LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for May 9, 2007 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone No.07022

PROPOSAL: From R-6 Residential to B-4 Lincoln Center Business District.

LOCATION: Southeast corner of S. 19th St. and "L" St.

LAND AREA: 1.5 acres more or less

EXISTING ZONING: R-6 Residential District

CONCLUSION: This change of zone is generally in conformance with the Comprehensive Plan, the Antelope Valley Redevelopment Plan and the Lincoln Downtown Master Plan. However, staff has concerns with the character of development and access at this key location. The applicant wants assurance of zoning before investing in detailed design work. Therefore, re-zoning of any property fronting on "L", "K" or 19th Streets is recommended, but conditional on signing a zoning agreement with conditions in response to staff concerns.

RECOMMENDATION:	Conditional Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: See attached legal description.

EXISTING LAND USE: Residential

SURROUNDING LAND USE AND ZONING:

North:	B-4	Single Family Residential Service Repair Garage Storage Buildings
South:	R-6	Multi-family Residential
East:	R-6	Multi-family Residential, Single Family Residential, Alltel Communications Building
West:	R-6 and R-7	Parking Lot

COMPREHENSIVE PLAN SPECIFICATIONS:
This area is shown as commercial in the 2030 Comprehensive Plan. The Downtown Master Plan and the Antelope Valley Master Plan which are adopted by reference provide more specific guidelines (see Analysis).

UTILITIES: Available

TRAFFIC ANALYSIS: S. 19th and 20th Streets are currently local streets. "K" and "L" Streets are urban minor arterials. The 2030 Comprehensive Plan shows 19th Street to become 6 lanes plus a turn lane.

AESTHETIC CONSIDERATIONS: See Analysis

ALTERNATIVE USES:

1. Remain a high density residential zoning district.
2. Re-zone as an O-1 Office district. This would allow for 20% retail and a 75 foot height limit with 0 front yard, but it would not allow a banquet hall. The O-1 zoning district also requires only 1 parking space per 1,200 square feet for non residential uses. This parking requirement at ths location increases the potential for insufficient on site-parking. The O-1 zoning district is the zoning district recommended for this area in the draft Central Antelope Valley Design Standards.

ANALYSIS:

1. This application is for a change of zone from R-6 to B-4. The applicant indicates the change of zone is necessary to develop the property into office, retail and banquet hall space. The applicant owns all of the lots facing "L" Street and 3 of the lots facing "K" Street. The applicant does not own the two remaining properties on this block, and therefor is not requesting a change of zone on those two properties.

2. The Lincoln Downtown Master Plan shows this area as Low Rise Office surrounded by Low Rise Office with some High Density Residential to the north and an educational facility to the south. The Downtown Master Plan encourages mixed use development wherever feasible. The Plan includes special urban design standards for downtown development, but these have not yet been adopted. These guidelines "ensure a degree of order, harmony and quality within the built environment, so that individual buildings and projects succeed on their own yet also contribute to a unified and distinct downtown Lincoln district." (See examples in attachment A)

3. The Antelope Valley Redevelopment Plan shows this area as Mixed Use. Specifically "The applicable East Downtown future land use designations would encourage mixes

of uses -residential/office/retail/services-next to each other as well as a commercial use on the first floor and another land use on the upper floors."
The Joint Antelope Valley Authority intends to widen 19th Street as part of the new north/south arterial roadway which will connect "K"/"L" Streets and N. 14th Street.

4. The Antelope Valley Redevelopment Plan proposes special zoning and urban design standards for Antelope Valley, but these have not yet been adopted. (See Attachment B)

5. The Zoning Ordinance states the B-4 district is a district for a redeveloping area applicable to the business and retail uses located in the area of the Lincoln Center Business District. The B-4 district allows almost all uses within the zoning ordinance. The R-6 district is primarily a multiple-family residential district also allowing private clubs, fraternities, sororities and lodges. The R-6 District requires 1 parking stall per dwelling unit. Requirements for parking per Title 27 Section 27.67.050, in the B-4 zoning district, 150 feet east of 17th Street, are listed below:

   1) Industrial and manufacturing uses: Two spaces per three employees on the largest shift, or one space per 1,000 square feet of floor area; provided, however, that if the number of spaces required by the building ratio is greater than that required by the employee ratio, the additional parking spaces need not be provided physically, but sufficient space shall be reserved for future physical development.

