

## **FACTSHEET**

**TITLE: STREET & ALLEY VACATION NO. 12004**, requested by Kinport Corporation, to vacate North 35<sup>th</sup> Street between Holdrege Street and Starr Street, and the east 200 feet of the east-west alley between North 34<sup>th</sup> Street and North 35<sup>th</sup> Street.

**STAFF RECOMMENDATION:** A finding of conformance with the Comprehensive Plan.

**ASSOCIATED REQUESTS:** Change of Zone No. 12018 (#12-105); Holdrege/Idylwild Redevelopment Agreement (#12R-210); Amendment to CIP (#12R-211).

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: 07/25/12  
Administrative Action: 07/25/12

**RECOMMENDATION:** A finding of conformance with the Comprehensive Plan (5-0: Esseks, Hove, Weber, Francis and Cornelius voting 'yes'; Gaylor Baird, Lust, Sunderman and Butcher absent).

### **FINDINGS OF FACT:**

1. This request to vacate North 35<sup>th</sup> Street between Holdrege Street and Starr Street, and the east 200 feet of the east-west alley between North 34<sup>th</sup> Street and North 35<sup>th</sup> Street was heard before the Planning Commission in association with the Holdrege/Idylwild Redevelopment Plan and the Holdrege/Idylwild Redevelopment Planned Unit Development (Change of Zone No. 12018).
2. The vacated right-of-way will be incorporated into a future parking lot in the Holdrege/Idylwild Redevelopment PUD and is a necessary part of the redevelopment project.
3. The staff recommendation for a finding of conformance with the Comprehensive Plan is based upon the "Analysis" set forth on p.3, concluding that the proposed street and alley vacation is necessary for the associated redevelopment project, which will significantly change the access and development of the land. The rights-of-way are not needed, provided easements are retained for public utilities and access. The staff presentation is found on p.5-6.
4. The applicant's presentation is found on p.6-7. Testimony in support is found on p.7-8, and the record consists of a letter in support from the East Campus Community Organization (p.13-15).
5. There was no testimony in opposition.
6. On July 25, 2012, the Planning Commission agreed with the staff recommendation and voted 5-0 to find the proposed street and alley vacation to be in conformance with the 2040 Comprehensive Plan.
7. On July, 25, 2012, the Planning Commission also voted 5-0 to find the proposed Holdrege/Idylwild Redevelopment Plan to be in conformance with the Comprehensive Plan (scheduled for public hearing before the City Council on August 20, 2012); and voted 5-0 to recommend conditional approval of the associated Change of Zone No. 12018, the Holdrege/Idylwild Redevelopment PUD, Bill #12-105 (Council public hearing deferred to September 10, 2012).
8. The appraisal by Clint Thomas of the Housing Rehab & Real Estate Division of the Urban Development Department is found on p.12, recommending that the vacated area be sold to the abutting property owner for \$13,876.00.
9. As of the date of this Factsheet, the funds for the vacated rights-of-way have not been paid; however, the petitioner has been requested to submit payment to the City Clerk by Wednesday, August 22, 2012.

**FACTSHEET PREPARED BY:** Jean L. Preister  
**REVIEWED BY:** Marvin Krout, Director of Planning  
**REFERENCE NUMBER:** FS\CC\2012\SAV12004+

**DATE:** August 20, 2012  
**DATE:** August 20, 2012

# LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for JULY 25, 2012 PLANNING COMMISSION MEETING

**PROJECT #:** Street and Alley Vacation No.12004

**PROPOSAL:** To vacate N. 35<sup>th</sup> St. between Holdrege St. and Starr St. and the east 200 feet of the east-west alley between N. 34<sup>th</sup> St. and N. 35<sup>th</sup> St.

**LOCATION:** N. 35<sup>th</sup> St. and Holdrege St.

**LAND AREA:** 15,850 sq. ft., more or less

**CONCLUSION:** The proposed street and alley vacation is necessary for the associated redevelopment project, which will significantly change the access and development of the land. The rights-of-way are not needed provided easements are retained for public utilities and access.

<b><u>RECOMMENDATION:</u></b>	Conforms to the Comprehensive Plan
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## **GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** N. 35<sup>th</sup> St. between Holdrege St. and Starr St. and the east 200 feet of the east-west alley in Block 1, Idyl-Wild Place.

