to preserve older neighborhoods over the years. In fact, the Neighborhood Design Standards were written a few years back for the core neighborhoods. She suggested that this project reverts all of the work that has been done over the years to protect our core neighborhoods. She understands it is private property. Since Elsey is going to own all of the property, is this the highest and best use of the property? She understands the housing stock may not be the best, but it was someone's home; it provided housing for students and young families.

McRoy stated that she does believe in redevelopment, but she does not understand how an urban apartment building fits in with an older neighborhood. She believes it is infill. She acknowledged that the project done along Vine Street turned out very well and that there are areas to do this. However, there are roads that have not yet been widened; we have not changed the Comprehensive Plan; we have not changed the long range plans; we have not included money in the CIP to do that because it would change the character of those neighborhoods. North Bottoms is a low to moderate income neighborhood, but it is her home and the home of a lot of other people. We need housing in the city to fit everyone's budget. McRoy takes offense that the North Bottoms is mostly rentals. She has met the nicest people in those rental projects. She grew up in North Bottoms. The neighbors have worked really hard to help change the stereotype of the North Bottoms. Now, to bring in an urban apartment building with young professionals and students, turns it backwards to where it was going. She cannot imagine anyone would allow putting an apartment building like this in the Near South. Yet, we are doing this to an area in which taxpayers' money has been spent to turn it around.

McRoy advised that the North Bottoms Neighborhood Board has not voted on this project. The developer held two neighborhood meetings. There were a lot of questions about traffic flow from the residences. The neighbors are concerned about the traffic from 12th Street into the neighborhood. There will be more people going into the interior of the neighborhood. Charleston is very narrow today. There is no parking on one side of the street today. Adding more cars will not be ideal.

With the developer showing a phase two of this project, McRoy believes they see this neighborhood as a dollar sign. They plan to buy properties on Charleston so it will keep creeping and creeping.

Corr asked how many attended the neighborhood meetings. McRoy thought that perhaps 30-40 people attended. Corr understands that the traffic concerns were number one. Were there other concerns? McRoy stated emergency vehicles being able to get into the area; TIF; does it fit? Those neighbors with which she has visited want what is the highest and best use going forward. She has some experience working with infill housing, and she believes we could choose to do something better. It appears that we are bending every rule to make this project work, so it really does not fit in with what the neighbors had in mind.

3. Alan Burbach, 1200 Claremont, which is two blocks north of where the traffic will come out, testified in opposition. There are only two ways out - across the neighborhoods to 14th Street by the Devaney Center or head back towards 10th Street. He suggested that half of the traffic will probably head toward 14th Street and go across the neighborhood. His property is somewhat removed from the building, so his primary concern is the traffic, especially on the narrow streets where you cannot get a car through if parking is allowed on one side of the street.

Burbach finds it odd to remove housing to put in an apartment complex and then calling it a "transition". The transition is more from Memorial Stadium to the neighborhood and less about the Downtown.

Staff questions

Beecham asked staff to address the traffic issues. Barnes advised that the applicant did provide a technical memo looking at the traffic impacts and driving habits of a university campus in Minnesota. It was provided to Public Works; that study said that for a student housing type of development, there would be approximately 1/3 of the amount of traffic than a traditional apartment complex. Public Works reviewed that study and accepted their methodology and analysis, and did not require a traffic study.

Corr then asked staff to address the parking requirements. Barnes stated that the applicant is meeting the parking requirements. It is based on the number of dwelling units. There are 126 dwelling units proposed and the parking lot would provide 162 spaces. The requirement for R-8 is 1/dwelling unit regardless of the number of bedrooms. The code does not base parking off of bedrooms, only the use and the zoning district.

Beecham assumes that student housing means unrelated individuals living together, with many of them not sharing a vehicle. The numbers being provided do not deal with that issue. Barnes stated that there is a special permit for dwellings for nonrelated persons, and that is when you have more than 3 nonrelated people living together, which is a different CUP application. There is a parking requirement for that special permit of one space per resident, but this is not that type of special permit.

Response by the Applicant

With regard to the architectural character of the building, Elsey stated that the architect worked pretty hard and it did go before the UDC, and that's a pretty tough crowd with seven other design professionals on that board and they did recommend approval of the project. Quite honestly, some of them really appreciated the architectural character and the response to the different historic characteristics with the materials on the project.

With regard to the parking requirements, Elsey pointed out that they are also providing 72 bike stalls. Based upon an in-house parking study at Elsey's own complexes in Kansas and Oklahoma, it has been determined that the parking lots there are 1:1 ratio and 60% full on average and 80% at maximum, so he believes the parking requirement is justified and feasible.

Hove clarified that the parking ratio is 1:1 per bedroom at other locations, and the proposal here is 1 per unit.

Beecham questioned the conditions required by UDC. Elsey advised that the UDC had concerns about screening of the parking lot to the north and moving the building to the south with more landscaping. This has been shown but part of the right-of-way will need to be vacated to achieve that.

Elsey also observed that he has received a lot of feedback from the owners of the lots to the north and a lot of them are interested in potentially selling. So Elsey will be discussing with Planning and the UDC what the north side would potentially look like if there would be a phase two to this project. That would be an R-4 zoning, which would be significantly less than this project. He will be suggesting 2-story townhomes, but he wants to work through that with city staff. Any discussion on phase two is preliminary at this time.

Given that we are considering this particular project as creating a transitional buffer, Cornelius pointed out that Elsey is on record saying that any phase two that involves the north side is going to be sensitive to the historic neighborhood and more in keeping with the existing properties. Elsey agreed.

Derek Zimmerman appeared on behalf of Chris Elsey in rebuttal pertaining to the issue of Comprehensive Plan conformity, stating that one of the major goals of the Comprehensive Plan is to promote infill within the greater downtown area, and this project does that. He also pointed out that under the R-8 zoning, there are more units that could be allowed than are being proposed. This project is 48 less units than allowed in R-8. Another goal of the Comprehensive Plan is to move properties out of the floodplain, and these properties which are currently in the floodplain will be taken out of the floodplain because of this project.

With regard to transition, Zimmerman pointed out that in the neighborhood focus area action plan for North Bottoms, one of the primary concerns was the conflict between industrial and residential. The industrial on the eastern portion will go away. There is property to the south with railroad tracks and other industrial uses, and this project will provide a buffer and greater separation to the neighborhood to the north.