   (2) Restaurants: One parking space per 300 square feet of floor area;

   (3) Other business and office uses: One parking space per 600 square feet;

   (4) Residential uses: One parking space per dwelling unit.

6. The B-4 district already exists to the north of this block.

7. Urban Development supports the change of zone to B-4 if it is a part of a total redevelopment package which includes the creation of TIF district and the preparation of a redevelopment agreement that would detail uses of the site and the amount and kinds of public assistance that would be provided.

8. The Lincoln Police Department wants to be certain that there is adequate parking associated with this new development. In addition, traffic congestion around the new facility is potentially an issue. The Lincoln Police Department wants to be certain that traffic does not back up on either 'K' or 'L' Streets, when an event is taking place at this location. The addition of turning lanes which would allow vehicles to pull into a parking lot, or another similar plan, is requested.

9. "K" and "L" Streets are designated arterials. 19th Street at this location is on the south end of the Antelope Valley Roadway with expected high turning volumes since 19th does not continue south of K Street. Engineering Services is therefore concerned about access and turning movements into and around this site. No site plan for potential redevelopment of the requested rezoning has been provided. Engineering Services will likely require access to be limited to single points on K and L Streets toward the east side of the site and no access to 19th. The ability to provide on-street parking adjacent to the site on K and L may be limited, and Engineering Services does not support any on-street parking on 19th Street. Engineering Services does not object to the change of zone but has concerns about how the site develops.

10. Even without design standards in place, the City may be able to review redevelopment plans if the applicant asks for TIF assistance or to vacate the alley in this block.

11. This is a key block at the juncture of Downtown, the Antelope Valley, and the intersection of a major entry street from the east with the future south terminus of the future six-lane Antelope Valley Parkway. This site should be developed with pedestrian-oriented mixed use buildings, as recommended in the draft design standards which are a part of the recently adopted plans for Downtown and Antelope Valley. Access and parking at this location is also a concern for other departments, leading to their recommendation that any rezoning should be accompanied by a detailed plan for the site.

    The applicants have responded that in order for them to move forward and spend additional funds on detailed plans, they first need the assurance that the City is supportive of their efforts by rezoning the land to permit the intended uses which are office, retail and banquet hall space. Planning staff is recommending that the rezoning be approved at this time, but that approval should be conditioned on the applicants entering into an associated zoning agreement with a few minimum parameters for development of this block:

    1) The majority of the frontage along 19th Street between K and L, and along the west 1/2 of L Street between 19th and 20th Street, shall be occupied by building construction that is at least 24 feet in height and a front yard setback of no more than 10 feet.

    2) Surface parking must be concealed by the building construction or provided with a landscaped setback of at least 20 feet along 19th Street and the west 1/2 of L Street, and at least 6 feet along the remainder of the street frontages.

    3) No vehicular access to the site will be permitted along 19th Street (this will require the vacation of at least the western portion of the midblock east-west alley in this block) or the west 1/2 of L Street.

CONDITIONS OF APPROVAL

1. That the owner sign a Zoning Agreement with the City providing assurance that redevelopment of this block will meet the parameters listed above.

Prepared by:

Christy Eichorn
Planner

(441-7603) or ceichorn@lincoln.ne.gov

DATE: April 20, 2007

APPLICANT: Hoppe Partners, Ltd
5631 S. 48th ST Ste. 220
Lincoln, NE 68516

CONTACT: Ward F. Hoppe (402) 328-8100

F:\FILES\PLANNING\PC\CZ\07000\CZ07022 19th and L Street.cje.wpd

ATTACHMENT A

Proposed Downtown Master Plan Design Guidelines

"The Design Guidelines help bring to life the land use and public realm frameworks of that plan, which was developed according to the goals and objectives of Lincoln citizens and city staff. Thus the Design Guidelines reflect the values and desires of the Lincoln community."