## **SURROUNDING LAND USE AND ZONING:**

North:	P, Public	North of Holdrege: University of Nebraska East Campus
	R-6	North of alley: parking lot, multi-family and restaurant
South:	R-5	South of alley: parking lot and multi-family
East:	B-1 & R-6	Parking lot and multi-family
West:	B-1 & R-5	Parking lot and restaurant

## **ASSOCIATED APPLICATIONS:**

Change of Zone #12018, Holdrege/Idylwild Planned Unit Development.  
Comprehensive Plan Conformance #12009 Holdrege/Idylwild Redevelopment Plan

## **COMPREHENSIVE PLAN SPECIFICATIONS:**

Local streets and alleys are not included in the functional classification (p 10.15)

**UTILITIES:** There are existing utilities including sanitary sewer, gas and electrical in N. 35<sup>th</sup> St. and the alley.

**ANALYSIS:**

1. This request is to vacate N. 35<sup>th</sup> St. between Starr St. and Holdrege St. and to vacate the east 200 feet of the east-west alley between N. 34<sup>th</sup> St. and N. 35<sup>th</sup> St.
2. This street and alley vacation is associated with the Holdrege/Idylwild Planned Unit Development. The vacated right-of-way will be incorporated into a future parking lot. The street and alley vacation is a necessary part of the redevelopment project.
3. Although vacating a portion of the alley will result in a dead-end alley, there will be a public access easement through the proposed parking lot to access Holdrege St. Thus, residents who use the alley will still be able to utilize the alley in the future.
4. Vacating N. 35<sup>th</sup> st. will increase the block length from 422 feet to 654 feet, still well below the maximum block length allowed per the subdivision ordinance of 1,320 feet.
5. A utility easement will be required over the vacated right-of-way for existing sanitary sewer, gas mains and LES utility corridors.
6. The street return will need to be reconstructed to meet Driveway Design Standards on Holdrege St. and remove the return and replace the curb and gutter and sidewalk along Starr St. A surety is required to guarantee the work is completed.
7. Lincoln Municipal Code Chapter 14.20 requires the City to establish the proper price to be paid for the right-of-way, as well as any amounts necessary to guarantee required reconstruction within the right-of-way. These values must be established and deposited with the City Clerk prior to scheduling the vacation request with the City Council.

**BEFORE THE VACATION REQUEST IS SCHEDULED ON THE CITY COUNCIL AGENDA THE FOLLOWING MUST BE COMPLETED:**

- 1.1 The provisions of Chapter 14.20 of the Lincoln Municipal Code are met.
- 1.2 Include retention of utility easements by City with deed transfer.
- 1.3 Provide a surety in the amount of \$8,500.00 to guarantee the reconstruction of the street return on Holdrege St. and to install curb, gutter and sidewalk on Starr St.

Prepared by:

Tom Cajka  
Planner

**DATE:** July 11, 2012

**APPLICANT:** Kinport Corporation  
Jordan Berger  
440 N. 8<sup>th</sup> St., Suite 140  
Lincoln, NE 68508  
402-477-6767

**OWNER:** Same as applicant

**COMPREHENSIVE PLAN CONFORMANCE NO. 12009;  
CHANGE OF ZONE NO. 12018, HOLDREGE/IDYLVILD  
REDEVELOPMENT PLANNED UNIT DEVELOPMENT;  
AND  
STREET & ALLEY VACATION NO. 12004**

**PUBLIC HEARING BEFORE PLANNING COMMISSION:**

July 25, 2012

Members present: Esseks, Hove, Weber, Francis and Cornelius; Gaylor Baird, Lust, Sunderman and Butcher absent.

Staff recommendation: A finding that the Redevelopment Plan is in conformance with the Comprehensive Plan; conditional approval of the PUD and a finding that the street and alley vacation is in conformance with the Comprehensive Plan.

There were no ex parte communications disclosed.

