

FEB 21 2014

J. Michael Rierden
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645 "M" STREET
SUITE 200
LINCOLN, NE 68508

February 20, 2014

Mr. Marvin Krout, Director
Planning Department
City of Lincoln
555 South 10th Street
Lincoln, Nebraska 68508

RE: Application for Waiver – 1830 L Street Development

Dear Marvin:

My client, B&J Partnership Ltd. d/b/a Speedway Properties, is requesting a waiver of selected city codes and Downtown Design Standards for the property at 1830 L Street. Specifically, the following sections are included in this Application for Waiver.

1. Lincoln Municipal Code, Chapter 27.72.050 (c) (3) (i), Exceptions to the General (Height) Requirements which states in part, "For the area of the B-4 Lincoln Center Business District located from 150 feet east of 17th Street to the eastern boundary of the B-4 Lincoln Center Business District, the minimum building height shall be 20 feet adjacent to all street frontages."
2. Chapter 3.76, Section 4. GENERAL REQUIREMENTS, 4.1 (a.) Site Development which states, "Downtown Lincoln buildings west of 19th Street and on North 21st Street from O to Q Streets shall be "built-to" their front property lines (and on corner lots, shall be built-to both front property lines)."

Site Plans

The purpose of this request is based on recent discussions with potential tenants wishing to construct a drive-thru facility on this site. It is their desire to maximize the size of the building to include as much indoor seating as possible. Attached are two alternate site plans depicting development of this site.

Alternate A shows the potential building under the existing design standards which requires the building to be "built-to" both property lines of this corner lot. Under this design, the largest building possible is less than 1,400 square feet. Stacking would appear in the front yard along the new Antelope Valley Parkway. The traffic flow requires incoming and exiting traffic to cross at the entrance to the site on L Street.

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Alternate B shows a potential building set back from both property lines. This design allows a drive-thru and required stacking at the side yard of the building where it is screened from Antelope Valley Parkway. This design envisions a building in excess of 1,800 square feet. This design also eliminates the crossing of incoming and exiting traffic.

We've had further discussions with staff in the Public Works Department relative to ingress and egress traffic under both designs. They have expressed great reservation over the site layout depicted in Alternate A. This Alternate is something they simply cannot approve. They did offer preliminary approval of the site layout depicted in Alternate B.

Based on the above issues, we respectfully request a waiver of the "build-to" requirements for this site.

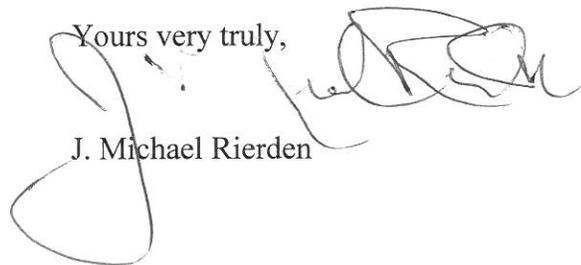
Building Height

The 20 foot building height requirement noted above requires buildings "adjacent to all street frontages" to be 20 feet in height. If our requested waiver of the "build-to" requirements is granted, we're unclear of the height requirement for a building not built to the adjacent street frontage. If there is still a height requirement, we request that the height be measured using the existing 19th Street sidewalk as the baseline.

For reference, I have included an architectural rendering of the type of building we envision for this site.

If you should have any questions, please let me know. I look forward to your favorable response to my request.