Beecham asked Urban Development whether the redevelopment plan for the North Bottoms is the last time the city talked to the neighbors. Hjermstad recalled that there was a focus area, which is different from the redevelopment plan. Redevelopment plans are spelled out in state statute to get to TIF. Focus area plans (target area plans) are something that the City did and the North Bottoms focus area plan might have been done in about 2002. The focus area plans were initiated by Urban Development working with other departments. The idea was that it had to be a neighborhood association that wanted to work with the City and had to be low to moderate income to qualify for CDBG. The main reason that the focus area plans have gone away is because CDBG federal funds were cut and are no longer available. In the focus area plan, Urban Development did work with the neighborhood to identify short term (3-5 years)

improvements that could be done. These focus area plans were very much lead by the neighborhoods. As a result of the focus area plans, sidewalks were repaired, alleys were graveled, neighborhood signs were installed, there were some park improvements, housing improvement programs, etc. She recalled that a partial streetscape on 10th Street was not completed because there was not enough funding, but they did do the lights and street trees.

Beecham believes that the Near South focus area plan included a long term vision. Was there anything like that in the North Bottoms plan? Hjermstad could not recall exactly but she believes there was an overall vision for the neighborhood that recognized how much of the neighborhood had become rental but still wanting to maintain the character of a historic, single-family neighborhood, although she also recalled that there was the recognition that the neighborhood is changing and how best to keep some of the character of the neighborhood. Hjermstad pointed out that this neighborhood has not been designated historic, but it is eligible.

Beecham asked whether there is anything preventing the neighborhood association from engaging with Urban Development to take a fresh look at it and update the focus area plan. Hjermstad advised that there are less people in Urban Development and about half as much funding so it's a matter of resources, but Urban Development staff could attend meetings and do whatever possible to be a resource.

TEXT AMENDMENT NO. 14004
ACTION BY PLANNING COMMISSION: May 28, 2014

Cornelius make a motion to approve, seconded by Scheer.

(Editorial Note: *The comments on this particular motion pertain to the entire 1100 Y Street Project package, including TX14004, TX14005, CPC14011, CZ14011 and SP14008].*

Cornelius comments that this is about as complicated a package as the Commission has seen in a very long time, and it required a great deal of deliberation and consideration and he expressed appreciation for everyone's comments. When he read the text amendment regarding R-7 and R-8 and CUP's, Cornelius was concerned because of the city-wide application and the way this seemed to be a fairly sweeping change. Often the Commission is given a chance to deliberate in advance with a briefing, etc. But we did not in this case. One of the things which allayed his concerns was that R-7 and R-8 re limited in their use, i.e. small, any kind of CUP is by special permit and will come before the Planning Commission – a lot of checks and balances. It is actually putting greater restriction on these developments, but we are in effect creating a new R-8 zone to apply this project to. That gives him pause. R-8 is defined as a transition zone between higher intensity use and other residential. In this case, we have train tracks and industrial, the stadium, the campus and what is historically single-family residential on the other side.

Then he started reading the request for the special permit, and he tried weighing the pro's and con's. This is a residential neighborhood with a lot of rentals, but that's okay; and this is a high impact project. Otherwise, we would not need the text amendments. This does create a transitional area between the existing uses and the historical single-family residential area. We also heard that the area has a reputation for party houses and that this will change the character of this area that is affected – it turns it inward and reduces the size of the residences,

and that is a good thing. It is relatively high-end rental and the residents will have to care somewhat about where they live. It is pedestrian oriented. It checks a lot of boxes when talking about the Comprehensive Plan conformity – high density infill; removing property from the floodplain; and redevelopment in an area that might otherwise have problems developing.

On the con side, Cornelius acknowledged that it has an impact on a lower density neighborhood with residential properties that are low to moderate income and those properties might feel put upon by having this right on the edge of the neighborhood. It requires a number of variances in spite of the proposed text changes. That gives him concern. And it is a radical change from existing conditions. Is that a bad thing? Cornelius is not sure that it is.

On balance, Cornelius stated that he is more in favor than against this package. If he were facing these challenges in his neighborhood, he might appreciate this project. He would be concerned about phase 2, but that's a future thing that will come before this body. And, rest assured, this body will take into consideration the historical character of the neighborhood.

Scheer generally agreed with Cornelius, and he does not want to lose sight of the fact that for about 4 years, this community has had ongoing discussion about tools and ways to make things like this happen. This is what that looks like in reality. He is really pleased about the fact that we are to this point and actually doing something that we have been talking about for 3-4 years.

Harris agreed with what has been said. She commented that the Commission usually has a little more background on issues like this and she still feels that she would benefit from a little bit more background on the parking requirement and the ability to increase or decrease, especially with final action. She would be more comfortable delaying the parking requirement portion only. She needs to understand better how the text amendments affect the zoning in general.

Beecham expressed that she is concerned about this project because right now our design standards are based on matching the pre-existing neighbors on the block. She thinks that approving a project like this that is demolishing all of the houses on the block is setting a precedent to get around the design standards. We do have projects coming into older neighborhoods that take up an entire block and we need to address this issue. It could undermine the purpose of the design standards.

Beecham also cautioned about saying, "they are rentals, therefore they are expendable." A house that is a rental can be turned back into owner-occupied; a house as a rental can be a good neighbor; we do not want to assume that a rental house is not a valuable house. However, despite those two things, Beecham stated that she does like the project because it is at the edge and not in the middle of the neighborhood; it is adjacent to a busy street; it is buffering the railroad; and she appreciates the fact that the developer has worked to alleviate the scale and tried to use some materials that will blend better with a historic area. She would agree that the parking issue could be delayed.

Corr commented that the text amendments gave her concern because it has city-wide ramifications. But, her concerns are somewhat alleviated because one must have a large area of land to work with and that will not happen very often in the city core. But, when someone purchases the whole block face, the design standards go out the window. She prefers the porches and the neighborhood look.

Then with the special permit, Corr commented that we have all known about some of the problems that North Bottoms has been challenged with – the party houses, litter, etc. – and she believes this project will help alleviate some of that. The only reason she will support is because it is on the edge and it is giving the buffer between an industrial use and the residential housing; however, moving on to the next street, Charleston Street, is going to have to meet some of those neighborhood design standards. She wishes that this was more neighborly; it's going to have to stay rental and that is a disadvantage she does not like. However, she has concluded that the buffer and transitional outweigh some of the other negatives.