Staff presentation:

**1. David Landis** appeared on behalf of **Urban Development**, reminding that the Commission has agreed that this is a blighted and substandard area and that determination is moving forward. This Redevelopment Plan is project driven and is consistent with the Comprehensive Plan. This proposal includes the three-story AGR Fraternity and two new three-story buildings between 8,000 sq. ft. and 10,000 sq. ft. The area includes the two-block area on Holdrege from the existing Valentino's to Idylwild. Valentino's will be relocated. As part of the project, 35<sup>th</sup> Street and the east/west alley will be vacated.

Landis estimated an investment of \$11.3 million which should create TIF of \$1.7 million. The private investment is \$9.70 for every \$1.00 of public investment.

The area to the south on Idylwild and the park are also part of the project because we want this redevelopment to be good for the neighborhood as well as the developer. There is some infrastructure that needs to be improved. Urban Development has been working with the neighborhood and the developer to include this area to make sure that there are beneficiaries beyond just the investors in this case.

This Redevelopment Plan is consistent with the Comprehensive Plan because it includes the business and economy principles, the mixed-use development driving principles, the neighborhood and housing principles and the parks, recreation and open space principles. It is a benefit to the city. It will be good for the developer, and the mixed-use it brings will be good for this neighborhood as well as the city.

**2. Steve Henrichsen of Planning staff** presented the PUD and street and alley vacation requests. The PUD is generally on the south side of Holdrege including 35<sup>th</sup> Street and both sides of Idylwild. It includes the B-1 around the existing Valentino's, with the parking lot on east side of 35<sup>th</sup> Street

and Valentino's on the west. The four residential structures included will be demolished as part of the redevelopment. The PUD includes a maximum of 66,000 sq. ft. of commercial space and 40 new dwelling units. Henrichsen noted that these are maximum numbers and it would probably be nearly impossible to build both of those without a parking deck, so we are anticipating to see some kind of mix. The PUD also includes the fraternity on the east side of Idylwild so that the boundary of the PUD could include 3 acres. There is a change of zone, special permit, and zoning agreement on the fraternity, which are being incorporated into this PUD. None of the conditions of that special permit are changing. There is just one waiver being requested in order to keep the existing ground sign. The main focus for the PUD site plan is everything west of Idylwild Drive.

With regard to the street and alley vacation, Henrichsen explained that what is currently 35<sup>th</sup> Street today would be vacated. It appears there is support from the neighborhood association. There is also an east/west alley connecting with 35<sup>th</sup> Street. That portion west of this project will remain open to allow residents to access through the alley.

Henrichsen submitted that the proposed PUD and street and alley vacation are in conformance with the goals of the Comprehensive Plan in that the PUD includes a mix of uses; buildings placed closer to Holdrege; pedestrian-oriented; and very much mixed use. There are several waivers being requested, all of which are appropriate due to the mixed use, pedestrian-oriented redevelopment, and older neighborhood.

Esseks inquired about the review by the Historic Preservation Commission (HPC). Henrichsen stated that the HPC did review the plan as a whole and did recommend approval as proposed. Esseks observed that there may have been some demolition occurring prior to approval by HPC. Henrichsen explained that the demolition is occurring on the east side of Idylwild, which is the location of the fraternity which was reviewed many months ago by both the HPC and Planning Commission via the special permit application. The new action is on the west side of Idylwild.

Esseks inquired whether the Idylwild improvements and the park at the south end are receiving TIF money. Landis answered in the affirmative, stating that it is also contemplated that in a fever of charitable sensibilities, the developer will also make some non-TIF contributions toward the ongoing maintenance. Thus, some of the TIF will go to those blocks and there will be some assistance that has nothing to do with TIF occasioned by understandings with the developer who wants to contribute to the community.

### Proponents

**1. Mark Palmer of Olsson Associates** appeared on behalf of the developer and expressed appreciation to the neighbors and city staff for working with them on this project. There are multiple parcels and multiple owners, so there have been a lot of moving parts and a lot to coordinate.

Palmer stated that the developer is in agreement with the conditions of approval on the PUD. The waivers are needed to gain the mixed-use redevelopment aspect.

**2. Jordan Berger of WRK**, the developer, showed images and reiterated appreciation to Planning, Public Works and Urban Development as well as the neighborhood. He also expressed appreciation to Valentino's in its donation to help fund the maintenance and make that park and boulevard special.

