

# **Lincoln City - Lancaster County**

## **PLANNING COMMISSION AGENDA**

### **PLANNING COMMISSION**

Tracy Corr: Chair  
Tom Beckius: Vice-Chair  
Lorenzo Ball  
Dick Campbell  
Tracy Edgerton  
Deane Finnegan  
Cristy Joy  
Cindy Ryman Yost  
Dennis Scheer

### **PLANNING STAFF**

David R. Cary: Director  
Geri Rorabaugh: Administrative Officer  
Rhonda Haas: Office Specialist

## **April 28, 2021**



**NOTICE:** The Lincoln/Lancaster County Planning Commission will hold a public hearing on Wednesday, April 28, 2021, at 1:00 p.m. in Hearing Room 112 on the first floor of the County-City Building, 555 S. 10<sup>th</sup> St., Lincoln, Nebraska. For more information, call the Planning Department, (402) 441-7491.

The Lincoln/Lancaster County Planning Commission will meet on Wednesday, April 28, 2021, in the Council Chambers immediately following the Regular Planning Commission meeting, for a briefing on the proposed text amendment for Short-Term Rentals. **\*\*Please Note\*\* Planning Commission briefings are for informational purposes only and no public testimony will be taken.**

**\*\*PLEASE NOTE:** The Planning Commission action is final action on any item with a notation of \*FINAL ACTION\*. Any aggrieved person may appeal Final Action of the Planning Commission to the City Council or County Board by filing a Notice of Appeal with the City Clerk or County Clerk within 14 days following the action of the Planning Commission.

The Planning Commission action on all other items is a recommendation to the City Council or County Board.

**For the protection of all those involved, the Planning Commission will be allowing testimony on agenda items by videoconferencing. For those who wish to testify by video, you must register with the Planning Department Office to participate by calling 402-441-7491 or emailing [Plan@lincoln.ne.gov](mailto:Plan@lincoln.ne.gov) by 10:00 a.m. the day of the meeting. You will be asked to provide your name, address, phone number and the agenda item(s) you wish to speak on, and your position on this item. On the day of the hearing, you will receive a link via email, which will be needed to join the hearing to provide your testimony.**

## **AGENDA**

**WEDNESDAY, APRIL 28, 2021**

Approval of minutes of the regular meeting held April 14, 2021.

**1. CONSENT AGENDA:  
(Public Hearing and Administrative Action);**

**COMPREHENSIVE PLAN CONFORMANCE:**

- 1.1 COMPREHENSIVE PLAN CONFORMANCE 21008, to review as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan, a proposed amendment to the Antelope Valley Redevelopment Plan, that adds the "25th & Vine Redevelopment Project", on property generally located at 25th and Vine Streets.

**Staff recommendation: In Conformance with the Comp Plan**

**Staff Planner: George Wesselhoft, 402-441-6366, [gwesselhoft@lincoln.ne.gov](mailto:gwesselhoft@lincoln.ne.gov)**

- 1.2 COMPREHENSIVE PLAN CONFORMANCE 21009, to review as to conformance with the 2040 Lincoln-Lancaster Comprehensive Plan, two proposed amendments, the first to the Lincoln Center Redevelopment Plan and the second to the South of Downtown Redevelopment and Strategic Plan, to identify the "2 Landmark Centre Redevelopment Project", including the demolition of existing on-site facilities and construction of a new 3-story office building, on property generally located at 1111 Lincoln Mall.

**Staff recommendation: In Conformance with the Comp Plan**

**Staff Planner: Andrew Thierolf, 402-441-6371, [athierolf@lincoln.ne.gov](mailto:athierolf@lincoln.ne.gov)**

- 1.3 COMPREHENSIVE PLAN CONFORMANCE 21010, to review as to conformance with the 2040 Lincoln-Lancaster Comprehensive Plan, a proposed amendment to the Lincoln Center Redevelopment Plan, to amend the "Block 65 Redevelopment Project", adjusting the TIF (Tax Increment Funds) from 15 to 20 years, on property generally located at 200 and 206 South 13 Street and 1318 and 1340 M Street, between 13th and 14th, M and N Streets.

**Staff recommendation: In Conformance with the Comp Plan**

**Staff Planner: Andrew Thierolf, 402-441-6371, [athierolf@lincoln.ne.gov](mailto:athierolf@lincoln.ne.gov)**

#### **CHANGE OF ZONE:**

- 1.4 CHANGE OF ZONE 04075I, to amend the existing Village Gardens PUD (Planned Unit Development) for the construction of multiple-family dwelling units with waivers to adjust height and parking, on property generally located at 56th Street and Pine Lake Road.

**Staff recommendation: Conditional Approval**

**Staff Planner: Brian Will, 402-441-6362, [bwill@lincoln.ne.gov](mailto:bwill@lincoln.ne.gov)**

- 1.5 CHANGE OF ZONE 21010, from B-3 (Commercial District) and R-4 (Residential District) to R-6 (Residential District), on property generally located at 2716 and 2718 Starr Street and 1420 North 27th Street.

**Staff recommendation: Conditional Approval**

**Staff Planner: George Wesselhoft, 402-441-6366, [gwesselhoft@lincoln.ne.gov](mailto:gwesselhoft@lincoln.ne.gov)**

#### **MISCELLANEOUS:**

- 1.6 MISCELLANEOUS 21003, to review the proposed determination that the Meadowlane Shopping Center be declared a blighted and substandard area, on property generally located at the NE corner of 70th and Vine Streets.

**Staff recommendation: Finding of Substandard and Blighted Conditions**

**Staff Planner: Andrew Thierolf, 402-441-6371, [athierolf@lincoln.ne.gov](mailto:athierolf@lincoln.ne.gov)**

## **2. REQUESTS FOR DEFERRAL:**

## **3. ITEMS REMOVED FROM CONSENT AGENDA:**

**4. PUBLIC HEARING AND ADMINISTRATIVE ACTION:**

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**AT THIS TIME, ANYONE WISHING TO SPEAK ON AN ITEM  
NOT ON THE AGENDA, MAY DO SO.**

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**Adjournment**

**PENDING LIST:**

*COMPREHENSIVE PLAN CONFORMANCE 21004, to review as to conformance with the Lincoln Lancaster County Comprehensive Plan, a request to declare approximately 1.59 acres of City of Lincoln-owned land as surplus, on property generally located at F Street between 6th and 8th Streets.*

*CHANGE OF ZONE 20029, from R-3 (Residential District) to H-3 (Highway Commercial District), on property generally located west of North 33rd Street and Schworer Drive.*

*PRELIMINARY PLAT 20004, for a new preliminary plat consisting of two lots, on property generally located West of North 33rd Street and Schworer Drive.*

**Planning Department Staff Contacts:**

David Cary, <i>Director</i>	402-441-6364	<a href="mailto:dcary@lincoln.ne.gov">dcary@lincoln.ne.gov</a>
Stephen Henrichsen, <i>Development Review Manager</i>	402-441-6374	<a href="mailto:shenrichsen@lincoln.ne.gov">shenrichsen@lincoln.ne.gov</a>
Paul Barnes, <i>Long Range Planning Manager</i>	402-441-6372	<a href="mailto:pbarnes@lincoln.ne.gov">pbarnes@lincoln.ne.gov</a>
Collin Christopher, <i>Planner</i>	402-441-6370	<a href="mailto:cchristopher@lincoln.ne.gov">cchristopher@lincoln.ne.gov</a>
Tom Cajka, <i>Planner</i>	402-441-5662	<a href="mailto:tcajka@lincoln.ne.gov">tcajka@lincoln.ne.gov</a>
Stacey Hageman, <i>Planner</i>	402-441-6361	<a href="mailto:slhageman@lincoln.ne.gov">slhageman@lincoln.ne.gov</a>
Rachel Jones, <i>Planner</i>	402-441-7603	<a href="mailto:rjones@lincoln.ne.gov">rjones@lincoln.ne.gov</a>
Stephanie Rouse, <i>Planner</i>	402-441-6373	<a href="mailto:SRouse@lincoln.ne.gov">SRouse@lincoln.ne.gov</a>
Andrew Thierolf, <i>Planner</i>	402-441-6371	<a href="mailto:athierolf@lincoln.ne.gov">athierolf@lincoln.ne.gov</a>
George Wesselhoft, <i>Planner</i>	402-441-6366	<a href="mailto:gwesselhoft@lincoln.ne.gov">gwesselhoft@lincoln.ne.gov</a>
Brian Will, <i>Planner</i>	402-441-6362	<a href="mailto:bwill@lincoln.ne.gov">bwill@lincoln.ne.gov</a>
Kellee Van Bruggen, <i>Transportation Planner</i>	402-441-6363	<a href="mailto:kvanbruggen@lincoln.ne.gov">kvanbruggen@lincoln.ne.gov</a>
Allan Zafft, <i>Transportation Planner</i>	402-441-6369	<a href="mailto:azafft@lincoln.ne.gov">azafft@lincoln.ne.gov</a>

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**The Planning Commission meeting  
which is broadcast live at 1:00 p.m. every other Wednesday  
will be rebroadcast on Wednesdays at 7:00 p.m., Thursdays at 12:00 a.m. and Sundays  
at 12:30 p.m. on 5 City TV, Cable Channel 5.**

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The Planning Commission agenda may be accessed on the Internet at  
<https://app.lincoln.ne.gov/city/plan/boards/pc/pc.htm>

### **ACCOMMODATION NOTICE**

The City of Lincoln complies with Title VI of the Civil Rights Act of 1964 and Section 504 of the Rehabilitation Act of 1973 guidelines. Ensuring the public's access to and participating in public meetings is a priority for the City of Lincoln. In the event you are in need of a reasonable accommodation in order to attend or participate in a public meeting conducted by the City of Lincoln, please contact the Director of Equity and Diversity, Lincoln Commission on Human Rights, at 402 441-7624 as soon as possible before the scheduled meeting date in order to make your request.

**LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT**

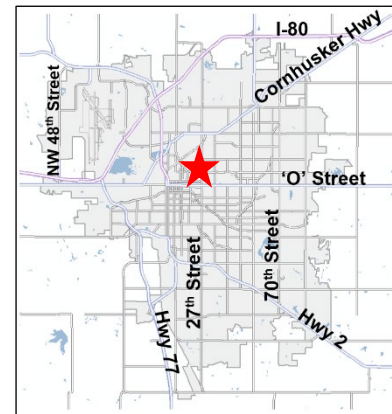
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Comprehensive Plan Conformance 21008	FINAL ACTION? No	DEVELOPER/OWNER LA Real Estate LLC
PLANNING COMMISSION HEARING DATE April 28, 2021	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION Northwest corner of N. 25 <sup>th</sup> and Vine Streets

**RECOMMENDATION: IN CONFORMANCE WITH THE COMPREHENSIVE PLAN**

**BRIEF SUMMARY OF REQUEST**

Review as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan, a proposed amendment to the Antelope Valley Redevelopment Plan that identifies the 25<sup>th</sup> and Vine Redevelopment Project. The Project includes two apartment buildings with 36 units in total that will also include 6 units of affordable housing. The Project is located at the northwest corner of N. 25<sup>th</sup> Street and Vine Street.



**JUSTIFICATION FOR RECOMMENDATION**

The Project is consistent with the Comprehensive Plan and the Antelope Valley Redevelopment Plan. It will provide in-fill residential dwelling units in the urban core close to existing transit and services with part of the Project dedicated to affordable housing.

**APPLICATION/STAFF CONTACT**

Ernie Castillo  
City of Lincoln Urban Development Dept  
(402) 441-7855  
[ecastillo@lincoln.ne.gov](mailto:ecastillo@lincoln.ne.gov)

**COMPATIBILITY WITH THE COMPREHENSIVE PLAN**

This project is consistent with the Comprehensive Plan through infill residential development and is also compatible with the Downtown Master Plan and Antelope Valley Redevelopment Plan which promote diverse housing close to Downtown Lincoln. The Project furthermore is consistent with the Affordable Housing Coordinated Action Plan.

## COMPREHENSIVE PLAN SPECIFICATIONS:

- p. 1.9 This site is designated for Residential - Urban Density on the 2040 Lincoln Area Future Land Use Plan.
- p. 2.7 Lincoln will continue to have managed and contiguous growth, including strengthening our Downtown core.
- p. 5.4 The City should preserve and enhance Downtown's role as...A major focus for new residential reuse, infill, and redevelopment.
- p. 6.1 The primary focus for new dwelling units is the "Greater Downtown" which includes Downtown proper, Antelope Valley, the Haymarket, South Haymarket, Telegraph District and Innovation Campus.
- p. 6.3 Support development and implementation of the Downtown Master Plan, South Haymarket Neighborhood Plan and the Antelope Valley Redevelopment Plan.
- p. 6.3 Strategies for Greater Downtown...Maintain the urban environment, including a mix of land uses with a major focus on residential uses.
- p. 7.2 - Neighborhoods & Housing Guiding Principles
  - Continue policies such as landmark districts and down-zonings that maintain a mix of single-family and multi-family housing and support home ownership and the preservation and enhancement of historic properties.
  - Promote sustainability and resource conservation by preserving and improving housing in existing neighborhoods.
  - Make available a safe residential dwelling for all citizens.
  - Provide a wide variety of housing types and choices for an increasingly diverse and aging population.
  - Provide flexibility to the marketplace in siting future residential development locations.
- P. 7.9 - Redevelopment in Existing Neighborhoods
  - Widely varying techniques are utilized to achieve redevelopment in existing neighborhoods such as the following examples: 3. Tearing down more than one structure and building a new multi-family building or a group of other housing types (resulting in a net increase in density)
- P. 7.10-11 - Detailed Strategies for Existing Neighborhoods
  - 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 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. 12.4 - Urban Residential. Multi-family and single family residential uses in areas with varying densities ranging from more than fifteen dwelling units per acre to less than one dwelling per acre.

## DOWNTOWN MASTER PLAN SPECIFICATIONS:

- p. 4.1.2 Downtown is surrounded by diverse neighborhoods whose residents are an integral part of the Downtown economy. People who live in these neighborhoods work, visit and play, and shop in Downtown.
- p. 4.1.2 Downtown is stronger when the surrounding neighborhood residents have easy connections to jobs, services, and retail. Getting around by bike and on foot is an increasingly important quality of life consideration...Neighborhoods to the east, including Malone, Hartley, Hawley and Woods Park rely on east/west roadway connections.
- p. 4.1.2 Safely connecting adjoining neighborhoods to the core enables workers to live near jobs without having to live in the Downtown Core. Adjacent neighborhoods offer a range of housing including more affordable options for the City's workforce.

- p. 4.1.3 Housing with diverse price points that include affordable and market rate will invite a wide variety of skill sets, including both professional and service workers that can support the city's economic growth. Many cities across the country are providing incentives to stimulate the housing market in downtowns, particularly for mixed-income and affordable housing.

#### **ANTELOPE VALLEY REDEVELOPMENT PLAN SPECIFICATIONS:**

- p. 55 Neighborhoods: includes North Bottoms, Clinton, Malone/Hawley, Woods Park, Near South and Downtown...The Redevelopment Plan attempts to conserve desirable characteristics of Antelope Valley's established residential and commercial communities, while shaping new development to create more livable neighborhoods...The various residential future land uses encourage restoring, updating and renovating the many older viable neighborhood homes.
- p. 66 Guiding Land Uses and Design Principles, A. General Principals, 2. New Residential Products - Encourage a range of housing types (single-family, apartments, row homes, granny flats, condominiums and live/work units) giving citizens of different incomes, ages and family sizes a wide range of choices.

#### **ANALYSIS**

1. This is an amendment to the Antelope Valley Redevelopment Plan that identifies the 25<sup>th</sup> and Vine Street Redevelopment Project. The Project will include the redevelopment of property for a multi-family residential project located at the northwest corner of N. 25<sup>th</sup> Street and Vine Street. The project site consists of approximately 1.02 acres. The property is currently zoned R-6 Residential.
2. The Project will include a total of 36 units of apartments in two buildings with 6 units dedicated to affordable housing. The apartments will be three stories in height. The Project proposes to provide 54 parking stalls at a ratio of 1.5 stalls per unit. This parking will be provided on the north side of the property with alley access. In addition, there is parking proposed on the north side of the alley along N. 25<sup>th</sup> Street.
3. The goal of the Project is to strengthen the Lincoln community by redeveloping underutilized land to create a wider variety of housing types, including a mix of affordable and market rate units, in an area within walking distance of employment centers and activities at the University of Nebraska and Downtown areas.
4. The Project is consistent with goals in the Comprehensive Plan. The project will create additional market rate and affordable housing within walking distance of the downtown. This housing is residential infill which is encouraged by the Comprehensive Plan as part of the "Greater Downtown" which includes Antelope Valley.
5. The Downtown Master Plan identifies connections to adjacent neighborhoods offering a range of housing for the City's workforce and notes that these neighborhoods are an integral part of the Downtown economy.
6. The Project is consistent with the Antelope Valley Redevelopment Plan, which encourages redevelopment of underutilized land, a mix of housing types, compact development for efficient use of land and infrastructure, all within walking distance to transit stops, trails and other amenities.
7. The estimated total development cost to implement the Project is approximately \$4,140,000, which includes approximately \$906,000 in TIF funding for public improvements and enhancements. The final assessed valuation of the Project is anticipated to be approximately \$3,924,000. The Project is expected to generate approximately \$67,400 in annual TIF revenue to assist with the cost of the construction of related public improvements and enhancements.
8. A Special Permit application for a Community Unit Plan is anticipated for the 25<sup>th</sup> and Vine Redevelopment Project as waivers to setbacks, including front yard setbacks along Vine and N. 25<sup>th</sup> Street, along with a parking reduction from 1.75 to 1.5 spaces per unit are needed as part of the re-development. A Change of Zone is not needed as the entire project area is currently zoned R-6 Residential, which permits multi-family residential use.

9. The project with Tax Increment Financing is required to be reviewed by the Urban Design Committee. It was reviewed at the April 6, 2021 meeting of the Urban Design Committee (see Excerpts of Meeting Record attached). The Committee approved subject to the project resubmitting to them for color variation, facade articulation and window design on the front facade. The specific site plan and elevation will be a part of a future special permit for a Community Unit Plan and will be reviewed for conformance with the city regulations and have a Planning Commission public hearing in the future.

**EXISTING ZONING:** R-6 Residential

**EXISTING LAND USES:** Single Family

**SURROUNDING LAND USE AND ZONING:**

North: Single Family, Duplex, Apartments	R-6 Residential District
South: Duplex, Apartments	R-6 Residential District
East: Apartments, Vacant	R-6 Residential District
West: Single Family, Apartments	R-6 Residential District

**APPROXIMATE LAND AREA:** 1.02 acres

Prepared by

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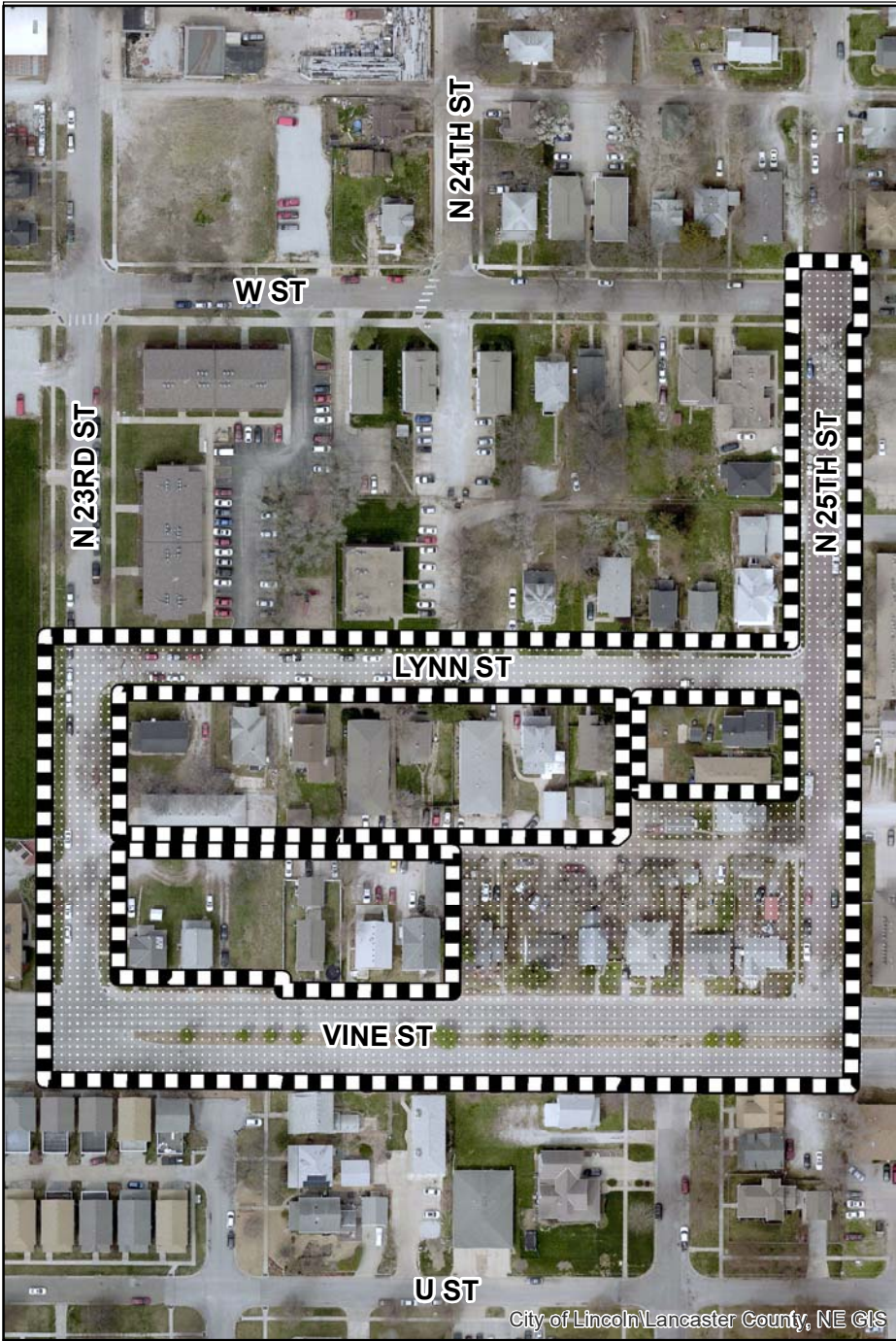
George Wesselhoft  
Planner  
(402) 441-6366 or [gwesselhoft@lincoln.ne.gov](mailto:gwesselhoft@lincoln.ne.gov)

April 15, 2021

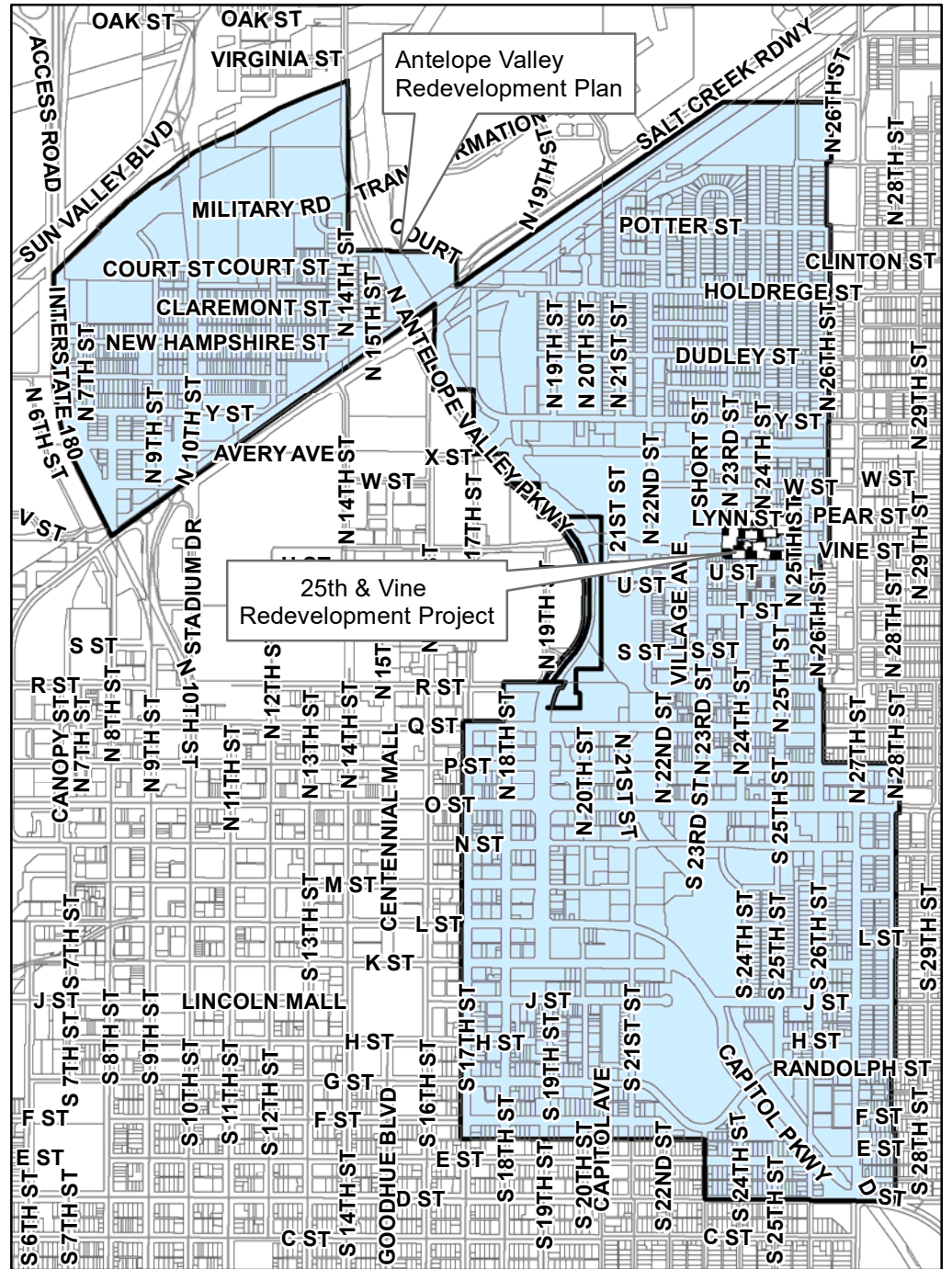
**Applicant:** Urban Development Department  
City of Lincoln  
555 S. 10<sup>th</sup> Street, Suite 205  
Lincoln, NE 68508

**Contact:** Ernie Castillo  
(402) 441-7855 or [ecastillo@lincoln.ne.gov](mailto:ecastillo@lincoln.ne.gov)

F:\DevReview\CPC\21000\CPC21008 25th & Vine Redevelopment Project.gjw.docx



City of Lincoln Lancaster County, NE ©s



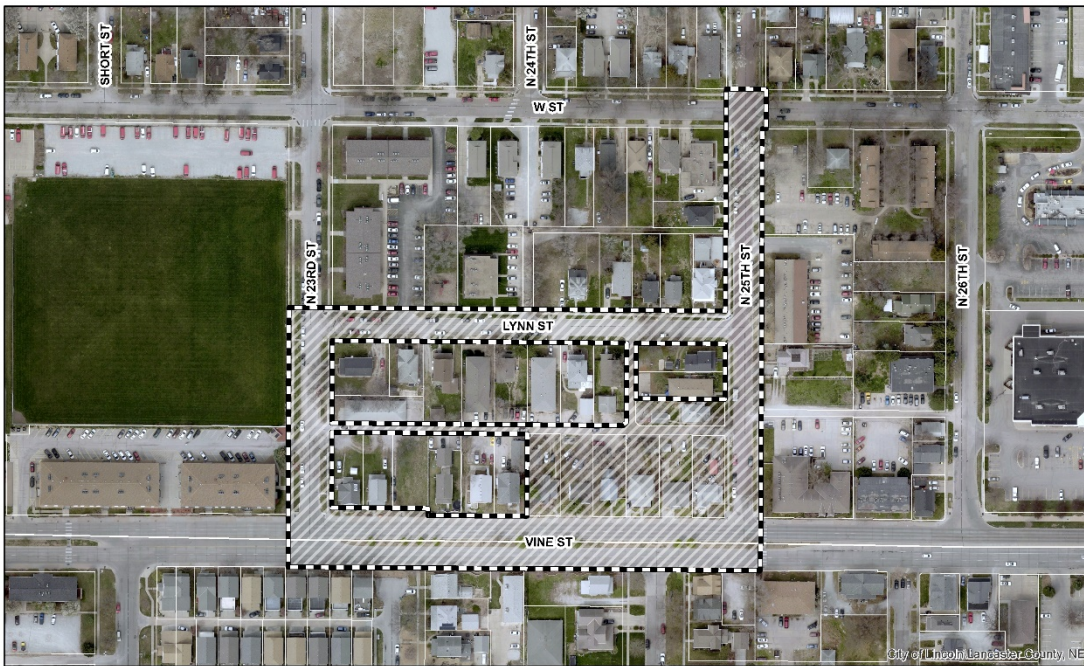
**Comprehensive Plan Conformance #21008**  
**Antelope Valley Redevelopment Plan**  
**25th & Vine Redevelopment Project**

2020 aerial


**Amendment to The Antelope Valley Redevelopment Plan**  
**25th and Vine Redevelopment Project**

**1. Project Description.**

The 25<sup>th</sup> and Vine Redevelopment Project (the “Project”) includes the redevelopment of the eastern portion of the block adjacent to the north of Vine Street between N 23<sup>rd</sup> and N 25<sup>th</sup> streets two apartment buildings with approximately thirty-six housing units, which incorporates 6 units dedicated to affordable housing. The Project Site is legally described as Lots 3, 19, 20, 21, 22, 23 and 24, Sheldon and Ernst’s Subdivision, Lincoln, Lancaster County, Nebraska together with that portion of the east west alley in Sheldon and Ernst’s Subdivision north of such lots and the adjacent right of way north of the centerline of Vine Street and west of the centerline of N 25<sup>th</sup> Street (“Project Area”). The Project Area is depicted on the map, below:



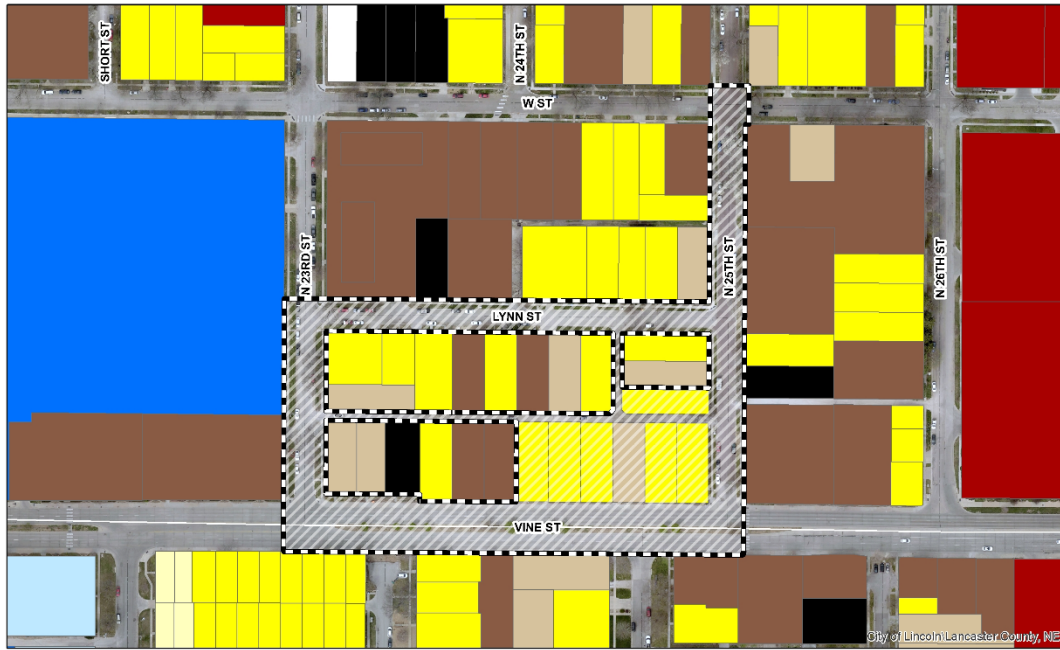
25th & Vine St Redevelopment: Project Area

 25th & Vine Area



The goal of the Project is to strengthen the Lincoln community by redeveloping underutilized land to create a wider variety of housing types, including a mix of affordable and market rate units, in the area within walking distance of employment centers and activities at the University of Nebraska and Downtown areas. The Project Area currently contains lesser quality single family houses built, on average 99 years ago with some built 120 years ago. The Project accomplishes its goal through acquisition and assemblage of multiple small parcels, removing aging, lesser quality buildings and infrastructure and installation of re-routed utilities in the course of construction of two apartment buildings with approximately thirty-six housing units with 6 units dedicated to affordable housing. The Project will remove blight and substandard conditions in the Project Area and in the Antelope Valley Redevelopment Plan Area and will result in the redevelopment of underutilized parcels in furtherance of the purposes of the Antelope Valley Redevelopment Plan.

Surrounding land uses are primarily residential with both single family residences and multi-family apartment buildings. The Project's location along Vine Street, a minor arterial, makes the Project Area an ideal location for redevelopment to higher density multi-family housing.

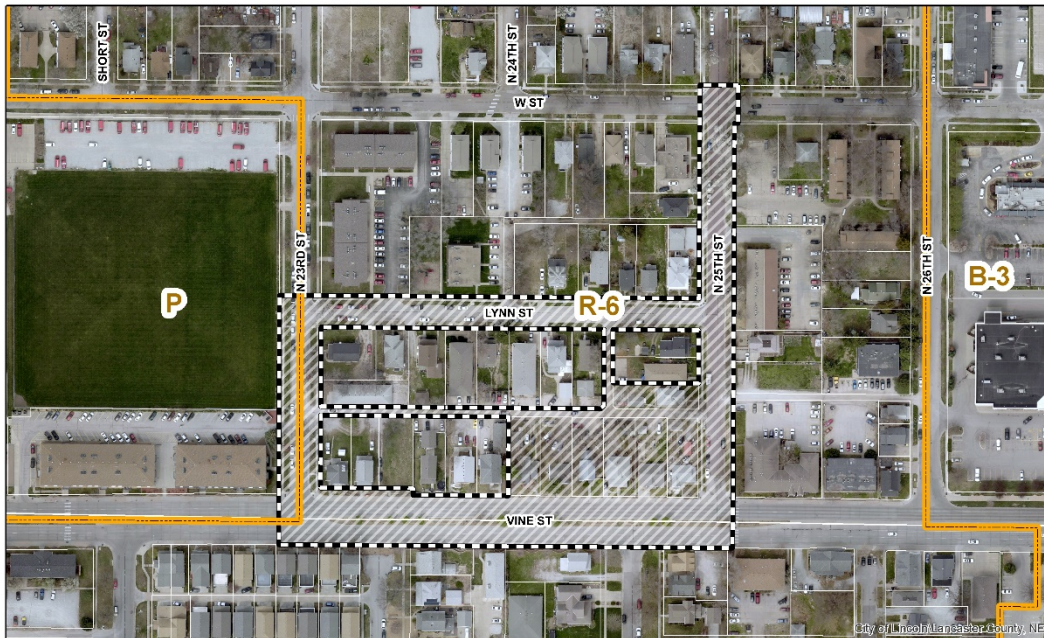


25th & Vine St Redevelopment: Current Land Use

- 25th & Vine Area
- Single Family Attached
- Single Family Detached
- Duplex
- Apartments
- Group Quarters
- Commercial
- Educational Institutions
- Light Industrial
- Parking Lot
- Vacant / Vacated ROW



The Project Site is currently zoned R-6. The R-6 Residential District provides for high residential density. The proposed use of the Project Area will not require a change of zoning district.



25th & Vine St Redevelopment: Zoning

- 25th & Vine Area
- Zoning



The Project is consistent with the Antelope Valley Redevelopment Plan which encourages redevelopment of underutilized lands, a mix of housing types, compact development for efficient use of land and infrastructure all within walking distance to transit stops, trails, and other amenities. The Project is also consistent with LPlan 2040, the Lincoln-Lancaster County 2040 Comprehensive Plan. Chapter 7 (Neighborhoods & Housing) of the LPlan encourages distributing affordable housing throughout the community and near job opportunities. Finally, the Project is also consistent with the City of Lincoln Affordable Housing Coordinated Action Plan which seeks to increase the number of affordable units in Lincoln and recognizes the role of infill development and land assembly in reaching this goal.