Motion for approval carried 7-1: Beecham, Cornelius, Corr, Weber, Scheer, Sunderman and Hove voting 'yes'; Harris voting 'no'; Lust absent. This is a recommendation to the City Council.

TEXT AMENDMENT NO. 14005
ACTION BY PLANNING COMMISSION: May 28, 2014

Cornelius moved approval, seconded by Scheer and carried 7-1: Beecham, Cornelius, Corr, Weber, Scheer, Sunderman and Hove voting 'yes'; Harris voting 'no'; Lust absent. This is a recommendation to the City Council.

COMPREHENSIVE PLAN CONFORMANCE NO. 14011
ACTION BY PLANNING COMMISSION: May 28, 2014

Cornelius made a motion to find the proposed amendment to the Antelope Valley Redevelopment Plan to be in conformance with the Comprehensive Plan, seconded by Scheer.

Motion carried 8-0: Beecham, Cornelius, Corr, Weber, Scheer, Harris, Sunderman and Hove voting 'yes'; Lust absent. This is a recommendation to the City Council.

CHANGE OF ZONE NO. 14011
ACTION BY PLANNING COMMISSION: May 28, 2014

Cornelius moved approval, seconded by Scheer and carried 8-0: Beecham, Cornelius, Corr, Weber, Scheer, Harris, Sunderman and Hove voting 'yes'; Lust absent. This is a recommendation to the City Council.

SPECIAL PERMIT NO. 14008
ACTION BY PLANNING COMMISSION: May 28, 2014

Cornelius made a motion to approve, with conditions, as revised, seconded by Sunderman and carried 8-0: Beecham, Cornelius, Corr, Weber, Scheer, Harris, Sunderman and Hove voting 'yes'; Lust absent. This is final action, unless appealed to the City Council within 14 days.

CPC14011

CITY OF LINCOLN
NEBRASKA

MAYOR CHRIS BEUTLER
lincoln.ne.gov

Urban Development Department
David Landis, Director
555 S. 10th Street
Suite 205
Lincoln, Nebraska 68508
402-441-7606
fax: 402-441-8711

April 30, 2014

Marvin Krout, Director
City of Lincoln-Lancaster County Planning Department
555 S. 10th
Lincoln, NE 68508

Dear Marvin:

Enclosed is an amendment to the Antelope Valley Redevelopment Plan that identifies the Eleven Hundred Y Street Project. This multi-family apartment complex consists of 127 apartment units on approximately 2.2 acres, generally located between 10th and 12th Streets, Y Street north to include the east-west alley between Y and Charleston Streets, and City right-of-way on 10th and 12th Streets.

Please forward the Plan Amendment to the Planning Commission for their earliest consideration for Comprehensive Plan compliance. My understanding is that the Plan Amendment should be on the May 28, 2014 agenda.

If you have questions or need additional information, please contact me at 441-8211 or at whjermstad@lincoln.ne.gov. Thank you.

Sincerely,

Wynn S. Hjermstad

Wynn S. Hjermstad, AICP
Community Development Manager

cc: Dave Landis, Director, Urban Development Dept.

019

LINCOLN
The Community of Opportunity

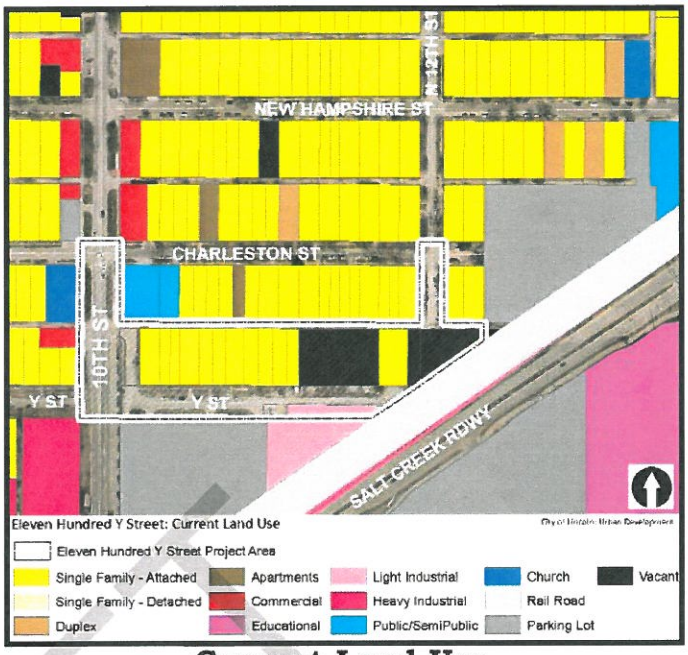
O. Eleven Hundred Y Street Project

1. *Project Description*

The Eleven Hundred Y Street Project is an infill multi-family apartment complex proposed in the North Bottoms neighborhood. It is generally located between 10th Street on the west, 12th Street on the east, Y Street on the south and the alley between Y and Charleston Streets on the north. See ***Project Area Context***, below.

The Project site is approximately 2.2 acres and is currently comprised of 12 single-family detached housing units, one privately-owned vacant parcel, and two City-owned properties. The City properties are used as street right-of-way for a slip street on the west side of the Project and as an unimproved gravel parking lot on the east side -- on which parking spaces are sold to the public on football game days.

Surrounding land uses include single-family residential to the north, UNL Board of Regents industrial, warehouse and parking to the south, and railroad tracks also on the south. The elevated 10th Street bridge serves as a hard boundary on the west. See ***Current Land Use***, above.