Berger explained that they are contemplating two three-story buildings built in phases. The first phase will be the east end. Valentino's will relocate within the Redevelopment Area. In an effort to keep their business open, their new building will be built in the first phase. The footprints are 8,000 sq. ft. and three-story. The PUD provides the flexibility to allow the developer to see what the market is going to bear. The developer is comfortable with the parking waiver and they have had meetings with the neighborhood. The sign waiver is requested to allow the relocation of the Valentino's historic pizza sign. The fraternity house will be in scale with the new buildings. They are contemplating mixed-use with residential, commercial and some retail.

### Support

**1. Mary Eisenhart**, 1420 N. 37<sup>th</sup> Street, President-elect of the **East Campus Community Organization (ECCO)**, testified in support. The neighborhood is very supportive of the request to relocate and keep the pizza sign. She expressed appreciation to WRK and Valentino's for being willing to work with the neighborhood, which enthusiastically supports this proposal. Ann Bleed went door-to-door to make certain that all the people most concerned would be at the neighborhood meeting. At the last meeting, they voted by show of hands, and 95% raised their hand in support, with no one raising their hand in opposition. Eisenhart read excerpts from the letter submitted by Ann Bleed as President of ECCO and urged that these applications be approved. She pointed out that Valentino's is dedicated to remaining in the neighborhood and contributing toward development of the boulevard and the park. The neighborhood believes that this redevelopment would achieve all of the objectives of the Comprehensive Plan. ECCO has a long history of being a commercial and mixed-use area. Many of the homes are in a historic district and the Historic Preservation Commission has reviewed and approved this plan. The neighborhood supports the two arterials, which will be a way to link the neighborhood with Innovation Campus. This proposal will not decrease any R-2 zoning in the neighborhood, and would shift some high density to commercial zoning. The street and alley vacation is also supported by the neighborhood. They support the request for parallel parking along Holdrege Street, which might help to slow down traffic. There is a lot of pedestrian crossing there. Parking issues are huge in the neighborhood. With this plan, pedestrian crossings in the area will increase and the parallel parking may help to avoid some problems. The neighborhood also expresses appreciation to the Mayor for providing his support for this application.

**2. Tony Messineo**, 6730 Park Crest Court, appeared on behalf of **Valentino's**. They have been working with WRK for a little over a year. It has involved many negotiations, planning and realigning things and he is extremely pleased with the way the plans are proposed at this time. It is a great development for the area and a great fit for the neighborhood. He is excited that Valentino's can remain in the plan. They have had two great meetings with the neighborhood association, and their input has been incorporated into these plans. At the last meeting, there was unanimous support by the neighborhood. Valentino's is very pleased to contribute some funds to the playground and park. This is a great fit for the neighborhood and he looks forward to the development.

There was no testimony in opposition.

Landis reappeared to state that this is a particularly well done project. We wish that other neighborhoods and developers worked as directly and as respectfully, and ultimately as successfully as they did in this case.

**COMPREHENSIVE PLAN CONFORMANCE NO. 12009**

**ACTION BY PLANNING COMMISSION:**

July 25, 2012

Hove moved to approve a finding of conformance with the Comprehensive Plan, seconded by Francis.

Esseks observed that this has been outstanding testimony from the neighborhood, from the owner of the major property, and from the architect and developer. The staff report is outstanding. He hopes to see more cases like this.

Cornelius stated that he is abundantly pleased with the albeit preliminary renderings that were shown. This is the fruit of the LPlan 2040 process starting to be born and it looks exactly like what he believes the LPlan Advisory Committee was trying to accomplish – these multi-story, mixed-use, street-facing buildings on arterials, with nodes and corridors. It looks just great.

Motion carried 5-0: Esseks, Hove, Weber, Francis and Cornelius voting ‘yes’; Gaylor Baird, Lust, Sunderman and Butcher absent. This is a recommendation to the City Council.

**CHANGE OF ZONE NO. 12018**

**HOLDREGE/IDYLWILD REDEVELOPMENT PLANNED UNIT DEVELOPMENT**

**ACTION BY PLANNING COMMISSION:**

July 25, 2012

Hove moved to approve the staff recommendation of conditional approval, seconded by Francis and carried 5-0: Esseks, Hove, Weber, Francis and Cornelius voting ‘yes’; Gaylor Baird, Lust, Sunderman and Butcher absent. This is a recommendation to the City Council.