Below is a sample of the recommended Design Guidelines:

- Strengthen the qualities and characteristics that reflect downtown Lincoln's history, geography, climate and people.
- Use architectural and landscape elements to gracefully mark transitions and entrances.
- New buildings should be "good neighbors" and contribute to the quality and character of their architectural context.
- Maintain the pedestrian as the priority in downtown, eliminating pedestrian barriers and ensuring that walking routes are safe, direct and pleasant.
- A building should provide a continuous, visually rich pedestrian experience along its ground floor street front.
- Provide safe, comfortable places where people can stop to sit, rest and visit.
- Locate entry doors on corners of retail buildings wherever possible.
- Create interesting and detailed roof lines and silhouettes.
- Use scale-defining devices to break up the longitudinal dimensions of buildings, creating a comfortable sense of enclosure by establishing an uninterrupted street edge.
- Use sustainable design practices whenever possible as long as they do not detract from the pedestrian activity and economic viability of downtown.

EXAMPLES OF APPROPRIATE DESIGN FROM THE PROPOSED DOWNTOWN MASTER PLAN DESIGN GUIDELINES

ATTACHMENT B

Central Antelope Valley Design Standards

Below are some of the recommendations for design standards from the Draft Central Antelope Valley Design Standards (8/16/2004)

Urban Design - Suburban elements to avoid include deep setbacks, and overall design oriented toward the scale of the automobile. Building should be encouraged to be located next to the sidewalks along the front yard line, with parking in the back of buildings.

Diminish Visual Prominence of Parking - Concentrations of parking should be concealed within interior parking courts (buildings on the street, parking behind) or in garages wrapped with buildings.

Quality of Place - Buildings should include a richness of architectural detail to help define their scale and extend to the back of the sidewalk for pedestrian access and visual rhythm and interest.

Mix of Uses - Include a variety of uses in places that receive the most foot and car traffic to strengthen the most interesting and vital parts of town.

Mixed uses along "K" and "L" between S. 17th St and S. 22nd ST is intended to provide additional diversity in office and residential products to Traditional Downtown. The proximity of these blocks with the State Capitol provides the impetus for government and statewide association facilities.

Mixed Use Land Restrictions - Buildings within this zone may have their first floor space devoted to retail sales or service space with appropriate windows and entrances for this type of development. First floor retail is encouraged, but not required.

Overall Design Standards - Establishing both a minimum and maximum height is necessary to provide harmony of building sizes within the area. The maximum building height is 75 feet and the minimum building height is 24 feet. The minimum front yard setback is 0 feet and the maximum is 10 feet with 0 front and rear yard setback.

Parking Lots - All parking lots or enclosed parking areas, shall be either screened from view by building space or by landscaping. Entrances and exits to parking areas from the rear and alleys are encouraged , but not required, except along primary streets. Along primary streets and primary corridors, screening with building space rather than landscaping is required in order to maintain street level activity.

EXAMPLES OF APPROPRIATE DESIGN FROM THE DRAFT CENTRAL ANTELOPE VALLEY DESIGN STANDARDS

Figure 19 - MU (Mixed Use)

Example: Building/Streetscape Relationship
Legacy Town Center - Plano, TX

Change of Zone #07022
S 19th & L St

2005 aerial

Zoning:

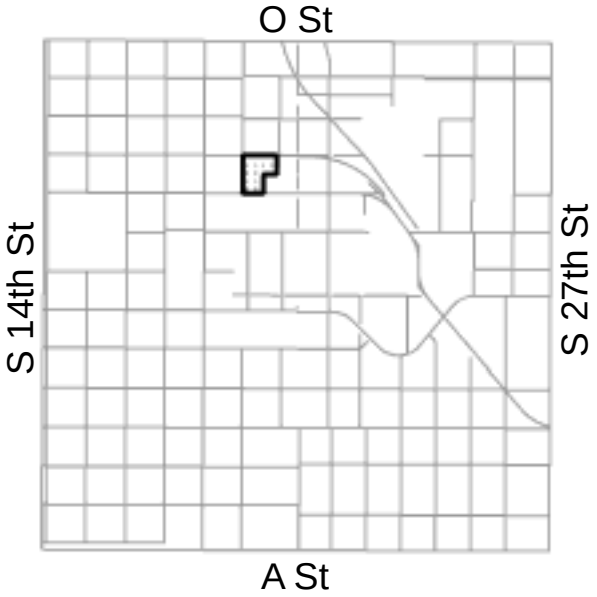
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
Sec. 25 T10N R06E

N

Zoning Jurisdiction Lines

City Limit Jurisdiction



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Christy J Eichorn /Notes
04/23/2007 08:55 AM

To
cc
bcc
Subject Re: CZ at 19th and LStreets

Edward Zimmer /Notes
04/20/2007 11:17 AM

To Christy J Eichorn/Notes@Notes
cc
Subject Re: CZ at 19th and LStreets

Thanks for asking.