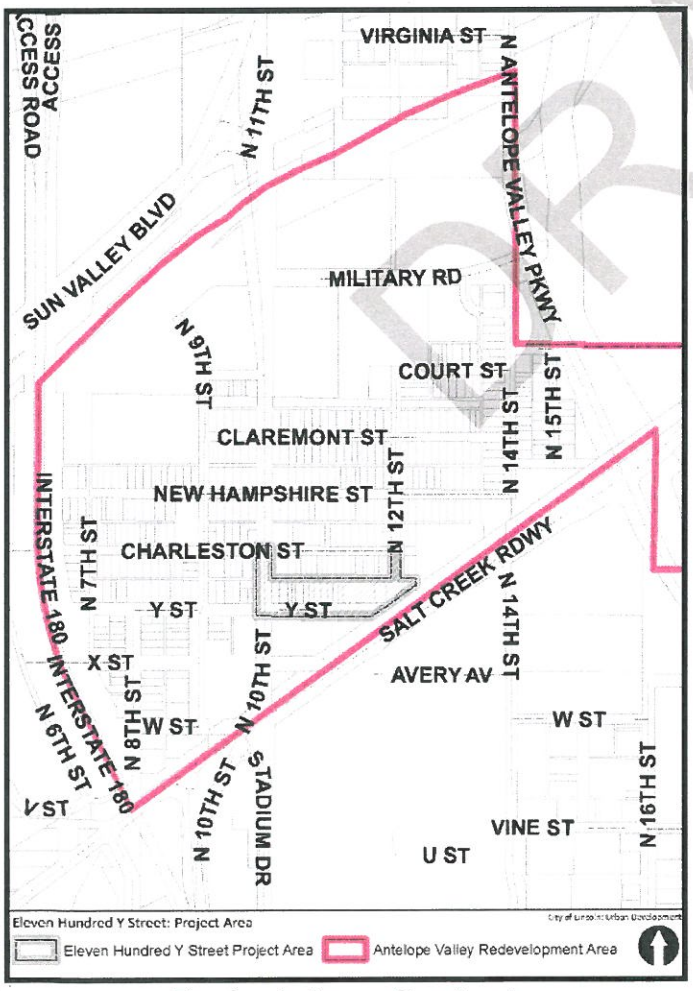


Current Land Use

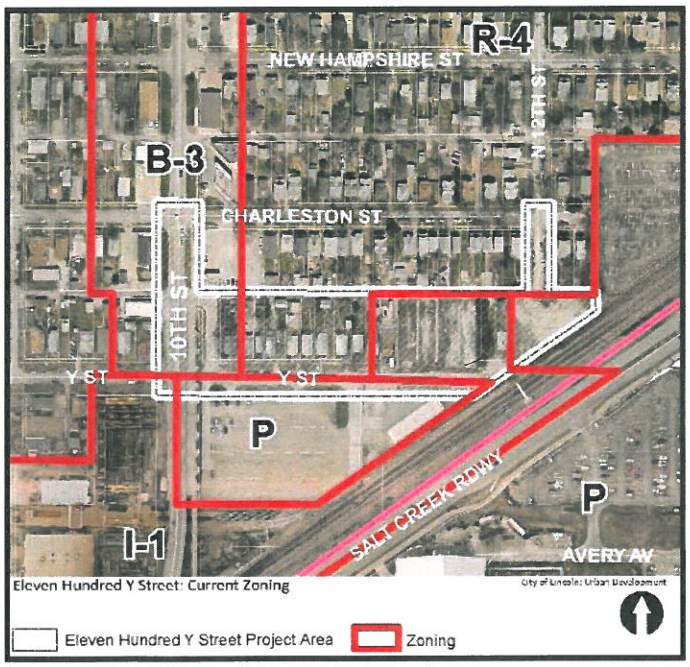
Current zoning in the area is a combination of B-3 Commercial, R-4 Residential, and I-1 Industrial, as illustrated in ***Current Zoning***, below.

The entire area is in the designated 100-year Salt Creek Flood Plain and remedial action will be required.

The proposed Project will be designed to be an



Project Area Context



Current Zoning

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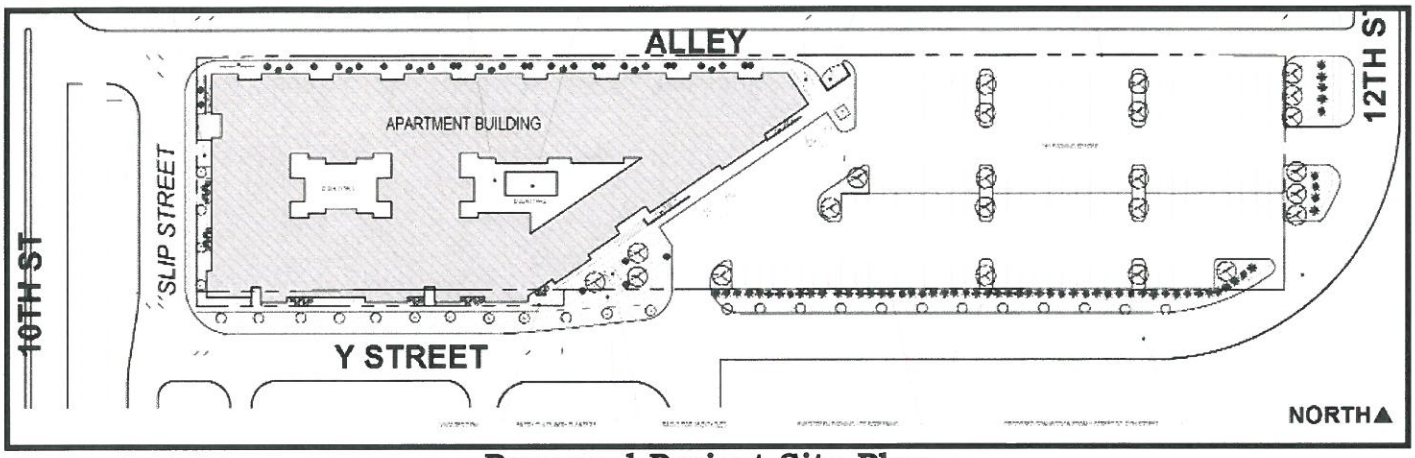

Proposed Project Site Plan

urban four-story building consisting of approximately 127 units (209 bedrooms): 62 one-bedroom, 48 two-bedroom and 17 three-bedroom market-rate apartments that will be marketed toward young professionals and students.

The upper floor will have a select number of lofts with a two-story mezzanine. An adjacent on-site surface parking lot will provide approximately 162 parking stalls; 72 bicycle spaces will also be provided. Amenities will include a swimming pool, a landscaped courtyard, and an onsite office. See the ***Proposed Project Site Plan***, above.

The exterior façade may utilize various building materials including brick and lap cement board siding. The use of electric sub-metering will encourage responsible energy consumption from residents. Project-wide energy efficiency will also be achieved through the use of heat pumps for heating and cooling, CFL light bulbs, low-flow shower heads, and water-wise toilets.

Project Area public improvements may include:
- Paving Y Street,
- Construction of N. 12th Street and paving of 12th Street to Charleston Street,
- Paving the east-west alley,
- Construction of a median on N. 10th Street to restrict left-out traffic movements,
- Sidewalks along Y Street and N. 12th Street,
- Stormwater, sanitary sewer and water improvements, and/or
- Street trees and street lights along Y and N. 12th Streets.