**STREET & ALLEY VACATION NO. 12004**

**ACTION BY PLANNING COMMISSION:**

July 25, 2012

Weber moved to approve a finding of conformance with the Comprehensive Plan, seconded by Francis and carried 5-0: Esseks, Hove, Weber, Francis and Cornelius voting ‘yes’; Gaylor Baird, Lust, Sunderman and Butcher absent. This is a recommendation to the City Council.



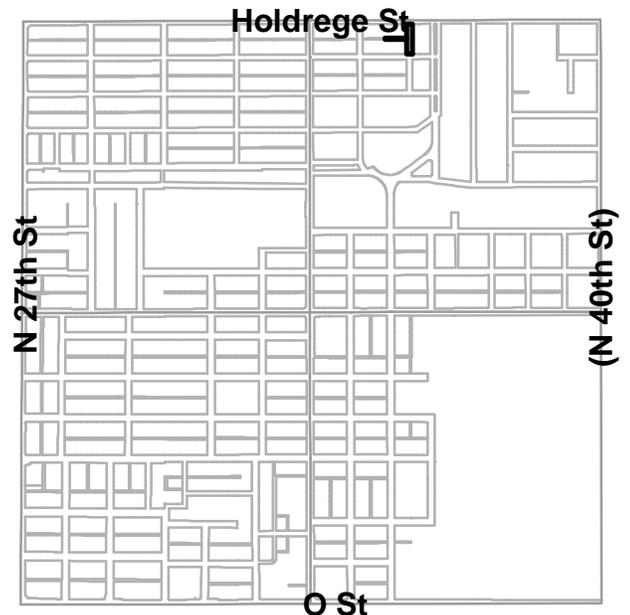
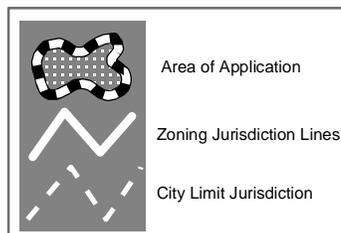
2010 aerial

**Street & Alley Vacation #12004  
N 35th & Holdrege St**

**Zoning:**

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential 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. 19 T10N R07E



<p>Development Review Manager (Steve Henrichsen)</p>	<p><input type="radio"/> Recommend Denial   <input type="radio"/> Recommend Approval with Conditions   <input checked="" type="radio"/> Recommend Approval   <input type="radio"/> No Review Required</p> <p>Review 1:</p>	
<p>Law Department (Rick Peo)</p>	<p><input type="radio"/> Corrections Needed for Review   <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial   <input type="radio"/> Recommend Approval with Conditions   <input checked="" type="radio"/> Recommend Approval   <input type="radio"/> No Review Required</p> <p>Review 1: The Law Department has reviewed the three (3) petitions submitted for SAV 12004. Each petition was executed by the respective abutting titleholder. However, the notary acknowledgment for BBID Investment Co., LLC is not correct as it identifies William D. Scott as President of BBID Investment Co., LLC rather than Manager/Officer as reflected in the signature block. Prior to filing of record, that correction must be made to BBID's petition.[7-2-12]</p>	
<p>LES (Mike Petersen)</p>	<p><input type="radio"/> Corrections Needed for Review   <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial   <input checked="" type="radio"/> Recommend Approval with Conditions   <input type="radio"/> Recommend Approval   <input type="radio"/> No Review Required</p> <p>Review 1: 7-05-2012; LES requests the following; Retain easement corridors in N 35th St, Starr to Holdrege and the East 150' of the E/W Holdrege - Starr alley between N 34th &amp; N 35th St. Mike P.</p>	
<p>Public Works (Barnie Blum)</p>	<p><input type="radio"/> Corrections Needed for Review   <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial   <input checked="" type="radio"/> Recommend Approval with Conditions   <input type="radio"/> Recommend Approval   <input type="radio"/> No Review Required</p> <p>Review 1: The City of Lincoln has an existing 8" sanitary sewer in the east-west alley of Block 1, then crosses N 35th Street to the southeast, a permanent easement will need to be established for future maintenance of this pipe if it is to stay in this location. The existing street paving in N 35th Street should be removed and the street return at Holdrege Street reconstructed as a driveway. The return at Starr Street should be removed and replaced with curb and gutter.</p>	
<p>Public Works (Buff Baker)</p>	<p><input type="radio"/> Corrections Needed for Review   <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial   <input checked="" type="radio"/> Recommend Approval with Conditions   <input type="radio"/> Recommend Approval   <input type="radio"/> No Review Required</p> <p>Review 1: Retain easements as stated by Barnie and Dennis. Reconstruct the Street return to meet Driveway Design Standards on Holdrege and remove the return and replace the curb and gutter and sidewalk along Starr. This reconstruction will require a bond in the amount of \$8,500 to guarantee the completion.</p>	
<p>Public Works (Dennis Bartels)</p>	<p><input type="radio"/> Corrections Needed for Review   <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial   <input checked="" type="radio"/> Recommend Approval with Conditions   <input type="radio"/> Recommend Approval   <input type="radio"/> No Review Required</p> <p>Review 1: Subject to retaining easements for the existing sanitary sewer in the street and alley and other easements for existing utilities. A public access easement to allow across the abutting property to maintain access from the dead end alley being created by this vacation to an existing public street.</p>	
	<p><input type="radio"/> Corrections Needed for Review   <input type="radio"/> Insufficient Information for Review</p>	