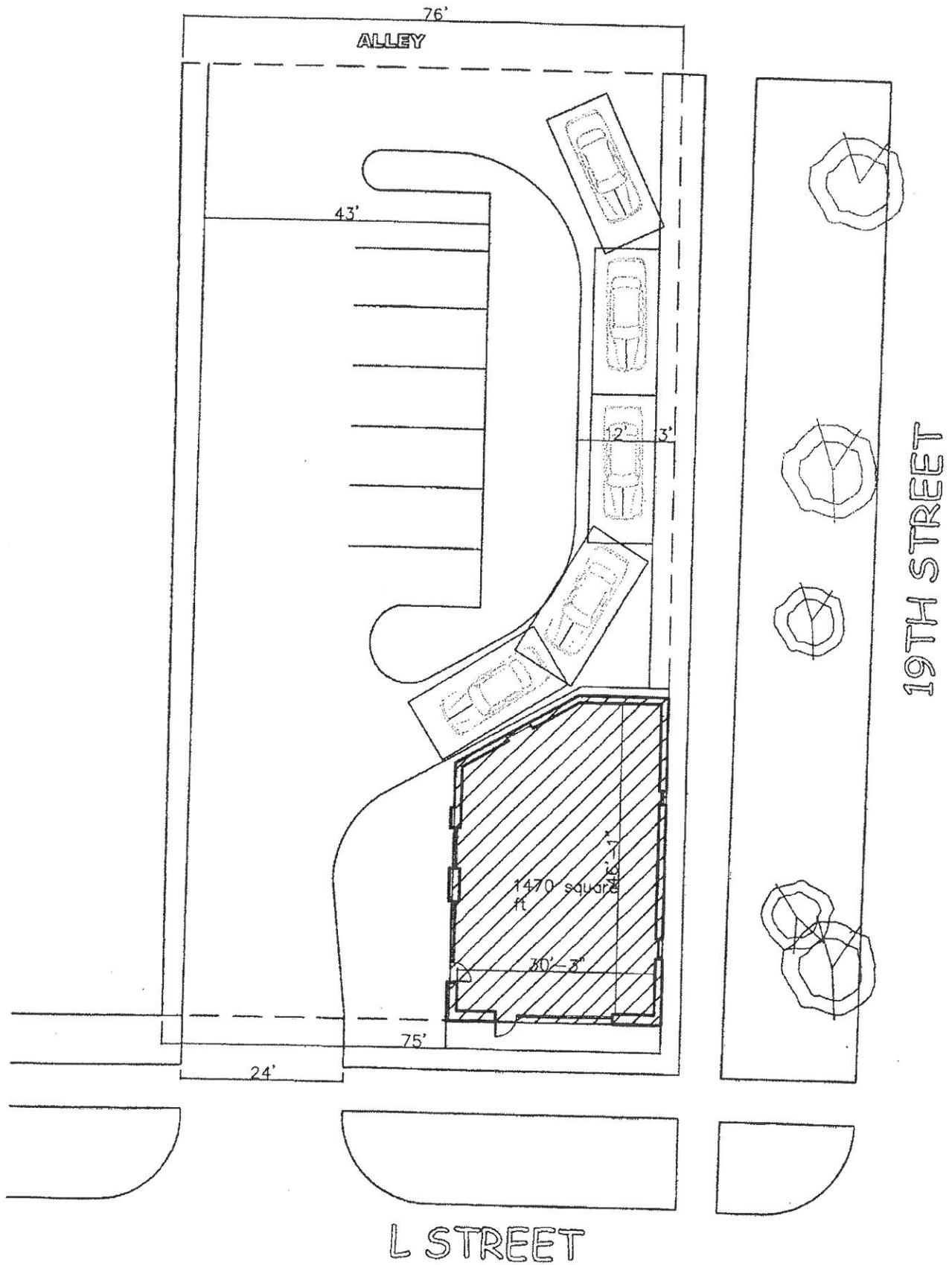
Yours very truly,

A handwritten signature in black ink, appearing to read "J. Michael Rierden", written over a large, stylized circular flourish.