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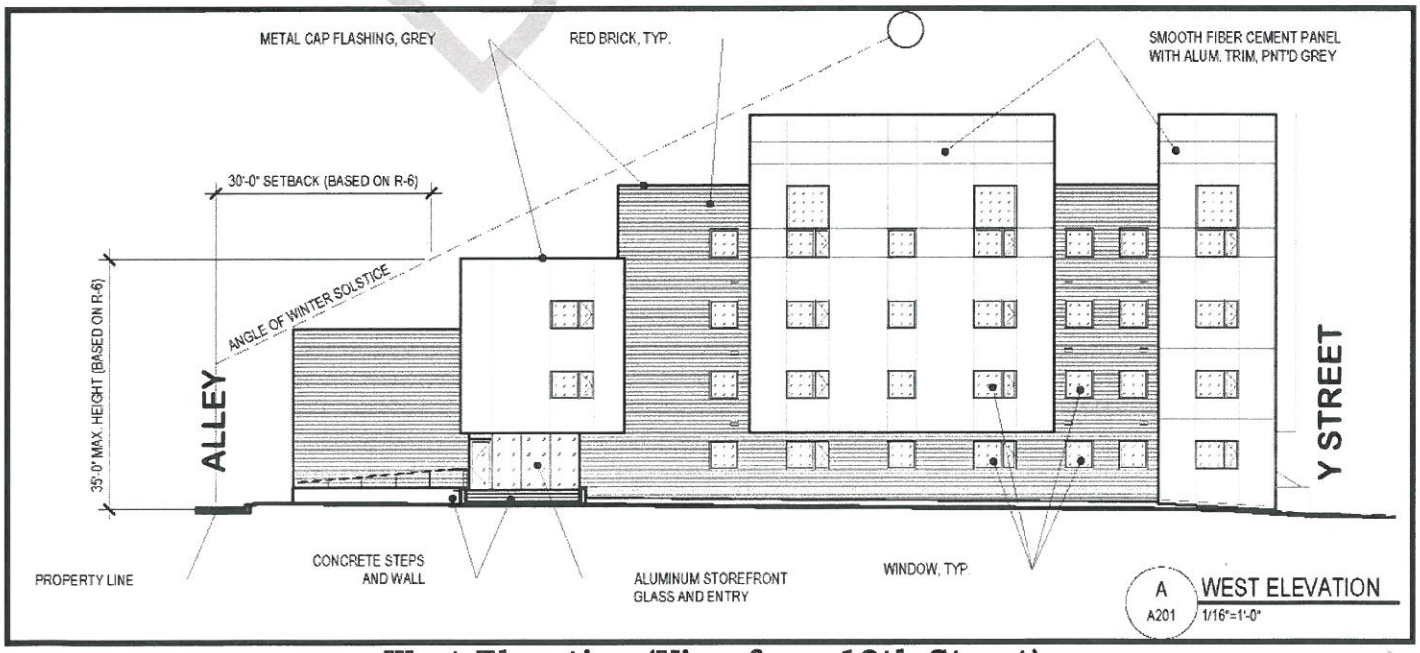
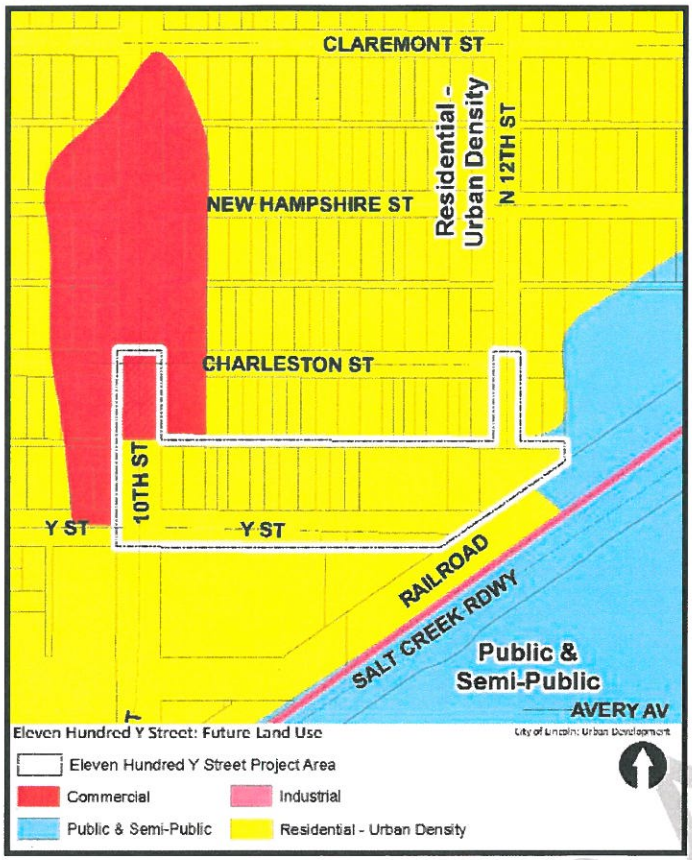


West Elevation (View from 10th Street)



Future Land Use

2. *Statutory Elements*

- Property Acquisition, Demolition, and Disposal

No public property acquisition will occur; all acquisitions will be privately negotiated prior to approval of a Redevelopment Agreement. Demolition will also be completed privately. Demolition will include clearing structures on the site including any required environmental remediation and any necessary capping, removal or replacement of utilities and site preparation.

- Population Density

Population density will increase significantly with the replacement of 12 single family detached housing units with 127 apartment units. However, the increase will not significantly impact the overall population density of the city.

- Land Coverage

Land coverage and building density will be altered with construction of the Project. Construction of 127 apartment units on 2.2 acres equals 57.7 units per acre. See ***Future Land Use***, above.

- Traffic Flow, Street Layouts, and Street Grades

The City's Public Works and Utilities Department has indicated that the Project is not likely to result in a significant increase in traffic. Y Street will be realigned slightly to the south but within existing City right-of-way. A new connector on the east end of the Project will complete 12th Street to Charleston, and both Y and 12th Streets will be paved as well as the east-west alley. A median will be constructed in 10th Street to restrict left-out traffic movements from the slip road on the west end of the Project.