<p>Public Works &amp; Utilities - Wastewater (Brian Kramer)</p>	<p><input type="radio"/> Recommend Denial   <input checked="" type="radio"/> Recommend Approval with Conditions   <input type="radio"/> Recommend Approval   <input type="radio"/> No Review Required</p> <p>Review 1: Must maintain easement and access to wastewater utilities located within road and alley ROW</p>	
<p>Public Works &amp; Utilities - Water (Nick McElvain)</p>	<p><input type="radio"/> Corrections Needed for Review   <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial   <input type="radio"/> Recommend Approval with Conditions   <input type="radio"/> Recommend Approval   <input type="radio"/> No Review Required</p> <p>Review 1:</p>	
<p>Time Warner Cable (Lou Kipper)</p>	<p><input type="radio"/> Corrections Needed for Review   <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial   <input type="radio"/> Recommend Approval with Conditions   <input type="radio"/> Recommend Approval   <input type="radio"/> No Review Required</p> <p>Review 1:</p>	
<p>Urban Development - Real Estate (Clint Thomas)</p>	<p><input type="radio"/> Corrections Needed for Review   <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial   <input type="radio"/> Recommend Approval with Conditions   <input checked="" type="radio"/> Recommend Approval   <input type="radio"/> No Review Required</p> <p>Review 1:</p>	
<p>Windstream (Jon Littrell)</p>	<p><input type="radio"/> Corrections Needed for Review   <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial   <input checked="" type="radio"/> Recommend Approval with Conditions   <input type="radio"/> Recommend Approval   <input type="radio"/> No Review Required</p> <p>Review 1: Provide an easement in the east-west alley between Holdrege and Starr Streets and across 35th Street to accommodate the existing joint utility pole line. 7/9/12 Jon Littrell</p>	
<p>Black Hills Corp (Ruth Hietbrink)</p>	<p><input type="radio"/> Corrections Needed for Review   <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial   <input checked="" type="radio"/> Recommend Approval with Conditions   <input type="radio"/> Recommend Approval   <input type="radio"/> No Review Required</p> <p>Review 1: BHE has a 2" gas main that extends through the existing right-of way of N 35th st from Starr to Holdrege Streets. BHE would need an easemtnet in place before we could approve the vacation.</p>	

## INTEROFFICE MEMORANDUM

TO: Mayor Beutler  
& City Council Members

FROM: Clinton W. Thomas

DEPARTMENT: City Council Office      DEPARTMENT: Housing Rehab & Real Estate Division

ATTENTION:

DATE: July 31, 2012

COPIES TO: Teresa J. Meier  
Marvin Krout  
Rod Confer  
Byron Blum, Bldg & Safety  
Jean Preister, Planning