The Project represents a significant investment in the Antelope Valley Redevelopment Plan Area. Publicly funded redevelopment activities may include: site acquisition; street, sidewalk or alley improvements, landscaping, façade enhancements, and other public improvements and related costs and activities as permitted under the Community Development Law.

## **2. Statutory Elements**

***Site Acquisition, demolition and disposal.*** The proposed redeveloper has agreements to purchase a property in the Project Area. No relocation of individuals or businesses will be required as all properties are vacant. Demolition and site preparation will include clearing existing structures from the property, abandoning current utilities, relocation, or replacement of utilities.

***Population Density.*** The population density of the Project Area will increase as seven single family houses will be removed and thirty-six multi-family dwelling units constructed.

***Land Coverage.*** The Project will increase land coverage in the Project Area. The Project will comply with the applicable land-coverage ratios and zoning requirements of the City of Lincoln.

***Zoning, Building Code and Ordinance.*** The Project Site is currently zoned R-6 Residential District and is a permitted use in this District. The proposed redeveloper will seek a Community Unit Plan to reduce required setbacks. All applicable building code requirements and ordinances will be satisfied.

***Traffic Flow, Street layouts, and Street Grades.*** The Project will increase traffic flow generated to the Project Area from an increased number of residents. However, as proposed, the project may eliminate up to two driveway access points on Vine Street.

The main vehicular access to the Project is proposed to be that portion of the east-west alley on the north side of the Project Area. The Project proposes paving the alley in the Project Area to accommodate increased traffic flow due to the Project.

***Parking.*** The Project will increase off street parking in the area. The Project includes construction of a surface parking lot for use of the residents of the buildings to be constructed. A proposed Community Unit Plan for the Project will reduce the required parking ratio to approximately 1.5 parking stalls per dwelling unit.

## **3. Proposed Costs and Financing**

The estimated total development cost to implement the Project is approximately \$4,140,000, which includes approximately \$906,000 in TIF funding for public improvements and enhancements. The estimated total project cost and amount of public financing will be established as the site plan is finalized and as the construction costs are determined. The source of the public funds for

these public improvements will be the tax increment generated from the private development of the Project Area. Tax Increment Financing funding uses will be financing negotiated and identified in the redevelopment agreement, subject to approval by the Mayor and City Council.

**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***

The 2021 assessed value of the Project Area is approximately \$575,600.00. The Final assessed valuation of the project is anticipated to be approximately \$ 3,924,000.00. The Project is expected to generate approximately \$67,400 in annual TIF revenue to assist with the cost of the construction of public improvements and enhancements related to the project. The TIF Funds shall be subject to further adjustment as project costs are defined.

<b>Tax Increment Financing Analysis</b>		
	Description	Amount
Base Value	<i>Current Assessed Value</i>	\$575,600.00
Not to Protest Value	<i>Anticipated completed Valuation</i>	\$3,924,000.00
Increment Value	<i>Completed value-base value</i>	\$3,348,400.00
Annual TIF Increment	<i>Increment x est. levy (2.0129860%)</i>	\$67,400.00
TIF Indebtedness Amount	<i>TIF Increment x 20 years at 4.5%</i>	\$906,200.00

The tax increment gained from this redevelopment Project Area would not be available for use as City general tax revenues over the 20-year tax increment financing period, but instead would be used toward bond repayment. After the 20-year period or the debt has been retired, whichever is sooner, the increase in annual taxes paid will be split among the taxing jurisdictions according to the tax levy. The current tax levy is shown above.

***Public Infrastructure and Community Public Service Needs Impacts***

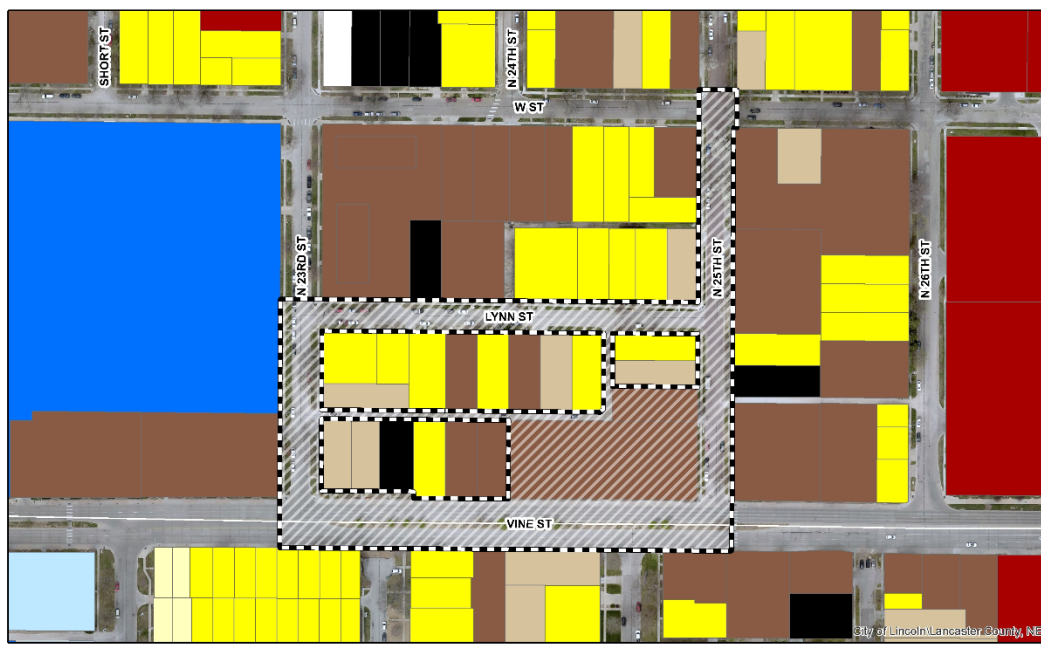
It is not anticipated that the Project will have an adverse impact on existing public infrastructure, nor that the Project will have an adverse impact on City services, but instead will generate additional revenue providing support for those services.

***Employment within the Redevelopment Area.*** It is not anticipated that the Project will have an adverse impact on employers and employees of firms locating or expanding within the boundaries of the Redevelopment Area. Temporary construction employment will be generated in the project area as the project is built. It is anticipated that the construction of a multi-family residential building may create additional full or part time employment in the Redevelopment Area. The Project will also support temporary construction jobs during the redevelopment of the Project Area.

***Employment in the City outside the Project Area.*** The Project is not expected to adversely impact employment in the City outside the Antelope Valley Redevelopment Area. Instead, the removal of blight and substandard conditions from the Project Area is anticipated to stimulate reinvestment in

the Antelope Valley Redevelopment Area. It is anticipated that the Project may attract further residential or commercial development, which will create additional jobs in the Antelope Valley Redevelopment Area and the City of Lincoln as a whole. The Project should also increase the need for products and services from existing businesses in and around the Antelope Valley Redevelopment Area.

***Impacts on the Student populations of school districts within the City.*** The Project is not expected to have a material impact on student populations of school districts in the City of Lincoln. The Project consists of 36 residential dwelling units and some portion of these units may become occupied by families with children, however, it is unlikely that all or a majority of the units would be occupied by families or that the number of children would have a material impact on the population of any school within the City.



25th & Vine St Redevelopment: Future Land Use





**URBAN DEVELOPMENT**

555 South 10th Street, Suite 205 | Lincoln, NE 68508  
402-441-7606 | F: 402-441-8711 | [urbandev@lincoln.ne.gov](mailto:urbandev@lincoln.ne.gov)

March 30, 2021

David Cary, Planning Director  
City of Lincoln-Lancaster County Planning Department  
555 S. 10<sup>th</sup>  
Lincoln, NE 68508

Dear David:

Enclosed is a plan amendment to the Antelope Valley Redevelopment Plan. The project involves the construction of a new thirty-six unit multi-family apartment building. The project site is generally located at 25<sup>th</sup> & Vine, north side of the street.

Please forward this plan amendments to the Planning Commission for their earliest consideration for Comprehensive Plan compliance. My understanding is that this will be scheduled on the April 28, 2021 agenda.

If you have questions or need additional information, Please contact me at 402-441-7855 or at [ecastillo@lincoln.ne.gov](mailto:ecastillo@lincoln.ne.gov).

Sincerely,

A handwritten signature in blue ink that reads "Ernie Castillo".

Ernie Castillo

Cc: Dan Marvin, Director, Urban Development Department  
Dallas McGee, Urban Development Department  
George Wesselhoft, Planning Department

**Excerpt of  
MEETING RECORD**

*Advanced public notice of the Urban Design Committee meeting was posted on the County-City bulletin board and the Planning Department's website.*

**NAME OF GROUP:** URBAN DESIGN COMMITTEE

**DATE, TIME AND PLACE OF MEETING:** Tuesday, April 6, 2021, 1:00 p.m., County-City Building, Conference Room 113, 555 S. 10<sup>th</sup> Street, Lincoln, NE.

**MEMBERS IN ATTENDANCE:** Emily Deeker, Tom Huston, Gil Peace and Michelle Penn; (Mark Canney, Tammy Eagle Bull and Peter Hind absent).

**OTHERS IN** Paul Barnes, Stacey Hageman, Collin Christopher and Teresa McKinstry of the Planning Dept.; Dallas McGee and Ernie Castillo of Urban Development Dept.; Aaron Burd of L.A. Real Estate; Kevin Riley; and other interested parties.

**25<sup>th</sup> AND VINE REDEVELOPMENT:**

Members present: Deeker, Huston, Peace and Penn; Canney, Eagle Bull and Hind absent.

Dallas McGee has been working with Aaron Burd and his team on the development of a 36-unit apartment complex. They anticipate using TIF (Tax Increment Financing).

Aaron Burd stated this project started from six or seven dilapidated, run down properties. They obtained the properties and pursued working with Urban Development and the Planning Dept. to design a 36-unit apartment complex that was structured towards single-family affordable housing units and some student housing. He presented the plan.

Penn inquired about the location. Burd stated this will be located on the northwest corner of 25<sup>th</sup> St. and Vine St.

Huston believes this property is not subject to the Downtown Design Standards. Stacey Hageman replied it is subject to the Neighborhood Design Standards. There has been some back and forth on the design of the building. More porch like features were added on the front which is a characteristic of the neighborhood. She talked about the façade in terms of offsets. She suggested there is a little more breakup or visual interest on Vine St.

Huston inquired about the proposed materials on the reliefs and facades. Burd responded that inside the alcove of the front porches would be natural stone. The beltline would be pre-finished concrete Hardie board with trim board. There will be verticals between the windows with prefinished Hardie board. In-between will be a heavier gauge vinyl at a price point they can do. The gables are Hardie board with pre-finished shake shingles.

Kevin Riley stated the intent was that this is reminiscent of the same design context for rural areas of downtown. They focused on eliminating any vinyl siding at the pedestrian level. Other elements are added for interest.

Penn asked if Hardie board will be used at grade. Riley replied yes. There will be factory finished cement board at the beltline for durability and greater longevity. It will not go all the way to grade. It will stop about eight inches above grade. There will be a little bit of exposed concrete. They are proposing landscape buffers all the way around.

Penn wondered about parking. Huston observed there are 54 stalls according to the site plan. Riley stated they have been working with Urban Development and the Planning Dept. The lot to the north was factored into parking numbers as well. Burd added they would pave the alley as well. They showed the bioswales for stormwater management. Penn asked how many parking spots there will be. Riley answered they are proposing 54 total, including two handicap.

Penn inquired how many units are affordable housing. Burd replied six. Riley added they are all set up to be two bedroom, one bath units.

Peace asked about the density per acre or lot, and if the applicant is above current zoning. Burd replied they are below density. He believes this would be considered cluster density for the CUP (Community Unit Plan). Parking became a bigger challenge. He believed 36 units would be a more suitable fit for this location.

Deeker asked about the streetscape on Vine street, specifically some of the light poles and the retaining wall. Riley pointed out the retaining wall that is going away. They are working with the landscape architect so some of the landscape is consistent with what is on Vine Street. There will be a lot of landscaping along Vine Street. Light poles will remain. Burd noted there is one pole shown. Deeker knows that these eyebrow plantings are hard to maintain. She encouraged the applicant to make sure to coordinate plantings with the City. They may or may not want the planting material that is there now.

Huston asked if there will be any outdoor seating area. Burd replied no. The units will have porches. Huston wondered about any opportunity for residents to have an outdoor gathering space. He doesn't believe the design standards require any. Penn asked if the porches have to be of a similar style on the same side of the street. Hageman stated the standard for porches is if 50

percent or more of houses have a porch, so this property should as well. Riley added the porch structure is similar to houses down the street. They took some cues from that.

Huston saw a comment about a suggestion for differentiation. Hageman noted the standard is that 100 feet or longer should be broken up. Offsets of at least six feet is a suggestion. Since the offsets are not six feet, perhaps paring with another method would help meet the standard. Huston believes it would be acceptable to incorporate some different color differentiation. Burd is acceptable to some of that. There are seven different colors on the palette. He thinks too much color won't look as clean. He is not against incorporating something different for a different aesthetic feel. There was a picture in the agenda he feels is a little busy looking. Riley wanted to keep it fairly simple. Huston asked the applicant to point out the offsets. Riley did.

Peace noted the applicant mentioned they are working with Urban Development on this. Dallas McGee stated this came to us a long time ago. It was originally proposed as a single building. Staff felt that two buildings would be better than one and talked about parking. They encouraged them to look at Vine Street and how to landscape the front yard. He believes they have done some of that. There were some discussions on the façade. They are looking to this board for advice.

Peace is fully supportive of this project in general. The way the parking is in back and well screened is a positive. He thinks there are some things about the size of the building and the shape that could be tweaked. He mentioned some offsets and faces. They appear to be two feet and 18 inches. He would suggest making them a little deeper and perhaps more irregular so it doesn't look like two mirror buildings that are occupying a very long portion of Vine Street, especially if you look at the context in general. He believes that by varying things, it would break up the façade. He likes a varying color palette. He thinks the applicant can look at increasing the looks of the setbacks and varying the colors. Burd stated the issue they've run into is we've pushed the setbacks. The building will be stretched toward the alley, you will lose parking. They are set up for a pedestrian walkway behind the building. If we try to condense and squeeze the building, some bedrooms and some great rooms become small. Peace believes with some extra attention to detail, he thinks you can get there with a little more relief on the façade. Some deeper colors in some areas and some lighter colors in other areas could be used. He thinks you could cantilever some items on the back. Penn agreed. It would help the back wall not look flat.

Penn suggested the applicant might consider a way to make the windows a different style. She believes something that gives more presence to the entry is needed. Burd noted that perhaps shake shingles could be used. Penn observed that shake shingles are usually the most expensive products.

Penn asked if this is on a schedule for TIF or construction. Burd wants to resolve this and have everyone on the same page.

Huston inquired if the Redevelopment Plan has appeared before Planning Commission yet. McGee responded the amendment to the Redevelopment Plan is ready to move to Planning Commission. Ernie Castillo believes it will be on the Planning Commission agenda on April 28, 2021.

Riley stated they will go back and play with the model. Ultimately, they want to get through Planning Commission and City Council. Burd stated they are locking in the trades now. Site preparation has already started. Huston believes this committee has some specific suggestions for the applicant to consider. They are to look at color variation, façade differentiation and the windows on the front.

Peace would add try to get away from sheer symmetry and mirror image. That is for institutional buildings. That is not the way a neighborhood develops. You don't want it to view as pure mirror symmetry.

Riley stated they are already looking at another parcel to the north of this. It would be the same exterior finish. The difference being it will be on Y Street. They are proposing the same 36-plex with two 18 buildings, three story.

Huston noted that R-6 zoning holds a lot of density. That is what the district is for.

**ACTION:**

Huston moved approval subject to conditions that the project come back addressing color variation, façade articulation and window design on the front façade, seconded by Peace.

Penn would suggest you make up for any lost square footage in the rear from articulation. We want to be supportive of affordable housing. We want to make sure this will still look good in five years. She also wanted to know how the applicant will meet the grade. She asked if it will be concrete. Riley answered yes. Burd believes it would be most optimal to landscape. He believes any paint would flake off. Huston noted that according to the landscape plan, he doesn't believe it would be visible. Burd believes they have gone above and beyond the landscaping required by code.

Motion for conditional approval carried 4-0: Deeker, Huston, Peace and Penn voting 'yes'; Canney, Eagle Bull and Hind absent.



**LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT**

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

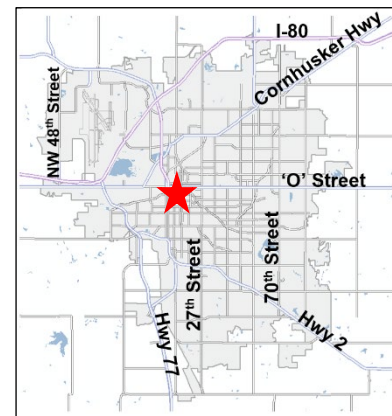
APPLICATION NUMBER Comprehensive Plan Conformance 21009 <i>2 Landmark Centre Redevelopment Project</i>	FINAL ACTION? No	OWNER NEBCO Inc
PLANNING COMMISSION HEARING DATE April 28, 2021	RELATED APPLICATIONS None	LOCATION 11 <sup>th</sup> & Lincoln Mall

**RECOMMENDATION: IN CONFORMANCE WITH THE COMPREHENSIVE PLAN**

**BRIEF SUMMARY OF REQUEST**

Review as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan, a proposed amendment to two redevelopment plans that adds the 2 Landmark Centre Redevelopment Project. The plans to be amended are: 1) Lincoln Center Redevelopment Plan and 2) South of Downtown Redevelopment & Strategic Plan.

The Project includes the demolition of two existing buildings and an existing surface parking lot, to be replaced with a new three-story office building with upgraded parking.



**JUSTIFICATION FOR RECOMMENDATION**

The Project is consistent with the Comprehensive Plan, Downtown Master Plan, Lincoln Center Redevelopment Plan, and the South of Downtown Redevelopment Plan. It will strengthen the long-term viability of Downtown Lincoln, support Downtown as Lincoln’s employment center, and remove blighted and substandard conditions.

**APPLICATION/STAFF CONTACT**

Ernie Castillo, Urban Development Dept  
(402) 441-7855  
[ecastillo@lincoln.ne.gov](mailto:ecastillo@lincoln.ne.gov)

**COMPATIBILITY WITH THE COMPREHENSIVE PLAN**

This Project contributes to the continued strengthening of the Downtown core, which is a guiding principle reflected throughout the Comprehensive Plan, Downtown Master Plan, Lincoln Center Redevelopment Plan, and South of Downtown Redevelopment Plan.

## COMPREHENSIVE PLAN SPECIFICATIONS:

- p. 1.2 The community continues its commitment to a strong Downtown. A strong, vital Downtown provides a common center for all of Lincoln and Lancaster County and will be a catalyst for future growth. LPlan 2040 acknowledges Downtown's unique role and will guide decisions that will maintain Downtown's vitality and enhance its contribution to the quality of life of all Lincoln and Lancaster County.
- p. 1.3 Downtown Lincoln continues to serve as the heart of our community and is an asset for all Nebraska residents.
- p. 1.3 Downtown Lincoln continues to serve its role as the central location for commerce, government, entertainment and the arts.
- p. 1.9 The area is primarily shown as Commercial on the Future Land Use map. The existing surface parking lot is shown as Residential.
- p. 2.7 Lincoln will continue to have managed and contiguous growth, including strengthening our Downtown core.
- 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. 5.4 Business & Economy Strategies for Downtown: The City should preserve and enhance Downtown's role as...the major office and service employment center.
- p. 6.2 Target existing underdeveloped or redeveloping commercial and industrial areas in order to remove blighted conditions and more efficiently utilize existing infrastructure.
- p. 6.3 Support development and implementation of the Downtown Master Plan, South Haymarket Neighborhood Plan and the Antelope Valley Redevelopment Plan.
- p. 6.3 Strategies for Greater Downtown...Ensure that new development is compatible with existing Downtown and is pedestrian-oriented.

## DOWNTOWN MASTER PLAN SPECIFICATIONS:

- p. 4.4.1 Maintain Downtown as the economic engine and employment hub for the greater Lincoln region.
- p. 4.4.1 Improve Lincoln's ability to attract and retain talented workers by providing high-quality jobs in diverse fields and offering the amenities that appeal to a new generation of workers.
- p. 4.4.1 Downtown should not forget its long-standing strengths. The Downtown economy has been built on the success of the government, higher education, finance, and insurance sectors. Maintaining and supporting these fundamentals, as well as the variety of small businesses and services that support them, will remain important moving forward. Downtown continues to be the largest single concentration of office space and government services. Public sector employees add significantly to the number of employees in Downtown.
- p. 4.4.1 Per the Downtown Market Assessment's Development Forecast, Downtown should establish a goal to grow its workforce by 10% over the next ten years to ensure that Downtown remains the economic engine of the region. In accordance with this job growth, Downtown should aim to absorb at least 533,000 square feet of office space in both existing and new buildings over this same time period.
- p. 4.4.2 Develop a strategy to encourage renovation of existing office space.
- p. 4.4.7 Reuse or redevelop vacant or underutilized spaces as opportunities arise.

## **LINCOLN CENTER REDEVELOPMENT PLAN SPECIFICATIONS:**

- p. III-1 The vision of a revitalized Downtown and the Historic Haymarket District includes specialty retail, cultural, and entertainment core/destination together with office, housing and parking, and is rich with pedestrian activity.
- p. III-8 Intensify and strengthen Lincoln's central business district as a focal point for regional development;
- p. III-8 Intensify and strengthen Lincoln's central business district as the employment, entertainment, and educational hub of the community;
- p. III-8 Provide for compact and interrelated development in order to increase the amount and variety of activity in the core while increasing pedestrian convenience and visual interest;
- p. III-8 Provide for expansion and new development of office, commercial, residential, retail, child care, and related service activities which will complement the existing activities in use, scale, and quality of materials and service.
- p. III-9 Encourage development that is consistent and complementary to existing land uses, architectural systems, and building materials found Downtown and in the Haymarket.
- p. III-9 Assure that design treatment and development of pedestrian ways will unify the appearance of both existing and new buildings. A variety of pedestrian facilities are possible, including open and enclosed malls, galleries, open spaces, plazas, and widened gathering place sidewalk areas. These should be skillfully combined to create a highly diversified and exciting pedestrian environment and integrated with others such as the Lied Courtyard from 12th to 13th Street on Q Street and the Lincoln Mall from 10th to 14th Street.

## **SOUTH OF DOWNTOWN REDEVELOPMENT & STRATEGIC PLAN SPECIFICATIONS:**

- p. 63 The Project area is primarily within the Mall District. The plan notes that the opportunity for restaurant and other food establishment uses should be increased in this district.

## **ANALYSIS**

1. This is an amendment to two redevelopment plans that identifies the 2 Landmark Centre Redevelopment Project. The Project boundary intersects both the Lincoln Center Redevelopment Plan and South of Downtown Revitalization and Strategic Plan, so both of those plans are included in this application.
2. The Project includes the following:
  - Demolition of neighboring office buildings at 1111 Lincoln Mall and 601 S 12<sup>th</sup> Street, along with the surface parking lot to the south at 1106 H Street.
  - Construction of a three-story office building with associated parking.
3. The condition of the 1111 Lincoln Mall building is dated; floorplates are inefficient and do not meet the standards for Class A office space. The 601 S 12<sup>th</sup> Street building was destroyed by fire in 2020. Neither building is deemed to be historically significant.
4. The new 2 Landmark Centre will be a premier office building with architectural features complimentary to the 1 Landmark Centre and 3 Landmark Centre buildings on the north side of Lincoln Mall, as well as those seen in the historic State Capitol Building and the mid-20<sup>th</sup> Century modern architectural features seen in the County-City Building to the west.

5. The redeveloped parking lot to the south will include screening walls and landscaping that extend the character of the building into the parking area. The parking lot is directly adjacent to the parking lot for the neighboring apartment building.
6. The office portion of the Project is within the O-1 Office zoning district and in the same location as the two existing office buildings. The new parking lot is within the R-8 Residential zoning district and in the same location as the existing parking lot. There is currently a parking special permit that is approved for the R-8 portion of the site and will remain in effect. No zoning changes are needed for the Project.
7. This site is within the Capitol Environs District. The demolition aspect of the Project was reviewed by Capitol Environs Commission on March 26, 2021. The draft minutes are attached. The Project is returning to Capitol Environs Commission on April 23 for construction design review for the new building and parking lot.
8. Potential streetscape enhancements will be determined with the redevelopment agreement.
9. The Project is consistent with the Comprehensive Plan. One of the overarching goals of the plan is to enhance Downtown's role as the heart of the City. The Business and Economy chapter lays out strategies for Downtown, including the preservation and enhancement of Downtown's role as the major office and employment center. The Comprehensive Plan encourages commercial development in underdeveloped or redeveloping commercial areas in order to remove blighted conditions and to more efficiently utilize existing infrastructure.
10. The Project is consistent with the Downtown Master Plan. The plan encourages the reuse or redevelopment of vacant or underutilized spaces as opportunities arise. The Downtown Master Plan includes the goal of maintaining Downtown as the economic engine and employment hub for the greater Lincoln region.
11. The Project is consistent with the Lincoln Center Redevelopment Plan. The primary goal of the plan is to enhance Downtown Lincoln as the dominant mixed-use/multi-use center of activity within the region. The Project meets the redevelopment standards set forth in the Lincoln Center Redevelopment Plan, including but not limited to: intensifying and strengthening Lincoln's central business district as the employment hub of the community; utilizing underdeveloped lots and removing blight; enhancing the aesthetics of Downtown to improve the pedestrian environment; encouraging private development in the project area that supports and enhance the architectural character of both the Capitol Environs District and Capitol view corridor; and integrating streetscape and landscape improvements in the Project Area with existing cultural landmarks (State Capitol, Lincoln statues).
12. The Project is consistent with the South of Downtown Redevelopment & Strategic Plan. The Project is within the "Mall District" in the Redevelopment Plan which is zoned O-1 and occupied largely by office uses. The Redevelopment Plan proposes modifications to the zoning in the Mall District to ease the limitation on restaurant and food establishment uses. The Project does not include restaurant uses but will provide increased employment that will support desired food service uses within the Mall District. The increased employment resulting from the Project will also support the small-scale neighborhood uses located within the adjacent South of Downtown Mixed Use District.
13. The preliminary 2021 assessed value of the Project Site is approximately \$4.5 million. The final assessed valuation of the Project Site is anticipated to be approximately \$17 million. The Project is expected to generate approximately \$250,000 in annual TIF revenue to assist with the cost of the construction of public improvements related to the Project. The public investment will leverage approximately \$16.5 million in private sector resources. The TIF funds will be subject to further adjustment as Project costs are defined.

The City will forgo approximately 15.78 percent of the annual collections over 15-20 years to support the Project. The tax increment gained from this Project Area would not be available for use as City general tax revenues over that time but will be used toward bond repayment. After the debt has been retired, the increase in annual taxes paid will be split among the taxing jurisdictions according to the tax levy.

**EXISTING ZONING:** O-1 Office, R-8 Residential

**EXISTING LAND USES:** Office, Parking

**SURROUNDING LAND USE AND ZONING:**

North: Lincoln Mall, Commercial	O-1 Office
South: H Street, Multi-Family Residential	R-8 Residential
East: 12 <sup>th</sup> Street, Multi-Family Residential	O-1 Office
West: 11 <sup>th</sup> Street, Commercial, Multi-Family Residential	O-1 Office, R-8 Residential

**APPROXIMATE LAND AREA:** 1 acre

Prepared by

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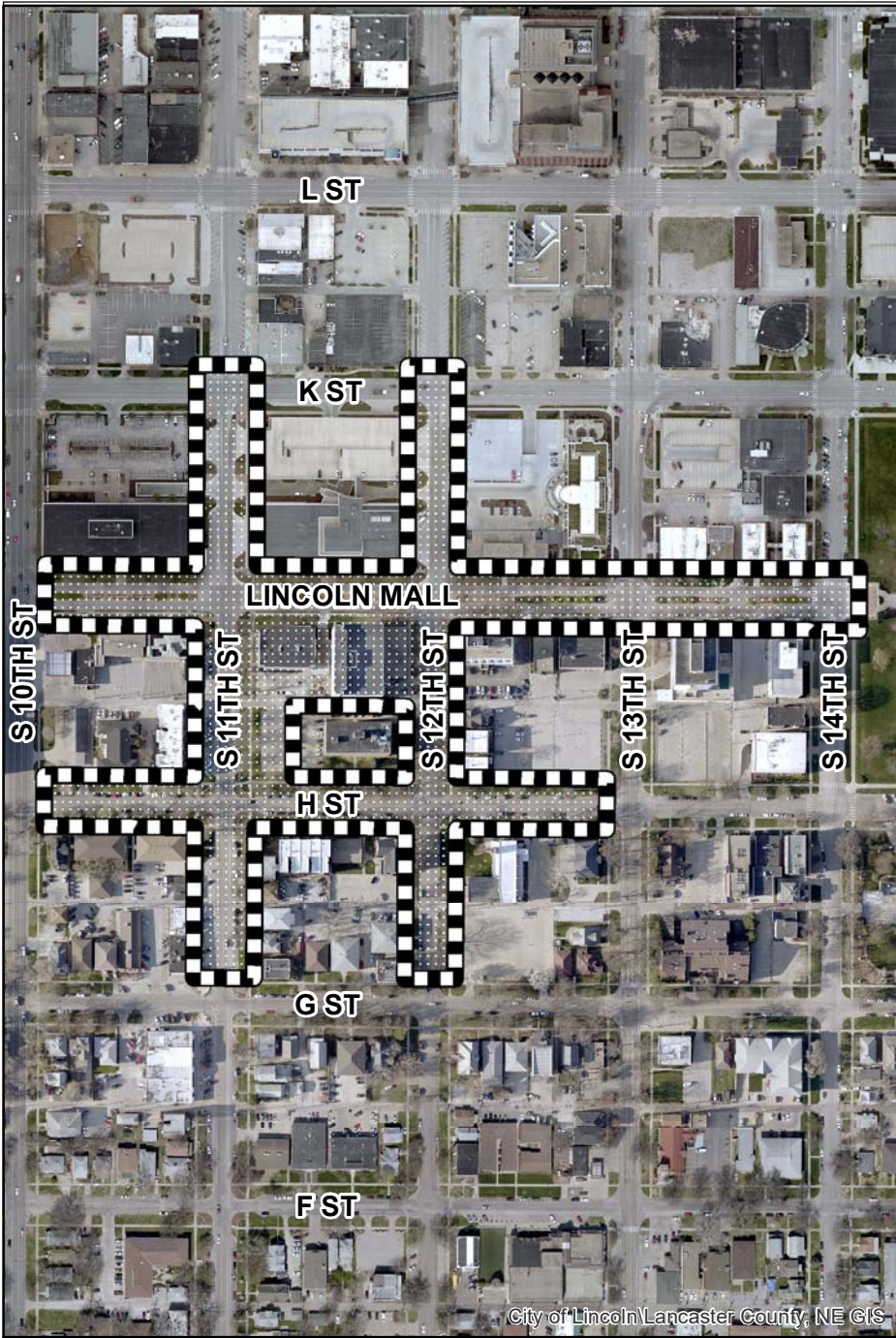
Andrew Thierolf, AICP  
(402) 441-6371 or [athierolf@lincoln.ne.gov](mailto:athierolf@lincoln.ne.gov)

April 16, 2021

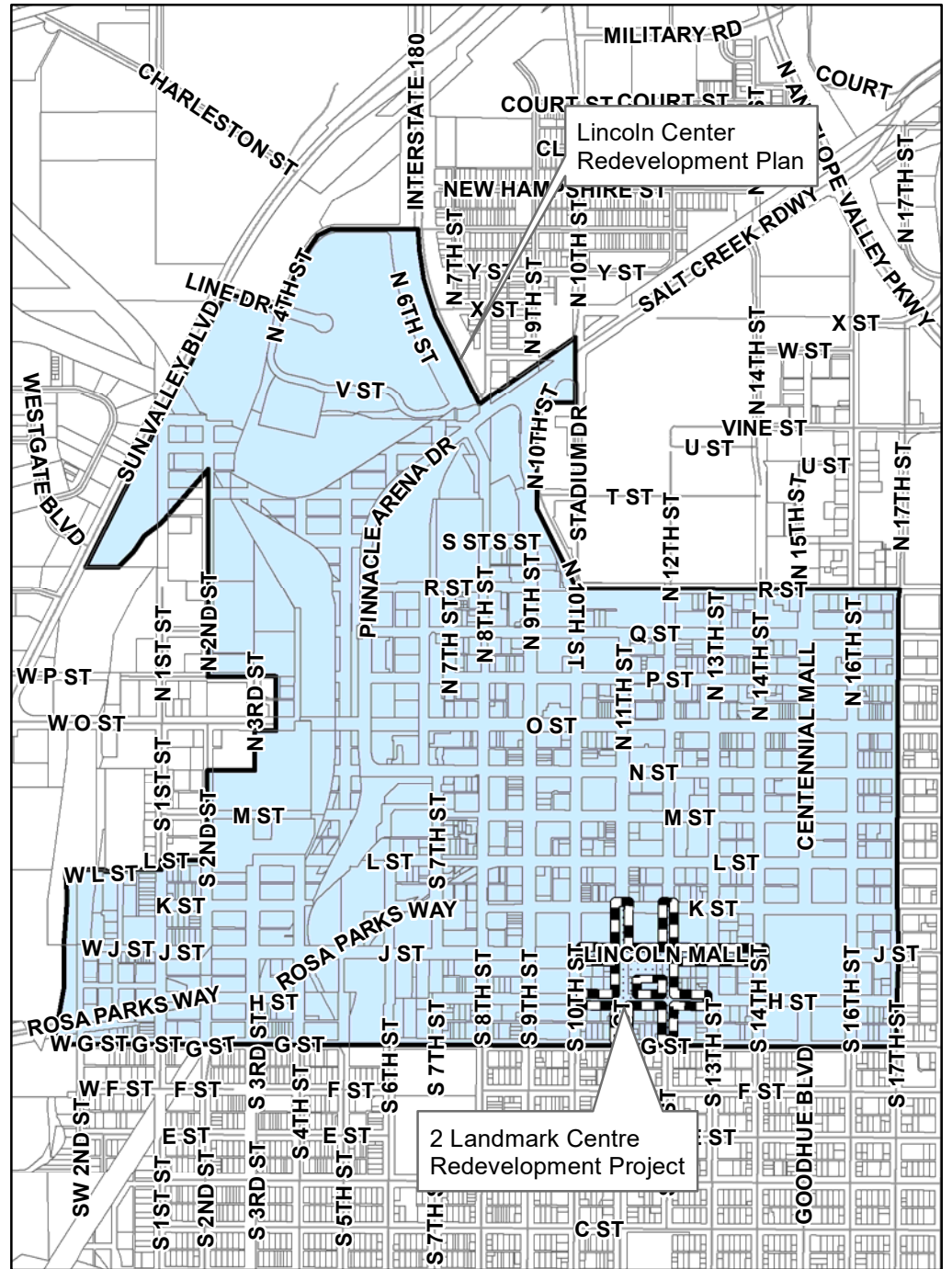
**Applicant:** Urban Development Department, City of Lincoln  
555 S. 10<sup>th</sup> Street, Suite 205  
Lincoln, NE 68508

**Contact:** Ernie Castillo, Urban Development Department  
(402) 441-7855  
[ecastillo@lincoln.ne.gov](mailto:ecastillo@lincoln.ne.gov)

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City of Lincoln Lancaster County, NE GIS



**Comprehensive Plan Conformance #21009**  
**Lincoln Center Redevelopment Plan**  
**2 Landmark Centre Redevelopment Project**

2020 aerial

March 30, 2021

David Cary, Planning Director  
City of Lincoln-Lancaster County Planning Department  
555 S. 10<sup>th</sup>  
Lincoln, NE 68508

Dear David:

Enclosed are two plan amendments. The first is for the Lincoln Center Redevelopment Plan and the second is to the South of Downtown Redevelopment and Strategic Plan. Both amendments identify the 2 Landmark Centre Redevelopment Project, which is within both redevelopment areas. The project includes the construction of a three-story office building, currently located at 1111 Lincoln mall.

Please forward these two plan amendments to the Planning Commission for their earliest consideration for Comprehensive Plan compliance. My understanding is that both amendments should be on the April 28, 2021 agenda.

If you have questions or need additional information, Please contact me at 402-441-7855 or at [ecastillo@lincoln.ne.gov](mailto:ecastillo@lincoln.ne.gov).