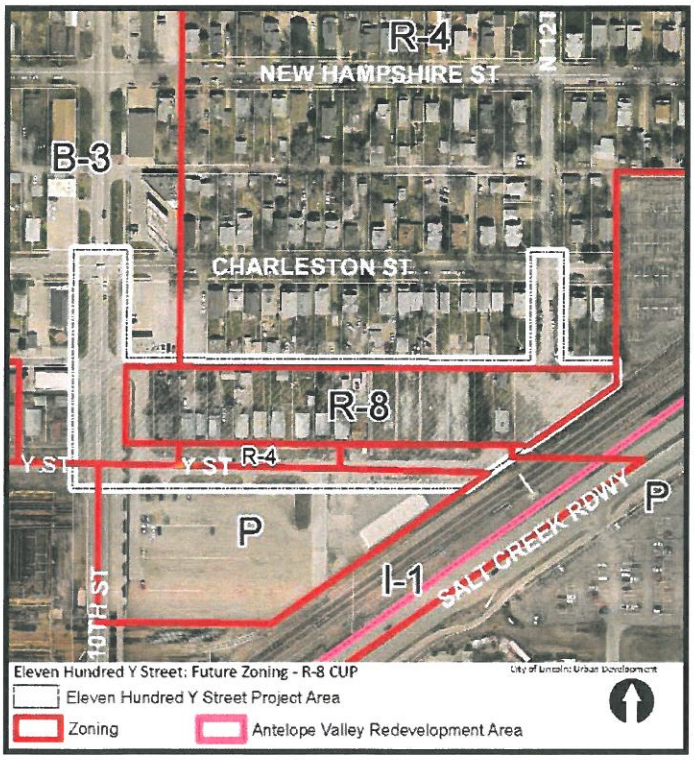
- Parking

A private 162 stall at-grade surface parking lot will be constructed on site. The Project will also provide parking for 72 bicycles.

- Zoning, Building Code, and Ordinances

Current zoning in the area is a combination of B-3 Commercial, R-4 Residential, and I-1 Industrial. The Project site will be rezoned to R-8 residential Community Unit Plan (CUP). See ***Future Zoning***, below.

A CUP is a special permit that is intended to encourage creative design of residential developments. A CUP will allow for flexibility in height and area regulations and can also require increased setbacks or



Future Zoning

DRAFT

screening from adjacent property. An R-8 CUP will allow the density and height requested as part of the Project and minimize impacts on neighboring properties through building design, setbacks and screening. A zoning text amendment will be necessary as CUPs are not currently permitted in the R-8 zoning district.

3. Financing and Cost Benefit Analysis

As required by Nebraska Community Development Law (Neb.Rev.Stat. §18-2113), the City has analyzed the costs and benefits of the proposed Project including:

- Tax Revenues

Upon completion of the Project, the assessed value of the property will increase by an estimated $4,213,676. This will result in an estimated $691,250 in Tax Increment Financing (TIF) over 14 years for public improvements. The public investment of the projected $691,250 will leverage private investment of approximately $7,856,000 resulting in more than $11.36 of private investment for every City TIF dollar spent.

- Public Infrastructure and Community Public Service Needs Impacts

It is not anticipated that the Project will have an adverse impact on existing public infrastructure or City services.

- Employment Within & Outside the Redevelopment Project Area

There are no employers with the Project Area. There will be no adverse impact on employment within or outside the Project Area.

- Other Impacts

As calculated from a 2009 report by the National Association of Home Builders, the additional annually recurring impact of building 127 rental apartments in a typical metro area would include $2.92 million in local income, $501,650 in taxes and other revenue for local governments, and 41 local FTE jobs. These estimates, based on apartment occupants paying taxes and otherwise participating in the local economy, also take into account natural vacancy rates.

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MEETING RECORD

NAME OF GROUP:	URBAN DESIGN COMMITTEE
DATE, TIME AND PLACE OF MEETING:	Tuesday, May 6, 2014, 3:00 p.m., Room 113 – Bill Luxford Studio, County/City Building, 555 S. 10th Street, Lincoln, NE
MEMBERS IN ATTENDANCE:	Tom Huston, JoAnne Kissel, Gill Peace, Michelle Penn, Scott Sullivan, Michele Tilley and Mary Anne Wells.
OTHERS IN ATTENDANCE:	Chris Elsey (Elsey Partners); Bradley Buser (Prime Design); Mark Hunzeker and Derek Zimmerman (Baylor Evnen); Buck Kiechel (Kiechel Fine Art); David Wiese (Architectural Design Associates); Kyle Brasch (Sandquist Construction); Annette McRoy (North Bottoms Neighborhood Association); Walt Bleich, Steve Spratlen, Mona Spratlen, Brian Mihulka (Citizens); Dick Young (Concorde Management); Jennifer Brinkman and Josh Berger (Tetrad Property Group); Tim Gergen, Dennis Scheer and Eric Silvey (The Clark Enersen Partners); Wynn Hjermstad (Urban Development); Tim Sieh (City Law); Marvin Krout, Ed Zimmer, Stacey Hageman, Paul Barnes & Michele Abendroth (Planning Department)
STATED PURPOSE OF MEETING:	Regular Meeting of the Urban Design Committee

Chair JoAnne Kissel called the meeting to order at 3:03 p.m. The Nebraska Open Meetings Act was acknowledged.

Adoption of meeting record of UDC meeting of April 9, 2014.

Sullivan moved approval of the meeting record of April 9, 2014, seconded by Peace. Motion carried 5-0. Kissel, Peace, Penn, Sullivan and Wells voting 'yes'. Huston abstaining; Tilley absent during vote.

Landscape plan for vicinity of Building IV (greenhouses), Nebraska Innovation Campus (TIF-assisted project, The Clark Enersen Partners)

Scheer stated that last month the committee reviewed the street tree plan at Innovation Campus. They have been doing some shade modeling. He presented a summary of different heights of trees and their impacts on the greenhouses. If the trees were 20' tall, they would have a shade problem on the greenhouses for 1 hour in April and in September through October. If the trees were taller than that, they would have an impact in the winter as well. A 30 foot tall tree would have an impact for 2 hours from April through June and August through October. 40 feet tall trees would have an impact for 4 hours from April through June and August through October. 50 foot tall trees would have an impact for 5 hours from April through October. There is no impact on the greenhouses if they select a tree that is under 12 feet tall.