SUBJECT: Street & Alley Vacation No.12004  
North 35<sup>th</sup> Street, Holdrege Street to  
Starr Street & East/West Alley west of  
North 35<sup>th</sup> Street

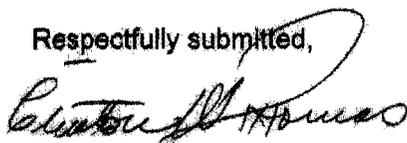
A request has been made to vacate that portion of North 35<sup>th</sup> Street between Holdrege and Starr Streets and the east 200 feet of the adjacent alley running west from North 35<sup>th</sup> Street. Staff has indicated there are existing sanitary sewer, gas mains and electric utility corridors within the area to be vacated. This will necessitate that easements be retained for the future maintenance and replacement of these utilities. Vacating a portion of the alley will create a dead-end situation on the unvacated portion. This will require the retention of an access easement over the area to provide access to Holdrege Street. The public access easement, in all likelihood, will affect only the north half of the vacated 35<sup>th</sup> Street, but the south half will suffer the reduction in value imposed by the utilities and the inevitable maintenance and replacement inconveniences they will cause. The area of North 35<sup>th</sup> Street to be vacated is considered to be diminished in value by 90% of the underlying land value.

A change of zone has been submitted for the Planned Unit Development that will encompass the area to be vacated. As such, the zoning is considered to be B-1 in accordance with the change of zone. As such, the underlying land value is considered to be \$10.00 per square foot. As previously indicated, the area is considered to be damaged due to the imposition of easements with the area of the alley considered to have only a nominal value of \$0.10 per square foot due to its long narrow shape. The calculations are as follows:

<u>Alley:</u>	2,200 sq. ft.	X	\$0.10/sq. ft.	=	\$220.00
<u>Vacated 35<sup>th</sup> Street:</u>	13,656 sq. ft.	X	\$10.00/sq. ft.	X	10% = <u>\$13,656.00</u>
<b>TOTAL</b>					<b>\$13,876.00</b>

Therefore if the area is to be vacated it is recommend it be sold to the abutting property owner for \$13,876.

Respectfully submitted,



Clinton W. Thomas  
Certified General Appraiser #990023

Testimony in Support of  
Comprehensive Plan Conformance No. 12009  
Change of Zone No. 12018, and  
Street and Alley Vacation No. 12004 for the  
The Holdrege/Idylwild Redevelopment Area

Submitted by Ann Bleed  
President of the East Campus Community Organization  
1315 N 37<sup>th</sup> Street, Lincoln

The East Campus Community Organization (ECCO) strongly supports approval of the Holdrege/Idylwild Redevelopment Area Comprehensive Plan Conformance 12009, the Change of Zone No. 12018, and the Street and Alley Vacation No. 12004 to vacate one block 35<sup>th</sup> Street.

Before going further, ECCO would like to express our thanks to both WRK and the Valentino's Corporation for being willing to work with ECCO to make this project one that, we believe, will enhance our neighborhood. The process of arriving at this position of enthusiastic support for this project started almost half a year ago and has included numerous discussions with WRK and two all-neighborhood meetings with the Valentino's Corporation and WRK. These neighborhood meetings were each attended by over forty neighborhood residents and property owners. The willingness of the developers to listen and take action to address our concerns is one of the reasons we are here today in strong support of this project. At our last neighborhood meeting I asked those in attendance if ECCO should support or oppose some, or all, of the project. The comments received were all very supportive of the project and a show of hands indicated almost unanimous support. No one suggested we should oppose the project or even a portion of the project. Based on this response, ECCO urges the Planning Commission to approve these applications.

ECCO believes that approval of this project would provide an excellent opportunity for the city to show that it is serious about implementing the recently adopted 2040 Comprehensive Plan. According to the Comprehensive Plan, the City's primary strategy for residential infill and redevelopment outside of the Greater Downtown is to encourage the redevelopment and reuse of sites and buildings in commercial areas to create new mixed use centers.