Sincerely,



Ernie Castillo

Cc: Dan Marvin, Director, Urban Development Department  
Dallas McGee, Urban Development Department  
Andrew Thierolf, Planning Department

# AMENDMENT TO THE SOUTH OF DOWNTOWN REDEVELOPMENT & STRATEGIC PLAN 2 Landmark Centre Redevelopment Project

## Project Description

The 2 Landmark Centre Redevelopment Project (the "Project") is located on the north half and the west 75 feet of the south half of Block 127 bounded by H Street, 11<sup>th</sup> Street, Lincoln Mall, and 12<sup>th</sup> Street in Lincoln, as shown on the attached Exhibit "A" (the "Project Site"). The Project Area includes the Project Site and the adjacent rights of way as shown on the project area map on the right.

The Project includes the construction of a three-story, premier office building with architectural features complementary to the 1 Landmark Centre and 3 Landmark Centre buildings on the north side of Lincoln Mall, as well as those seen in the historic State Capitol Building and the mid-20<sup>th</sup> Century modern architectural features seen in the County-City Building to the west. The Project will involve the demolition of the existing office buildings located at 1111 Lincoln Mall and 601 S. 12<sup>th</sup> Street and the surface parking lot at 1106 H Street. The condition of the 1111 Lincoln Mall building is dated; floorplates are inefficient and do not meet the standards for Class A office space. The 601 S. 12<sup>th</sup> building was destroyed by fire in 2020. Neither building is deemed to be historically significant.

The overall goals of the Project are to remove extremely blighted and substandard conditions, enhance the architectural character of the South of Downtown Mall District, and make a positive contribution to the revitalization of the South of Downtown Mall District.

The proposed uses fit well with surrounding land uses, which include office, parking and residential on the same block as the Project Site, as well as the surrounding City blocks. See the Current Land Use Map and Future Land Use Map below.



Landmark 2 Redevelopment: Project Area

Landmark 2 Area





Landmark 2 Redevelopment: Current Land Use

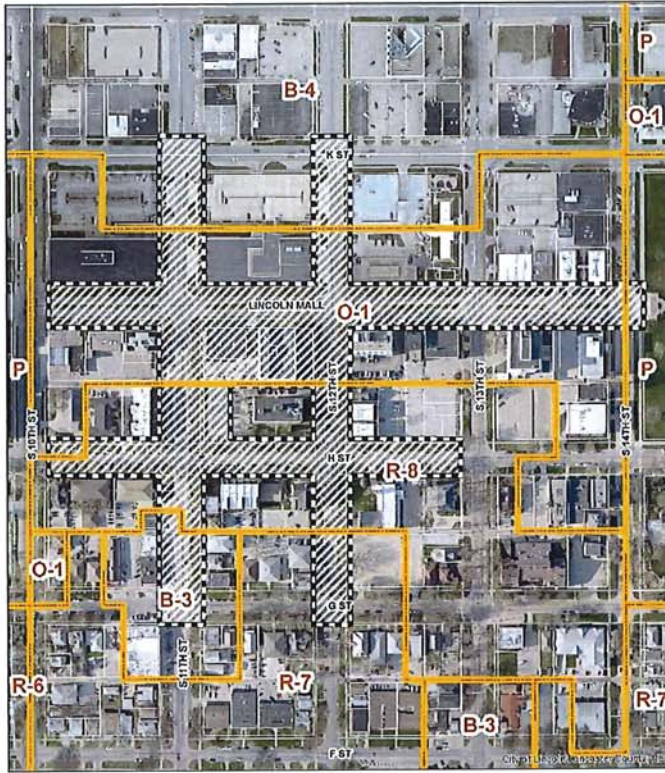


Landmark 2 Redevelopment: Future Land Use





Section 18-2113 of the Community Development Law requires the City to review the Project and find that the proposed land uses and building requirements for the Project Area are designed with the general purpose of accomplishing, in conformance with the general plan, a coordinated, adjusted, and harmonious development of the City and its environs, which will, in accordance with the present and future needs, promote health, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development. The Project is consistent with *LPlan 2040, the Lincoln-Lancaster County 2040 Comprehensive Plan* and the guiding principles identified in Chapter 6 for mixed use redevelopment. The principles included targeting redevelopment in underdeveloped or redeveloping commercial areas in order to remove blighted conditions and to more efficiently utilize existing infrastructure, be located and designed in a manner compatible with existing or planned uses, and occur on sites supported by adequate road and utility capacity.

The Project Site is located within the “O-1” Office zoning district and “R-8” Residential zoning district. The O-1 District includes the north half of Block 127 and provides for the proposed office uses. The R-8 District includes the west 75 feet of the south half of Block 127 and is subject to a special permit permitting a parking lot to support the office uses. Existing zoning is in the map below.



Landmark 2 Redevelopment: Zoning

 Landmark 2 Area
  Zoning



The Project is consistent with the *South of Downtown Redevelopment & Strategic Plan*. The Project is located within the Mall District in the *Redevelopment Plan* which is zoned O-1 and occupied largely by office uses. The Project involves revitalization efforts on the south side of Lincoln Mall that will eliminate blight and deterioration which threaten the stability and vitality of the South of Downtown Redevelopment Area. The *Redevelopment Plan* proposes modifications to the zoning in the Mall District to ease the limitations on restaurant and food establishment uses. The Project does not include restaurant uses but will increase employment within the Project Area that will support desired food service uses within the Mall District. The increased employment resulting from the Project will also support the small-scale neighborhood uses located within the adjacent South of Downtown Mixed Use District.

The Project represents a significant private investment in the South of Downtown

Redevelopment Area. Publicly funded redevelopment activities may include site demolition and preparation, façade/building enhancements, energy efficiency enhancements, streetscape improvements, and other public improvements, enhancements, and expenses as permitted under Neb. Rev. Stat § 18-2117.03, and the Community Development Law in the South of Downtown Redevelopment Area.

### Statutory Elements

**Property Acquisition, Demolition, and Disposal:** The City does not intend to acquire property, nor would it use eminent domain if it did acquire property for this Project. The redeveloper currently owns the land and buildings in the Project Area that will be improved. The existing structures will be demolished, and the land prepared for the new structure.

**Population Density:** The Project will not impact population density in the South of Downtown Redevelopment Area.

**Land Coverage:** Land coverage will be altered as it is expected that the new office building will cover the entire north half of Block 127. The Project will comply with the applicable land-coverage ratios and zoning requirements of the City of Lincoln.

**Traffic Flow, Street Layouts, and Street Grades:** The Project may marginally increase traffic flow resulting from an increase in tenants and employees of the office space traveling to and from the Project Site. The redeveloper may seek to make changes in the rights of way to accommodate access to the site. The Project does not include vacating any streets or alleys.

**Parking:** Currently, there are 24 underground parking stalls and 22 surface lot stalls. The project proposes a total of 60 new underground parking stalls and the surface stalls will remain at twenty-two. Private parking will be provided under the proposed office building and surface parking on the west 75 feet of the south half of Block 127. Changes to the existing configuration of on-street parking around the site may occur due to coordinated planning with LTU, Parking Services, and StarTran.

**Zoning, Building Code, and Ordinances:** The Project is a permitted use in the O-1 zoning district and a special permitted use in the R-8 zoning district. No other subdivision or rezoning of the Project Site is expected to be required as part of the Project. The Development Services Center will work with the development to ensure that applicable building code requirements and ordinances will be satisfied.

### **Proposed Costs and Financing**

The estimated total cost to implement the Project is expected to exceed \$20 million, which includes approximately \$3,500,000 in public funding. The Project cost will be finalized as construction costs are determined. The source of public funds for these improvements will be the tax increment generated from the private developments on the Project Site. Funding sources and uses will be negotiated and identified in the redevelopment agreement, subject to approval by the Mayor and City Council.

### **Lincoln Public Schools**

The project, because it does not include any residential dwelling units, and should have no impact on student populations in Lincoln Public Schools.

### **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***

The 2021 assessed value of the Project Site is approximately \$4.5 million. The final assessed valuation of the Project Site is anticipated to be approximately \$17 million. The Project is expected to generate approximately \$250,000 in annual TIF revenue to assist with the cost of the construction of public improvements and enhancements related to the Project. The public investment will leverage approximately \$16.5 million in private sector resources. The TIF funds will be subject to further adjustment as Project costs are defined.

The City will forgo approximately 15.78 percent of these annual collections over 15-20 years to support the Project. The tax increment gained from this Project Area would not be available for use as City general tax revenues over that time but be used toward bond repayment. After the debt has been retired, the increase in annual taxes paid will be split among the taxing jurisdictions according to the tax levy.

### ***Public Infrastructure and Community Public Service Needs Impacts***

Public infrastructure will be enhanced to support the continued redevelopment of South of Downtown Lincoln. City involvement may include demolition, site preparation, and remediation; utility improvements and/or relocation; the construction of street and streetscape amenities; other public right-of-way improvements; energy efficiency and sustainability improvements; façade improvements; on-street parking and related amenities; public art, and, other related public improvements.

These improvements are expected to enhance the Mall District, parking availability, traffic flow, utility services, and the aesthetic appeal of the area, benefiting both South of Downtown and the adjacent residential neighborhood.

### ***Employment within the Project Area***

Currently occupancy of the building is 25 employees. While all tenants have not been secured for this building, the additional commercial capacity has the potential to generate additional full-time equivalent (FTE) positions. Construction employment will also be supported/generated related to the construction and renovation of the private property and related public improvements. When the building is at full capacity, there could be as many as 350 employees.

### ***Employment in the City outside the Project Area***

Approximately 143,596 people were employed in 8,659 private business establishments in Lancaster County in 2018, according to the Census, County Business Patterns, North American Industry Classification System. The 2018 median household income for the City of Lincoln was \$55,224, according to the 2014-2018 American Community Survey 5-year estimates.

The Project is not expected to adversely affect employment in the City outside the South of Downtown Redevelopment Area. Instead, the removal of extremely blighted and substandard conditions from the Project Site and the South of Downtown Redevelopment Area is anticipated to enhance the aesthetics of the Mall District. As a result, it is anticipated that the Project will support current retail and services in the area, which will support jobs in the South of Downtown Redevelopment Area and the City of Lincoln as a whole.

### ***Other Impacts***

While the use of tax increment financing will defer the majority of the incremental ad valorem real property taxes generated by the Project for up to 20 years, there will be additional revenue generated by the Project from, for example, sales taxes generated by the commercial tenants of the Project, as well as income taxes paid by those working in the Project Area. Upon completion of the 20-year TIF period, the Project will benefit the community through higher property tax revenue.

### ***Finding of Need for TIF***

Section 18-2116 of the Community Development Law requires the City Council to make the following findings before authorizing the use of Community Development Financing:

- the redevelopment Project and plan as proposed would not be economically feasible without the use of Tax Increment Financing; and,
- the redevelopment project as proposed would not occur in the Community Development area without the use of Tax Increment Financing.

The Urban Development Department believes that the private and public improvements proposed in this Plan Amendment would not occur “but for” the utilization of tax increment

financing in the South of Downtown Redevelopment Area. It would not be economically feasible for the redeveloper to construct the Project improvements without tax increment financing because the existing site conditions constitute a barrier to development that cannot be adequately remedied without the use of tax increment financing.

### **Project Schedule and Implementation**

Following the approval of the Plan Amendment, the following steps will occur in the implementation of the Project:

- The City will negotiate a redevelopment agreement with the redevelopers and submit it to City Council for approval.
- Following agreement approval, the City may issue and sell Community Improvement Financing bonds or notes to fund the public improvements related to the Project.
- Construction drawings of public and private improvements will be reviewed.
- TIF-funded public improvements will be identified and competitively bid, as needed and required by the Purchasing Department.
- The private and public improvements and enhancements will be constructed.
- Reimbursement for eligible public improvements and enhancements will occur when invoices have been approved, and the increment is received.

## AMENDMENT TO THE LINCOLN CENTER REDEVELOPMENT PLAN 2 Landmark Centre Redevelopment Project

### Project Description

The 2 Landmark Centre Redevelopment Project (the "Project") is located on the north half and the west 75 feet of the south half of Block 127 bounded by H Street, 11<sup>th</sup> Street, Lincoln Mall, and 12<sup>th</sup> Street in Downtown Lincoln, as shown on the attached Exhibit "A" (the "Project Site"). The Project Area includes the Project Site and the adjacent rights of way as shown on the project area map on the right.

The Project includes the construction of a three-story, premier office building with architectural features complementary to the 1 Landmark Centre and 3 Landmark Centre buildings on the north side of Lincoln Mall, as well as those seen in the historic State Capitol Building and the mid-20<sup>th</sup> Century modern architectural features seen in the County-City Building to the west. The Project will involve the demolition of the existing office buildings located at 1111 Lincoln Mall and 601 S. 12<sup>th</sup> Street and the surface parking lot at 1106 H Street. The condition of the 1111 Lincoln Mall building is dated; floorplates are inefficient and do not meet the standards for Class A office space. The 601 S. 12<sup>th</sup> building was destroyed by fire in 2020. Neither building is deemed to be historically significant.

The overall goals of the Project are to strengthen the Downtown Lincoln business community, remove extremely blighted and substandard conditions, enhance the architectural character of the Capitol Environs District, and make a positive contribution to the continued revitalization of Downtown Lincoln and, in particular, Lincoln Mall.

The proposed uses fit well with surrounding land uses, which include office, parking and residential on the same block as the Project Site, as well as the surrounding City blocks. See the Current Land Use Map and Future Land Use Map below.



Landmark 2 Redevelopment: Project Area

Landmark 2 Area





**Landmark 2 Redevelopment: Current Land Use**

Landmark 2 Area	Apartments	Light Industrial	Parking Lot
Single Family Detached	Commercial w/uses	Public	Parking Garage
Duplex	Commercial	Religious	



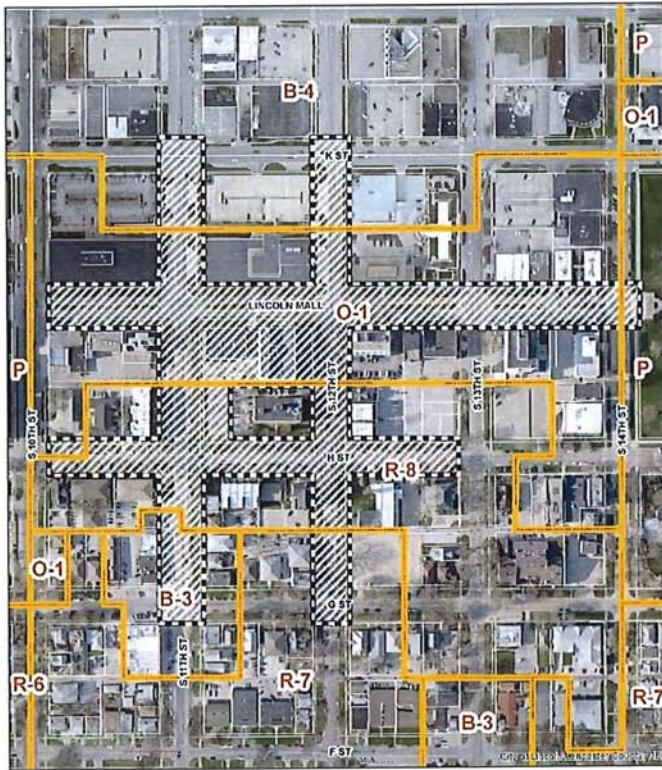
**Landmark 2 Redevelopment: Future Land Use**

Landmark 2 Area	Apartments	Light Industrial	Parking Lot
Single Family Detached	Commercial w/uses	Public	Parking Garage
Duplex	Commercial	Religious	



Section 18-2113 of the Community Development Law requires the City to review the Project and find that the proposed land uses and building requirements for the Project Area are designed with the general purpose of accomplishing, in conformance with the general plan, a coordinated, adjusted, and harmonious development of the City and its environs, which will, in accordance with the present and future needs, promote health, safety, morals, order, convenience, prosperity, and general welfare, as well as efficiency and economy in the process of development. The Project is consistent with *LPlan 2040, the Lincoln-Lancaster County 2040 Comprehensive Plan*. One of the overarching goals of *LPlan 2040* is to enhance Downtown’s role as the heart of the City. The *Comprehensive Plan’s* chapter on Business and Economy lays out strategies for Downtown, including the preservation and enhancement of Downtown’s role as the major office and employment center. The *Comprehensive Plan* also encourages commercial development in underdeveloped or redeveloping commercial areas in order to remove blighted conditions and to more efficiently utilize existing infrastructure.

The Project is consistent with the *Lincoln Center Redevelopment Plan*. The primary goal of the *Redevelopment Plan* is to enhance Downtown Lincoln as the dominant mixed-use/multi-use center of activity within the region. The Project meets the redevelopment standards set forth in the *Lincoln Center Redevelopment Plan*, including, but not limited to: intensifying and strengthening Lincoln’s central business district as the employment hub of the community; utilizing underdeveloped lots and removing blight; enhancing the aesthetics of Downtown to improve the pedestrian environment; encouraging private development in the project area that supports and enhances the architectural character of both the Capitol Environs District and Capitol view corridor; and, integrating streetscape and landscape improvements in the Project Area with existing cultural landmarks (State Capitol, Lincoln statues).

The Project Site is located within the “O-1” Office zoning district and “R-8” Residential zoning district. The O-1 District includes the north half of Block 127 and provides for the proposed office uses. The R-8 District includes the west 75 feet of the south half of Block 127 and is subject to a special permit permitting a parking lot to support the office uses. Existing zoning is in the map below.



Landmark 2 Redevelopment: Zoning

 Landmark 2 Area  Zoning



The Project is consistent with the *2018 Lincoln Downtown Master Plan*. The *Plan* encourages the reuse or redevelopment of vacant or underutilized spaces as opportunities arise. The *Downtown Master Plan* includes the goal of maintaining Downtown as the economic engine and employment hub for the greater Lincoln region.

The Project represents a significant private investment in the Lincoln Center Redevelopment Area. Publicly funded redevelopment activities may include site demolition and preparation, façade/building enhancements, energy efficiency enhancements, streetscape improvements, and other public improvements, enhancements, and expenses as permitted under Neb. Rev. Stat § 18-2117.03, and the Community Development Law in the Lincoln Center Redevelopment Area.

## Statutory Elements

**Property Acquisition, Demolition, and Disposal:** The City does not intend to acquire property, nor would it use eminent domain if it did acquire property for this Project. The redeveloper currently owns the land and buildings in the Project Area that will be improved. The existing structures will be demolished, and the land prepared for the new structure.

**Population Density:** The Project will not impact population density in the Lincoln Center Redevelopment Area.

**Land Coverage:** Land coverage will be altered as it is expected that the new office building will cover the entire north half of Block 127. The Project will comply with the applicable land-coverage ratios and zoning requirements of the City of Lincoln.

**Traffic Flow, Street Layouts, and Street Grades:** The Project may marginally increase traffic flow resulting from an increase in tenants and employees of the office space traveling to and from the Project Site. The redeveloper may seek to make changes in the rights of way to accommodate access to the site. The Project does not include vacating any streets or alleys.

**Parking:** Currently, there are 24 underground parking stalls and 22 surface lot stalls. The project proposes a total of 60 new underground parking stalls and the surface stalls will remain at twenty-two. Private parking will be provided under the proposed office building and surface parking on the west 75 feet of the south half of Block 127. Changes to the existing configuration of on-street parking around the site may occur due to coordinated planning with LTU, Parking Services, and StarTran.

**Zoning, Building Code, and Ordinances:** The Project is a permitted use in the O-1 zoning district and a special permitted use in the R-8 zoning district. No other subdivision or rezoning of the Project Site is expected to be required as part of the Project. The Development Services Center will work with the development to ensure that applicable building code requirements and ordinances will be satisfied.

### **Proposed Costs and Financing**

The estimated total cost to implement the Project is expected to exceed \$20 million, which includes approximately \$3,500,000 in public funding. The Project cost will be finalized as construction costs are determined. The source of public funds for these improvements will be the tax increment generated from the private developments on the Project Site. Funding sources and uses will be negotiated and identified in the redevelopment agreement, subject to approval by the Mayor and City Council.

### **Lincoln Public Schools**

The project, because it does not include any residential dwelling units, and should have no impact on student populations in Lincoln Public Schools.

### **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***

The 2021 assessed value of the Project Site is approximately \$4.5 million. The final assessed valuation of the Project Site is anticipated to be approximately \$17 million. The Project is expected to generate approximately \$250,000 in annual TIF revenue to assist with the cost of the construction of public improvements and enhancements related to the Project. The public investment will leverage approximately \$16.5 million in private sector resources. The TIF funds will be subject to further adjustment as Project costs are defined.

The City will forgo approximately 15.78 percent of these annual collections over 15-20 years to support the Project. The tax increment gained from this Project Area would not be available for use as City general tax revenues over that time but be used toward bond repayment. After the debt has been retired, the increase in annual taxes paid will be split among the taxing jurisdictions according to the tax levy.

### ***Public Infrastructure and Community Public Service Needs Impacts***

Public infrastructure will be enhanced to support the continued redevelopment of Downtown Lincoln. City involvement may include demolition, site preparation, and remediation; utility improvements and/or relocation; the construction of street and streetscape amenities; other public right-of-way improvements; energy efficiency and sustainability improvements; façade

improvements; on-street parking and related amenities; public art, and, other related public improvements.

These improvements are expected to enhance the Capitol Environs District, parking availability, traffic flow, utility services, and the aesthetic appeal of the area, benefiting both Downtown and the adjacent residential neighborhood.

### ***Employment within the Project Area***

Currently occupancy of the building is 25 employees. While all tenants have not been secured for this building, the additional commercial capacity has the potential to generate additional full-time equivalent (FTE) positions. Construction employment will also be supported/generated related to the construction and renovation of the private property and related public improvements. When the building is at full capacity, there could be as many as 350 employees.

### ***Employment in the City outside the Project Area***

Approximately 143,596 people were employed in 8,659 private business establishments in Lancaster County in 2018, according to the Census, County Business Patterns, North American Industry Classification System. The 2018 median household income for the City of Lincoln was \$55,224, according to the 2014-2018 American Community Survey 5-year estimates.

The Project is not expected to adversely affect employment in the City outside the Lincoln Center Redevelopment Area. Instead, the removal of extremely blighted and substandard conditions from the Project Site and the Lincoln Center Redevelopment Area is anticipated to enhance the aesthetics of downtown Lincoln and Capitol Environs District. As a result, it is anticipated that the Project will support current retail and services in the area, which will support jobs in the Lincoln Center Redevelopment Area and the City of Lincoln as a whole.

### ***Other Impacts***

While the use of tax increment financing will defer the majority of the incremental ad valorem real property taxes generated by the Project for up to 20 years, there will be additional revenue generated by the Project from, for example, sales taxes generated by the commercial tenants of the Project, as well as income taxes paid by those working in the Project Area. Upon completion of the 20-year TIF period, the Project will benefit the community through higher property tax revenue.

### ***Finding of Need for TIF***

Section 18-2116 of the Community Development Law requires the City Council to make the following findings before authorizing the use of Community Development Financing:

- the redevelopment Project and plan as proposed would not be economically feasible without the use of Tax Increment Financing; and,
- the redevelopment project as proposed would not occur in the Community Development area without the use of Tax Increment Financing.

The Urban Development Department believes that the private and public improvements proposed in this Plan Amendment would not occur “but for” the utilization of tax increment financing in the Lincoln Center Redevelopment Area. It would not be economically feasible for the redeveloper to construct the Project improvements without tax increment financing because the existing site conditions constitute a barrier to development that cannot be adequately remedied without the use of tax increment financing.

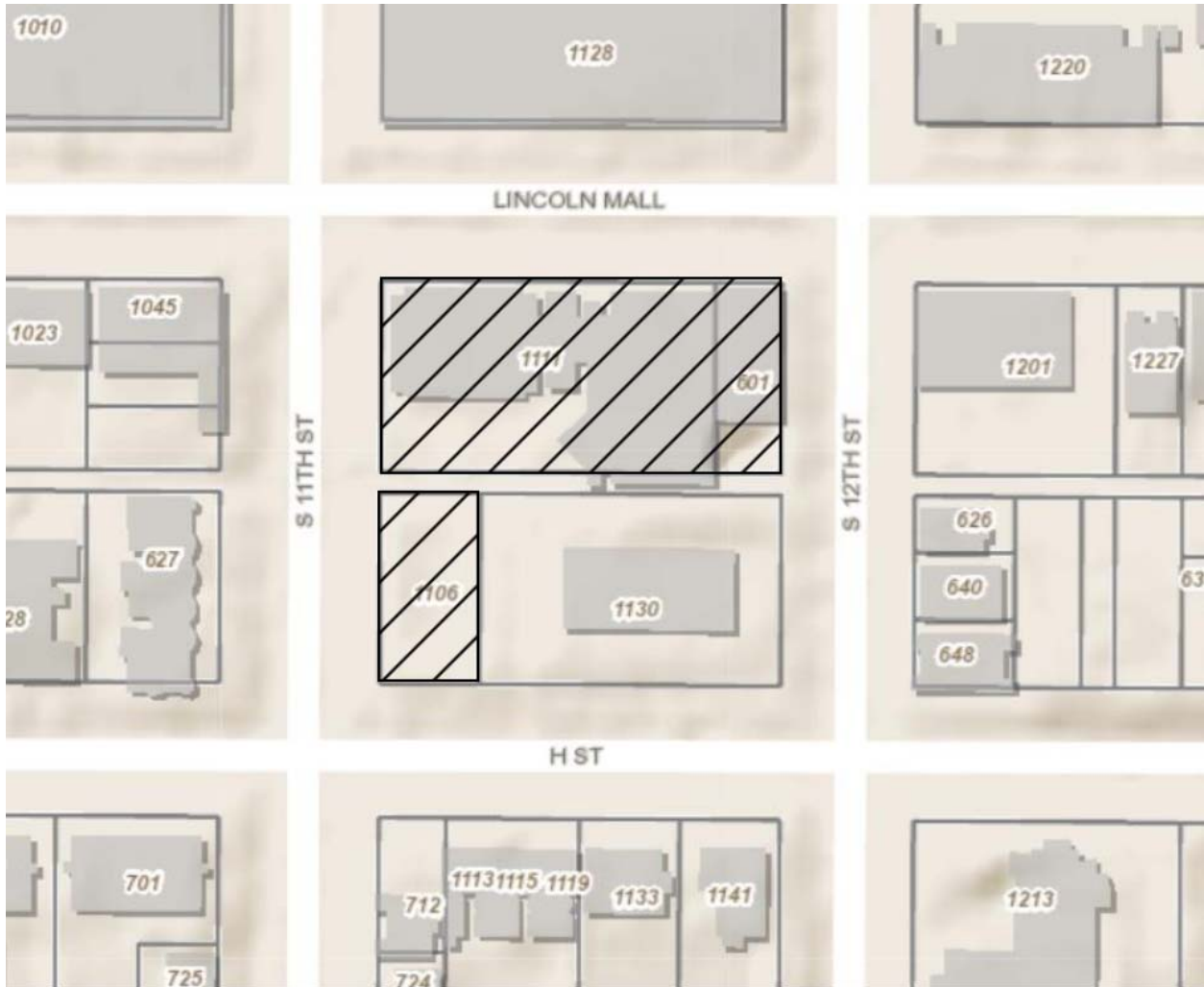
### **Project Schedule and Implementation**

Following the approval of the Plan Amendment, the following steps will occur in the implementation of the Project:

- The City will negotiate a redevelopment agreement with the redevelopers and submit it to City Council for approval.
- Following agreement approval, the City may issue and sell Community Improvement Financing bonds or notes to fund the public improvements related to the Project.
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**EXHIBIT "A"**  
**PROJECT SITE**

Lots 1-6, Block 127, Original Lincoln, and Lots A-C, Bohanan and Mullen Subdivision,  
Lincoln, Lancaster County, Nebraska



## MEETING NOTES

*Advanced public notice of the Nebraska Capitol Environs Commission meeting was posted on the County-City bulletin board and the Planning Department's website. In addition, a public notice was emailed to the Lincoln Journal Star for publication on Thursday, March 18, 2021.*

**NAME OF GROUP:** NEBRASKA CAPITOL ENVIRONS COMMISSION

**DATE, TIME AND PLACE OF MEETING:** Friday, March 26, 2021, 8:30 a.m., City Council Chambers, County-City Building, 555 S. 10<sup>th</sup> Street, Lincoln, Nebraska.

**MEMBERS IN ATTENDANCE:** Heidi Cuca, Kile Johnson, Karen Nalow, Ann Post and David Quade; Mary Campbell and Delonte Johnson absent.

**OTHERS IN ATTENDANCE:** Collin Christopher and Teresa McKinstry of the Planning Department; Lynn Johnson from Parks & Recreation; Dallas McGee of Urban Development Dept.; Bob Ripley of the Capitol Commission; Doug Hanson and Michelle Potts of the State Building Division; Bob Caldwell from NEBCO; Jeff Chadwick from Clark & Enersen; DaNay Kalkowski from Seacrest & Kalkowski; and other interested parties.

**STATED PURPOSE OF MEETING:** Nebraska Capitol Environs Commission Meeting

Chair Kile Johnson called the meeting to order and acknowledged the posting of the Open Meetings Act in the room.

K. Johnson then called for a motion approving the minutes of the regular meeting held February 26, 2021. Motion for approval made by Cuca, seconded by Nalow and carried 5-0: Cuca, K. Johnson, Nalow, Post and Quade voting 'yes'; Campbell and D. Johnson absent.

**PLACEMENT OF A NEW SCULPTURE ALONG NEBRASKA'S CENTENNIAL MALL****PUBLIC HEARING:****March 26, 2021**

Members present: Cuca, K. Johnson, Post and Quade; Nalow declared a conflict of interest; Campbell and D. Johnson absent.

Lynn Johnson stated this hearing is to review the setting for the Dr. Susan La Flesche Picotte portrait sculpture. Clark & Enersen has been selected to do the design for the setting.

Karen Nalow presented the plans, including a rendering that was created of the space. The alley in between L Street and M Street has been vacated, between the parking garage for the State and the Scottish Rite Temple. She pointed out the location of the sculpture. The concept was to elevate this sculpture to the level that the subject deserves. Nalow stated that they are using a lot of natural materials in the design of the space. She believes it is fitting to have a limestone outcropping. They are proposing a series of elevation changes to raise La Flesche Picotte up three feet in height. The pedestal would be limestone, something with a natural edge and a larger outcropping behind it. They are proposing to extend the pavers from the main sidewalk running north/south along Centennial Mall. Regarding the limestone, the design team is still working through availability. They wanted to go with Indiana stone, but may need to shift to something from Illinois or Kansas. There is a continuation of the landscape palette on Centennial Mall with the use of native grasses. They are also including lilacs, which was one of the Doctor's favorite shrubs. They also want to include some other purple wildflowers. She showed an artist rendering of the proposed site. They are trying to show that the back side will be built up for screening so the transformer behind won't show. They are also looking at incorporating text on the wall. Lighting will be positioned to highlight her upper body as the main focus, as well as lighting the inscription. This will be a similar installation in many ways to the Standing Bear sculpture. They are proposing two bollards that match the ones that are already found on Centennial Mall. The bollards will have lights in them.

L. Johnson stated the intent is to install this project this summer and dedicate it on October 11, 2021.

Cuca wondered about sustaining the four large evergreen trees planted close together. Nalow responded that she wanted to create a design that would hide the transformer. Soil will be brought in to raise the grade in this area behind the sculpture. The added soil will provide enough volume to allow the evergreens to thrive.

Ripley noted that snow removal could cause damage to the landscape beds. He would like to see another bollard or limestone to help define the edge that the snowplow works through. Something with verticality to it would help to define the edge and keep a snowplow blade from damaging the bed. Regarding lighting, Ripley asked whether the sculpture would have uplighting.

He would encourage the design team to consider a dark sky concept where the fixtures don't cast a lot of ambient light into the sky. It would be wise to contain as much light as possible cast downward. Ripley stated that he thinks the proposal looks very good.

Nalow noted the spotlights would be angled toward the statue or the inscription.

**ACTION:**

Post moved approval of a Certificate of Appropriateness for the proposed portrait sculpture of Dr. Susan La Flesche Picotte, seconded by Cuca and carried 4-0: Cuca, K. Johnson, Post and Quade voting 'yes'; Nalow declared a conflict of interest; Campbell and D. Johnson absent.

**PLACEMENT OF A PEDESTAL AND PLAQUE TO BE LOATED ON THE SOUTH SIDE OF 1526 K STREET, HIGHLIGHTING THE HISTORY OF "THE PROTECTING HAND" SCULPTURE**

**PUBLIC HEARING:**

**March 26, 2021**

Members present: Cuca, K. Johnson, Nalow, Post and Quade; Campbell and D. Johnson absent.

Michelle Potts stated that they presented this project to the Commission last month for approval of the pedestal and plaque. They are back today with the proposed language and proposed location. She distributed a handout with the proposed language and potential location. They looked at the front of the building and determined the left hand side of the entrance would be best. She pointed out where the handicap street sign is located. They are working with the City to remove that.

K. Johnson inquired if the color and plaque design compare with plaques already on Centennial Mall. Potts responded the pedestal will match the Capitol building.

Nalow believes this is very complementary to the mall.

Post is happy to have this new plaque here.

Cuca thinks the plaque looks great. Quade agreed.

**ACTION:**

Quade moved approval of a Certificate of Appropriateness for the proposed plaque related to "The Protecting Hand" sculpture, seconded by Cuca and carried 5-0: Cuca, K. Johnson, Nalow, Post and Quade voting 'yes'; Campbell and D. Johnson absent.

**DEMOLITION WORK AT 1111 LINCOLN MALL, 601 SOUTH 12<sup>TH</sup> STREET AND 1106 'H' STREET****PUBLIC HEARING:****March 26, 2021**

Members present: Cuca, K. Johnson, Post and Quade; Nalow declared a conflict of interest; Campbell and D. Johnson absent.

Collin Christopher stated this application is for demolition work by NEBCO, Inc. Anytime there is a project that looks at demolition in the Capitol Environs, the design standards state that the application must come forward to this Commission. Often, review of the demolition and design work for new construction are combined into a single review. In this case, the applicant is on a pretty fast timeline and staff thought it would be appropriate to split the review into two parts to potentially allow them to move forward with demolition work. Even though the design work is in a pretty early phase, the conceptual vision is clear enough to allow the applicant to apply for a certificate of appropriateness for demolition now, and then have them come back in the next few months for a full review of the design of the site.

Bob Caldwell of NEBCO, Inc. appeared. He believes they are known on Lincoln Mall for the projects they have done. The design submitted is very similar with other past projects. They have been working in partnership with the City on this project and have selected a tenant to occupy the space. Currently, there is a two-story building on the west end of the block that is unoccupied. The middle building is a four-story building that they are engaged in moving the tenants from. The building on the east end of the block was damaged by fire earlier this year. They feel the redevelopment proposal is very fitting and a positive step for downtown. It will be 159,000 square feet with parking underneath. Jim Abel wanted him to pass along that architecture is his number one priority as he works in Lincoln. He believes this should be a catalyst for the area.

Jeff Chadwick of Clark & Enersen stated that he has a good knowledge of the project area, and has used that knowledge and experience to develop a palette of materials that fit along Lincoln Mall. They want long lasting, durable materials. The building will be a combination of precast concrete and brick, much like Landmark 1 and 3. They will carry these materials throughout the three stories. There will be colonnades. He showed some quick renderings of the main entry. They are looking at how they can screen areas on the south side, and the views from the northwest and east. Chadwick stated that they will maintain all the trees along the mall. He showed an overview of the entire project, and closed by saying they are excited to have a new neighbor across the street.

Nalow asked Chadwick to point out the two existing Landmark buildings. Chadwick marked their location on the rendering. He included some overall views and some of the details in their application, but said that there are still many things to work out.

K. Johnson thinks the proposal looks great.

Quade agreed the buildings complement the Mall very well. This will be a great addition.

**ACTION:**

Cuca moved approval of a Certificate of Appropriateness for demolition work at 1111 Lincoln Mall, 601 S. 12<sup>th</sup> Street and 1106 'H' Street, under the condition that the applicant be required to come back to the Environs Commission to receive a Certificate of Appropriateness for new construction, seconded by Quade and carried 4-0: Cuca, K. Johnson, Post and Quade voting 'yes'; Nalow declared a conflict of interest; Campbell and D. Johnson absent.