There are three trees under 12 feet tall on the list of City approved right-of-way trees; these include Sargent crabapple, Adirondack crabapple and Camelot crabapple. They are requesting the Committee to allow this shorter tree. They plan to space these trees closer together than typical with larger street trees. The impact of shade on the greenhouses is important. Even an hour of shade has an adverse impact. The University would like to market these greenhouses so that there is full sun. Silvey presented images of the impacts on the greenhouses with the various tree sizes. Scheer stated that they would like to use the Sargent crabapple tree.

Peace stated that at the last meeting, he doesn't believe the committee was saying that they have to do street trees. He believes the charge was to do something special there. He would like to see grasses, berms and shrubs instead of trees. Scheer stated that he believes the trees are the right approach, as he believes they can do something visually pleasing there. The public landscape in the right-of-way acknowledges the use of the building. They want to make the rest of the landscape work with this and the landscape plan of the private property is well-developed with a palette of native plant materials.

Wells stated that her understanding was that the developer was going to focus on the interior of the site, not the right-of-way trees.

Scheer stated that they are trying to work with a native palette for the rest of the landscaping. There are native grasses and perennials and shrub masses around the parking lot.

Sullivan stated that he does not believe the Committee was focusing on the right-of-way. He recalls the discussion being that the shorter trees interrupts the rhythm of the 40 foot trees around it. He would rather embellish the private development. Scheer stated that they will use 12 foot tall plants on the private side as well to incorporate it together.

Tilley stated that if there is a great landscape plan, you don't need to screen it with street trees. Scheer stated that the interior landscape is going to be a great landscape.

Berger stated that initially the University was opposed to any street trees, but they went back to them with the shade study, and they were okay with the shorter street trees.

Penn stated that they were expecting berms and tiered landscaping as a trade-off for no street trees. It seems that there is a disconnect on what they were expecting.

Sullivan stated that it feels very rigid. Scheer stated that the design team does not feel strongly about having street trees. If you are doing a 12 foot tall planting, you need to space it with a rhythm. The street tree is more for the driver.

Henrichsen mentioned that the adjacent area is not downtown. It is a fairly high speed roadway, so there is a benefit of having the street trees between the pedestrians and the road.

Wells stated that in the original design of the parkway, there were trees in groups of three with large spaces between which gives it a more informal feel, so she encouraged them to look at what is there today. Sullivan stated that he likes Wells' idea of a little variety.

Wells moved to retain the street trees but look at clustering them for a more informal design, seconded by Huston. Motion carried 6-0. Huston, Peace, Penn, Sullivan, Tilley and Wells voting 'yes'; Kissel abstaining.

PCE-Geist Expansion (TIF-assisted redevelopment project) 1711-1801 Yolande Avenue (The Clark Enersen Partners)

Gergen stated that this is a building that is going to be a sister building to what was built 10 years ago on their adjacent property. It is a full brick façade on the side that faces Yolande, and a simpler metal industrial construction to the south, at a considerable distance from the street.

Zimmer stated that this comes to the Committee because it is a TIF project.

Sullivan moved approval of the plan as submitted, seconded by Penn. Motion carried 4-0. Peace, Penn, Sullivan and Wells voting 'yes'; Huston, Kissel and Tilley abstaining.

Y Street Apartments (TIF-assisted redevelopment project), North 10th & Y Streets (Elsey Partners)

Elsey stated that they are a student housing company. They are attracted to the site at 10th & Y Streets because they believe that if people can walk places, it is better than them driving places. It is a really dynamic site right off the pedestrian bridge. There are existing homes there right now, which are mostly rental properties. There are twelve structures there. They are proposing 126 units with 210 bedrooms. There will be studios, 1 bedroom, 2 bedroom and 3 bedroom apartments. They don't rent only to students. They anticipate some young professionals.

Sullivan asked about the zoning. Krout stated that this is zoned R-4 with some industrial. That district allows single family, duplexes and apartments up to 14-15 units per acre if you do a community unit plan (CUP). The request is to rezone it to the highest residential category of R-8. This allows up to 70 units per acre. They are also asking for a code amendment to do a CUP that gives them more flexibility on the setback.

Buser stated this is a challenging site. The railroad has a huge impact on the site which forced all the buildings to one side of the site. You end up with a lot of area for surface parking lot. That lot is well screened on the south and east sides. There are landscape islands with trees. The apartment building has a pair of courtyards for sunlight and air for interior apartments. A pool is shown in the east courtyard. The main entry near the southeast corner is a plaza with planters within the hardscape plaza. They anticipate most of the pedestrian traffic from the pedestrian bridge. It is in the floodplain so the building is required to be lifted up. The alley is very narrow and unpaved and they want to widen it and pave it. This would help tie the project back into the neighborhood. Most of the façade is a fiber cement panel system and a large amount of brick. The materials on the backside of the building are mostly brick with wide lap siding.

JoAnne Kissell asked if any of the citizens attending had comments. Bleich stated that at first he was not interested in selling but he feels the Elsey brothers have worked well through some of the problems. Generally, he feels it is important to do proper development in the City and he hopes the project goes forward.

Tilley asked Bleich if most of the area's tenants are students. Walt stated that he agrees with that.

McRoy stated that most of her neighbors are not students. There are a lot of rentals in the neighborhood, but she has seen young professionals and young families or people in transition. Her concern is to understand how the urban design standards would allow a multi-story building into an historic neighborhood.

Kissel stated that this is a neighborhood that the urban design standards would apply, so new development would need to adhere to those standards. The Committee does not typically deal with change of zone issues. They will be interested in talking about the scale of this project.

Elsey stated that they feel like the area is separated from the rest of the area.

Zimmer stated that the Neighborhood Design Standards apply to all residential zoned properties. One of the standards states that in areas where there is no prevailing pattern, such as in a CUP, the dwellings must have neighborly design characteristics while respecting the creative design elements fostered by CUPs. If we were doing a single infill parcel on an established block, we would look at the pattern of what is on the block. As proposed, this project would have no pre-existing neighbors within the Y Street blockface, and there are no residential buildings on the south side of Y between 10th & 12th. So here it is a matter of interpreting how the proposal fits the area in a broad sense, and if there are elements that would make it fit the neighborhood better.

Kissel asked if there is a plan for the parcels around it. Krout stated that there is not a plan to the level of detail that you would like to see. There is a redevelopment plan for North Bottoms but it is very general and does not designate zones that might be higher or lower density.