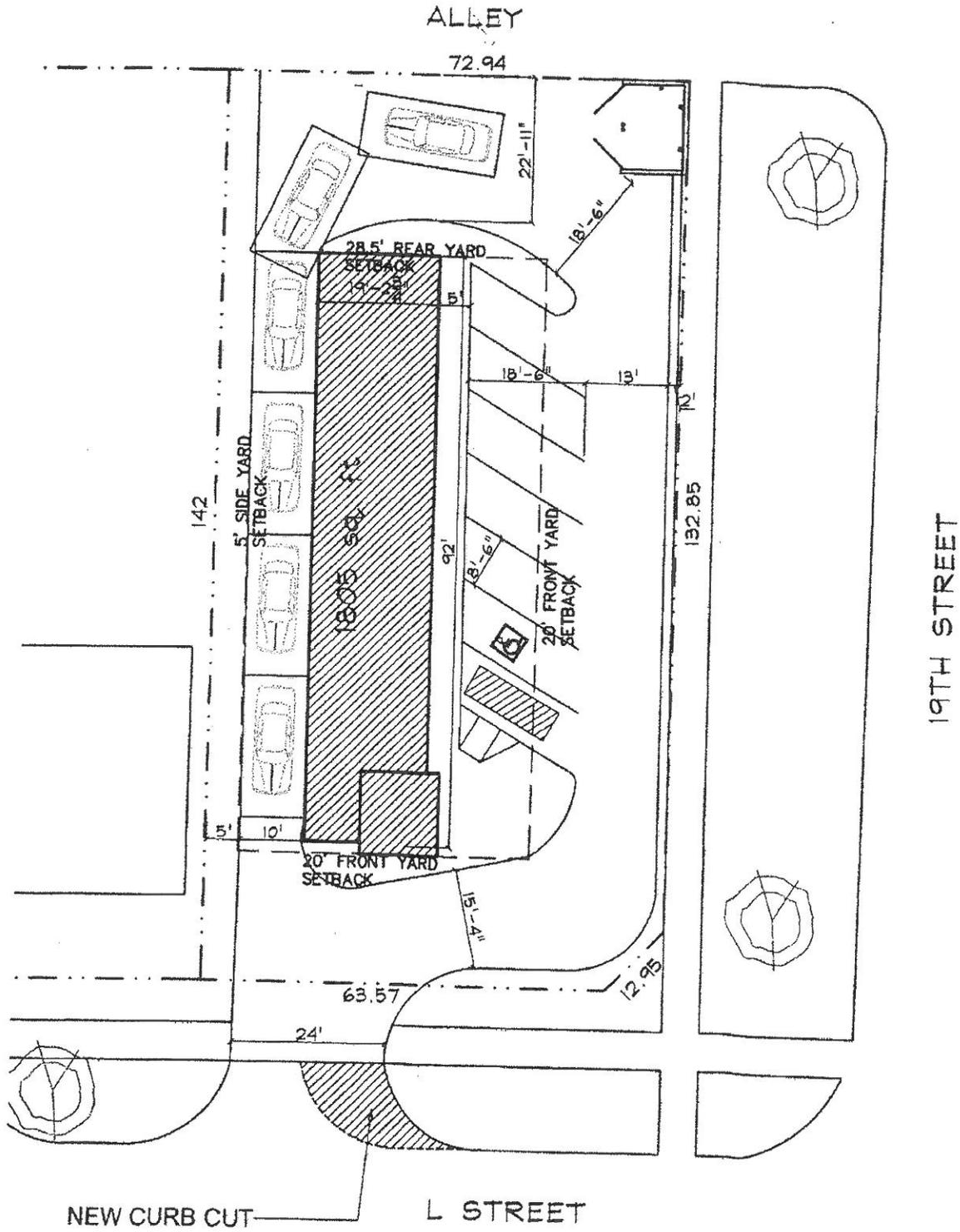
J. Michael Rierden

JMR/jdr
enclosures

Alternate A

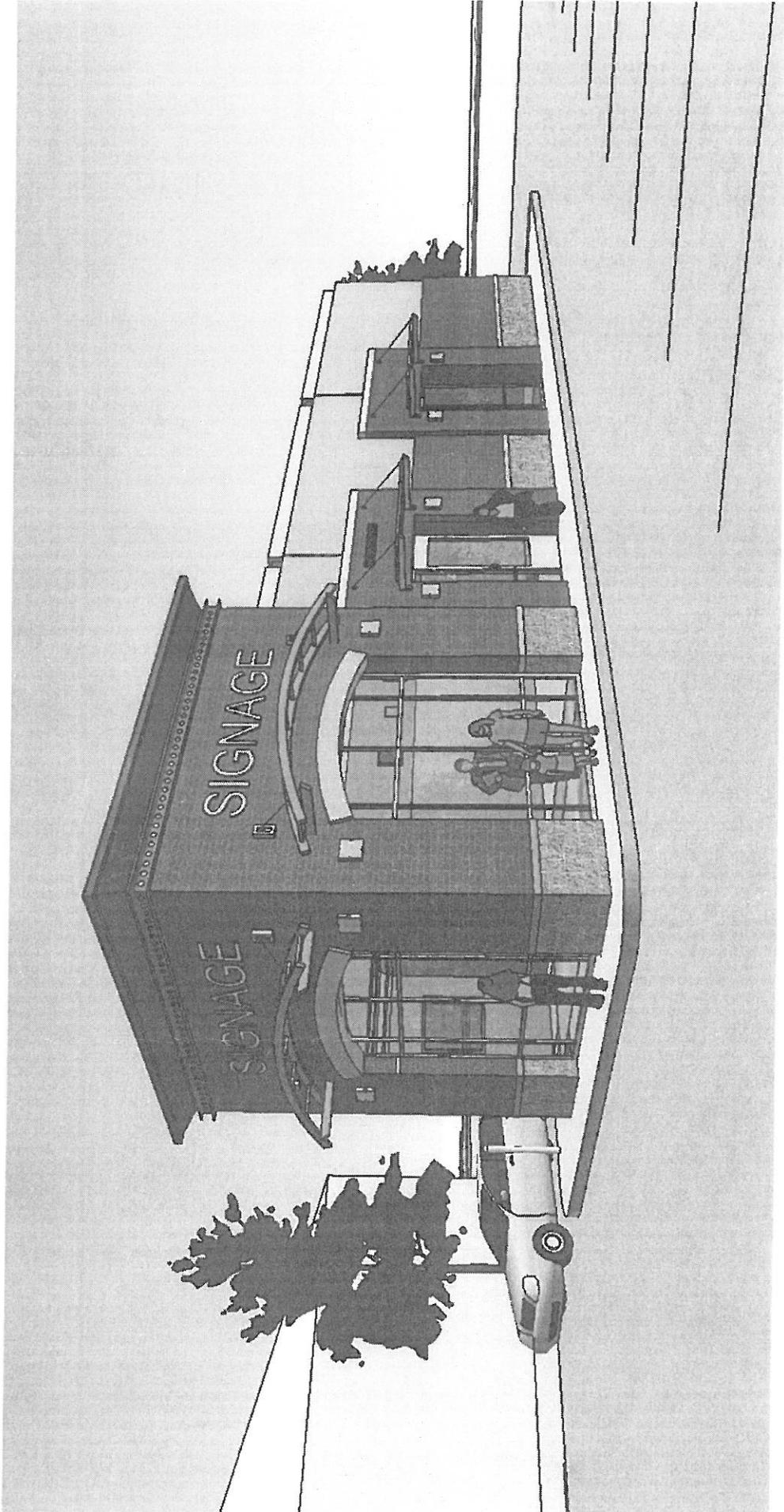


Alternate B



SITE PLAN





1830 L

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