Ripley commented that as an Ex-Officio member, he wanted to take the opportunity to publicly acknowledge and thank NEBCO and Jim Abel in particular, for the incredible development along the mall. This will put a new face on Lincoln Mall. When this commission was formed, there were a series of smaller, unimpressive buildings. Landmark 1 and Landmark 3 have provided closure along the Mall and defined the presence of the Mall in an exceptional manner. Extra effort was put into preserving larger trees. Since this Commission has been in existence, NEBCO has been a provider of the gold standard. He thanks them greatly. He laments the loss of the original 1111 building. He knows with its loss, the community will get a more exceptional building in its place. He offered his thanks to NEBCO.

K. Johnson noted that Ripley's comments were well said. He also looks forward to seeing what NEBCO has planned at 13<sup>th</sup> St. and 'K' St. as well, and expects that project will represent another nice contribution to the Environs District.

**LINCOLN MALL DESIGN STANDARDS FOR MONUMENTS AND MEMORIALS:**

Christopher stated that the Commission discussed the design standards last month, and he has since tried to incorporate some of the comments from that meeting. Text was revised to include markers and plaques as parts of Sections 22.6 and 23.5 so that everything is covered. Language was also added for both Centennial Mall and Lincoln Mall to address inscriptions on markers and plaques. This new language was based on a suggestion from Lynn Johnson that gets at the content of what is being said on the plaques. It limits advertising and derogatory or disparaging language. The Centennial Mall section (22.6) was also modified to include vertical surfaces, in addition to horizontal surfaces, as an allowable surface treatment location for plaques and inscriptions. Finally, a bullet point under 23.5 which talks about seating related to monuments and memorials on Lincoln Mall was revised. The change generally discourages new seating along the Mall, but it is still flexible enough to allow new seating if deemed appropriate.

Christopher reminded the Commission that they would need to recommend approval before the text amendment can be moved forward to Planning Commission and City Council for review and action.

Nalow appreciates the time involved in preparation of this.

Post appreciates the reference to seating. She can understand the challenges. She believes this strikes a balance. In looking at this, she was trying to work through the reference discouraging plaques that might reference religion, and is concerned about not wanting to be discriminatory.

L. Johnson stated that they developed this language with the City Attorney's office. They encouraged guidelines to avoid something that could be seen as offensive. The City can't limit the language without guidelines. This was developed about ten years ago.

K. Johnson inquired if you could advertise the group behind the plaque language. Christopher believes this wouldn't be allowed in the public right-of-way. Sponsorship logos would be considered advertising.

K. Johnson wondered if the language could state who it was donated by, if that would be allowed. L. Johnson responded perhaps, but a business logo would not be allowed. The text could recognize the donor name. K. Johnson asked if the donor would be just a name or if a company name would be allowed. L. Johnson replied perhaps it could be allowed. Christopher stated that the language doesn't exclude the name of a company. It excludes a logo, slogan or anything that would be considered advertising. He believes you could identify the company by name, just not a logo.

Quade looked at the reference to discriminatory language and noted that times change in terms of what is considered discriminatory. That could possibly cause some issues down the road. However, he believes the intent is reasonable.

Post understands that the City Attorney has been consulted on this. She appreciates this was already taken into consideration.

K. Johnson agrees about the seating. Things could change in the future. There might be a need for more in the future. He believes there is enough on the Mall right now. Christopher believes there is enough flexibility to accommodate future needs.

**ACTION:**

“

Nalow moved approval of the design standards for monuments and memorials as proposed, seconded by Post and carried 5-0: Cuca, K. Johnson, Nalow, Post and Quade voting ‘yes’; Campbell and D. Johnson absent.

**MISCELLANEOUS:**

- Christopher stated that the Planning Dept has been working on an update to the comprehensive plan. Planning staff will be coming to the April meeting to discuss some policies related to placemaking and the Capitol Environs District. Materials will be sent out before the meeting for review. This material will include proposed policies and action items to be considered. He believes it will be a good conversation, and stated that now is a good time to get feedback and get it incorporated into the comprehensive plan update.

There being no further business, the meeting was adjourned at 9:20 a.m.

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**LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT**

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Comprehensive Plan Conformance 21010 <i>Amendment to Block 65 Redevelopment Project</i>	FINAL ACTION? No	APPLICANT City of Lincoln
PLANNING COMMISSION HEARING DATE April 28, 2021	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION Between 13 <sup>th</sup> & 14 <sup>th</sup> , M & N Streets

**RECOMMENDATION: IN CONFORMANCE WITH THE COMPREHENSIVE PLAN**

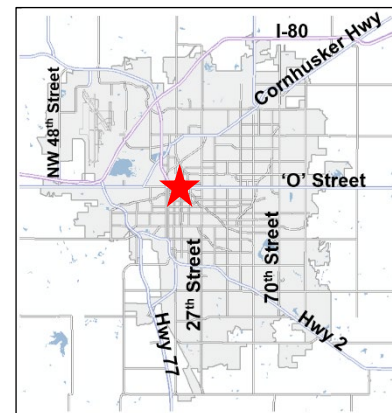
**BRIEF SUMMARY OF REQUEST**

Review as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan, a proposed amendment to the Block 65 Redevelopment Project within the Lincoln Center Redevelopment Plan. The Block 65 Redevelopment Project was originally reviewed with CPC20008 and approved by both Planning Commission and City Council.

This amendment adjusts the Tax Increment Financing (TIF) period for Phase II of the project from 15 years to 20 years. No other changes to the Project are proposed.

**JUSTIFICATION FOR RECOMMENDATION**

This minor update does not change the substance of the Project that was originally submitted with CPC20008, recommended for conformance, and approved by the Planning Commission and City Council.



**APPLICATION/STAFF CONTACT**

Hallie Salem  
City of Lincoln Urban Development Dept  
(402) 441-7866  
[hsalem@lincoln.ne.gov](mailto:hsalem@lincoln.ne.gov)

**COMPATIBILITY WITH THE COMPREHENSIVE PLAN**

The Project is compatible with the Comprehensive Plan as discussed in the staff report for CPC20008. The update to the Phase II TIF schedule does not impact Comprehensive Plan compatibility.

## ANALYSIS

1. This is an amendment to the Block 65 Redevelopment Project, located within the Lincoln Center Redevelopment Plan. The Block 65 Redevelopment Project is discussed with CPC20008. The Project includes three phases:
  - a. Phase I: A 15-story private mixed-use building that will include approximately 200 residential units.
  - b. Phase II: Redevelopment and rehabilitation of the existing Sharp Building. It is expected that the use will remain as primarily office, with the possibility for residential on some floors.
  - c. Phase III: A new public parking garage with at least 700 parking stalls and ground-floor commercial or other active space.
2. The Project was recommended for conformance by Planning Commission on June 10, 2020 and approved by City Council on July 13, 2020.
3. After approval of the Project, and following a constitutional amendment approved in November 2020, the Nebraska Legislature increased the potential repayment period for tax-increment financing (TIF) from 15 years to 20 years for areas where more than one-half of properties are designated as extremely blighted. The Downtown Area, which includes Block 65, was declared extremely blighted on January 9, 2020.
4. The purpose of this application is to adjust the TIF period for Phase II of the Project from 15 years to 20 years, providing for an additional five years of TIF repayment through property tax revenue. This change will contribute to the financial viability and overall feasibility of rehabilitating and renovating the Sharp Building, originally constructed in 1927.
5. The Project description in CPC20008 listed the overall range of TIF assistance at \$10 to \$18 million dollars or more. Those numbers are unchanged with this amendment.
6. The proposed changes are all within the Cost Benefit Analysis section of the Block 65 Redevelopment Project document. The updated section is attached to this staff report.

**EXISTING ZONING:** B-4 Lincoln Center Business District

**EXISTING LAND USES:** Office, parking garage, surface parking

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

North: Commercial  
South: Commercial  
East: Commercial, Library  
West: Commercial

B-4 Lincoln Center Business District  
B-4  
B-4  
B-4

**APPROXIMATE LAND AREA:** 13.28 acres

Prepared by

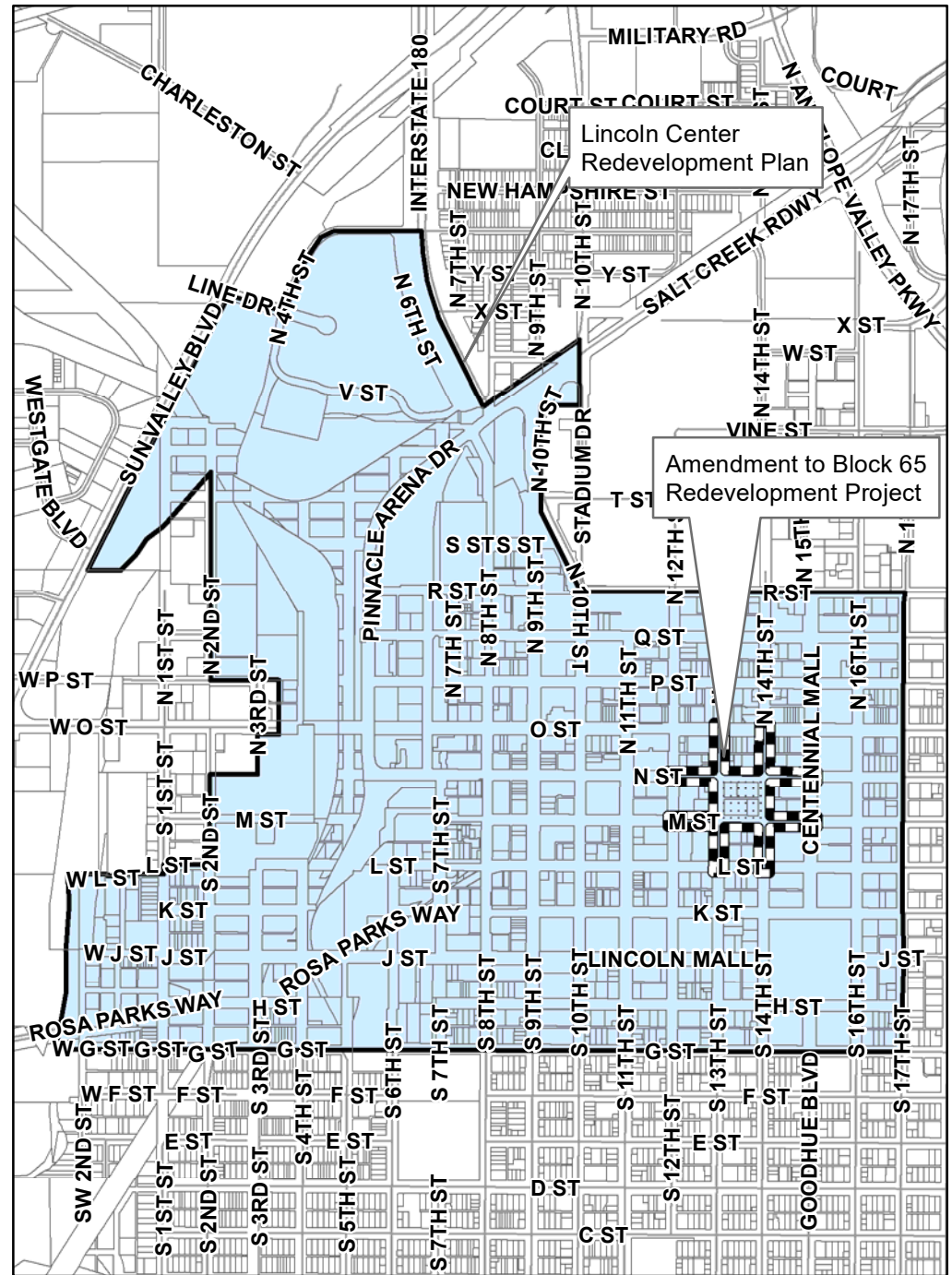
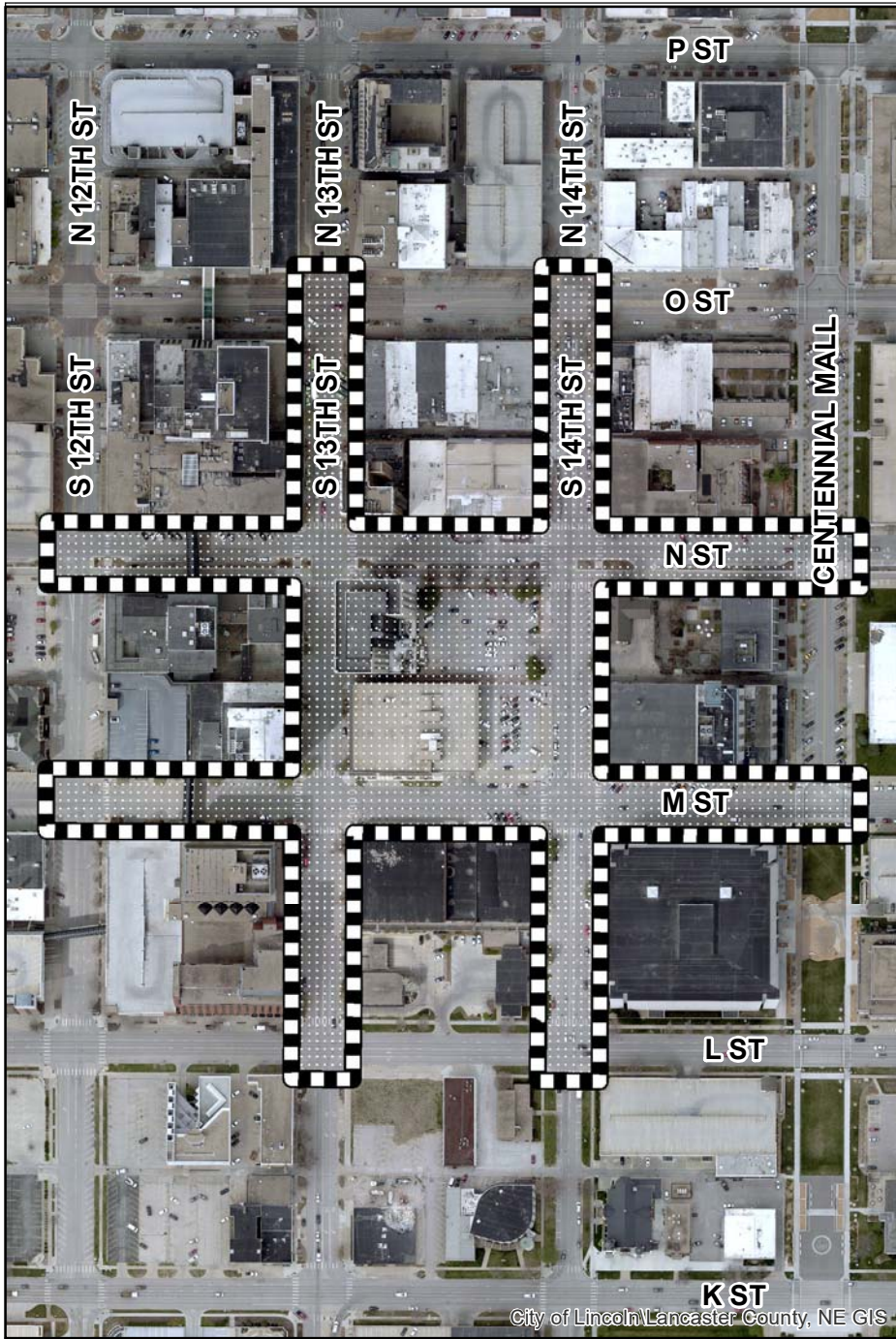
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Andrew Thierolf, AICP  
(402) 441-6371 or [athierolf@lincoln.ne.gov](mailto:athierolf@lincoln.ne.gov)  
April 14, 2021

Applicant: Urban Development Department  
City of Lincoln  
555 S. 10<sup>th</sup> Street, Suite 205  
Lincoln, NE 68508

Contact: Hallie Salem  
(402) 441-7866 or [hsalem@lincoln.ne.gov](mailto:hsalem@lincoln.ne.gov)

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**Comprehensive Plan Conformance #21010**  
**Lincoln Center Redevelopment Plan**  
**Amendment to Block 65 Redevelopment Project**

2020 aerial

April 5, 2021

David Cary  
Planning Director  
Planning Department  
555 S. 10<sup>th</sup> Street  
Lincoln, Nebraska 68508

**RE: Amendment to Block 65 Redevelopment Plan**

Dear Mr. Cary:

On July 13, 2020, the Lincoln City Council adopted an amendment to the Lincoln Center Redevelopment Plan to describe the Block 65 Redevelopment Project through Resolution No. A-92189. That project describes the phased redevelopment of Block 65 in the downtown area bounded by 13<sup>th</sup>, 14<sup>th</sup>, M, and N Streets.

With the recent passage of LB25 by the Nebraska Legislature, municipalities are now authorized under the Community Development Law to allow for the division of taxes for 20 years rather than 15 in order to repay the debt taken on by a City as part of a redevelopment project. The Block 65 Project, in particular Phase II – Sharp Building, would greatly benefit from the ability to divide the taxes for 20 years rather than 15 years, in order to pay off the debt taken on for the project to fund public improvements.

It is therefore the request of the City of Lincoln Urban Development Department to amend the Block 65 Project amendment to the Lincoln Center Redevelopment Plan to authorize the division of taxes for 20 years rather than 15 years specifically with respect to Phase II – Sharp Building.

Please consider this letter part of the application, and feel free to address any questions regarding the application to Hallie Salem, Urban Development Department, 402-441-7866.

Sincerely,



Dan Marvin  
Director, Urban Development Department

## **Amendment to Block 65 Redevelopment Project Amendment to the Lincoln Center Redevelopment Plan**

The City Council approved an amendment to the Lincoln Center Redevelopment Plan through Resolution No. A-92189 on July 13, 2020 for the Block 65 Redevelopment Project. The Block 65 Redevelopment Project is described as a three-phase project with Phase II being referred to as the Sharp Building. Phase II includes the redevelopment and rehabilitation of the existing Sharp Building at 206 South 13th Street. The 1927 building is historically significant to Lincoln and likely eligible for National Register of Historic Places. The 16-story building is over 154,000 square feet and in need of substantial improvements to maintain the current use as commercial office, with the possibility of the redevelopment of upper floors for residential.

After the Block 65 Plan Amendment was adopted, Nebraska Amendment 2, the Tax Increment Financing (TIF) Repayment Amendment to the State Constitution, was on the ballot as a legislatively referred constitutional amendment on November 3, 2020 and passed by the vote of the people. As a result, the Nebraska Legislature increased the repayment period for tax-increment financing (TIF) from 15 years to 20 years for areas where more than one-half of properties are designated as extremely blighted. The Downtown Area was declared extremely blighted on January 6, 2020 by

Further analysis of the Phase II – Sharp Building portion of the project reveals that allowing for a 20-year period of dividing taxes, would contribute to the financial viability and overall feasibility of rehabilitating and renovating the 1927 structure. This results from the fact that the rehabilitation and renovation will occur over the course of several years thereby limiting the increase in the taxable valuation in the early years of the project. The change from 15 years of dividing taxes to 20 years will cost taxing authorities an additional five years of property tax revenue over the 2021 base value, but the increased investment in the Sharp Building will create a more substantial and longer lasting project that should contribute to the further prevention of blighted and substandard conditions throughout the surrounding downtown neighborhood for years to come.

The Plan Amendment changes are proposed in red below. As a result, the period of dividing taxes for the Phase II – Sharp Building portion of the Block 65 Redevelopment Project as included in the Lincoln Center Redevelopment Plan is approved for a 20-year period of taxes being divided in order to repay debt incurred by the City for said redevelopment project as allowed under the Community Development Law.

### **AS. Block 65 Redevelopment Project**

Phase I – Argent Private Mixed-Use Residential Redevelopment

Phase II – Sharp Building

Phase III – Mixed-Use Public Garage and Private Redevelopment

## 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:** The 2020 assessed value of Block 65 is approximately \$8.6 million. Based upon preliminary discussions with the private property owner, as well as interested developers, the total private investment in the block may range between a low of \$60 million and \$100 million or higher. The potential leveraged TIF funds range from an estimated \$10 million to \$18 million or more. TIF will be used to assist with the cost of construction of public improvements and enhancements related to the project. The TIF funds shall be subject to further adjustment as project costs are defined.

The City will forgo approximately 15.78 percent of the annual collections over 15 years for Phases I and III and up to 20 years for Phase II (Sharp) to support the project. The tax increment gained from this redevelopment project area would not be available for use as City general tax revenues over that time, but be used toward bond repayment. After the 15- to 20-year collection periods or the debt has been retired, the increase in annual taxes paid will be split among the taxing jurisdictions according to the tax levy.

**Other Impacts:** While the use of tax increment financing will defer receipt of the incremental ad valorem real property taxes generated by the Project for up to 15 years for Phases I and III and up to 20 years for Phase II (Sharp), there will be additional revenue generated, including sales taxes, as well as income taxes paid by those working in the project area. Upon completion of the 15- to 20-year collection periods, the Project will benefit the community through higher property tax payments.



**LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT**

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

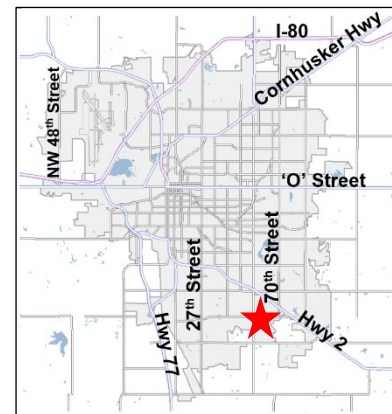
APPLICATION NUMBER Change of Zone #04075i Village Gardens Planned Unit Development	FINAL ACTION? No	DEVELOPER/OWNER Village Gardens Development Company, LLC
PLANNING COMMISSION HEARING DATE April 28, 2021	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION South 56 <sup>th</sup> & Pine Lake Road

**RECOMMENDATION: CONDITIONAL APPROVAL**

**BRIEF SUMMARY OF REQUEST**

This is a request to modify the Development Plan associated with the Village Gardens Planned Unit Development. Two changes are proposed. The first seeks to modify the maximum allowed height for multiple-family dwellings from 40’ to 55’. The second seeks to modify the parking requirement from 1.5 parking stall per dwelling unit to 1.0.

The lot was a planned apartment site when the PUD was originally approved in 2004. Multiple-family structures are allowed at this location and otherwise comply with the requirements of the Development Plan.



**JUSTIFICATION FOR RECOMMENDATION**

Multiple-family dwellings were planned for this site with the original PUD. Since 2004 construction standards and consumer preferences have changed and the height of multiple-family buildings have necessarily increased in response. This site is located in the B-3 commercial center portion of the PUD and adjacent to commercial uses to the north, west, east and a portion of the south boundary. Along the south boundary is an approximate 10’ change in grade which falls abruptly from south to north offsetting much of the increased height. The parking reduction from 1.5 parking spaces to 1.0 is consistent with the underlying B-3 zoning, where 1.0 space per unit is the requirement of the Zoning Ordinance. Village Gardens Development, LLC through their Development Plan had initially adopted the higher standard of 1.5 spaces per unit. Given there is shared parking throughout much of the commercial center and the overall total number of spaces available, this supports the reduction to 1.0 spaces per unit.

**APPLICATION CONTACT**  
DaNay Kalkowski, 402-435-6000  
danay@sk-law.com

**STAFF CONTACT**  
Brian Will, 402-441-6362  
bwill@lincoln.ne.gov

**COMPATIBILITY WITH THE COMPREHENSIVE PLAN**

These requests will allow for increased density near a commercial center which has the infrastructure and proximity to transportation facilities that can support it. It adds to the variety of housing types available to residents and helps reduce the amount of unnecessary paving to preserve land for buildings, open space and other amenities.

## WAIVERS

1. LMC 27.72.030(a) - Increase maximum height from 40' to 55' - Recommend Approval
2. LMC 27.67.020 - Reduce parking requirement to 1.0 spaces per dwelling unit - Recommend Approval

## KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

P. 12.3 - this site is designated for future commercial land uses on the 2040 Lincoln Area Future Land Use Plan.

P. 1.2 - Lincoln and Lancaster County: One Community Vision Statements:

- An important relationship exists between the urban, rural, and natural landscapes. Urban and rural development maximize the use of land in order to preserve agriculture and natural resources.

P. 1.2 - Quality of Life Assets:

- The community continues its commitment to strong, diverse neighborhoods. Neighborhoods remain one of Lincoln's great strengths and their conservation is fundamental to this plan. The health of Lincoln's varied neighborhoods and districts depends on implementing appropriate and individualized policies.
- LPlan 2040 is the basis for zoning and land development decisions. It guides decisions that will maintain the quality and character of the community's new and established neighborhoods.

P. 6.6-6.7 - Strategies for Mixed Use Redevelopment Nodes and Corridors

- Mixed Use Redevelopment Nodes and Corridors should strive to locate:
  - In proximity to planned or existing neighborhoods and community services, to facilitate access to existing community services or to address a deficiency by providing services such as grocery stores, childcare centers, and restaurants.
  - Where there is existing or potential for good access to transit, to enhance the public transit system by making it accessible to residents and to facilitate the development of neighborhood multimodal hubs where residents can drive, bike, or walk to a transit stop, go to work, and then shop for their daily needs before they return home.
  - On at least one arterial street to help provide for traffic and utility capacity and access to transit.
  - Strive for residential densities of at least seven dwelling units per gross acre within buildable areas inside the project boundary. This strategy encourages significant returns on public investment by developing high-quality properties with sustained value, supports new businesses in the mixed use center, makes public transportation more viable, and uses land and infrastructure more efficiently.

P. 6.1 - 1,000 dwelling units are slated for existing residentially-zoned land throughout the existing city, primarily on vacant lots. The remaining 4,000 dwelling units are anticipated to be located primarily in Mixed Use Redevelopment Nodes and Corridors including existing commercial centers and along major transportation corridors.

P. 6.2 - Increasing residential densities by adding new dwelling units to existing commercial areas in the form of mixed use centers also strengthens the buying power of adjacent neighborhoods by adding more "rooftops." Strengthened buying power may be able to improve the quality and quantity of localized private businesses and services.

P. 6.2-6.3 - Guiding Principles for Mixed Use Redevelopment

- Mixed Use 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.
  - Enhance entryways when developing adjacent to these corridors.
  - Provide a diversity of housing types and choices throughout each neighborhood for an increasingly diverse population.
  - Encourage substantial connectivity and convenient access to neighborhood services (stores, schools, parks) from nearby residential areas.
  - Promote activities of daily living within walking distance, and provide sidewalks on both sides of all streets, or in alternative locations as allowed through design standards or review process.
  - Help to create neighborhoods that include homes, stores, workplaces, schools, and places to recreate.
  - Encourage residential mixed use for identified corridors and redeveloping centers identified as nodes.

- Develop with substantial connectivity between developing or existing neighborhoods and developing or redeveloping commercial centers.

## ANALYSIS

1. This is a request to amend two provisions of the Village Gardens Development Plan, and both relate to a use described as Type G Multiple-family Apartment Buildings. The first is to increase the maximum allowed height for apartment buildings from 40' to 55', and to decrease the parking requirement from 1.5 to 1.0 parking spaces per dwelling unit. These changes are highlighted on Page 25 of Development Plan for the Type G - Multiple-family Apartments.
2. These changes affect the entire PUD. That is, the changes affect all Type G Multiple-family Apartment Buildings and will allow buildings to 55' with one parking stall per unit. However, the Development Plan only allows apartments in a portion of the PUD, the Village and Neighborhood Center areas of the PUD. Within those two areas combined, there are only two sites not vacant or currently under development - the subject tract and a much smaller lot to the north located in the Village Center adjacent to Pine Lake Road.
3. While the changes affect the entire PUD, the request is being brought by the developer of the lot southeast of the intersection of Boboli and Crosslake Lanes. The subject site is a 3.39 acre tract surrounded almost entirely by commercial uses. The only residential uses are attached single-family dwellings adjacent to the southeast portion of the site in the Thompson Creek development.
4. The subject property is located within the use area defined as Village Center. It intentionally allows the widest range of uses within the PUD to create a mixed-use center where a variety of residential and commercial uses are allowed. This property was identified as part of the Village Center from the beginning, and multiple-family dwellings have been an allowed use.
5. Exhibits including a site plan and building elevations are attached to this report for the purpose of illustration only. They are not intended to be included as part of this amendment if approved. Building plans will be reviewed and approved at the time of building permit in compliance with the requirements of the PUD.
6. Approved in 2004, the Village Gardens Planned Unit Development (PUD) was intended to be a mixed-use development which combines a range of residential housing types along with a variety of commercial uses. The PUD provisions of the Zoning Ordinance allow adjustments to not only the height, lot and area regulations, but also allow for uses to be combined in a single underlying zoning district which may not otherwise be allowed. The inherent flexibility of the PUD as a zoning tool is intended to allow for innovative urban design.
7. The normally applicable provisions of the Zoning Ordinance were significantly modified as part of the PUD. This modified set of zoning regulations are contained in what is described as the Development Plan. It is a 31 page companion text document to the preliminary plat/PUD plan set that details how development will occur within the PUD.
8. Page 5 of the Development Plan contains a graphic which delineates the various Use Areas within the boundary of the PUD. It goes on to list the uses that are allowed within the various areas and also includes height, lot and area regulators for the various uses, which in many cases are modified from the requirements of the Zoning Ordinance.
9. The underlying zoning designation for the Village Center is B-3 Commercial. B-3 zoning is typically found in the older commercial centers such as Havelock and University Place. It was chosen as the basis for the modified zoning regulations given the traditional mixed-use character of the development pattern in those older commercial areas.
10. The first waiver which is to height from 40' to 55' will allow a four-story apartment building. Increasingly, the trend for apartments has been to be taller. This is in response to evolving building code requirements, consumer preferences, and market forces. There have several recent height adjustments for apartment buildings granted as part of community unit plans (CUP) and PUD's throughout the city in recent years.

Some recent examples of waivers to the maximum residential height for apartments include: Southwest Village PUD (S. Folsom & W. Denton) to 55' is pending approval; Wilderness Heights PUD (S. 40<sup>th</sup> & Yankee Hill Rd) to 55' app'd in 2021; Wilderness Hills South PUD (S. 40<sup>th</sup> and Rokeby Rd) to 55' app'd in 2020; Grandale South PUD (S. 40<sup>th</sup> & Rokeby Rd) to 55' app'd in 2020; Iron Ridge PUD (S. 27<sup>th</sup> and Rokeby Rd) to 65' app'd in 2020; and S. 59<sup>th</sup> Street Coalition PUD (S. 59<sup>th</sup> and Pine Lake Rd) to 55' app'd in 2020.

11. The Comprehensive Plan calls for increased density near commercial centers with access to major streets in areas where increased density is appropriate. The increased height at this location is consistent with that goal, and the services and infrastructure are present to support it.
12. There is an approximate 10' change in grade between Thompson Creek and the subject parcel which falls from south to north. This change in grade visually offsets much of the proposed height increase. If the proposed changes are approved, this will be the first lot in Village Gardens to take advantage of the changes in height and parking for apartments.
13. The second waiver to reduce the parking requirement from 1.5 to 1.0 parking spaces per dwelling unit is actually not a waiver to the Zoning Ordinance, but simply a modification to the Development Plan. That is, the parking requirement in the Zoning Ordinance for the B-3 zoning district is 1.0 parking spaces per dwelling unit. When adopted in 2004, the Development Plan adopted the higher standard of 1.5 spaces per unit which exceeds the requirement in the Zoning Ordinance today.
14. Parking will be provided on-site of the subject development at the rate of 1.0 space per unit with 186 spaces. The applicant notes that there are an additional 49 spaces on the adjacent streets (private roadways), and the right to access another 646 parking spaces that are available in the commercial area due to a shared parking agreement.
15. Providing the appropriate amount of parking minimizes the size of parking lots leaving more area for buildings, open space or other amenities. The proposed reduction is consistent with the current requirement of the Zoning Ordinance, and where visitor or overflow parking can be accommodated by spaces located throughout the center. The shared parking exists here due the character and range of uses allowed in this mixed-use development. A variety of commercial uses as well as a nearby church create varying parking demands which allows for noncurrent and shared parking.
16. This request provides for increased density in an area where it is appropriate and supportable. The adjustments to height and parking allow for more efficient use of the land with no significant impact on neighboring properties. This request is consistent with the requirements of the Zoning Ordinance and the goals of the Comprehensive Plan.

**CONDITIONS OF APPROVAL:** See attached.

**EXISTING LAND USE & ZONING:** Vacant B-3(PUD)

**SURROUNDING LAND USE & ZONING**

North: Vacant	B-3(PUD)
South: Residential, Commercial	R-3, O-3
East: Commercial	B-3(PUD)
West: Commercial	B-3(PUD)

**APPLICATION HISTORY:**

**Feb 2005** - CZ#04075 was approved by the City Council to allow the Village Gardens Planned Unit Development (PUD).

**Dec 2007** - CZ#04075A was approved by the City Council to allow an adjustment to the applicable sign regulations and change the zoning on 2.17 acres from R3 PUD to B-3 PUD within the Village Gardens PUD.

**Mar 2011** - AN#11001 and CZ#04075B were approved annexing and expanding the boundary of the Village Gardens PUD to include an additional 47 acres of land to accommodate a domiciliary care facility and additional dwelling units.

**Apr 2012** - AN#12003 and CZ#04075C were approved annexing and changing the zoning from AG to R-3 PUD for approximately 40.68 acres for single-family residential development.

**Apr 2012** - CZ#04075D was approved changing the zoning from AG to R-3 PUD for approximately 2 acres of land so the boundary of the PUD matched the recorded final plat of Village Meadows 3<sup>rd</sup> Addition.

**Jul 2014** - AN#14003 and CZ#04075E were approved annexing and changing the zoning from AG to R-3 PUD for approximately 34 acres for single-family residential development.

**OCT 2015** - AN#15006 and CZ#04075F were approved annexing and changing the zoning from AG to R-3 PUD for approximately 46 acres for single-family residential development.

**DEC 2016** - AN#16012 and CZ#04075G were approved annexing approximately 46 acres and 15 acres of land for a new church lot and residential development.

**JAN 2019** - AN#18006 and CZ#04075H were approved annexing and rezoning approximately 26 acres of land for approximately 69 dwelling units.