Tilley asked if the median alleviates some of the traffic issues. Elsey stated that there have been some traffic engineering studies regarding student housing. Because of the walking distance to the University, the traffic generation would be ½ of a typical apartment complex. Buser stated that the traffic median forces the right-in, right-out. He added that a formal traffic study has not been done, and it is not required. Zimmer commented that the median would force a right-turn only onto 10th Street.

Wells stated that she feels it is the right location for apartments, but she is not sure about the density. There is no open space or green space on the site. Elsey stated that it doesn't work financially to do less than what they are proposing.

Buser stated that there are a lot of constraints on the site. It is very disjointed, but this block is urban in nature and not suburban. If you go three blocks north versus three blocks south, they are two totally different places.

Kissel stated that she does not see it as an urban setting; she sees it as historical. The design solution is urban, but she doesn't see the area as urban context. She would be uncomfortable if it weren't for the challenging buffer that is crying for an identity, but she is not sure this is the right buffer.

Huston stated that he likes the different variations in height, and he feels it deals more appropriately with the transition. Based on the Neighborhood Design Standards, the orientation of the CUP and the existing neighborhood, that made him more supportive of the project.

Tilley asked if this neighborhood has a historic designation. Zimmer stated that it does not have a historical designation, but it is national historic register eligible.

Peace stated that he likes the project. They have shown they are working with the scale, the have added the median, and they are paving the alley. He thinks this might be a nice transition and a way to anchor the property.

Sullivan stated that his concern is on the next block north and what is going to happen to those properties on that next half block. He would like to see the indoor exterior space converted to the north side of the building. This is a tall wall up against single family residential. He thinks this is a good buffer between industrial and the neighborhood, but he is concerned with the half block north. He also believes they need to reconsider the parking lot. He does not feel it is fair to the houses north to have an unscreened parking lot immediately behind them.

Sullivan asked McElroy what neighbors are saying. McRoy stated that there is a neighborhood meeting scheduled by Elsey next week. Neighbors are concerned about traffic and the change of zone and TIF. They are going to comment on issues of design standards and zoning.

Elsey stated that they have talked to owners of the properties on the north side, and they have prepared a Phase II plan for the north side, but it is only in the initial phases. He feels that is a valid point on how that transition occurs on that block.

Sullivan stated that he believes the design needs a better response to the properties on the north side of the block.

Sullivan asked how much space is between the alley and the building. Buser stated that it is approximately 10 feet. Sullivan asked if that could be pushed back to create more of a buffer. Elsey suggested that perhaps a fence could be put on the north side of the alley to create a buffer.

One of the neighbors in attendance pointed out that the majority of the houses on the south side of Charleston adjacent to the project area use the alley to access parking in their rear yards.

Penn asked if there is a subarea plan for this area. Huston stated that it may not be a bad idea to have a subarea plan for North Bottoms.

Krout stated that it is not an historic district, but the scale would be much different facing Charleston.

Huston moved approval of the project subject to continuing to address the concerns of the neighborhood to the north and screening of the parking lot and the scale issue as it transitions to the north, seconded by Peace. Huston, Kissel, Peace, Penn, Sullivan, Tilley and Wells voting 'yes'.

Kiechel Art Gallery Project (TIF-assisted redevelopment project), 1208 O St. (Ernie Castillo, Urban Development)

Zimmerman stated that they are proposing an art garden on the rooftop at 1208 O Street. There is a glass railing that will serve a deck. From the O Street side, you will be able to look up and see rooftop sculptures. There is LED lighting washed against the existing façade. They will replace the windows to be more energy efficient. They will have a projector with art images that will project along the sidewalk that abuts the building. They are keeping the existing building. This will provide value to the O Street corridor with some artistic elements.

Tilley asked if they have addressed the light for the neighbors. Kiechel stated that there is currently quite a bit of light from the various buildings. The only place where the light might spray out is if they did some LED on the elevator shaft. There will be some lighting that shoots down so the deck can be illuminated.

Huston asked what kind of usage they expect for the deck. Kiechel stated that it will be for special occasions. They feel it will be a neat addition to downtown.

Wells asked who will regulate what images can be projected. Zimmerman stated that there are terms in the redevelopment agreement as to what can be projected. There will not be advertising.

Sullivan moved approval the project, seconded by Penn. Motion carried 6-0. Huston, Kissel, Penn, Sullivan, Tilley and Wells voting 'yes'; Peace absent.

Public Art Licenses:

Granite Hi-Chair, 12th & R Streets

Zimmer stated that the City has received a request from Sheldon Museum to place a piece of public art at 12th & R Streets. They would like to place it on the median on R Street on the very far north end opposite Sheldon. It is a large granite high-chair that is 12 feet tall and about 3

feet wide. He mentioned he had asked the Sheldon representatives if they had a concern with damage or people attempting to climb on it, and the Sheldon felt it was not a concern.

Huston asked if there are any issues with sight triangles. Zimmer stated that Public Works has looked at it, and there are no issues.

Sullivan expressed a concern with the safety of the piece with people attempting to climb it.

Tilley commented that she feels it is a beautiful piece of art and will be a great addition.

Huston moved approval of the public art license for the granite high-chair at 12th & R Streets, seconded by Tilley. Motion carried 5-0. Huston, Kissel, Penn, Tilley and Wells voting 'yes'; Sullivan voting 'no'; Peace absent.

Pitch, Roll, Yaw, NW corner of NW 12th & W. Adams

Duncan Aviation has commissioned a local sculptor to sculpt a paper airplane in steel.

Sullivan asked if Building & Safety has looked at it for the sign standards. Zimmer stated that it is not considered a sign as there is no advertising on it. It is at the public turn to the airport.

Tilley asked if there would be signatures on it. Zimmer stated that it would have a small plaque, and signatures of Duncan employees on the support structure. Tilley noted that she feels the signatures shouldn't be dominant.

Penn commented that she feels it should not compete with the corridor landscape plans.

Huston moved approval of the public art license for the sculpture at NW 12th & West Adams, subject to it being compatible with the corridor, seconded by Penn. Motion carried 6-0. Huston, Kissel, Penn, Sullivan, Tilley and Wells voting 'yes'; Peace absent.

Misc. and staff report: schedule of up-coming meetings, up-coming items

There being no further business, the meeting was adjourned at 5:31 p.m.

**Please note that these minutes will not be formally approved until the next meeting of the Urban Design Committee. **

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