- The site is just across K Street from the east leg of the Capitol Environs District.
- If it were inside the district, it would be standard to request comments of the Environs Commission.
- Outside the District, I generally recommend the Commission's input if there is a matter of concern regarding one of the designated view corridors to the Capitol. The site is on the north edge of the view corridor from Woods Park to the Capitol, on relatively low ground. The current height limit is 35 feet (R-6) and the B-4 height limit on this location would be is 75 feet. A new building on this location, even utilizing that full height, would not likely be visible from Woods Park and in any case would be considerably off-axis with the Capitol tower. The requested change of zone does not appear likely to lessen the value of the designated view corridor (see diagram).

Christy J Eichorn/Notes

Christy J Eichorn /Notes
04/19/2007 04:41 PM

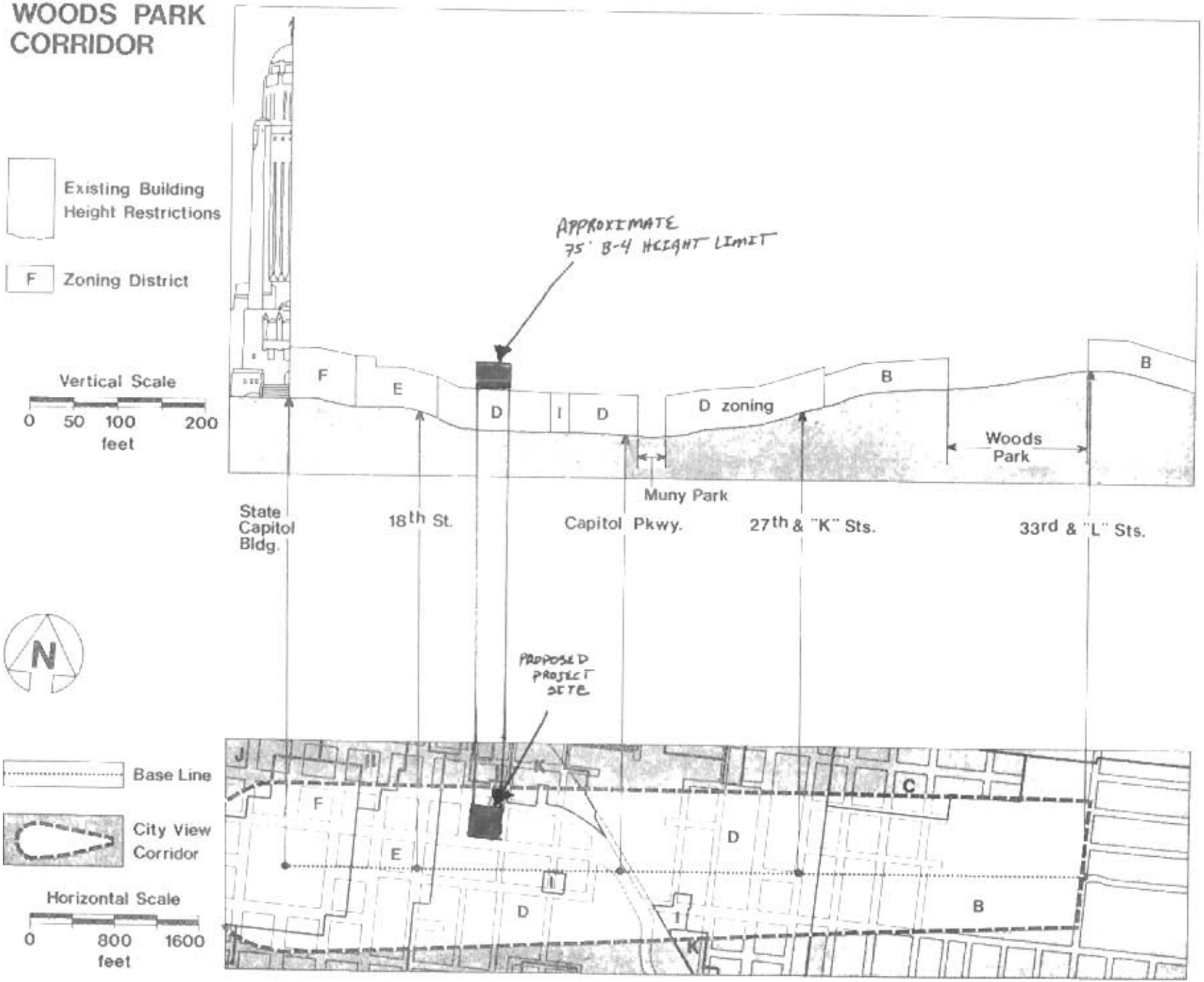
To Edward Zimmer/Notes@Notes
cc
Subject CZ at 19th and LStreets