**APPROXIMATE LAND AREA:** Approximately 3.39 acres.

**PROPOSED CITY COUNCIL DISTRICT ASSIGNMENT:** City Council District #2

**LEGAL DESCRIPTION:** Outlot i, Village Gardens 6<sup>th</sup> Addition

Prepared by

Brian Will, [bwill@lincoln.ne.gov](mailto:bwill@lincoln.ne.gov)  
402-441-6362  
April 14, 2021

**Applicant:** Sacamano Development, LLC  
PO Box 22151  
Lincoln, NE 68542  
402-499-2113  
[docenterprises1@gmail.com](mailto:docenterprises1@gmail.com)

**Contact:** DaNay Kalkowski  
Seacrest and Kalkowski  
1228 Lincoln Mall, Ste 105  
Lincoln, NE 68508  
402-435-6000

**Owner:** Village Gardens Development Company, LLC  
5625 Pine Lake Road  
Lincoln, NE 68516  
402-429-2294  
[rbc@campbellsnursery.com](mailto:rbc@campbellsnursery.com)

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## CONDITIONS OF APPROVAL - CHANGE OF ZONE #04075i

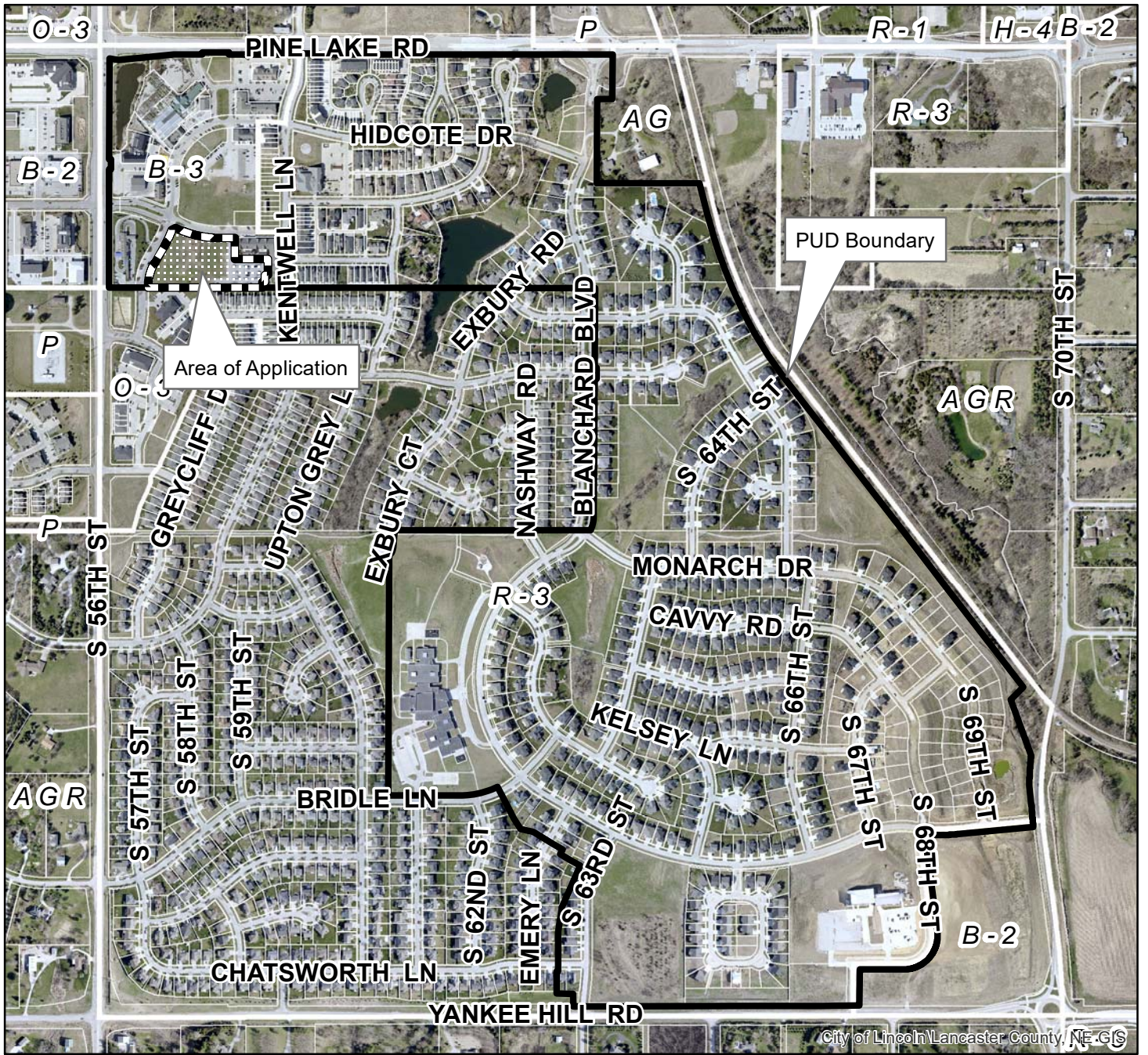
This approval authorizes an amendment to the Village Gardens Planned Unit Development Plan to modify the maximum height from 40' to 55' and to reduce the parking requirement from 1.5 to 1.0 parking stalls per dwelling unit for Type G - Multiple Family Apartment.

### Site Specific

1. The permittee shall cause to be prepared and submitted to the Planning Department two copies of a revised and reproducible final Development Plan with all required revisions and documents.

### Standard:

2. The following conditions are applicable to all requests:
  - 2.1 Before occupying the dwelling units all development and construction shall substantially comply with the approved plans.
  - 2.2 All privately-owned improvements, including landscaping and recreational facilities, shall be permanently maintained by the Permittee or an appropriately established homeowners association approved by the City.
  - 2.3 The physical location of all setbacks and yards, buildings, parking and circulation elements, and similar matters be in substantial compliance with the location of said items as shown on the approved site plan.
  - 2.4 The terms, conditions, and requirements of this resolution shall run with the land and be binding upon the Permittee, its successors and assigns.
  - 2.5 The applicant shall sign and return the letter of acceptance to the City Clerk. This step should be completed within 60 days following the approval of the special permit. The City Clerk shall file a copy of the resolution approving the special permit and the letter of acceptance with the Register of Deeds, filing fees therefor to be paid in advance by the applicant. Building permits will not be issued unless the letter of acceptance has been filed.
  - 2.6 The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all prior resolutions approving this permit remain in full force and effect as specifically amended by this resolution.



City of Lincoln/Lancaster County, NE GIS

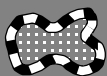


2020 aerial

**Change of Zone #: CZ04075I**  
**Village Gardens PUD**  
**S 56th St & Pine Lake Rd**

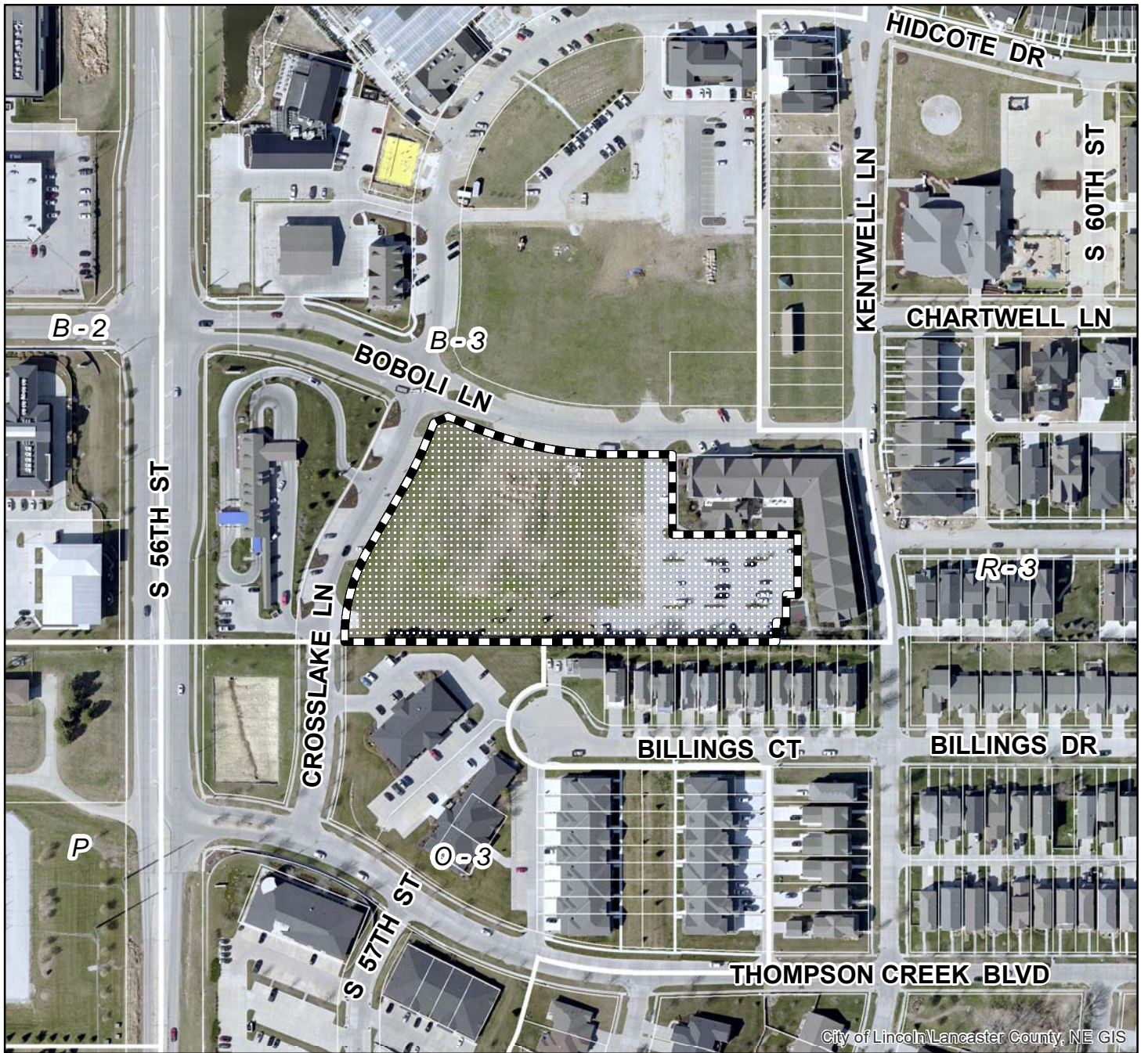
**Zoning:**

- 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.21 T09N R07E

	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction





City of Lincoln Lancaster County, NE GIS

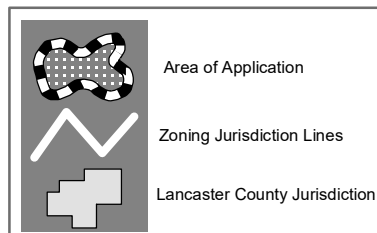
2020 aerial

**Change of Zone #: CZ04075I**  
**Village Gardens PUD**  
**S 56th St & Pine Lake Rd**

**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.21 T09N R07E**





SEACREST & KALKOWSKI, PC, LLO

KENT@SK-LAW.COM | DANAY@SK-LAW.COM

March 30, 2021

**HAND DELIVERY**

David Cary, Director  
Planning Department  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508

RE: Amendment to Village Gardens PUD

Dear David:

Our office represents Sacamano Investments, LLC (“Developer”), who has a contract interest in Outlot I, Village Gardens 6<sup>th</sup> Addition, containing approximately 3.4 acres of property (the “Property”). The Property is located within the Village Gardens Planned Unit Development (“Village Gardens PUD”) in the area designated as the Village Center. Developer is planning to construct a four-story apartment building on the Property that will contain 181 dwelling units varying in size from studio apartments to three-bedroom apartment units. Developer is requesting amendments to the Village Gardens PUD Development Plan for Type G - Multi-Family Apartment buildings to: (i) increase the permitted building height from 40 feet to 55 feet, and (ii) reduce the minimum number of on-site parking spaces per dwelling unit from 1.5 to 1 space per dwelling unit.

The height adjustment will allow the Developer to construct a four-story apartment building that increases the number of apartment units within the Property while still maintaining the architectural integrity of the Village Gardens development. The Property is largely surrounded by commercial uses, with a small area of neighboring two-family dwellings to the southeast. The requested variance for height will not negatively impact the Village Gardens development. Instead, it supports it by providing the density sought by the Village Gardens Development Plan.

The parking reduction is supported by the cross parking easements within the Village Gardens development. With the proposed site plan, 186 parking stalls will be constructed within the Property boundaries, an additional 49 stalls will be available to the north and west along adjacent Boboli Lane and Crosslake Lane, and by August 2021, the apartment units will have cross parking rights to an additional 646 commercial parking stalls. Should additional parking be necessary above and beyond that available on-site, the proposed apartment units can easily

utilize available parking within the Village Gardens Village Center. This reduction will bring the parking requirements for the multi-family use in line with the B-3 zoning district residential parking requirement of 1 stall per dwelling unit.

Enclosed please find the following:

- a. City of Lincoln Zoning Application for Annexation;
- b. Revised Village Gardens PUD Development Plan with requested revisions marked;
- c. Site plan and elevations for illustration purposes; and
- d. Application fees in the amount of \$998.

We look forward to working with you on this project and appreciate the input we have received from the City team to date. If you have any questions regarding the enclosed or need any additional information, please feel free to contact me.

Very truly yours,



DANAY KALKOWSKI

For the Firm

Enclosures



# VILLAGE GARDENS

THE ART OF *Traditional Living*

Planned Unit Development District

# DEVELOPMENT PLAN

~~April 10~~ \_\_\_\_\_, ~~2017~~21

INTRODUCTION

THE REGULATING PLAN

R-3 AND B-3 LAND USES

THE TRANSECT ZONE MATRICES

LOT & BUILDING STANDARDS

SIGNAGE & PARKING STANDARDS

REGULATORY MODIFICATIONS

PUD MAP SHEETS

GLOSSARY

## INTRODUCTION

Village Gardens is designed to promote a balance of community and private life in an affordable, attractive and sustainable setting. Plan elements include a diversity of housing – from grand homesteads to small cottages and apartments – an active public realm in the Village Center and Neighborhood Centers, and a network of picturesque streets, trails and open space.

The Village Gardens Development Plan (“Development Plan”) codify the Village Garden’s principles and help assure a satisfactory level of quality in the implementation of a diverse, attractive and healthy community. The Development Plan regulates the design of streets, public spaces, landscape and buildings with sufficient flexibility to foster creativity and diversity—and will result in a place designed by many minds, hands and hearts. The Development Plan also helps build an understanding of the relationship between community space and private property.

This project is unique and different for the City of Lincoln developing area. Use limitations and other regulations of the underlying zoning district and other regulatory chapters of the Lincoln Municipal Code (“LMC”) shall apply, unless specially modified by this Development Plan.

The Village Gardens Development Plan is comprised of the following components: Introduction, the Regulating Plan, the R-3 and B-3 Land Uses, the Transect Zone Matrices, the Lot & Building Standards, the Regulatory Modifications, the PUD Map Sheets and Glossary. The Glossary is a definition of terms located at the end of this document for ease of use and understanding. These Development Plan components modify the use limitations and regulations of the LMC. The Development Plan is designed to regulate buildings on private properties to shape the public realm and help create quality streets, plazas, parks and other public spaces.

### **PUD Requirements, Construction and Amendments**

The Village Gardens PUD is authorized and approved as planned unit development district pursuant to Chapter 27.60 of the Lincoln Municipal Code, as may be amended from time to time. A separate special permit or use permit is not necessary or required to permit any special permitted use or use permit use. This Village Gardens PUD will replace any required special permit or use permit under the LMC and any applicable ordinances, regulations, codes, and design standards.

After approval of the Village Gardens PUD, building permits, certificates of occupancy and final plats of the property will be issued or approved upon general compliance with the Development Plan as approved, or as amended. In circumstances where there are minor variations from the Development Plan, the Planning Director or his designee, shall review the proposal and determine if the proposal is in general conformance with the spirit and intent of the approved Village Gardens PUD.

After the City Council has approved the Village Gardens PUD, the Planning Director is authorized to approve amendments pursuant to 27.60.060 LMC.

### **The Transect Zoning Classification**

The Transect is a planning categorization system that organizes the elements of the built environment on a scale from rural to urban. Developed by Andres Duany and his firm Duany–Plater-Zyberk Town Planners (DPZ), the Transect (which is inspired by a conservation biology tool for studying the changes and diversity in vegetation and habitat along a line drawn across ecosystems) provides a regulatory structure that utilizes zoning categories based on the concept of immersive environments. Here, all of the elements of the human environment work as self-sustaining, interdependent subsystems, each with distinct characteristics and behavior patterns.

The Transect has several zones, from the rural open space neighborhood edge, to the village center. The transition zone between the surrounding rural landscape and Village Gardens is called the Neighborhood Edge zone. The Neighborhood Edge zone consists of single-family homes on larger lots.

The Neighborhood General zone, the largest zone in most neighborhoods, is primarily residential, but is more urban in character. In comparison with the Neighborhood Edge zone, it includes higher density with a range of housing types from medium sized single-family houses to townhouses.

The Neighborhood Center zone is typically located around a neighborhood park and functions as the social center of a neighborhood. Limited retail, office and civic uses complement higher density residential uses.

The Village Center will be the development’s commercial core. A mixed-use zone, it allows for a mix of commercial and high-density residential uses.

## **The Master Plan**

The Master Plan is a visual reference map of Village Gardens that provides the conceptual and vision plan for the entire Village Gardens development. This provides information on street connectivity, future parks, and pathways for the development. See The Master Plan (Conceptual). Yet, like any visionary plan, it is subject to change as future phases of development are brought forth for approval.

## **The Regulating Plan**

The Regulating Plan is a graphic reference map of Village Gardens and identifies the boundaries of the Village Gardens PUD district. In addition, the Regulating Plan illustrates the private areas and public rights-of-way to the Transect Zones and the Lot & Building Standards. The Regulating Plan provides specific information on each building and/or lot, and describes the relationship of each lot to the public realm (the streets, parks, pathways, etc.) and the surrounding environment.

## **The R-3 and B-3 Land Uses**

The R-3 and B-3 Land Uses denote the specific uses that are appropriate to the R-3 and B-3 districts. The basis of this section is the City of Lincoln Municipal Code.

## **The Transect Zone Matrices**

### **Land Use Types Matrix**

The Land Uses Types Matrix describes the permitted uses within each Transect Zone, complementary to the goals of developing a diverse, attractive and healthy community. Separate uses may be combined or mixed on a single lot in two ways. The first is vertical combination, where two different uses, such as retail on the first floor and housing above, are combined in one building. The second type of use integration is horizontal, where two uses that may be attached by a common wall, or detached on a single lot. For example, a professional office might be located along the side of a house, or in a garage in the rear. The combination of allowed uses is presented in an easy to understand graphic matrix, with additional clarifying notes attached.

### **Lot & Building Types Matrix**

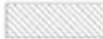






The Lot & Building Types Matrix describes the permitted Lot & Building Types within each Transect Zone. The matrix indicates which building types, described in the Lot & Building Standards below, are permitted outright or with certain conditions. The goal is to provide for a variety of buildings in each zone while fostering compatibility and an overall coherent development pattern.

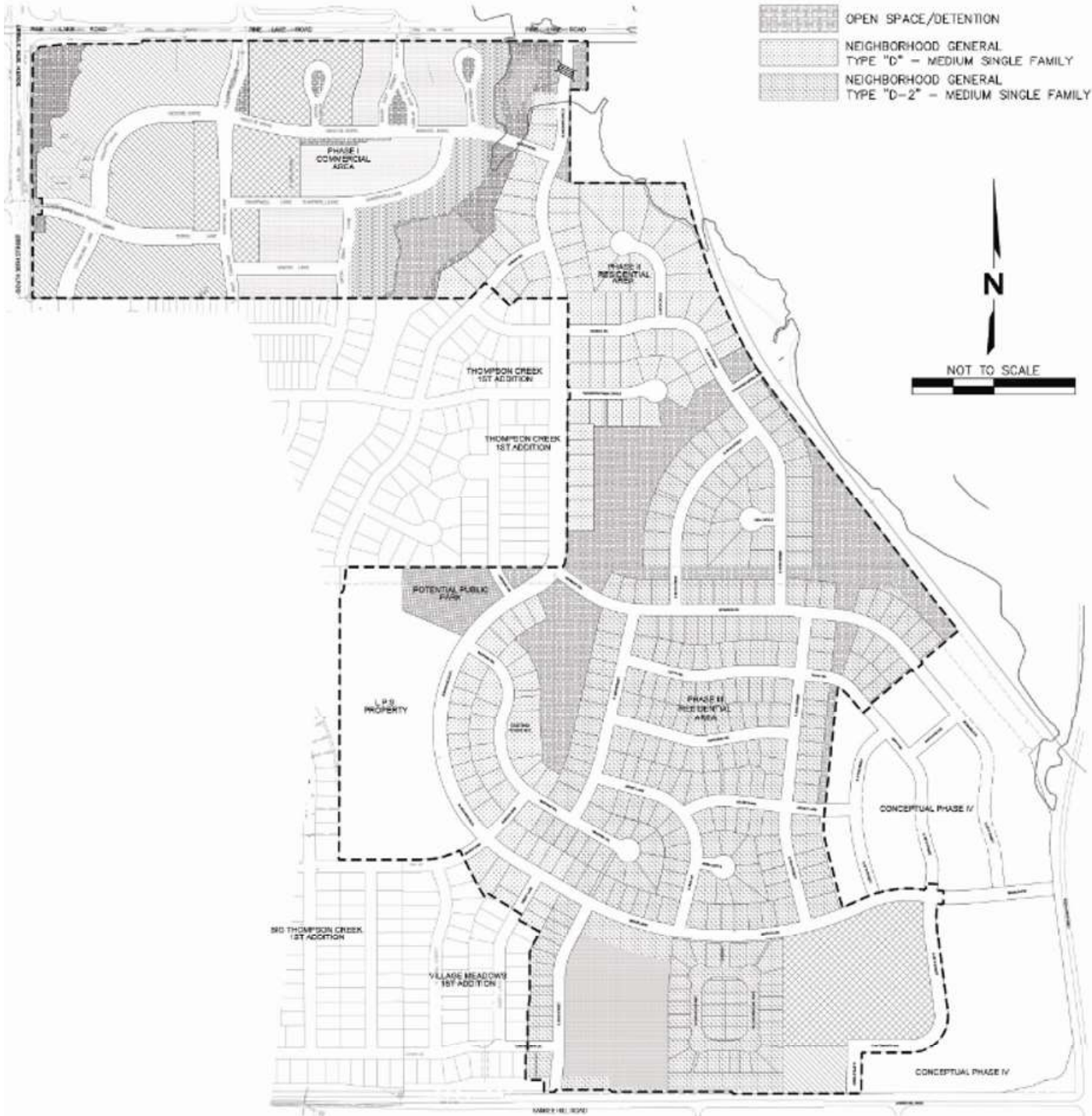
## The Lot & Building Standards

The Village Gardens Lot & Building Standards (“Building Standards”) establish basic site and building design features. Building types are based on the traditional models prevalent in the region. Each lot & building type describes the physical constraints on the placement and configuration of three-dimensional building forms and façade elements, such as porches and balconies, on the lot. The Building Standards include detached, Accessory Buildings such as garages, and describe spaces for vehicle parking.

# REGULATING PLAN

## USAGE LEGEND

-  VILLAGE CENTER
-  NEIGHBORHOOD CENTER
-  NEIGHBORHOOD GENERAL
-  NEIGHBORHOOD EDGE
-  OPEN SPACE/DETENTION
-  NEIGHBORHOOD GENERAL TYPE "D" - MEDIUM SINGLE FAMILY
-  NEIGHBORHOOD GENERAL TYPE "D-2" - MEDIUM SINGLE FAMILY



## R-3 AND B-3 LAND USES

### R-3 Permitted Uses, Conditional Uses and Special Permitted Uses

#### Permitted Uses:

A building or premises shall be permitted to be used for the following purposes in the R-3 Residential District:

- (a) Single-family dwellings (See Land Use Types Matrix; See Lot & Building Matrix);
- (b) Two-family dwellings (See Land Use Types Matrix; See Lot & Building Matrix);
- (c) Parks, playgrounds, and community buildings owned or operated by a public agency;
- (d) Public libraries;
- (e) Public elementary and high schools, or private schools having a curriculum equivalent to a public elementary or public high school and having no facilities regularly used for housing or sleeping purposes;
- (f) Nursery Garden Centers and Green Houses (See Land Use Types Matrix);
- (g) Civic or Community (See Land Use Types Matrix--Prohibited in Neighborhood General and Neighborhood Edge);
- (h) Workshop (See Land Use Types Matrix);
- (i) Retail (See Land Use Types Matrix--Prohibited in Neighborhood General and Neighborhood Edge);
- (j) Office (See Land Use Types Matrix);
- (k) Live-Work Unit (See Land Use Types Matrix; See Lot & Building Matrix--Prohibited in Neighborhood General and Neighborhood Edge);
- (l) Lodging (See Land Use Types Matrix--Prohibited in Neighborhood General and Neighborhood Edge);
- (m) Residential (See Land Use Types Matrix; See Lot & Building Matrix);
- (n) Secondary Dwelling Unit (See Land Use Types Matrix; See Lot & Building Matrix).

#### Conditional Uses:

A building or premises may be used for the following purposes in the R-3 Residential District in conformance with the conditions prescribed herein:

- (a) Churches:
  - (1) Parking shall be in conformance with the parking matrix as identified in the Village Gardens Development Plan;
  - (2) The required front and side yards shall be landscaped in conformance with the standards adopted by resolution of the City Council;
  - (3) Required side and rear yards shall be five feet or the same as the district, (See Village Gardens Development Plan Section LOT & BUILDING STANDARDS for specifications of Community buildings)
  - (4) Buildings shall not cover more than ninety percent of the lot area.
- (b) Group homes:
  - (1) Group homes shall comply with all sign, height and area regulations of the district, and all provisions of the minimum standard housing ordinance. Parking shall be regulated in conformance with the provisions of Chapter 27.67;
  - (2) The distance between the proposed use and any existing group home measured from lot line to lot line is not less than one-half mile;
  - (3) Such use shall be permitted only so long as the facility continues to be validly licensed by the State of Nebraska.
- (c) Early childhood care facilities in churches:
  - (1) The parking and loading/unloading area for such facilities shall comply with the parking matrix as identified in the Village Gardens Development Plan;
  - (2) Such facilities shall comply with all applicable state and local early childhood care requirements;
  - (3) Such facilities shall comply with all applicable building and life safety code requirements;
  - (4) Such facilities shall be fenced and have play areas that comply with the design standards for early childhood

## Village Gardens Development Standards

- care facilities;
- (5) Such facilities must receive a conditional use permit from the Department of Building and Safety.
- (d) Domestic shelter:
- (1) Parking shall be in conformance with Chapter 27.67;
  - (2) The maximum number of residents occupying such a facility shall not exceed one person per 2,000 square feet of lot area;
  - (3) The distance between the proposed use of any existing domestic shelter measured from lot line to lot line shall not be less than one mile.
- (e) Early childhood care facilities with a maximum of fifteen children present at any time:
- (1) The parking and loading/unloading area for such facilities shall comply with the provisions of Chapter 27.67 of the Lincoln Municipal Code and the design standards for early childhood care facilities;
  - (2) Such facilities shall comply with all applicable state and local early childhood care requirements;
  - (3) Such facilities shall comply with all applicable building and life safety code requirements;
  - (4) Such facilities shall be fenced and have play areas that comply with the design standards for early childhood care facilities;
  - (5) Such facilities shall be used as the permanent residence of the licensed childcare provider;
  - (6) Such facilities with thirteen or more children must receive a conditional use permit from the Department of Building and Safety;
  - (7) Early childhood care facilities located in mobile homes shall have a severe weather emergency action plan approved by the Health Department.
- (f) Elderly or retirement housing; and health care facility, residential:
- (1) Up to two dwelling units in an elderly or retirement housing project may be designated as caretaker or visitor units and the occupants thereof shall not be subject to the age requirements otherwise applicable to occupants of such a project;
  - (2) Ten percent of the dwelling units in an elderly or retirement housing project may be designated as units for handicapped persons and the occupants thereof shall not be subject to the age requirements otherwise applicable to occupants of such a project; and
  - (3) Any individual under sixty years of age who resides with an elderly person sixty years of age or more in an elderly or retirement housing project dwelling unit may continue to reside in that dwelling unit after such elderly person has died or due to health reasons has been relocated to a different residence.
- (g) Counseling facilities in churches:
- (1) The parking for such facilities shall comply with the requirements for mixed use in parking matrix as identified in the Village Gardens Development Plan.
  - (2) Such facilities shall comply with all applicable state and local licensing requirements.

### Special Permitted Uses:

A building or premises may be used for the following purposes in the R-3 Residential District if a special permit for such use has been obtained in conformance with the requirements of Chapter 27.63:

- (a) Private schools, other than those permitted above;
- (b) Omitted;
- (c) Dwellings for members of religious orders;
- (d) Mobile home courts;
- (e) Recreational facilities;
- (f) Church steeples, amateur radio antenna installations, towers, and ornamental spires which exceed the maximum district height;
- (g) Broadcast towers;
- (h) Extracting sand, gravel, and soil;
- (i) Certain parking lots as defined in Chapter 27.63;
- (j) Expansion of nonconforming uses;

- (k) Historic preservation;
- (l) Public utility purposes;
- (m) Wind energy conversion systems;
- (n) Mobile home subdivisions;
- (o) Housing and related facilities for the physically handicapped;
- (p) Outdoor seasonal sales;
- (q) Cemeteries;
- (r) Domiciliary care facility;
- (s) Expansion of nonstandard single and two-family dwellings into required yards;
- (t) Early childhood care facilities with sixteen or more children, or with fifteen or fewer children not meeting the specified conditions for a permitted conditional use under Section 27.15.030;
- (u) Neighborhood support services;
- (v) Clubs;
- (w) Connection of single-family dwelling to accessory building for the physically handicapped;
- (x) Adult care centers.

### **B-3 Land Uses Permitted Uses, Conditional Uses and Special Permitted Uses**

**Permitted Uses:**

A building or premises shall be permitted to be used for the following purposes in the B-3 Commercial District:

- (a) Parks, playgrounds, and community buildings, owned or operated by a public agency;
- (b) Public libraries;
- (c) Public elementary and high schools, or private schools having a curriculum equivalent to a public elementary or public high school, and having no rooms regularly used for housing or sleeping purposes;
- (d) Churches;
- (e) Nonprofit religious, educational, and philanthropic institutions;
- (f) Banks, savings and loan associations, credit unions, and finance companies;
- (g) Barber shops, beauty parlors, and shoeshine shops;
- (h) Private schools, including but not limited to, business or commercial schools, dance or music academies, and nursery schools;
- (i) Adult care centers;
- (j) Hospitals and clinics for animals, but not open kennels;
- (k) Self-service laundromats, and laundrettes;
- (l) Receiving stores for dry cleaning or laundry;
- (m) Messenger and telegraph stations;
- (n) Office buildings; (See Land Use Types Matrix)
- (o) Restaurants;
- (p) Stores or shops for the sale of goods at retail; (See Land Use Types Matrix)
- (q) Undertaking establishments;
- (r) Photography studios;
- (s) Key shops;
- (t) Ambulance services;
- (u) Retail bakery;
- (v) Sales and showrooms, including service facilities and rental of equipment, provided all displays and merchandise are within the enclosure walls of the buildings;
- (w) Milk distribution stations, but not involving any bottling on the premises;
- (x) Food storage lockers;
- (y) Optical lens grinding and finishing;
- (z) Clubs;
- (aa) Parking lots and storage garages;
- (bb) Enclosed commercial recreational facilities;
- (cc) Motorcycle, bicycle, and home and office equipment, but not including vehicle body repair shops
- (dd) Mail order catalog sales;
- (ee) Tailor shops, shoe repair shops, upholstery shops, printing and photocopying shops, or other, similar business

establishments.

- (ff) Health care facilities including:
  - (b) Convalescent or nursing home
  - (d) A facility for out-patient physical, occupational, or vocational therapy or rehabilitation
- (gg) Recreational facilities;
- (hh) Sale of alcoholic beverages for consumption on the premises;
- (ii) Sale of alcoholic beverages for consumption off the premises.
- (jj) Civic or Community (See Land Use Types Matrix--Prohibited in Neighborhood General and Neighborhood Edge);
- (kk) Workshop (See Land Use Types Matrix);
- (ll) Nursery Garden Centers and Green Houses (See Land Use Types Matrix);
- (mm) Live-Work Unit (See Land Use Types Matrix; See Lot & Building Matrix--Prohibited in Neighborhood General and Neighborhood Edge);
- (nn) Lodging (See Land Use Types Matrix);
- (oo) Residential (See Land Use Types Matrix; See Lot & Building Matrix);

**Conditional Uses:**

A building or premises may be used for the following purposes in the B-3 Commercial District in conformance with the conditions prescribed herein:

- (a) Automobile wash facility:
  - (1) Automatic, conveyor-operated: The length and location of vehicle stacking lane or lanes for the approach side or sides and the exit side or sides of the wash operation shall be in conformance with the "guidelines and regulations for driveway design and location" as adopted by the City of Lincoln. The stacking space shall not be located within the required front yard.
  - (2) Self-service, coin-operated car wash: The car wash facility shall not exceed four wash bays. The length and location of vehicle stacking lane or lanes for the approach side or sides and the exit side or sides of the wash operation shall be in conformance with the "guidelines and regulations for driveway design and location" as adopted by the City of Lincoln. The stacking space shall not be located within the required front yard.
  
- (b) Motels and hotels: A distance of at least twenty feet shall be maintained between buildings on the lot, and each hotel or motel unit shall have a minimum enclosed floor area of 200 square feet.
  
- (c) Furnace, heating, sheet metal, electrical shops or electrical contractors, heating and air conditioning contractors, and cabinet shops or stores:
  - (1) The floor area of said premises not devoted to sales or office space shall not exceed 8,000 square feet;
  - (2) Not more than ten percent of the lot or tract occupied by the establishment shall be used for open and unenclosed storage of material and equipment;
  - (3) All outside storage of material and equipment shall be screened by an opaque six-foot tall fence constructed of wood, or a substitute material found acceptable by the Director of Building and Safety.
  
- (d) Tire stores and sales, including vulcanizing:
  - (1) The floor area of said premises not devoted to sales or office space shall not exceed 4,000 square feet;
  - (2) There shall be no manufacturing on the premises.
  
- (e) Tailor shops, shoe repairing, upholstery shops, printing, photocopying, household appliances repairs, or similar business establishments; dyeing and drycleaning works; laundry; plumbing and water softener service shops. The floor area of said premises not devoted to sales or office space shall not exceed 4,000 square feet.
  
- (f) Recycling center:
  - (1) The building area of such center shall not exceed 4,000 square feet;
  - (2) Adequate traffic stacking shall be provided on site as determined by the city;
  - (3) All required parking shall be provided on site;
  - (4) The facility shall not be designed to receive nor shall it accept shipments by semi-trailer trucks;

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- (5) The construction and operation of such center shall comply with all applicable health and fire codes;
- (g) Early childhood care facilities:
- (1) Such facilities shall comply with all applicable state and local early childhood care requirements;
  - (2) Such facilities shall comply with all building and life safety code requirements;
  - (3) Such facilities shall be fenced and have play areas that comply with the design standards for early childhood care facilities;
  - (4) Such facilities must receive a conditional use permit from the Department of Building and Safety.
- (h) Service stations and automobile or appliance sales and repair facilities, but not including vehicle body repair shops.
- (1) No automobile or appliance sales and repair facility shall be permitted to locate within 100 feet of any residential use or district;
  - (2) Any service station or automobile or appliance sales and repair facility located within 100 feet of any residential use or district which was lawfully established in this district on the effective date of this ordinance, shall screen the facility from such residential use or district by the use of an opaque fence six feet in height, constructed of wood, or of a substitute material found acceptable to the Director of Building and Safety subject to the provision of condition (3) below;
  - (3) Any service station or automobile or appliance sales and repair facility located within 100 feet of any residential use or district which was lawfully established in this district on the effective date of this ordinance shall have until October 1, 2003 to be brought into compliance with condition (2) above;
  - (4) The locational or screening requirements of (1), (2), and (3) above shall not apply when said residential use or district is across a public street from the service station or automobile or appliance sales and repair facility, but shall apply if said residential use or district is across an alley or private drive from the service station or automobile or appliance sales and repair facility;
  - (5) Any service station lawfully established in this district, after the effective date of this ordinance, shall screen the facility from any residential use or district by the use of an opaque fence, six feet in height, constructed of wood or of a substitute material found acceptable to the Director of Building and Safety; provided that said screening requirement shall not apply when said residential use or district is across a public street from the service station, but shall apply if said residential use or district is across an alley or private drive from the service station.

### Special Permitted Uses:

A building or premises may be used for the following purposes in the B-3 Commercial District if a special permit for such use has been obtained in conformance with the requirements of Chapter 27.63:

- (a) Health care facilities;
  - (a) Hospitals
  - (b) A facility in which sixteen or more people reside while receiving therapy, counseling, or rehabilitation for physical, emotional, or mental disease or disability;
  - (c) Public health clinics and facilities;
  - (d) Ambulatory surgical care center which does not allow for overnight stay by patients. Ambulatory surgical center does not include an office or clinic used solely by a practitioner or group of practitioners in the practice of medicine, dentistry, or podiatry. Except as provided in (a) above, health care facilities does not include doctors' or dentists' professional offices and private clinics.
- (b) Church steeples, towers, and ornamental spires which exceed the maximum district height;
- (c) Broadcast towers;
- (d) Expansion of nonconforming use;
- (e) Historic preservation;
- (f) Public utility purposes;
- (g) Wind energy conversion systems;
- (h) Cemeteries;
- (i) Dwellings above the first story of a building which cannot meet the yard requirements of Section 27.33.080(g);

## THE TRANSECT ZONE MATRICES

### Land Use Types Matrix

Village Gardens features a mix of uses, all complementary to the goal of developing a healthy, affordable community. Instead of disconnected ‘pods’ of single-use activity, Village Gardens reflects traditional Midwestern small town form, with streets that may contain residential, retail and civic uses within a single block.

While the Village Center provides for the majority of commercial uses, the Neighborhood Center zone allows a range of land uses. The Neighborhood General and Edge zones allow only residential development and limited home occupation opportunities.