The Comprehensive Plan also states redevelopment should:

- occur on sites supported by adequate road and utility capacity;
- be located and designed in a manner compatible with existing or planned land uses;
- encourage substantial connectivity and convenient access to neighborhood services from nearby residential areas;
- promote activities of daily living within walking distance;

- provide sidewalks on both sides of all streets, or in alternative locations as allowed through design standards or review process;
- provide adequate facilities for plazas, or community gardens; and
- encourage public/semi-public uses.

The Comprehensive Plan also states that mixed use redevelopment should:

- encourage public investment in neighborhood infrastructure and services such as parks, pools, libraries, and neighborhood business districts;
- develop incentives to reduce the cost and risk of infill and redevelopment; and
- attract infill and redevelopment with complementary public improvements such as plazas and enhanced streetscapes; and
- target existing underdeveloped or redeveloping commercial and industrial areas in order to remove blighted conditions and more efficiently utilize existing infrastructure.

The Holdrege/Idylwild development would achieve all of these objectives. The Holdrege/Idylwild area has a long history of being a commercial, mixed- use center. The area includes the historic Valentino's restaurant and the historic Alpha Gamma Rho fraternity. Immediately adjacent to the area are the Farmhouse Fraternity, the University of Nebraska's East Campus, and both high and low density residential development. Many of the homes adjacent to this development are either in a historic district or are eligible for that status. However, many of the structures in the redevelopment area, as well as Idylwild Drive have significant blight. The Holdrege/Idylwild Area is supported by two arterials, Holdrege and 33<sup>rd</sup> Streets, and includes public space in the form of boulevards on Idylwild Street and the small Idylwild Park. The area is also near the new Innovation Campus. Clearly this area meets the Comprehensive Plan's basic criteria as a mixed-use area that meets the Comprehensive Plan's redevelopment objectives.

We also urge you to support the change of zone and street and alley vacation. The zone changes would not decrease any R-2 zoning in the neighborhood. The changes would shift some high density zoning to commercial zoning to allow a more useable residential/ commercial space. The street and alley vacation is not only supported by the neighborhood, but was actually suggested by the neighborhood. At one of the first meetings the neighborhood expressed their concern about the parking lot, and the traffic flow of people exiting the parking lot and traveling south through the neighborhood. It was the neighborhood that suggested closing off one block of 35<sup>th</sup> Street to make more room for parking and landscaping of the parking lot. In this area 35<sup>th</sup> is only two blocks long and is therefore not a through street. The block we asked to be vacated today is primarily used to access the Valentino's restaurant. By breaking the boulevard near Holdrege Street, traffic will be able to exit the new parking lot and go immediately to Holdrege Street. Both of these changes would reduce traffic flow south through the remaining block of 35<sup>th</sup> Street.

ECCO would also like to support the request for parallel parking along Holdrege Street. Allowing parking for these two blocks on Holdrege Street would be beneficial because:

- the additional spaces would provide additional parking for the development;
- the parked cars would provide a buffer between the sidewalk and the busy street; and
- the parked cars would tend to slow traffic in an area where there will be an increased number of pedestrians crossing Holdrege Street.

It is our understanding that one of the reasons that parallel parking is not allowed on arterial streets is because it slows down traffic flow. Holdrege is considered to be a minor, not a major arterial, and therefore can tolerate a somewhat slower traffic flow. In addition, there are already many pedestrians crossing Holdrege Street near the existing Valentino's restaurant even though there is a traffic light on Holdrege Street about four blocks east of the development. With this development there is no doubt that pedestrian crossings in the area will increase.

In conclusion, Holdrege/Idylwild Redevelopment is not only in conformance with the new Comprehensive Plan but would be a good example of the type of redevelopment the plan is trying to encourage. The street vacation would enhance the ability of the project to provide a better interface with the neighborhood and the project as a whole would eliminate blight, enhance the livability of Holdrege/Idylwild area, and provide much needed commercial services within walking distance of the residents of East Campus and students and faculty at the University of Nebraska East Campus. These enhancements would also help create a safe and pleasant neighborhood in which the University's East Campus and Innovation Campus could thrive.

For these reasons the East Campus Community Organization strongly encourages you to approve this application for TIF funds. We would also like to express our appreciation to Mayor Beutler for providing his support for this application.