Ed, attached is my most current draft of the staff report for the change of zone at 19th and L. I would appreciate any questions or comments you may have concerning the Capitol Environs District.

Christy J Eichorn
City / County Planning Department
555 S. 10th St. #213
Lincoln NE 68508

Phone 402-441-7603
Fax 402-441-6377

WOODS PARK CORRIDOR



Hoppe Partners, Ltd
5631 S. 48th Suite 220
Lincoln, Ne 68516

April 3, 2007

City of Lincoln, Planning Commission
555 S. 10th St., Room 213
Lincoln, NE 68508

RE: Change of Zone Application - Letter Indicating Purpose of Application

Members of the Planning Commission:

The purpose of the application submitted herewith is to request that the zoning designation of the lots described on the list attached to the application be changed from R6 Residential to B4 Lincoln Center Business District.

Hoppe Partners, Ltd., the owner of the properties in question, intends to re-create the property into office space with some retail space and a banquet hall. The structure will not exceed four stories and will thus comply with the maximum height and minimum lot requirements.

Please feel free to contact me with questions or if more information is needed. Thank you.

Best Regards,

Ward F. Hoppe

WFH:tms

Enclosures:
Change of Zone Application;
Application Fee;
Plat map of the proposed change area

RECEIVED
APR - 3 2007
LINCOLN CITY/LANCASTER COUNTY
PLANNING DEPARTMENT

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LEGAL DESCRIPTIONS FOR 19TH K & L STREETS

426 S. 19-- MCMURTRYS ADDITION, BLOCK 2 LOT 16, N27' & LOT 17 N27' E12'

1931 L ST– BOGGS AND HOLMES SUB, LOT 52 E33 1/3 EX N7' & EX S7.5'

1925 L ST– BOGGS AND HOLMES SUB, LOT 52, W16.66 EX N7' & EX S7.5' & E 16.66'
LOT 53 EX N7' & EX S7.5'

1921 L ST- BOGGS AND HOLMES SUB, LOT 53, W33.33' EX N7' & EX S7.5'

1915 L ST– BOGGS AND HOLMES SUB, LOT 54

1907 L ST– BOGGS AND HOLMES SUB, LOT 55

1912 K ST– MCMURTRYS ADDITION, BLOCK 2, LOT 14

1910 K ST– MCMURTRYS ADDITION, BLOCK 2, LOT 15

1900 K ST– MCMURTRYS ADDITION, BLOCK 2, LOT 16, S115' & LOT 17 E 12'

1935 L ST– BOGGS AND HOLMES SUB LOT 51, W33 1/3' EX N7' & EX S7.5'

1941 L ST– BOGGS AND HOLMES SUB, LOT 50, W16 2/3' EX N7' & EX S 7.5' & E16 2/3'
LOT 51 EX N7' & EX S7.5'

1945 L ST– BOGGS AND HOLMES SUB, LOT 49, W3' EX N7' & EX S7.5' & E33 1/3'
LOT 50 EX N7' & EX S7.5'