Transect Zones →		Shaded = Permitted Not Shaded = prohibited			
Land Use Types →		Village Center (underlying B-3 district)	Neighborhood Center (underlying R-3 district)	Neighborhood General (underlying R-3 district)	Neighborhood Edge (underlying R-3 district)
	Civic or Community		See Note 1	n/a	n/a
	Workshop	See Note 2	See Note 3, 10	See Note 4, 10	See Note 4, 10
	Retail		See Note 5	n/a	n/a
	Nursery, Garden Center & Green Houses				
	Office		See Note 6, 10	See Note 7, 10	See Note 7, 10
	Live-Work Unit		See Note 10		
	Lodging		See Note 8	See Note 8	See Note 8
	Residential	See Note 11	See Note 11	See Note 11	See Note 11
	Secondary Dwelling Unit	n/a	See Note 9	See Note 9	See Note 9
Elderly or Retirement Housing & Healthcare Facility, Residential					

#### Notes:

1. Civic or community uses serving primarily Village Gardens residents and their guests or a church.
2. Workshop uses only permitted in conjunction with retail sales within the same building. Workshop uses shall be located on the first floor and occupy at maximum the rear 75% of the building footprint or located in the basement of the building. Outdoor storage of manufacturing components or equipment is prohibited.
3. Workshop uses shall be limited to 600 sq. ft. in floor area. Workshop uses shall be located in an Accessory Building to the rear of the primary building, or shall be located on the first floor and occupy at maximum the rear 50% of the primary building footprint or located in the basement of the primary building. Outdoor storage of manufacturing components or equipment is prohibited. Workshop uses may operate in conjunction with first floor retail.
4. Workshop uses shall be limited to 600 sq. ft. in floor area. Workshop uses shall be located in an Accessory Building to the rear of the primary building, or shall be located on the first floor and occupy at maximum the rear 50% of the primary building footprint or located in the basement of the primary building. Outdoor storage of manufacturing components or equipment is prohibited. Product sales and signage shall be prohibited.
5. Retail uses are limited to 2,000 sq. ft. located on the first floor of a live/work building. A maximum of two live/work units may be connected to create up to 4,000 sq. ft. of retail uses. Permitted uses allow retail sales, personal services (such as hair salons), childcare facilities, and coffee shops or restaurants with a maximum of 40 seats. Signage permitted.

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6. Office uses are limited to 2,500 sq. ft. located primarily in a live/work building. A maximum of two live/work units may be connected to create up to 5000 sq. ft. of office uses. Point-of-service and signage permitted.
7. Office uses shall be limited to home occupations. A home occupation shall mean any office occupation or activity carried on within a dwelling unit or Accessory Building by a member of the family residing on the residential lot, which occupation or activity is incidental and secondary to the residential occupancy and does not change the residential character thereof. Home occupations shall be a maximum of 1000 sq. ft. in floor area, located either in an Accessory Building to the rear of the primary building, or in the primary building, occupying at maximum 50% of the building footprint. Point-of-service type offices shall be prohibited. Signage permitted.
8. Lodging shall be limited to bed & breakfast establishments with a maximum of four guest rooms. One additional parking space per guest room shall be required on-site. Signage is permitted.
9. Secondary dwelling units shall not exceed 1000 sq. ft. in floor area on lots with a width of 45 ft or more. On lots with a minimum width of less than 45 ft., the secondary dwelling units shall not exceed 600 sq. ft. and shall be located within an Accessory Building to the rear of the primary building. Secondary dwelling units shall have separate outside entrances.
10. Up to two non-family member employees may be employed and work on site. However, in the Live-Work type there is no limitation on employees. One on-site parking space per employee is required. In the case of the Live-Work type the required parking can be one site and/or in the shared parking to the west of the units.
11. See Lot & Building Types Matrix for allowed residential uses.

## Lot & Building Types Matrix

Village Gardens provides a variety of lot and building types, from large detached houses around the perimeter to small cottages, attached row houses and apartments in the Neighborhood Center and Village Center zones. The mix of uses and building types provides the choices needed to create a neighborhood where people of different ages, incomes and families can live, work and play.

Transect Zones →		Shaded = Permitted Not Shaded = prohibited			
Lot & Building Types →		Village Center (underlying B-3 district)	Neighborhood Center (underlying R-3 district)	Neighborhood General (underlying R-3 district)	Neighborhood Edge (underlying R-3 district)
	Type A – Rowhouse	n/a	See Note 1, 7	See Note 7	n/a
	Type B – Townhouse	n/a	See Note 1,7	See Note 7	n/a
	Type B/C - Bungalow Court	n/a	See Note 1, 7	See Note 7	n/a
	Type C – Small SF	n/a	See Note 1,7	See Note 7	n/a
	Type D – Medium SF	n/a	See Note 1,7	See Note 7	See Note 7
	Type E – Large SF	n/a	n/a	See Note 7	See Note 7
	Type F – MF Mansion	See Note 3	See Note 1, 3, 7	n/a	n/a
	Type G – MF Apartment		See Note 4, 7	n/a	n/a
	Type H – Civic or Community	See Note 2	See Note 2, 5	n/a	n/a
	Type I – Mixed-Use	See Note 6	n/a	n/a	n/a
	Type J –Elderly or Retirement Housing & Healthcare Facility, Residential	n/a	See Note 8	See Note 8	See Note 8

### Notes:

1. Live/work units permitted. Commercial uses shall be limited according to the Land Use Types within this document.
2. Structures that are not fully enclosed having a footprint of less than 400 sq ft. and an overall height of less than 16 ft. shall be considered landscape elements.
3. Limited to 12 units per building in the Village Center; limited to 8 units per building in the Neighborhood Center.
4. Limited to lots between Yankee Hill Road and Chatsworth Lane.
5. Limited to Civic or Community uses serving primarily Village Gardens residents and their guests or a church. Civic or Community buildings shall be limited according to the Civic or Community use designation in the Land Use Types matrix.
6. Mixed-use buildings may occupy two or more of the following uses within the same building: retail, professional services, personal services, workshop, office, artisan, restaurant, lodging, childcare, professional business, governmental services, entertainment, recreational, residential and related accessory uses. Uses may be divided vertically or horizontally.
7. All residential lots along Pine Lake Road will have a setback of 20’ from Pine Lake Road.
8. Permitted use on lots more than 10,000 sq. ft.

## SIGNAGE & PARKING STANDARDS:

### Sign Information:

The following requirements apply to the signage requirements in Village Gardens based on the Village Gardens PUD. If the requirement is not listed, the Village Gardens PUD is governed by the City of Lincoln code. Please refer to the Village Gardens Regulatory Modifications document for specific information on the alterations made to the City of Lincoln codes regarding Signage.

1. In the R-3 zoning districts, the specific regulations are as follows: In the Neighborhood Center areas, up to two on-premises wall signs or projecting signs per lot, each not to exceed eight square feet of sign area, used to identify commercial uses and home occupations. In the Neighborhood General and Neighborhood Edge areas, one on-premises wall sign per lot, not to exceed two square feet of sign area, nonilluminated and nonreflecting, used to identify home occupations. One on-premises wall sign per lot, not to exceed two square feet of sign area, nonilluminated and nonreflecting, used to identify transitional lot uses, block parents, the name of the premises or occupants thereof, or to provide similar information. Lighted vending machines are not permitted in view from off the premises. In the case of an Elderly or Retirement Housing facility, or a Healthcare Facility, Residential on a lot of more than 10,000 square feet, one ground sign of 32 square feet per side is permitted for street frontage. If facility abuts more than one street, one sign per street is approved. Lighting of the sign may be external or letters may be individually lit; no backlit signs will be permitted. Notwithstanding the foregoing, signage on Lot 1, Block 27 shall be governed by the City of Lincoln codes for the underlying R-3 zoning.
2. In the B-3 zoning districts, at the entrances abutting major arterials of the 'Village Center' usage area of Village Gardens, a ground sign identifying and advertising the Village Center businesses shall be permitted. Such sign shall not exceed 150 square feet and a height of 10 feet. In addition to the other allowed signs, one ground sign not more than 150 square feet in the height identifying and advertising the Village Center Businesses shall be permitted at each major arterial street entrance to the Village Center area of Village Gardens.
3. When part of a landscape screen approved by the Planning Director, the following ground signs, not exceeding twenty square feet in area or six feet in height and identifying a multiple-dwelling complex or subdivision area, may be located in the required front yard or building line district:
  - a. Up to two signs may be located at each entrance to the multiple-dwelling complex or subdivision area.
4. Directional, educational and informational signs may be attached to any natural object due to the nature and aesthetics of the Village Gardens project with the approval of the Planning Director.
5. 27.69.340 Permitted Signs for General Planned Unit Developments Subsection (a) is deleted. See B-3 and R-3 underlying zoning standards listed for Village Gardens PUD sign requirements as contained in the Development Plan for the applicable requirements.

**Parking matrix:**

The following matrix defines the parking requirements per lot and building type for easy reference. This information can also be found within the Lot & Building Standards.

	# of Parking Spaces per du	Min. Number of Parking Spaces per 100 sq. ft of largest seating area and per 600 sq. ft for other uses	Secondary Dwelling Unit requirements	Live-Work requirements
Type A – Rowhouse	1	n/a	No on-site parking required for secondary dwelling units	2 parking spaces are required per du.
Type B – Townhouse	2	n/a	No on-site parking required for secondary dwelling units	n/a
Type B/C - Bungalow Court	2	n/a	No on-site parking required for secondary dwelling units	n/a
Type C – Small SF	2	n/a	No on-site parking required for secondary dwelling units	n/a
Type D – Medium SF	2	n/a	No on-site parking required for secondary dwelling units	n/a
Type E – Large SF	2	n/a	No on-site parking required for secondary dwelling units	n/a
Type F – MF Mansion	1.5	n/a	n/a	n/a
Type G – MF Apartment	1.5	n/a	n/a	n/a
Type H – Civic or Community	n/a	1*	No on-site parking required for secondary dwelling units	n/a
Type I – Mixed-Use	1	1	n/a	n/a
Type J –Elderly or Retirement Housing & Healthcare Facility, Residential	**	n/a	n/a	n/a

\*Total number of on-site parking stalls required for a combined Civic/Community use and Early Childhood Care Facility in the Neighborhood Center shall be 82 parking stalls based upon a 10,000 square foot area of largest assembly area and 270 children and 30 full time staff members.

\*\*Parking requirements per City of Lincoln Municipal Code and Design Standards.

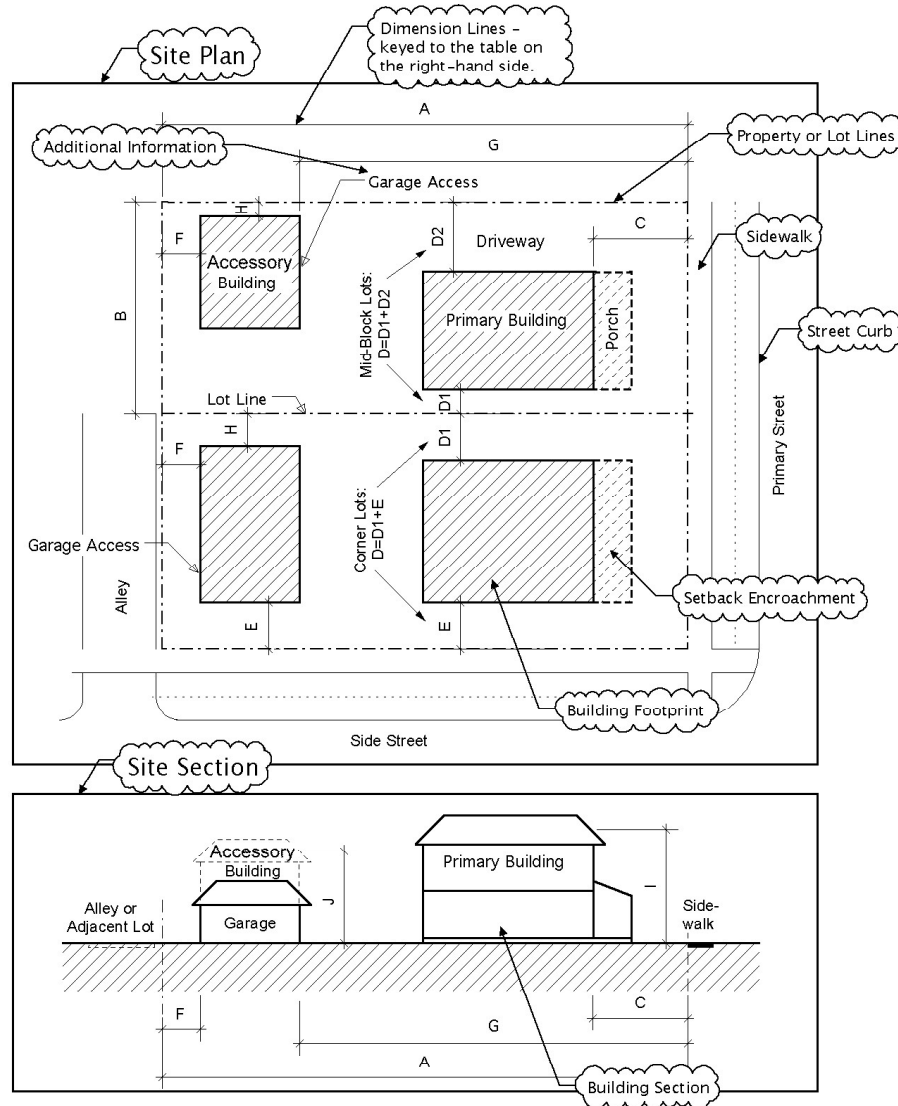
**PM TRIP COUNT STANDARDS AND CALCUATIONS**

**TRIP CALCULATION REMOVED AS PART OF ADMINISTRATIVE AMENDMENT TO CZ04075E**

# LOT & BUILDING STANDARDS

## How To Interpret Lot Diagrams

The Village Gardens Lot & Building Standards are designed to be user-friendly and understandable by developers, regulators, homebuilders and homeowners. Each building type is detailed in individual pages, with key diagrams such as the following to illustrate concepts that are difficult to adequately portray only in text form.

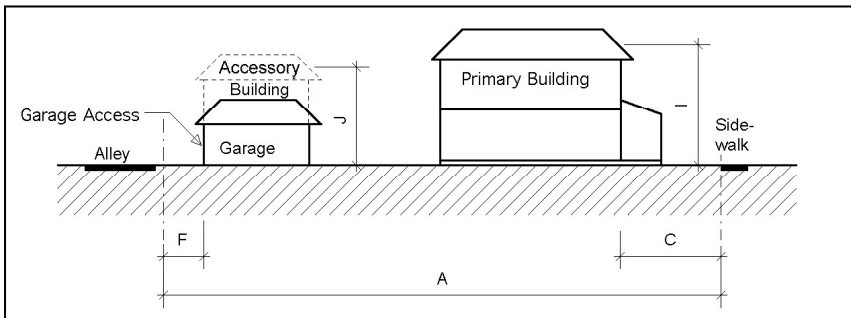
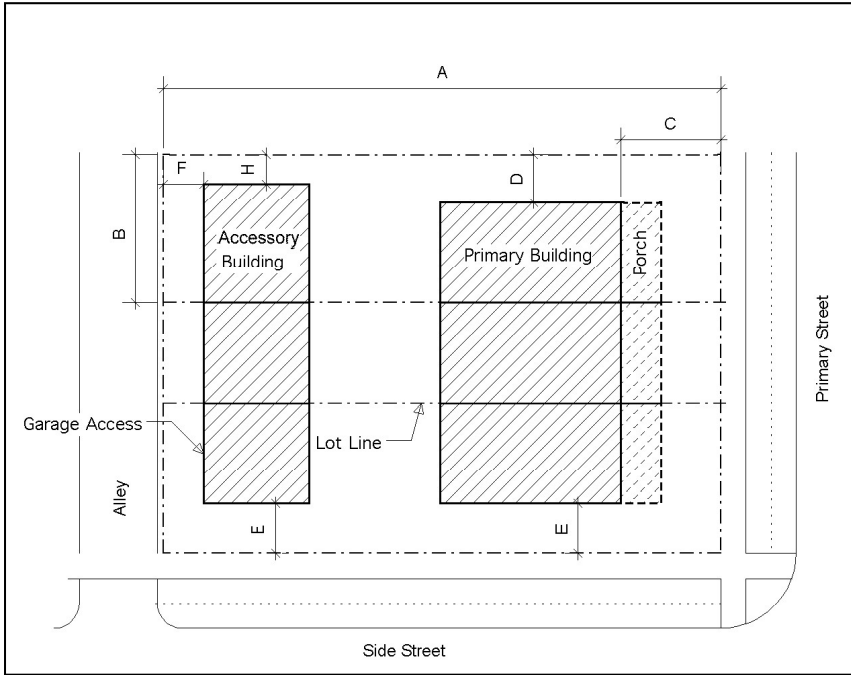


This diagram represents a site-section through the lot, and is primarily used to represent building heights. It is also useful for illustrating the lot standards 3-dimensionally.

A	Min. Lot Depth	x ft.
B	Min. Lot Width	x ft.
C	Min. Primary Street Setback	x ft.
D	Min. Combined Side Yard Adjacent Lot Setback	x ft.
E	Min. Side Street Setback	x ft.
F	Min. Primary or Accessory Bldg. Rear Setback	x ft.
G	Min. Accessory Bldg. Front Setback	x ft.
H	Min. Accessory Bldg. Side Setback	x ft.
I	Max. Primary Bldg. Height	x ft.
J	Max. Accessory Bldg. Height	x ft.
	Min. Number of On-Site Parking Spaces per Dwelling Unit	x
	Secondary Dwelling Unit	Y/N
	Y = permitted; N = prohibited	
	Primary Building Entrance	
	Note	
	Allowable Encroachments: (Proper Sight Triangle must be maintained)	
	Note	
	Note	
	Note	

## Type A – Rowhouse

Rowhouses are attached single-family houses on individual platted lots. Rowhouses share common walls with one or more adjacent units. Rowhouse groups consist of a minimum of three units. Alleys in the rear of the lots provide vehicular access to Rowhouses. Front driveways and street facing garages are prohibited. Attached or detached garages and shared driveways are permitted.



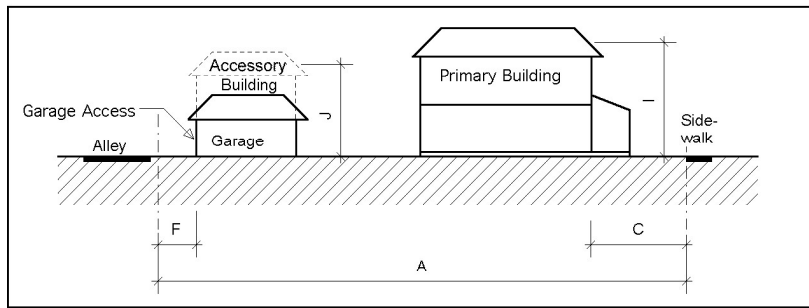
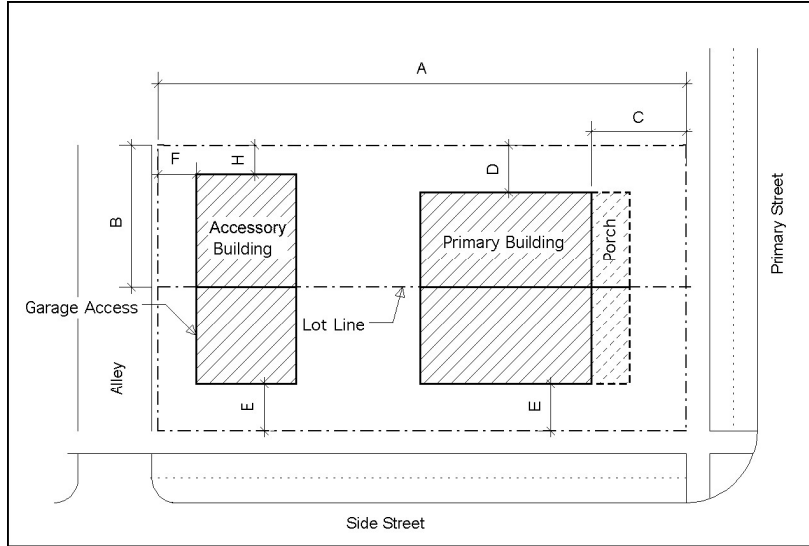
**NOTES FROM THE LOT & BUILDING TYPES MATRIX:**

- Live/work units permitted. Commercial uses shall be limited according to the Land Use Types within this document.

A	Min. Lot Depth	80 ft.
B	Min. Lot Width (each unit)	18 ft.
C	Min. Primary Street Setback	
	• Neighborhood Center	0 ft.
	• Neighborhood General	0 ft.
D	Min. Combined Side Yard Adjacent Lot Setback	5 ft.
	One side of end lots only. Setback on attached side shall be 0 ft.	
	At corner lots, only the side street setback E shall be applied.	
E	Min. Side Street Setback	5 ft.
F	Min. Primary or Accessory Bldg. Rear Setback	8 ft.
G	Min. Accessory Bldg. Front Setback	n/a
H	Min. Accessory Bldg. Side Setback	2 ft.
	This setback may be waived if Accessory Buildings are attached.	
I	Max. Primary Bldg. Height	40 ft.
	Tower elements of a maximum of 200 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 10 ft.	
J	Max. Accessory Bldg. Height	30 ft.
	<b>PARKING:</b>	
	Min. Number of On-Site Parking Spaces per Dwelling Unit	1*
	No on-site parking required for secondary dwelling units. * If it is a live-work unit, 2 parking spaces are required per du.	
	Secondary Dwelling Unit	Y*
	Y = permitted; N = prohibited	
	*Shall be limited to 600 sq. ft	
	<b>Primary Building Entrance</b>	
	The primary pedestrian building entrance shall be located along a public street, common walkway or park.	
	<b>Allowable Encroachments: (Proper Sight Triangle must be maintained)</b>	
	Covered or uncovered porches or stoops may encroach into the front or side street setback no deeper than 12 ft. and no closer than 0 ft. from a property line.	
	Bay windows and other similar enclosed building elements may be no wider than 6 ft. and may encroach up to 2 ft. in setbacks no closer than 0 ft. from a property line. The bay windows must not encroach within 4 ft. of the corners of the primary building. Any light well or egress window may be located in any required front, side or rear yard, provided: No such light well or egress window may be placed within two feet of any property Line.	
	Uncovered decks, balconies & trellises may encroach into setbacks, no deeper than 8 ft. and no closer than 0 ft. from a property line.	
	All building setbacks and building encroachments shall provide the proper Sight Triangle.	
	Driveways may encroach into all setbacks where curb cuts are permitted.	

## Type B – Townhouse

Townhouses are attached single-family houses on individual platted lots. Townhouses share a common wall with one adjacent unit. Alleys in the rear of the lots provide vehicular access to Townhouses. Front driveways and street facing garages are prohibited. Attached or detached garages and shared driveways are permitted.



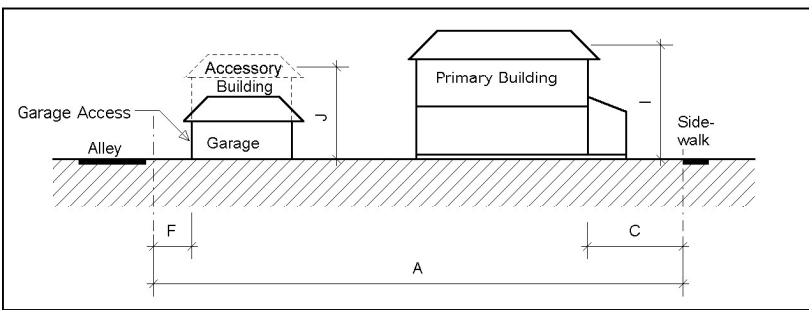
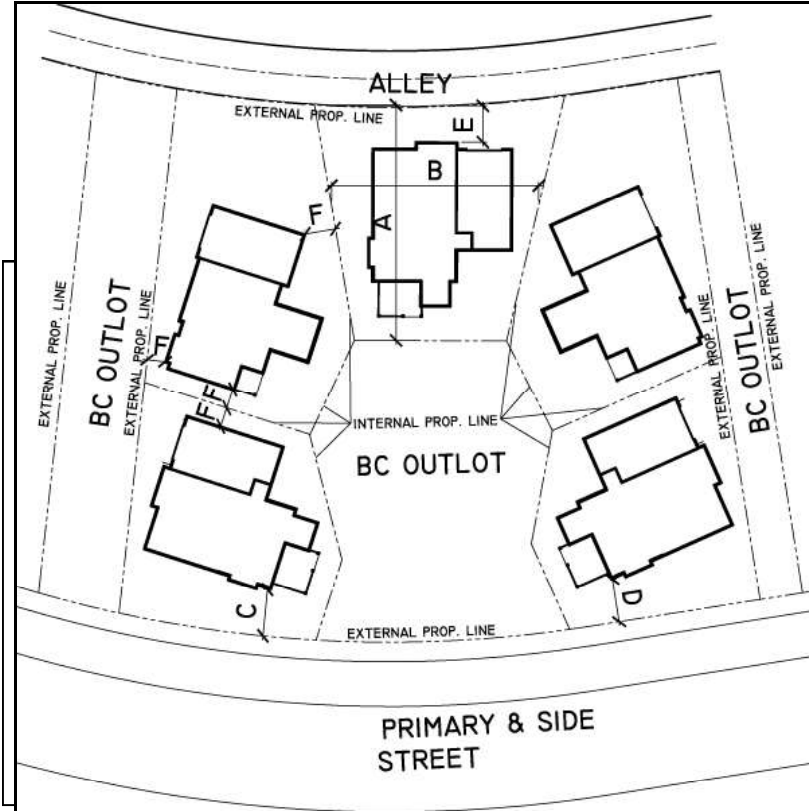
**NOTES FROM THE LOT & BUILDING TYPE MATRIX:**

- Live/work units permitted. Commercial uses shall be limited according to the Land Use Types within this document.

A	Min. Lot Depth	80 ft.
B	Min. Lot Width (each unit)	20 ft.
C	Min. Primary Street Setback	
	• Neighborhood Center	0 ft.
	• Neighborhood General	0 ft.
D	Min. Combined Side Yard Adjacent Lot Setback	5 ft.
	One side of end lots only. Setback on attached side shall be 0 ft.	
	At corner lots, only the side street setback E shall be applied.	
E	Min. Side Street Setback	5 ft.
F	Min. Primary or Accessory Bldg. Rear Setback	8 ft.
G	Min. Accessory Bldg. Front Setback	n/a
H	Min. Accessory Bldg. Side Setback	2 ft.
	This setback may be waived if Accessory Buildings are attached.	
I	Max. Primary Bldg. Height	
	• Neighborhood Center	40 ft.
	• Neighborhood General	40 ft.
	Tower elements of a maximum of 200 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 10 ft.	
J	Max. Accessory Bldg. Height	30 ft.
	<b>PARKING:</b>	
	Min. Number of On-Site Parking Spaces per Dwelling Unit	2
	No on-site parking required for secondary dwelling units	
	Secondary Dwelling Unit	Y*
	Y = permitted; N = prohibited	
	*Shall be limited to 600 sq. ft.	
	Primary Building Entrance	
	The primary pedestrian building entrance shall be located along a public street, common walkway or park.	
	Allowable Encroachments: (Proper Sight Triangle must be maintained)	
	Covered or uncovered porches or stoops may encroach into the front or side street setback no deeper than 12 ft. and no closer than 0 ft. from a property line.	
	Bay windows and other similar enclosed building elements may be no wider than 6 ft. and may encroach up to 2 ft. in setbacks no closer than 0 ft. from a property line. The bay windows must not encroach within 4 ft. of the corners of the primary building. Any light well or egress window may be located in any required front, side or rear yard, provided: No such light well or egress window may be placed within two feet of any property Line.	
	Uncovered decks, balconies & trellises may encroach into setbacks, no deeper than 8 ft. and no closer than 0 ft. from a property line.	
	All building setbacks and building encroachments shall provide the proper Sight Triangle.	
	Driveways may encroach into all setbacks where curb cuts are permitted.	

## Type B/C – Bungalow Court

Bungalow Courts are detached single-family dwelling units on individual platted lots situated around a shared outlet featuring shared landscaping and sidewalk system. Alleys in the rear of the lots provide vehicular access to Bungalow Courts. Front driveways and street facing garages are prohibited. Attached or detached garages and shared driveways are permitted.



A Min. Lot Depth	30ft.
B Min. Lot Width (each unit)	30 ft.
C Min. Primary Street Setback	
<ul style="list-style-type: none"> <li>Neighborhood Center</li> <li>Neighborhood General</li> </ul>	10 ft. 10 ft.
D Min. Side Street Setback	5 ft.
E Min. Primary or Accessory Bldg. rear setback	8 ft.
F Min. Primary or Accessory Bldg. rear,side, front setback from internal property line	3 ft.
G Min. Accessory Bldg. Side Setback	n/a
This setback may be waived if Accessory Buildings are attached.	
H Max. Primary Bldg. Height	
<ul style="list-style-type: none"> <li>Neighborhood Center</li> <li>Neighborhood General</li> </ul>	40 ft. 40 ft.
Tower elements of a maximum of 200 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 10 ft.	
I Max. Accessory Bldg. Height	20 ft
<b>PARKING:</b>	
Min. Number of On-Site Parking Spaces per Dwelling Unit including outside parking in outlot areas	2
No on-site parking required for secondary dwelling units	
Secondary Dwelling Unit	N
Y = permitted; N = prohibited *Shall be limited to 600 sq. ft	
Primary Building Entrance	
The primary pedestrian building entrance shall be located along a public street, common walkway or park.	
Allowable Encroachments: (Proper Sight Triangle must be maintained)	
Bay windows and other similar enclosed building elements may be no wider than 6 ft. and may encroach up to 2 ft. in setbacks no closer than 0 ft. from a property line. Any light well or egress window may be located in any required front, side or rear yard, provided: No such light well or egress window may be placed within two feet of a corner that is adjacent to an outlot property line.	
Uncovered decks, balconies & trellises may encroach into setbacks no closer than 0 ft. from a property line.	
All building setbacks and building encroachments shall provide the proper Sight Triangle.	
Driveways may encroach into all setbacks where curb cuts are permitted.	
Internal lot line shall be defined as a lot line that is adjacent to a bungalow court outlot or a shared lot line between two bungalow court lots.	

**NOTES FROM THE LOT & BUILDING TYPE MATRIX:**

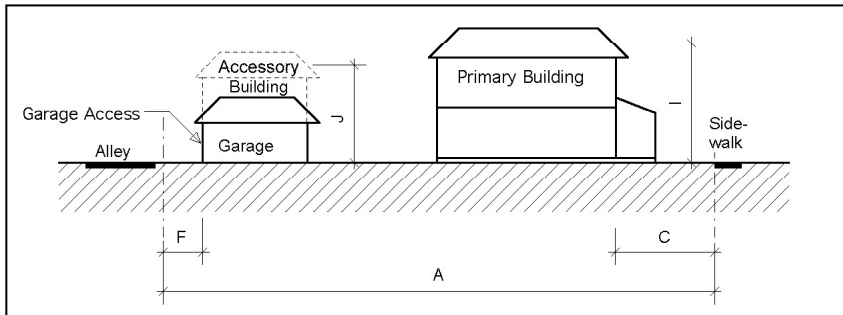
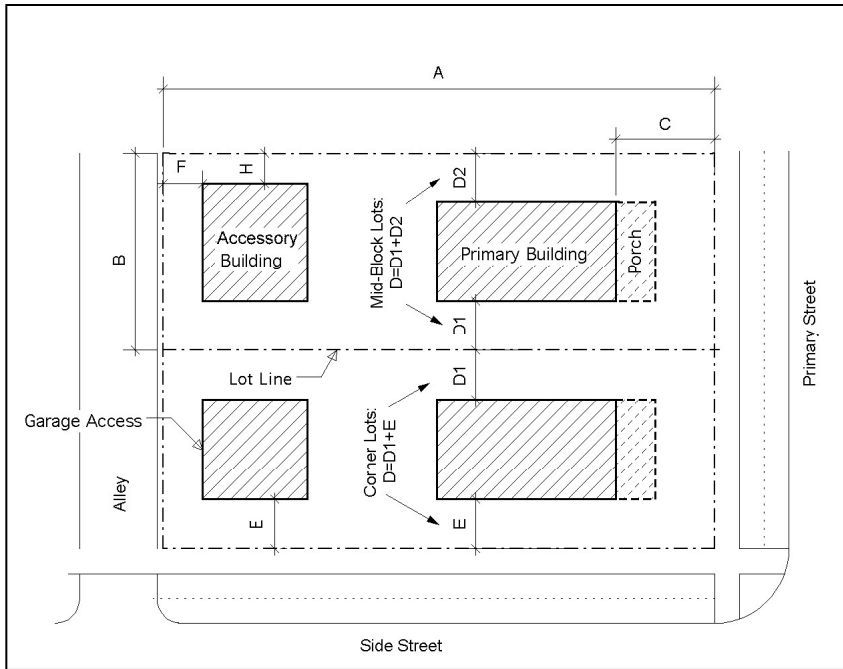
- ❑ Live/work units permitted. Commercial uses shall be limited according to the Land Use Types within this document.

**ADDITIONAL NOTES:**

- ❑ Driveways providing access to the Bungalow Court dwelling units will NOT be accessible from public streets or roadways. Such driveways will only be accessible from the alleyways.

## Type C – Small Single-Family

Small Single-Family Houses are the smallest type of detached residential units in Village Gardens. Small Single-Family Houses are located on intimate lots and have reduced side yards. Alleys in the rear of the lots provide vehicular access to Small Single-Family Houses. Front driveways and street facing garages are prohibited. Attached or detached garages and shared driveways are permitted.



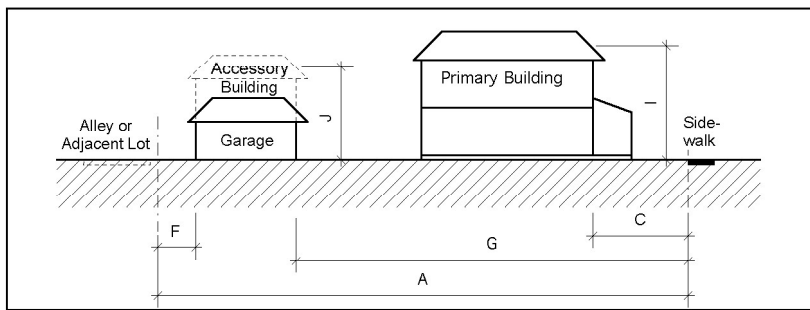
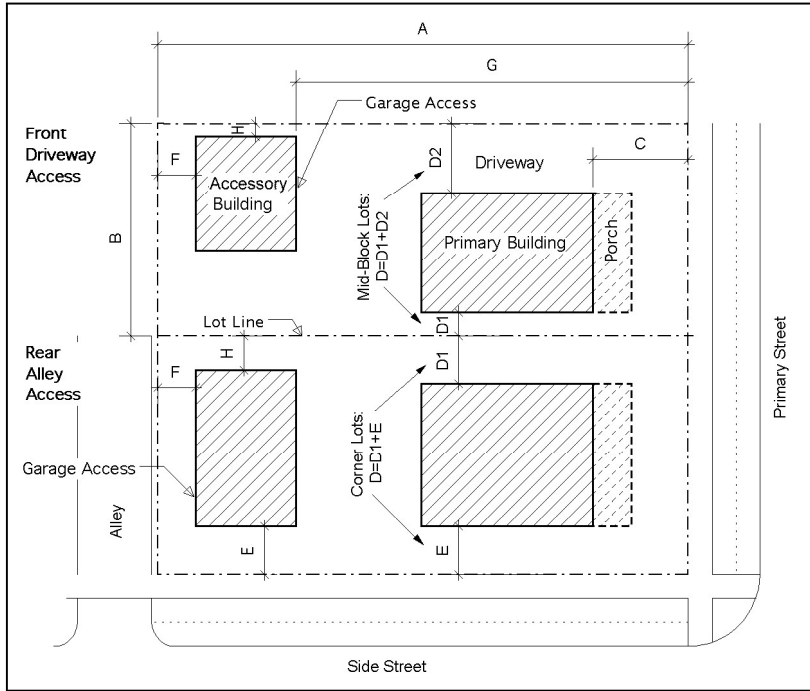
**NOTES FROM THE LOT & BUILDING TYPE MATRIX:**  
 Live/work units permitted. Commercial uses shall be limited according to the Land Use Types within this document.

A	Min. Lot Depth	80 ft.
B	Min. Lot Width	33 ft.
C	Min. Primary Street Setback	
	• Neighborhood Center	10 ft.
	• Neighborhood General	15 ft.
D	Min. Combined Side Yard Adjacent Lot Setback	7 ft.

	Setback shall be a minimum of 3 ft. on one side.	
	At corner lots, the side street setback E shall be included in the calculation of D.	
E	Min. Side Street Setback	5 ft.
F	Min. Primary or Accessory Bldg. Rear Setback	8 ft.
G	Min. Accessory Bldg. Front Setback	n/a
H	Min. Accessory Bldg. Side Setback	3 ft.
	This setback may be waived if Accessory Buildings are attached.	
I	Max. Primary Bldg. Height	
	• Neighborhood Center	40 ft.
	• Neighborhood General	40 ft.
	Tower elements of a maximum of 200 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 10 ft.	
J	Max. Accessory Bldg. Height	30 ft.
	<b>PARKING:</b>	
	Min. Number of On-Site Parking Spaces per Dwelling Unit	2
	No on-site parking required for secondary dwelling units	
	Secondary Dwelling Unit	Y*
	Y = permitted; N = prohibited	
	* Lots with less than 45 ft. wide shall be limited to 600 sq. ft in building size. Lots 45 ft wide are limited to 1000 sq. ft. in building size.	
	<b>Primary Building Entrance</b>	
	The primary pedestrian building entrance shall be located along a public street, common walkway or park.	
	<b>Allowable Encroachments: (Proper Sight Triangle must be maintained)</b>	
	Covered or uncovered porches or stoops may encroach into the front or side street setback no deeper than 12 ft. and no closer than 0 ft. from a property line.	
	Bay windows and other similar enclosed building elements may be no wider than 6 ft. and may encroach up to 2 ft. in setbacks no closer than 00 ft. from a property line. The bay windows must not encroach within 4 ft. of the corners of the primary building. Any light well or egress window may be located in any required front, side or rear yard, provided: No such light well or egress window may be placed within two feet of any property Line.	
	Uncovered decks, balconies & trellises may encroach into setbacks, no deeper than 8 ft. and no closer than 0 ft. from a property line.	
	All building setbacks and building encroachments shall provide the proper Sight Triangle.	
	Driveways may encroach into all setbacks where curb cuts are permitted.	

## Type D – Medium Single-Family

Medium Single-Family Houses are mid-sized detached residential units. Medium Single-Family Houses are located on mid-sized lots and have useable side yards. Alleys in the rear of the lots or front driveways may provide vehicular access to Medium Single-Family Houses. However, if alley access is provided front driveways and street facing garages shall be prohibited. Attached or detached garages and shared driveways are permitted.



**NOTES FROM THE LOT & BUILDING TYPE MATRIX:**  
 None

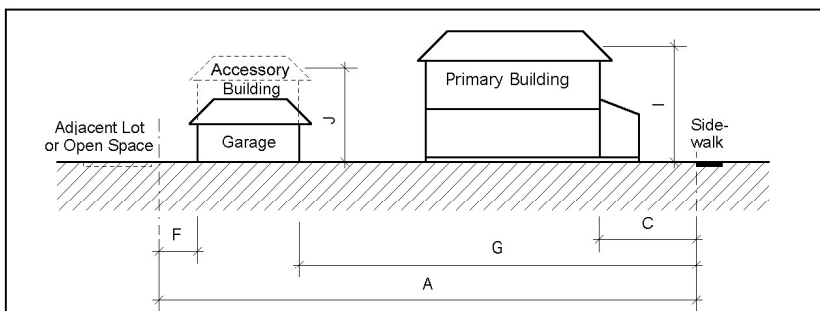
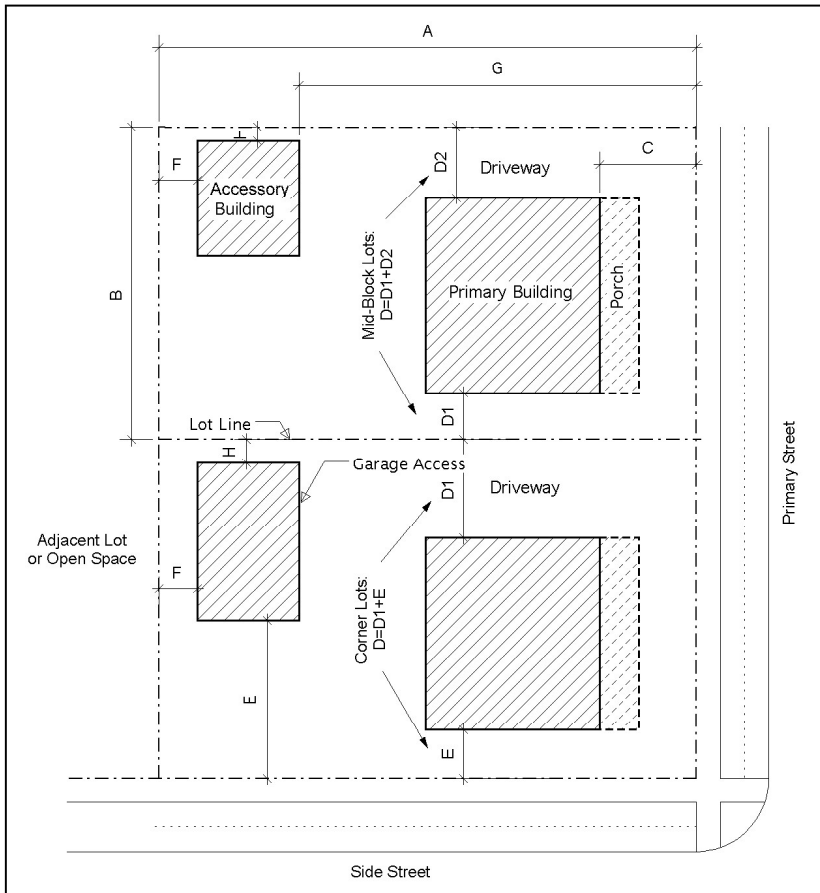
<b>A</b>	Min. Lot Depth	80 ft.
<b>B</b>	Ave. Lot Width	50 ft.
<b>C</b>	Min. Primary Street Setback	
	Neighborhood Center	10 ft.
	Neighborhood General	15 ft.
	Neighborhood Edge	15 ft.
<b>D</b>	Min. Combined Side Yard Adjacent Lot Setback	10 ft.
	Setback shall be a minimum of 3 ft. on one side.	
	At corner lots, the side street setback E shall be included in the calculation of D.	
<b>E</b>	Min. Side Street Setback	5 ft.
<b>F</b>	Min. Primary or Accessory Bldg. Rear Setback	8 ft.
	May be reduced to 3 ft. if garage is front accessed.	
<b>G</b>	Min. Accessory Bldg. Front Setback	45 ft.
<b>H</b>	Min. Accessory Bldg. Side Setback	3 ft.
	This setback may be waived if Accessory Buildings are attached.	
<b>I</b>	Max. Primary Bldg. Height	
	• Neighborhood General	40 ft.
	• Neighborhood Edge	40 ft.
	Tower elements of a maximum of 200 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 10 ft.	
<b>J</b>	Max. Accessory Bldg. Height	30 ft.
	<b>PARKING:</b>	
	Min. Number of On-Site Parking Spaces per Dwelling Unit	2
	No on-site parking required for secondary dwelling units	
	Secondary Dwelling Unit	Y*
	Y = permitted; N = prohibited	
	* Shall be limited to 1000 sq. ft.	
	<b>Primary Building Entrance</b>	
	The primary pedestrian building entrance shall be located along a public street, common walkway or park.	
	<b>Allowable Encroachments:</b> (Proper Sight Triangle must be maintained)	
	Covered or uncovered porches or stoops may encroach into the front or side street setback no deeper than 12 ft. and no closer than 0 ft. from a property line.	
	Bay windows and other similar enclosed building elements may be no wider than 6 ft. and may encroach up to 2 ft. in setbacks no closer than 0 ft. from a property line. The bay windows must not encroach within 4 ft. of the corners of the primary building. Any light well or egress window may be located in any required front, side or rear yard, provided: No such light well or egress window may be placed within two feet of any property Line.	
	Uncovered decks, balconies & trellises may encroach into setbacks, no deeper than 8 ft. and no closer than 0 ft. from a property line.	
	All building setbacks and building encroachments shall provide the proper Sight Triangle.	
	Driveways may encroach into all setbacks where curb cuts are permitted.	

## **Type D-2 – Village Meadows Medium Single-Family Lot Standards**

The maximum height and minimum lot requirements for Type D-2 – Village Meadows Medium Single Family lots shall be regulated in conformance with the requirements in Lincoln Municipal Code Chapter 27.72 for the R-3 Residential District.

## Type E – Large Single-Family

Large Single-Family Houses are the largest detached residential units in Village Gardens. Large Single-Family Houses are located on large lots that offer flexibility in building configuration and have generous front, side and back yards. Front driveways provide vehicular access to Large Single-Family Houses. Attached or detached garages and shared driveways are permitted.

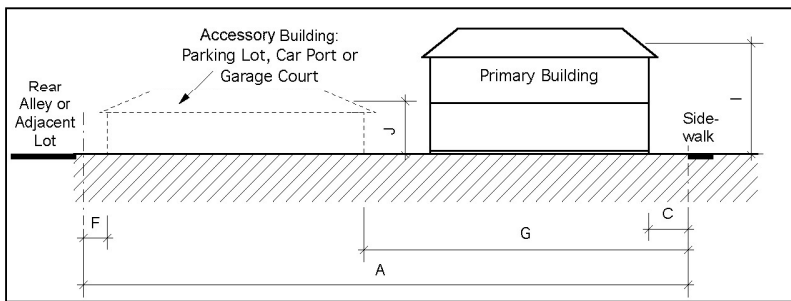
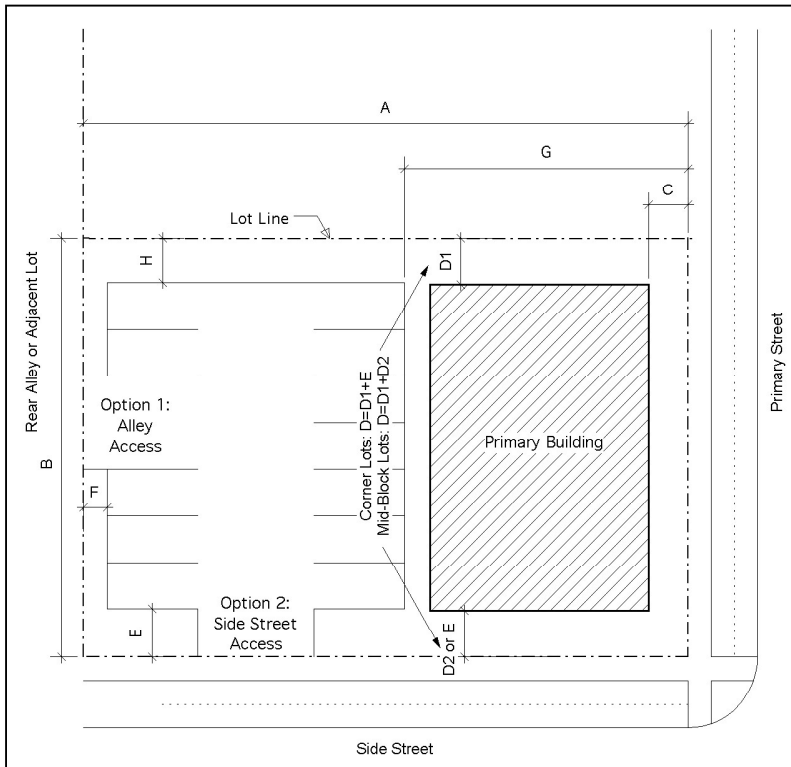


NOTES FROM THE LOT & BUILDING TYPE MATRIX:  
 None

A	Min. Lot Depth	80 ft.
B	Ave. Lot Width	80 ft.
C	Min. Primary Street Setback	15 ft.
	Neighborhood General	15 ft.
	Neighborhood Edge	15 ft.
D	Min. Combined Side Yard Adjacent Lot Setback	15 ft..
	Setback shall be a minimum of 5 ft. on one side.	
	At corner lots, the side street setback E shall be included in the calculation of D.	
E	Min. Side Street Setback	10 ft.
F	Min. Primary or Accessory Bldg. Rear Setback	3 ft.
G	Min. Accessory Bldg. Front Setback	45 ft.
H	Min. Accessory Bldg. Side Setback	3 ft.
	This setback may be waived if garages are attached.	
I	Max. Primary Bldg. Height	40 ft.
	Tower elements of a maximum of 200 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 10 ft.	
J	Max. Accessory Bldg. Height	30 ft.
	<b>PARKING:</b>	
	Min. Number of On-Site Parking Spaces per Dwelling Unit	2
	No on-site parking required for secondary dwelling units	
	Secondary Dwelling Unit	Y*
	Y = permitted; N = prohibited * Shall be limited to 1000 sq. ft.	
	Primary Building Entrance	
	The primary pedestrian building entrance shall be located along a public street, common walkway or park.	
	Allowable Encroachments: (Proper Sight Triangle must be maintained)	
	Covered or uncovered porches or stoops may encroach into the front or side street setback no deeper than 12 ft. and no closer than 0 ft. from a property line.	
	Bay windows and other similar enclosed building elements may be no wider than 6 ft. and may encroach up to 2 ft. in setbacks no closer than 0 ft. from a property line. The bay windows must not encroach within 4 ft. of the corners of the primary building. Any light well or egress window may be located in any required front, side or rear yard, provided: No such light well or egress window may be placed within two feet of any property Line.	
	Uncovered decks, balconies & trellises may encroach into setbacks, no deeper than 8 ft. and no closer than 0 ft. from a property line.	
	All building setbacks and building encroachments shall provide the proper Sight Triangle.	
	Driveways may encroach into all setbacks where curb cuts are permitted.	

## Type F – Multi-Family Mansion

Multi-Family Mansions are the smallest multi-family buildings in Village Gardens. Multi-Family Mansions are designed to resemble large houses in order to be compatible with other residential building types. Multi-Family Mansions may have a minimum of 4 units per building in the Neighborhood Center zone, and a minimum of 6 units per building in the Village Center zone, but are limited to 12 units per building in the Village Center and limited to 8 units per building in the Neighborhood Center. Parking is located in small parking lots, carports or garage courts in the rear of the building, screened from public streets and walkways. Alleys in the rear of the lots or driveways off of side streets may provide vehicular access to Multi-Family Mansions. However, if alley access is provided direct street access shall be prohibited. Attached or detached garages and shared driveways are permitted.



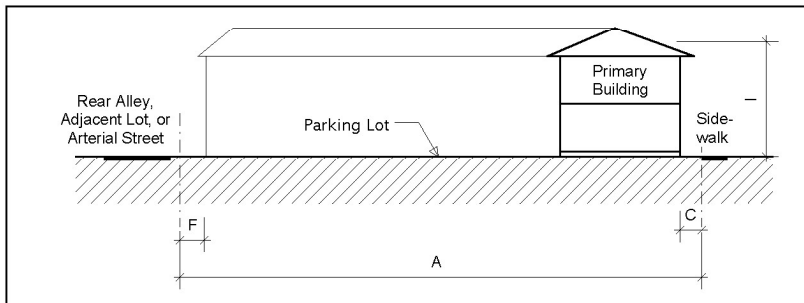
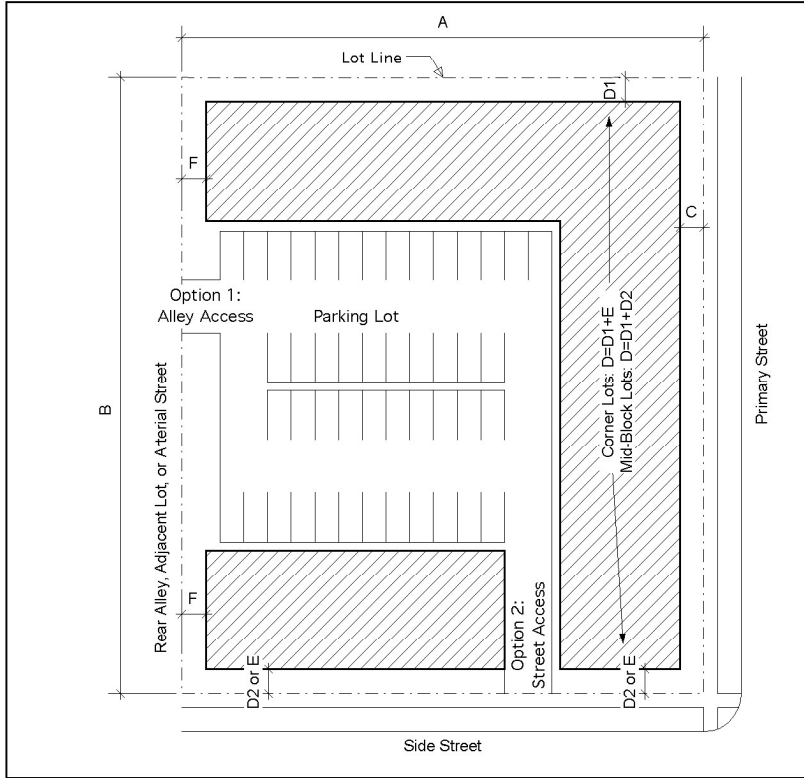
**NOTES FROM THE LOT & BUILDING TYPE MATRIX:**

- ❑ Live/work units permitted. Commercial uses shall be limited according to the Land Use Types within this document.

A	Min. Lot Depth	80 ft.
B	Min. Lot Width	85 ft.
C	Min. Primary Street Setback	
	• Village Center	0 ft.
	• Neighborhood Center	10 ft.
D	Min. Combined Side Yard Adjacent Lot Setback	20 ft.
	Setback shall be a minimum of 5 ft. on one side.	
	At corner lots, the side street setback E shall be included in the calculation of D.	
E	Min. Side Street Setback	10 ft.
F	Min. Primary or Accessory Bldg. Rear Setback	8 ft.
	May be reduced to 3 ft. if there is no alley access.	
G	Min. Accessory Bldg. Front Setback	45 ft.
H	Min. Accessory Bldg. Side Setback	3 ft.
I	Max. Primary Bldg. Height	
	• Village Center	40 ft.
	• Neighborhood Center	40 ft.
	Tower elements of a maximum of 200 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 10 ft.	
J	Max. Accessory Bldg. Height	30 ft.
	<b><u>PARKING:</u></b>	
	Min. Number of On-Site Parking Spaces per Dwelling Unit	1.5
	Secondary Dwelling Unit	N
	Y = permitted; N = prohibited	
	<b>Primary Building Entrance</b>	
	The primary pedestrian building entrance shall be located along a public or private street, common walkway or park.	
	<b>Allowable Encroachments: (Proper Sight Triangle must be maintained)</b>	
	Covered or uncovered porches or stoops may encroach into the front or side street setback no deeper than 12 ft. and no closer than 0 ft. from a property line.	
	Bay windows and other similar enclosed building elements may be no wider than 6 ft. and may encroach up to 2 ft. in setbacks no closer than 0 ft. from a property line. The bay windows must not encroach within 4 ft. of the corners of the primary building. Any light well or egress window may be located in any required front, side or rear yard, provided: No such light well or egress window may be placed within two feet of any property Line.	
	Uncovered decks, balconies & trellises may encroach into setbacks, no deeper than 8 ft. and no closer than 0 ft. from a property line.	
	All building setbacks and building encroachments shall provide the proper Sight Triangle.	
	Driveways may encroach into all setbacks where curb cuts are permitted.	

## Type G – Multi-Family Apartment

Apartment Buildings are the highest density residential buildings in Village Gardens. Apartment Buildings may be configured in a variety of layouts, including U-shaped courtyard, L-shaped courtyard, or bar-shaped. Parking is located in parking lots in the rear of or between buildings, screened from public streets and walkways. Attached or detached garages and shared driveways are permitted.



**NOTES FROM THE LOT & BUILDING TYPE MATRIX:**

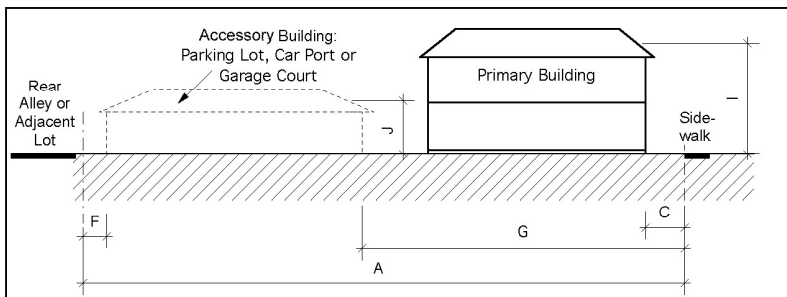
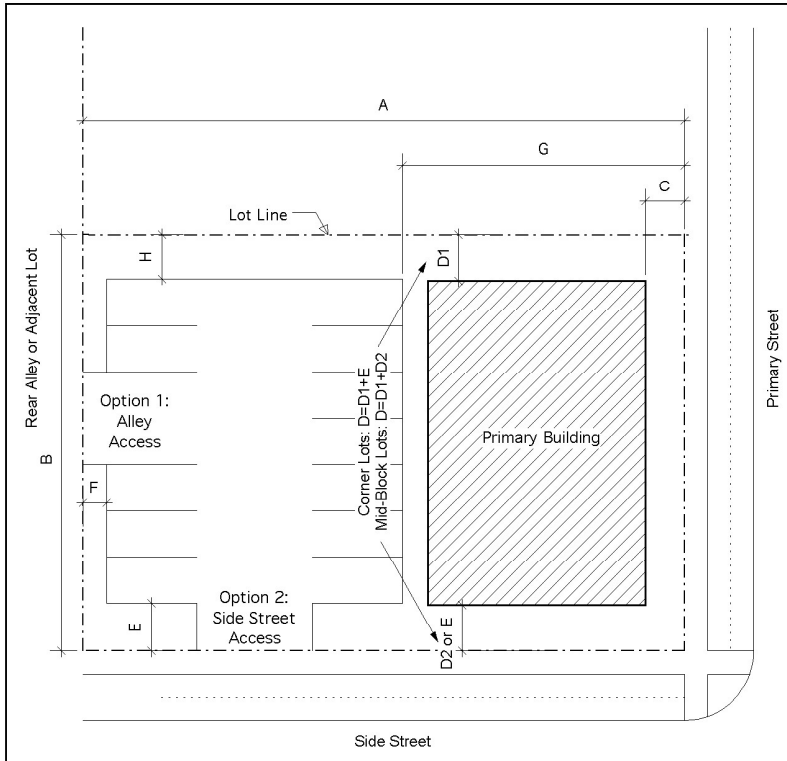
- ☐ Apartments allowed in Village Center zone. In the Neighborhood Center this use is limited to lots between Yankee Hill Road and Chatsworth Lane in a future PUD.

A	Min. Lot Depth	80 ft.
B	Min. Lot Width	100 ft.
C	Min. Primary Street Setback	
	• Village Center	0 ft.
	• Neighborhood Center	10 ft.
D	Min. Combined Side Yard Adjacent Lot Setback	20 ft.
	Setback shall be a minimum of 10 ft. on one side.	
	At corner lots, the side street setback E shall be included in the calculation of D.	
E	Min. Side Street Setback	
	• Village Center	0 ft.
	• Neighborhood Center	10 ft.
F	Min. Rear Setback	10 ft.
G	Min. Accessory Bldg. Front Setback	n/a
H	Min. Accessory Bldg. Side Setback	n/a
I	Max. Primary Bldg. Height	
	• Village Center	5540 ft.
	• Neighborhood Center	40 ft.
	Tower elements of a maximum of 200 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 10 ft.	
J	Max. Accessory Bldg. Height	n/a
	<b>PARKING:</b>	
	Min. Number of On-Site Parking Spaces per Dwelling Unit	1-5
	Secondary Dwelling Unit	N
	Y = permitted; N = prohibited	
	Primary Building Entrance	
	The primary pedestrian building entrance shall be located along a public or private street, common driveway, common walkway or park.	
	Allowable Encroachments: (Proper Sight Triangle must be maintained)	
	Covered or uncovered porches or stoops may encroach into the front or side street setback no deeper than 12 ft. and no closer than 0 ft. from a property line.	
	Bay windows and other similar enclosed building elements may be no wider than 6 ft. and may encroach up to 2 ft. in setbacks no closer than 0 ft. from a property line. The bay windows must not encroach within 4 ft. of the corners of the primary building. Any light well or egress window may be located in any required front, side or rear yard, provided: No such light well or egress window may be placed within two feet of any property Line.	
	Uncovered decks, balconies & trellises may encroach into setbacks, no deeper than 8 ft. and no closer than 0 ft. from a property line.	
	All building setbacks and building encroachments shall provide the proper Sight Triangle.	

Driveways may encroach into all setbacks where curb cuts are permitted.

### Type H – Community

Community Buildings play a central role in the social life of local residents. They are given prominent sites, often terminating view corridors and therefore are required to have well-designed architectural emphasis on their public facades and include a main entrance on the public street or green. Community buildings may include special massing features, such as towers. In order to foster design creativity, these buildings have the least amount of zoning control, but may be subject to a special architectural design review to insure the highest quality design on important sites.



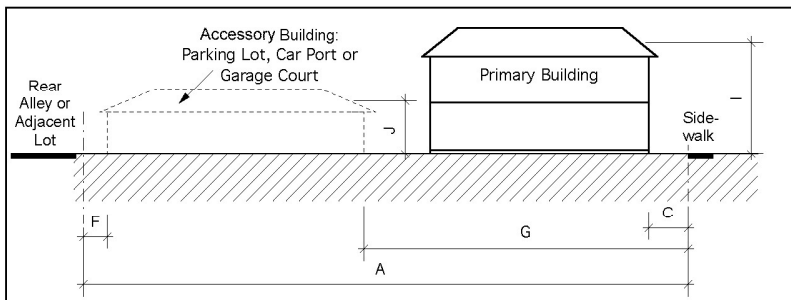
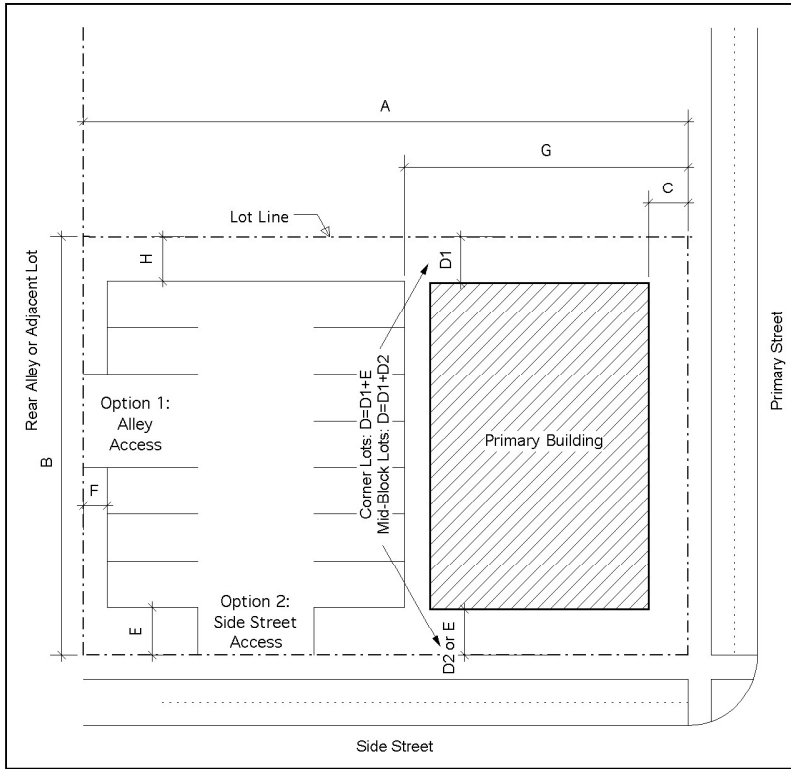
- NOTES FROM THE LOT & BUILDING TYPE MATRIX:**
- ❑ Structures that are not fully enclosed, have a footprint of less than 400 sq ft. and an overall height of less than 16ft. shall be considered landscape elements.
  - ❑ In the Neighborhood Center, Community buildings are limited to Civic or Community uses serving primarily Village Gardens residents and their guests or churches.

A	Min. Lot Depth	80 ft.
B	Min. Lot Width	n/a
C	Min. Primary Street Setback	
	• Village Center	0 ft.
	• Neighborhood Center*	5 ft.
D	Min. Side Yard Adjacent Lot Setback*	5 ft.
	At corner lots, the side street setback E shall be included in the calculation of D.	
E	Min. Side Street Setback*	0 ft.
F	Min. Primary or Accessory Bldg. Rear Setback*	8 ft.
	May be reduced to 3 ft. if there is no alley access.	
G	Min. Accessory Bldg. Front Setback	45 ft.
H	Min. Accessory Bldg. Side Setback	3 ft.
I	Max. Primary Bldg. Height	
	• Village Center	40 ft.
	• Neighborhood Center	40 ft.
	Tower elements of a maximum of 300 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 30 ft.	
J	Max. Accessory Bldg. Height	30 ft.
	<b>PARKING:</b>	
	Refer to the parking matrix as identified in the Village Gardens Development Plan	
	Secondary Dwelling Unit	Y
	Y = permitted; N = prohibited	
	<b>Primary Building Entrance</b>	
	The primary pedestrian building entrance shall be located along a public or private street, common driveway, walkway or park.	
	Allowable Encroachments: (Proper Sight Triangle must be maintained)	
	Covered or uncovered porches or stoops may encroach into the front or side street setback no deeper than 12 ft. and no closer than 0 ft. from a property line.	
	Bay windows and other similar enclosed building elements may be no wider than 6 ft. and may encroach up to 2 ft. in setbacks no closer than 0 ft. from a property line. The bay windows must not encroach within 4 ft. of the corners of the primary building. Any light well or egress window may be located in any required front, side or rear yard, provided: No such light well or egress window may be placed within two feet of any property Line.	
	Uncovered decks, balconies & trellises may encroach into setbacks, no deeper than 8 ft. and no closer than 0 ft. from a property line.	
	All building setbacks and building encroachments shall provide the proper Sight Triangle.	
	Driveways may encroach into all setbacks where curb cuts are permitted.	

\*20 ft. minimum front, side and rear yard setbacks for Lot 1, Block 27

### Type I – Mixed-Use

In the Village Center zone, higher density, mixed-use development forms the core of Village Gardens. Mixed-Use buildings, a common typology in small Midwestern main streets, feature ground floor storefront retail, offices or living units with walk-up apartments or offices on upper stories. Parking is located in parking lots, carports or garage courts in the rear of the building, screened from public streets and walkways. Alleys in the rear of the lots or driveways off of side streets may provide vehicular access. Drive thru's are permitted in the Village Center.



**NOTES FROM THE LOT & BUILDING TYPE MATRIX:**

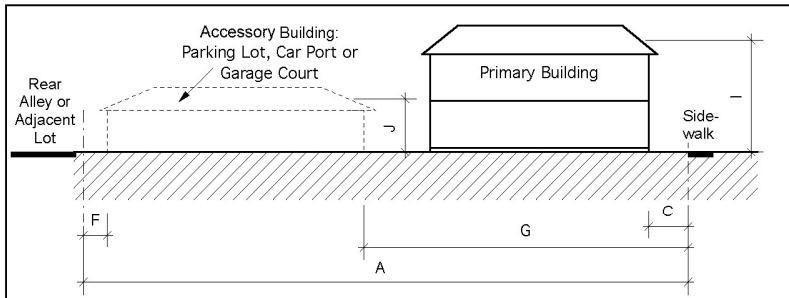
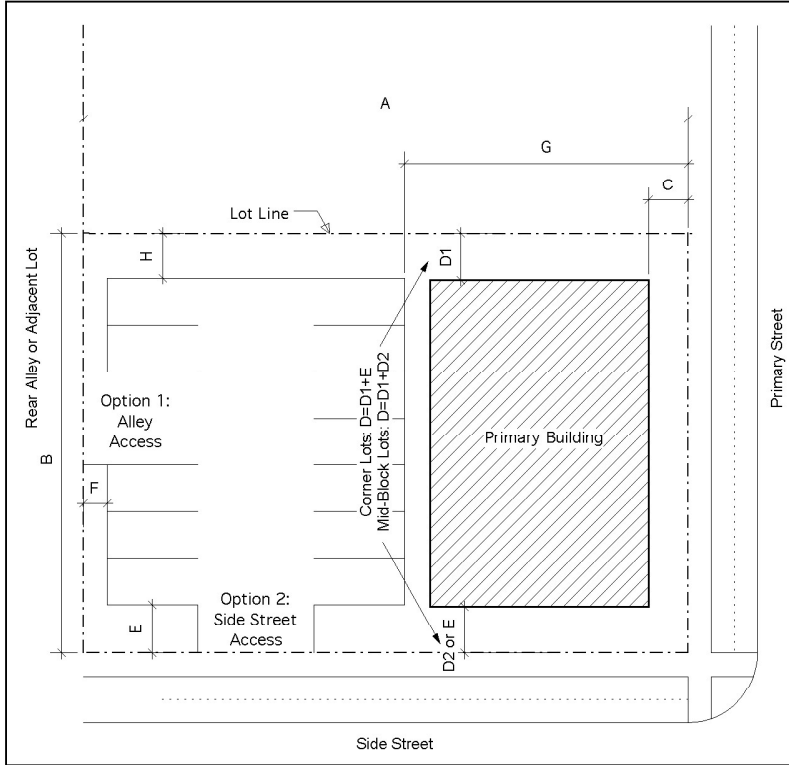
- Mixed-use buildings may occupy two or more of the following uses within the same building: retail, professional services, personal services, workshop, office, artisan, restaurant, lodging, childcare, professional business, governmental services, entertainment, recreational, residential and related accessory uses. Uses may be divided vertically or horizontally.

A	Min. Lot Depth	n/a ft.
B	Min. Lot Width	n/a.
C	Min. Primary Street Setback*	0 ft.
	Min. Combined Side Yard Adjacent Lot Setback*	0 ft.
	At corner lots, the side street setback E shall be included in the calculation of D.	
E	Min. Side Street Setback*	0 ft.
F	Min. Primary Accessory Bldg. Rear Setback*	8 ft.
	May be reduced to 3 ft. if there is no alley access.	
G	Min. Accessory Bldg. Front Setback	45 ft.
H	Min. Accessory Bldg. Side Setback	3 ft.
	This setback may be waived if Accessory Buildings are attached.	
I	Max. Primary Bldg. Height	50 ft.
	Tower elements of a maximum of 200 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 10 ft.	
J	Max. Accessory Bldg. Height	30 ft.
	Max. Lot Coverage	100%
	<b>PARKING:</b>	
	Min. Number Parking Spaces per Dwelling Unit for residential	1
	Min. Number Parking Spaces per 600 sf. of commercial uses	1
	Parking shall be accommodated on-site or off-site as part of a cross-parking easement. On Street parking in the B-3 area is allowed to be counted in the B-3 area cross-parking easement.	
	Secondary Dwelling Unit	N
	Y = permitted; N = prohibited	
	<b>Primary Building Entrance</b>	
	The primary pedestrian building entrance shall be located along a public or private street, common driveway, common walkway or park.	
	<b>Allowable Encroachments: (Proper Sight Triangle must be maintained)</b>	
	Covered or uncovered porches or stoops may encroach into the front or side street setback no deeper than 12 ft. and no closer than 0 ft. from a property line.	
	Bay windows and other similar enclosed building elements may be no wider than 6 ft. and may encroach up to 2 ft. in setbacks no closer than 0 ft. from a property line. The bay windows must not encroach within 4 ft. of the corners of the primary building.	
	Uncovered decks, balconies & trellises may encroach into setbacks, no deeper than 8 ft. and no closer than 0 ft. from a property line.	
	All building setbacks and building encroachments shall provide the proper Sight Triangle.	
	Driveways may encroach into all setbacks where curb cuts are permitted.	

\*Minimum setbacks for Lot 2, Block 27:  
 20 ft. front and side yards  
 50 ft. rear yard

## Type J –Elderly or Retirement Housing & Healthcare Facility, Residential

Elderly or Retirement Housing facilities house the elderly and incorporate features to address access problems experienced by the elderly. Healthcare Facility, Residential includes buildings or structures used in a residential nature that are licensed or approved by the state or an appropriate agency, if any. Each of these facilities will have staff and guest parking equal or greater than the present City of Lincoln standards for such facilities.



Type J – Lot Standards		
A	Min. Lot Depth	n/a
B	Min. Lot Width	n/a
C	Min. Primary Street Setback	20 ft.
D	Min. Side Yard Setback	15 ft.
E	Min. Side Street Setback	15 ft.
F	Min. Primary Bldg. Rear Setback	20 ft.
	Min. Accessory Bldg. Rear Setback	3 ft.
G	Min. Accessory Bldg. Front Setback	45 ft.
H	Min. Accessory Bldg. Side Setback	8 ft.
	This setback may be waived if Accessory Buildings are attached.	
I	Max. Primary Bldg. Height	50 ft.
	Tower elements of a maximum of 200 sq. ft. in floor area shall be exempt of the height limit and may exceed the ridge height of the primary roof by a maximum of 10 ft.	
J	Max. Accessory Bldg. Height	30 ft.
	Max. Lot Coverage	75%
	<b>PARKING:</b> per City of Lincoln municipal code and design standards	
	Parking shall be accommodated on-site .	
	Secondary Dwelling Unit	N
	Y = permitted; N = prohibited	
	Primary Building Entrance	
	The primary pedestrian building entrance shall be located along a public or private street, common driveway, common walkway or park.	
	Allowable Encroachments: (Proper Sight Triangle must be maintained)	
	All building setbacks and building encroachments shall provide the proper Sight Triangle.	
	Driveways may encroach into all setbacks where curb cuts are permitted.	

**NOTES FROM THE LOT & BUILDING TYPE MATRIX:**

- ❑ Permitted use on lots more than 10,000 sq. ft.

## THE REGULATORY MODIFICATIONS

See Village Gardens Regulatory Modifications document for specific information on regulatory documents modified for the Village Gardens PUD, dated this even date and incorporated herein by this reference.

## THE PUD MAP SHEETS

See Village Gardens PUD Map Sheets (30"x42") prepared by Olsson Associates and dated this even date and incorporated herein by this reference.

## GLOSSARY

**Alley:**

The vehicle passageway within a block, which provides access to accessory building and garbage bins along the rear edge of lots.

**Accessory Building:**

A smaller, detached structure located in the rear of a lot. Accessory Buildings may contain the following uses: garage, home office, workshop, secondary dwelling units and accessory uses.

**Accessory Use:**

An accessory use is one that is incidental to the main use.

**Assisted Living Facility:**

Assisted living facility shall mean a facility where shelter, food, and care are provided for remuneration for a period of more than twenty-four consecutive hours to four or more persons residing at such facility who require or request such services due to age, illness, or physical disability.

**Average Lot Width:**

Average lot width shall mean the width determined by dividing the total lot area by the depth of the lot from the right of way line to the furthest rear lot line. If the rear lot line and right of way are not parallel, an average depth dimension shall be used.

**Bungalow Court:**

Two or more single-family dwelling units built on separate lots that are situated around a shared outlot with shared landscaping and sidewalk system.

**Civic Use:**

Occupied building space used primarily for neighborhood use, public education, charity, cultural performance, gatherings, displays and accessory uses administered by non-profit neighborhood, cultural, educational, charitable and religious organizations.

**Combined Side Yard Adjacent Lot Setback:**

The sum of the distances between the side lot lines and the side elevations of a building. Roof overhangs may encroach into the setback. On street corners, the Side Street Setback shall be included in the calculation.

**Commercial Use:**

Occupied building space used for the conduct of retail, professional services, personal services, workshop, office, artisan, restaurant, lodging, childcare, professional business, governmental services, entertainment, recreational uses and accessory uses.

**Elderly or Retirement Housing:**

Elderly or retirement housing shall mean a residential development which incorporates specific features designed to alleviate access problems commonly experienced by the elderly, and in which each occupied dwelling unit is occupied by at least one person of sixty years of age or more. Dwellings may be detached, attached, or multiple-family.

**Façade:**

An elevation or 'face' of a building, from ground level to roofline.

**Front Façade:**

The elevation with the main entrance to a building, usually facing a public street.

**Healthcare Facility, Residential:**

Residential health care facility shall mean a building or structure that is to be used in a residential nature, licensed or approved by the state or an appropriate agency, if required. Residential health care facility could include but would not be limited to the following types of facilities: Assisted Living, Nursing Care, Convalescent Home, Hospice Home, Group home for 16 or more people and Intermediate Care.

**Home Occupation:**

A home occupation shall mean any office occupation or activity carried on within a dwelling unit or Accessory Building by a member of the family residing on the residential lot, which occupation or activity is incidental and secondary to the residential occupancy and does not change the residential character thereof.

**Live/Work Unit:**

A building in single ownership that provides commercial uses on the first floor and a residential use dwelling unit on the upper floor(s). The owner may occupy the commercial space and reside in the dwelling unit, or the owner may lease or rent the commercial space or the dwelling together or separately.

**Lodging Use:**

Premises used for short-term human habitation and accessory uses. Food service may be included, unless otherwise prohibited.

**Lot:**

Lot shall mean a parcel of land occupied or intended for occupancy by a use permitted by the Development Plan and fronting on a permitted public or private street, common driveway, common walkway or park as described in the Lots and Building Standards.

**Lot Coverage:**

The maximum area of a lot that may be occupied by a structure. Lot coverage is expressed as a ratio. Open porches, decks, terraces, and stoops are excluded from the calculations.

**Mixed-Use Building:**

A single building that occupies two or more of the following use: retail, professional services, personal services, workshop, office, artisan, restaurant, lodging, childcare, professional business, governmental services, entertainment, recreational, residential and related accessory uses. Uses may be divided vertically or horizontally.

**Office Use:**

Premises used for services, including professional, financial, clerical, administrative, medical and accessory uses. Retail and manufacturing are excluded.

**Point-Of-Service:**

Office uses or services frequented by customers or clients.

**Primary Building:**

The principal building on a site, containing the primary residence or business. The primary building fronts on the primary street.

**Primary Street:**

When there are two streets abutting a lot, the primary street will be the street identified by the building's legal address.

**Primary Street Setback:**

The distance between the frontage line of a primary street and the front façade of a building.

**Rear Setback:**

The distance between the rear lot line and the rear wall of a building. Roof overhangs may encroach into the setback.

**Residential Use:**

Premises or dwelling used primarily for human habitation and related accessory uses.

**Retail Use:**

Premises used for the exchange of services or goods and accessory uses including but is not limited to, bicycle sales and repair shops and sale of alcoholic beverages for consumption on-premise and the sale of alcoholic beverages for consumption off-premises.

**Rowhouse:**

Attached single-family houses on individual platted lots. Rowhouses share common walls with one or more adjacent units.

**Side Street:**

When there are two streets abutting a lot, the primary street will be the street identified by the building's legal address and the side street will be the other abutting street.

**Secondary Dwelling Unit:**

Secondary Dwelling Units are located on the same lot as the primary dwelling unit and may be rented but not sold separately. Secondary dwelling units may be located within the primary building or within a Accessory Building to the rear of the primary building. Secondary dwelling units shall have separate outside entrances.

**Sight Triangle:**

The applicable Figure shown on Appendix A Sight Distance, City of Lincoln Design Standards, provided that, the Sight Triangle for Figure SD-2, Uncontrolled and Yield Controlled Intersections, shall be the crossed hatched areas marked a “area free of obstructions >30” high.” (a triangular area comprised of two lot lines measured 25 feet from the intersecting corner of the lots, and the third leg, the hypotenuse, that connects the two 25 foot sides.

**Side Street Setback:**

The distance between the frontage line of a side street and the street facing side elevation of the building. Roof overhangs may encroach into the setback.

**Storefront:**

The portion of a building at the first story of a building that is made available for retail use. Storefronts shall be directly accessible from sidewalks.

**Stoop:**

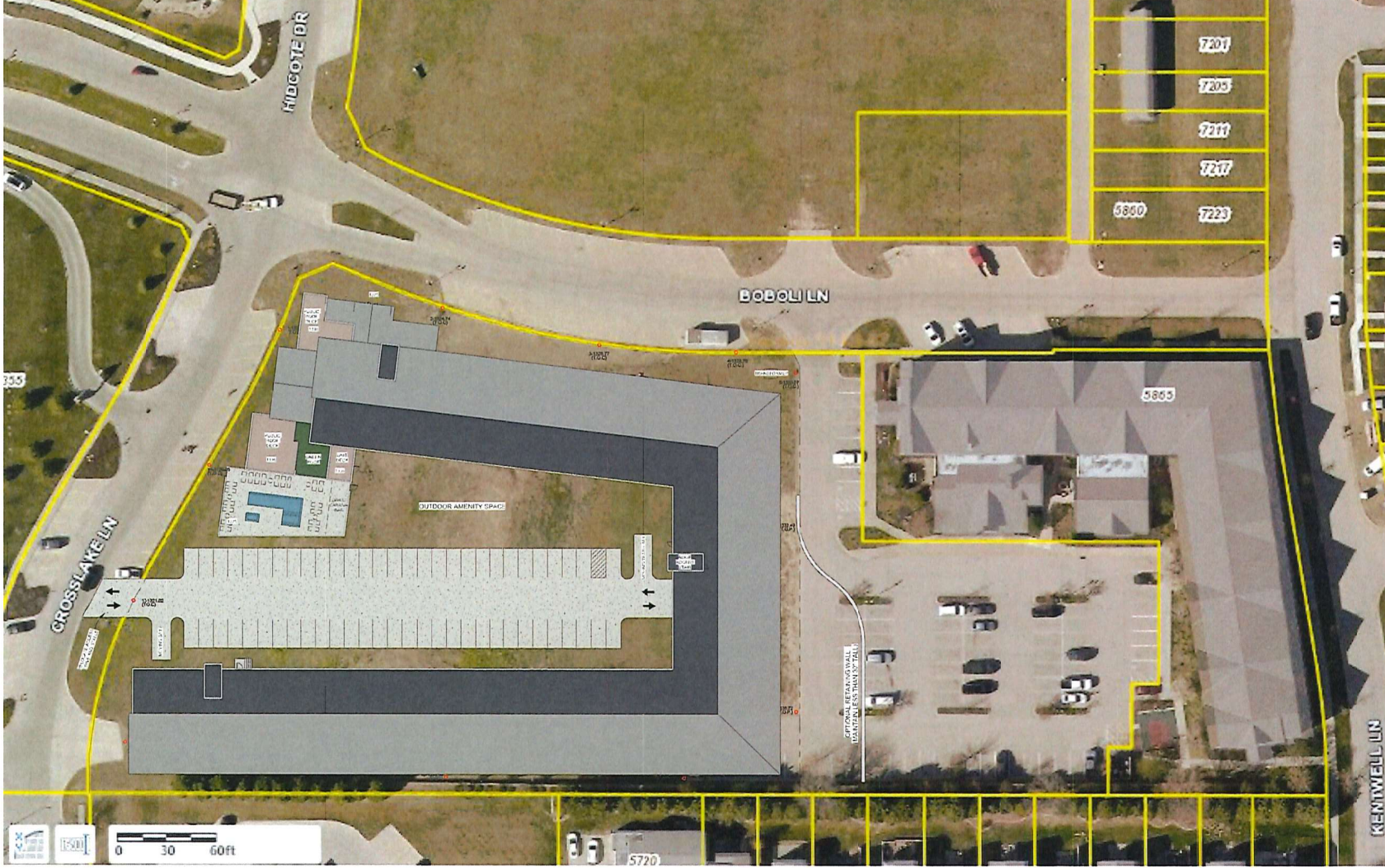
An entry platform on the frontage of a building. Stoops may be roofed but they need not necessarily be enclosed.

**Townhouse:**

Attached single-family houses on individual platted lot. A townhouse shares a common wall with one adjacent unit.

**Workshop Use:**

Premises used for the creation, assemblage, repair of goods and hobbies, including their retail sale, unless otherwise prohibited.



1 SCHEMATIC SITE PLAN  
1" = 30'

**Manzitto**  
Village Gardens Apartments  
Site Plan Schematic



Lincoln  
1221 H Street, Suite 652  
Lincoln, NE 68508  
Phone: 402-709-9709  
Fax: 402-709-9722

Vermillion  
15 W. Main Street  
Vermillion, SD 57059  
Phone: 605-624-1051

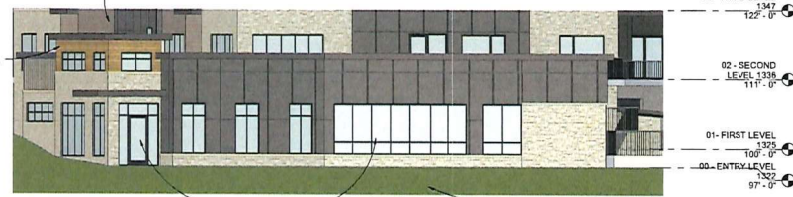
PR-100  
12/22/20



1 NORTH ELEVATION  
332' x 112'



2 EAST ELEVATION  
302' x 112'



4 WEST ELEVATION @ ENTRY  
136' x 112'



3 SOUTH ELEVATION  
332' x 112'

**BUILDING HEIGHT 55' DESCRIPTION**

THE EXISTING LOT SLOPES FROM AN ELEVATION OF 1321 (LOW POINT) TO AN ELEVATION OF 1337 (HIGH POINT)

**EXISTING LOT GRADE MID POINT ELEVATION: 1329**

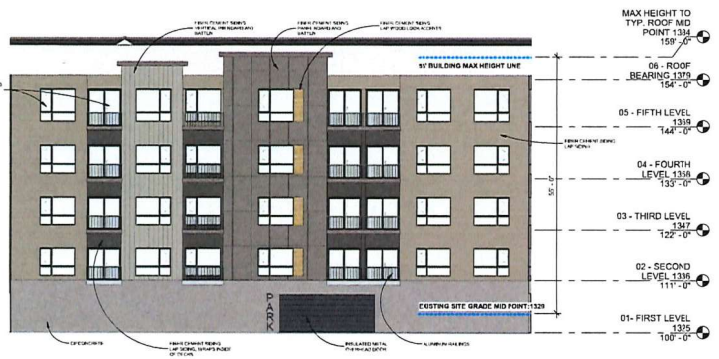
55' MAX BUILDING HEIGHT IS MEASURED FROM ELEVATION: 1329 TO THE MID POINT OF THE BUILDING'S TYPICAL ROOF

**MAXIMUM MID POINT OF BUILDING ROOF ELEVATION: 1384 (DOES NOT INCLUDE BUILDING STAIR/ELEVATOR TOWERS FOR ROOF ACCESS)**

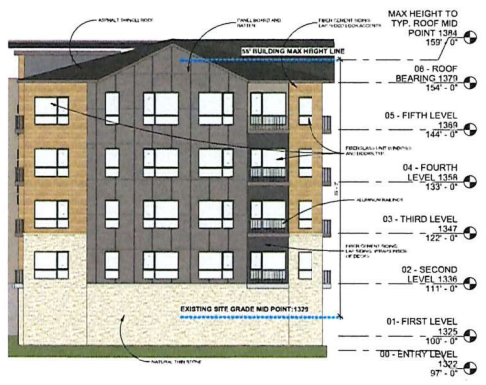
THE START AND STOP ELEVATION FOR THE 55' BUILDING HEIGHT DESIGNATION IS SHOWN ON THE ELEVATIONS WITH A BLUE DOTTED LINE: .....



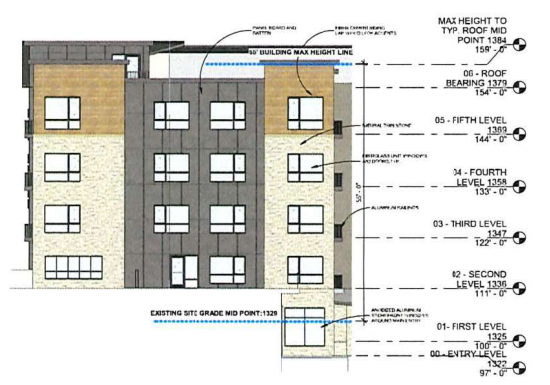
1 COURT SOUTH ELEVATION  
3/2" = 1'-0"



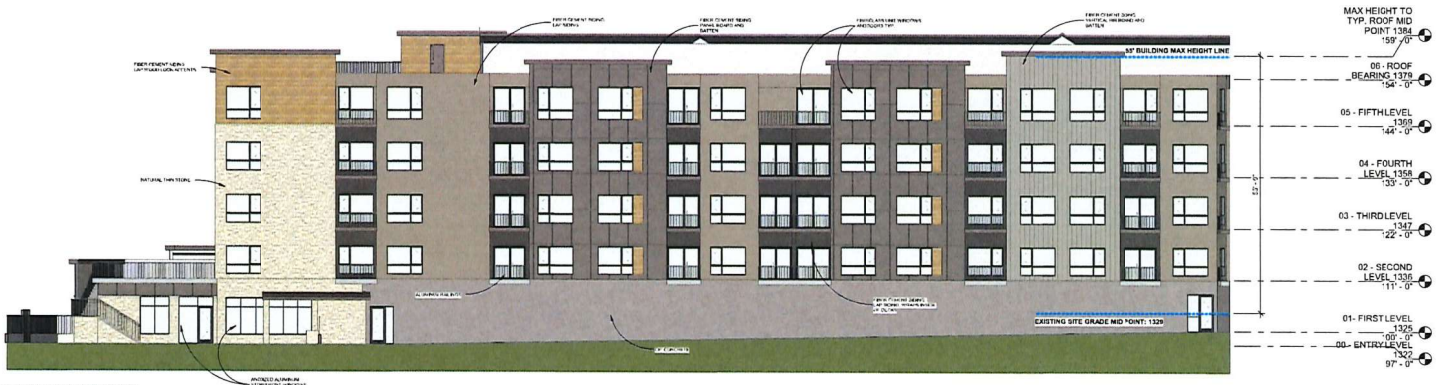
2 COURT EAST ELEVATION  
3/2" = 1'-0"



4 WEST ELEVATION (SOUTH)  
3/2" = 1'-0"



3 WEST ELEVATION (NORTH)  
3/2" = 1'-0"



5 COURT NORTH ELEVATION  
3/2" = 1'-0"

**BUILDING HEIGHT 55' DESCRIPTION**

THE EXISTING LOT SLOPES FROM AN ELEVATION OF 1321 (LOW POINT) TO AN ELEVATION OF 1327 (HIGH POINT)

**EXISTING LOT GRADE MID POINT ELEVATION: 1323**

55' MAX BUILDING HEIGHT IS MEASURED FROM ELEVATION 1329 TO THE MID POINT OF THE BUILDING'S TYPICAL ROOF

**MAXIMUM MID POINT OF BUILDING ROOF ELEVATION: 1384**  
(DOES NOT INCLUDE BUILDING STAIR/ELEVATOR TOWERS FOR ROOF ACCESS)

THE START AND STOP ELEVATION FOR THE 55' BUILDING HEIGHT DESIGNATION IS SHOWN ON THE ELEVATIONS WITH A BLUE DOTTED LINE: .....

**LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT**

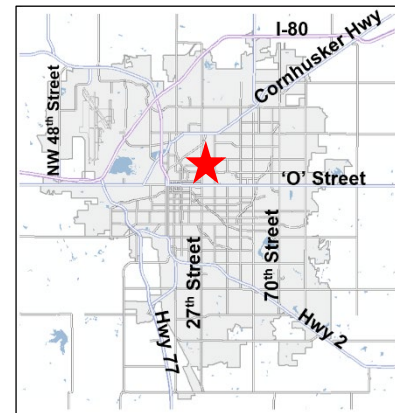
FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Change of Zone 21010	FINAL ACTION? No	DEVELOPER/OWNER LS Commercial Developer LLC
PLANNING COMMISSION HEARING DATE April 28, 2021	RELATED APPLICATIONS None	PROPERTY ADDRESS/LOCATION N. 27th & Starr Streets

**RECOMMENDATION: CONDITIONAL APPROVAL**

**BRIEF SUMMARY OF REQUEST**

This is a request for a change of zone from B-3 (Commercial) and R-4 (Residential) to R-6 (Residential) on properties located at the northeast corner of N. 27th and Starr Streets. The change of zone area is currently vacant and consists of approximately 0.65 acres. This includes privately owned property along Starr Street along with a tiny sliver of City owned property along N. 27<sup>th</sup> Street. A 9-unit townhome building is proposed for the private property.



**JUSTIFICATION FOR RECOMMENDATION**

This request complies with the Zoning Ordinance and is consistent with the Comprehensive Plan because the proposal will allow for increased density and housing options through residential re-development of a vacant parcel. Further, the proposal is consistent with the North 27<sup>th</sup> Street Corridor and Environs Redevelopment Plan which envisions a mix of commercial and residential uses along the corridor.

**APPLICATION CONTACT**

LS Commercial Developer LLC  
(402) 435-4367  
dhqn86@gmail.com

**STAFF CONTACT**

George Wesselhoft, Planner  
(402) 441-6366  
[gwesselhoft@lincoln.ne.gov](mailto:gwesselhoft@lincoln.ne.gov)

**COMPATIBILITY WITH THE COMPREHENSIVE PLAN**

This property is designated as Commercial and Residential-Urban Density. The proposed R-6 zoning aligns with Residential - Urban Density which includes multi-family and single-family residential uses in areas with varying densities ranging from more than fifteen dwelling units per acre to less than one dwelling per acre. The proposal will include 9 units on approximately 0.63 acres. This equates to about fourteen dwelling units per acre.

## KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

P. 1.9 - This site is designated for Commercial and Residential - Urban Density on the 2040 Lincoln Area Future Land Use Plan.

P. 1.2 - Quality of Life Assets:

- The community continues its commitment to strong, diverse neighborhoods. Neighborhoods remain one of Lincoln's great strengths and their conservation is fundamental to this plan. The health of Lincoln's varied neighborhoods and districts depends on implementing appropriate and individualized policies.

P. 7.2 - Neighborhoods & Housing Guiding Principles

- Continue policies such as landmark districts and down-zonings that maintain a mix of single-family and multi-family housing and support home ownership and the preservation and enhancement of historic properties.
- Promote sustainability and resource conservation by preserving and improving housing in existing neighborhoods.
- Make available a safe residential dwelling for all citizens.
- Provide a wide variety of housing types and choices for an increasingly diverse and aging population.
- Provide flexibility to the marketplace in siting future residential development locations.

P. 7.9 - Redevelopment in Existing Neighborhoods

- Widely varying techniques are utilized to achieve redevelopment in existing neighborhoods such as the following examples: 3. Tearing down more than one structure and building a new multi-family building or a group of other housing types (resulting in a net increase in density)

P. 7.10-11 - Detailed Strategies for Existing Neighborhoods

- 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 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. 12.4 - Urban Residential. Multi-family and single family residential uses in areas with varying densities ranging from more than fifteen dwelling units per acre to less than one dwelling per acre.

## ANALYSIS

1. This is a request for a change of zone from B-3 (Commercial) and R-4 (Residential) to R-6 (Residential) to allow for a townhome development and increase the density that would be allowed in this area. The rezoning area includes approximately 0.65 acres in total. Approximately 0.40 acres is currently zoned R-4 while 0.25 acres is zoned B-3. The majority of the change of zone area is privately owned, however, there is an approximately 756 square foot sliver of property that is owned by the City along N. 27<sup>th</sup> Street. The latter property could become public right of way in the future as part of a turn lane and/or widening project for N. 27<sup>th</sup> Street to Holdrege Street.
2. Re-zoning of the area will allow a new 9-unit townhome building. The proposed building will face Starr Street with off street parking provided on the north side of the building. The proposal will meet all the setbacks required for the R-6 zoning district, provide the required parking at 1.75 spaces per unit and will also have to comply with Neighborhood Design Standards for building design. The site plan and building elevations (attached) provide for an appropriate design where the garages face the rear with alley access with the building primary facade facing Starr street and variation in the facade rather than a rectangular box shape. In addition, the site plan provides for landscaping including street trees along Starr Street.
3. The proposed building design includes 2 parking spaces per townhome unit. This includes one space inside the garage and one space behind the garage. Access for the parking will be from the alley to the north. In terms of building setbacks, the side setback requirement is 5 feet. The building on the west side will have a 10' side setback while on the east side it will have a minimum setback of 15 feet. The setback on the west allows for 5 additional feet above the minimum in case N. 27<sup>th</sup> Street is widened with the City property converted to right of way. The setback on the east side allows more buffer space than the minimum setback to account for the transition to single and two family residential to the east.

4. This area is located along the N. 27<sup>th</sup> Street commercial corridor on the north side of Starr Street. Although the predominate zoning in the immediate N. 27<sup>th</sup> Street corridor is B-3, further south between O Street and T Street there is a mixed pattern of B-3 and R-6 zoning. This includes the Hartley Flats redevelopment project at N. 27<sup>th</sup> Street and S Street which is a 13-unit apartment building. Further, the North 27<sup>th</sup> Street Corridor and Environs Redevelopment Plan (last revised on May 6, 2019) has as one of its guiding principles (p. 22) that North 27<sup>th</sup> Street should be a mixed use corridor, using the street as an environment for both business and living. Thus, this change of zone is consistent with other zoning and planning for the corridor. Also, the current B-3 zoning allows more intensive commercial uses including motorized vehicle fuel sales facilities and motorized vehicle wash facilities. The resulting R-6 provides a transition and eliminates the more intensive B-3 uses.
5. Allowing for the change of zone on this site for townhomes is consistent with the Comprehensive Plan because the Plan encourages infill residential at urban density. The density will be at 14 units per acre. Without the zoning agreement 10 units would be permitted or nearly 16 units per acre.
6. A zoning agreement is proposed as a condition of approval. This agreement includes provisions which require the site to be developed in general conformance with the site plan submitted with the change of zone application (see attached). This includes a minimum 15' side setback to the east and landscaping plan modifications. In addition, this agreement will require the paving of the alley adjacent to the properties as the use will be more intensive with access from the alley. In addition, the agreement limits the density to a maximum of 9 dwelling units.
7. A final plat will be required to divide each townhome unit on its own lot, which is required to be considered a townhome by Zoning Ordinance definition.
8. This proposal aligns with the Comprehensive Plan for Detailed Strategies for Existing Neighborhoods (pages 7.10-7.11) which encourages parking in the rear with alley access, mix of housing types including apartments, and by adding additional infill dwelling units.

**CONDITIONS OF APPROVAL:** See attached

**EXISTING LAND USE & ZONING:** Vacant; B-3, R-4

**SURROUNDING LAND USE & ZONING**

North: Commercial, Single Family; B-3, R-4  
 South: Commercial, Single Family; B-3, R-4  
 East: Single Family; R-4  
 West: Single Family; B-3

**APPROXIMATE LAND AREA:** 0.65 acres

**LEGAL DESCRIPTION:** The remaining portion of Lot 15, and Lots 16-19, Block 2, East Park Addition, located in the NW 1/4 of Section 19-10-7, Lincoln, Lancaster County, Nebraska

**CONDITIONS OF APPROVAL:**

1. Applicant signs a zoning agreement concerning the site plan and building elevations for their multi-family project on the properties and alley paving requirement before the City Council approves the change of zone.

Prepared by

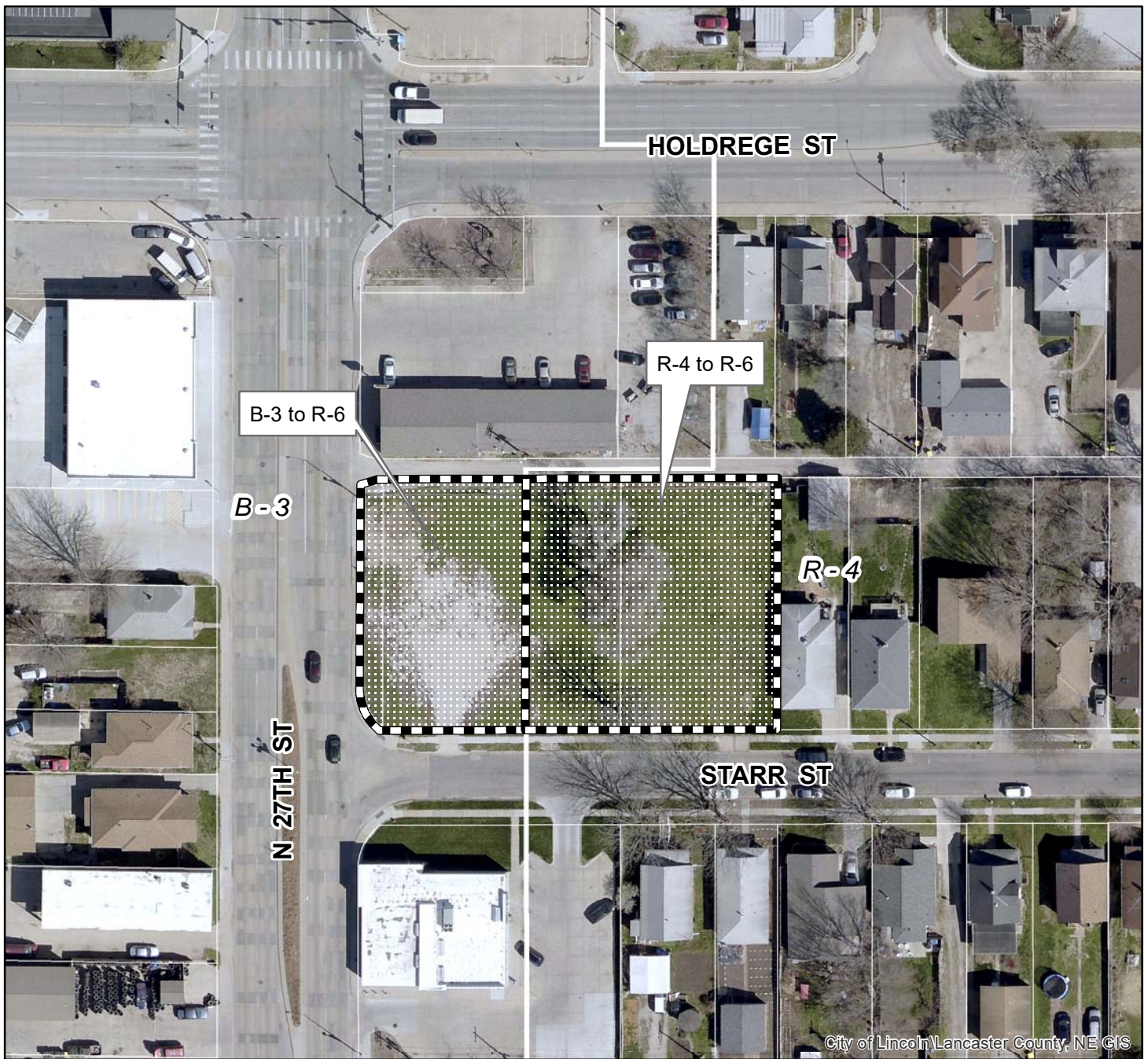
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George Wesselhoft, Planner  
 (402) 441-6366 or [gwesselhoft@lincoln.ne.gov](mailto:gwesselhoft@lincoln.ne.gov)  
 Date: April 15, 2021

Applicant/Owner: LS Commercial Developer LLC  
2020 Indigo Court  
Lincoln, NE 68521  
(402) 435-4367 or [dhqn86@gmail.com](mailto:dhqn86@gmail.com)

Contact: Same

F:\DevReview\CZ\21000\CZ21010 27th & Starr Townhome.gjw.docx



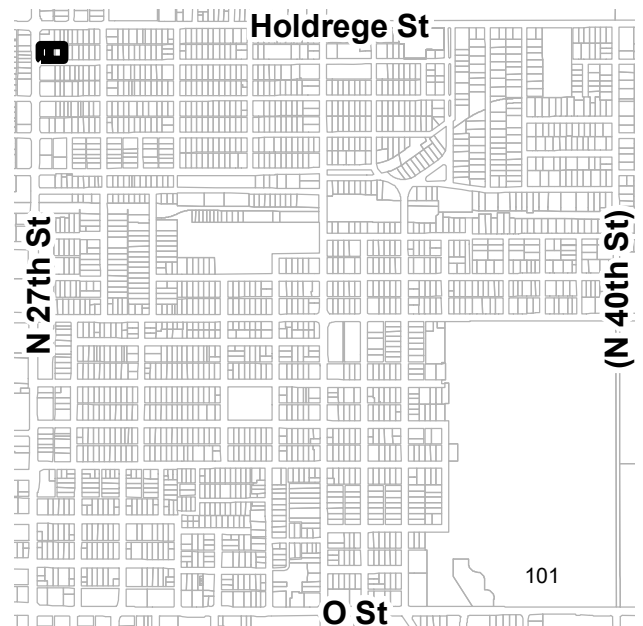
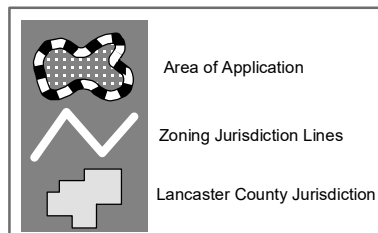
2020 aerial

**Change of Zone #: CZ21010  
N 27th St & Starr 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**



**SITE LAYOUT NOTES**

- ALL CURB AND GUTTER DIMENSIONS ARE TO FACE OF CURB. ALL SIDEWALK DIMENSIONS ARE TO THE BACK OF CURB UNLESS OTHERWISE NOTED.
- ALL RAMPS AND CURB RAMPS SHALL COMPLY WITH FEDERAL AND LOCAL ACCESSIBILITY STANDARDS.
- SITE PLAN SHOWS DIAGRAMMATIC LAYOUT OF CONTROL JOINTS. UNLESS NOTED OTHERWISE EXPANSION JOINTS SHALL BE PLACED AT A MAXIMUM OF 40' O.C. AND ADJACENT TO FIXED VERTICAL STRUCTURES SUCH AS WALLS, CURBS, STEPS AND BUILDINGS.

**PLANTING GENERAL NOTES**

- PLANT QUANTITIES IN PLANT SCHEDULE ARE FOR CONVENIENCE ONLY AND ARE NOT GUARANTEED. QUANTITIES ON PLAN WILL PREVAIL IF DISCREPANCIES OCCUR.
- THE CONTRACTOR SHALL SHOW PROOF OF PROCUREMENT, SOURCES, QUANTITIES AND VARIETIES FOR ALL SHRUBS, PERENNIALS, ORNAMENTAL GRASSES, AND ANNUALS WITHIN 21 DAYS FOLLOWING THE AWARD OF CONTRACT. TIMELY PROCUREMENT OF ALL PLANT MATERIAL IS ESSENTIAL TO THE SUCCESSFUL COMPLETION AND ACCEPTANCE OF THE PROJECT.
- SUBSTITUTIONS SHALL ONLY BE ALLOWED WHEN THE CONTRACTOR HAS EXHAUSTED ALL SOURCES FOR THE SPECIFIED MATERIAL, AND HAS PROVEN THAT THE SPECIFIED MATERIAL IS NOT AVAILABLE. THE CONTRACTOR MUST PROVIDE NAME AND VARIETY OF SUBSTITUTION TO THE LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO TAGGING OR PLANTING. SUBSTITUTIONS SHALL BE NEAREST EQUIVALENT SIZE OF VARIETY OF PLANT HAVING SAME ESSENTIAL CHARACTERISTICS.
- ALL PLANT MATERIAL SHALL BE NURSERY GROWN, SOUND, HEALTHY, VIGOROUS AND FREE FROM INSECTS, DISEASE AND INJURIES. WITH HABIT OF GROWTH THAT IS NORMAL FOR THE SPECIES. SIZES SHALL BE EQUAL TO OR EXCEEDING SIZES INDICATED ON THE PLANT LIST. KIND, SIZE AND QUALITY OF PLANT MATERIAL SHALL CONFORM TO THE AMERICAN STANDARD FOR NURSERY STOCK (ANSI Z60.1), MOST RECENT EDITION.
- STAKE OR PLACE ALL PLANTS IN FIELD AS INDICATED ON THE DRAWINGS OR AS DIRECTED BY THE LANDSCAPE ARCHITECT FOR APPROVAL PRIOR TO PLANTING.
- PROVIDE A MINIMUM OF 48 HOURS NOTICE FOR APPROVAL OF PLANT LAYOUT AND SAMPLE TREE PLANTINGS.
- THE CONTRACTOR SHALL REPORT SUBSURFACE SOIL OR DRAINAGE PROBLEMS TO THE LANDSCAPE ARCHITECT PRIOR TO PLANTING.
- SOD ALL AREAS WITHIN CONTRACT LIMITS, NOT COVERED BY PAVING, BUILDINGS, OR PLANTING BEDS, UNLESS OTHERWISE NOTED.
- CONTRACTOR SHALL PLACE SHREDDED BARK MULCH AROUND ALL TREES AND IN ALL PLANTING BEDS TO A DEPTH OF 3".
- SEE SPECIFICATIONS FOR PLANT MAINTENANCE AND WARRANTY REQUIREMENTS.

**HATCH KEY:**

- CONCRETE PAVEMENT
- SOD
- RIVER ROCK MULCH

**27th and Starr**  
 Lincoln, Nebraska

**ISSUE SCHEDULE**

ISSUE	DATE	DESCRIPTION
1	2020/12/09	SITE PLAN REVIEW

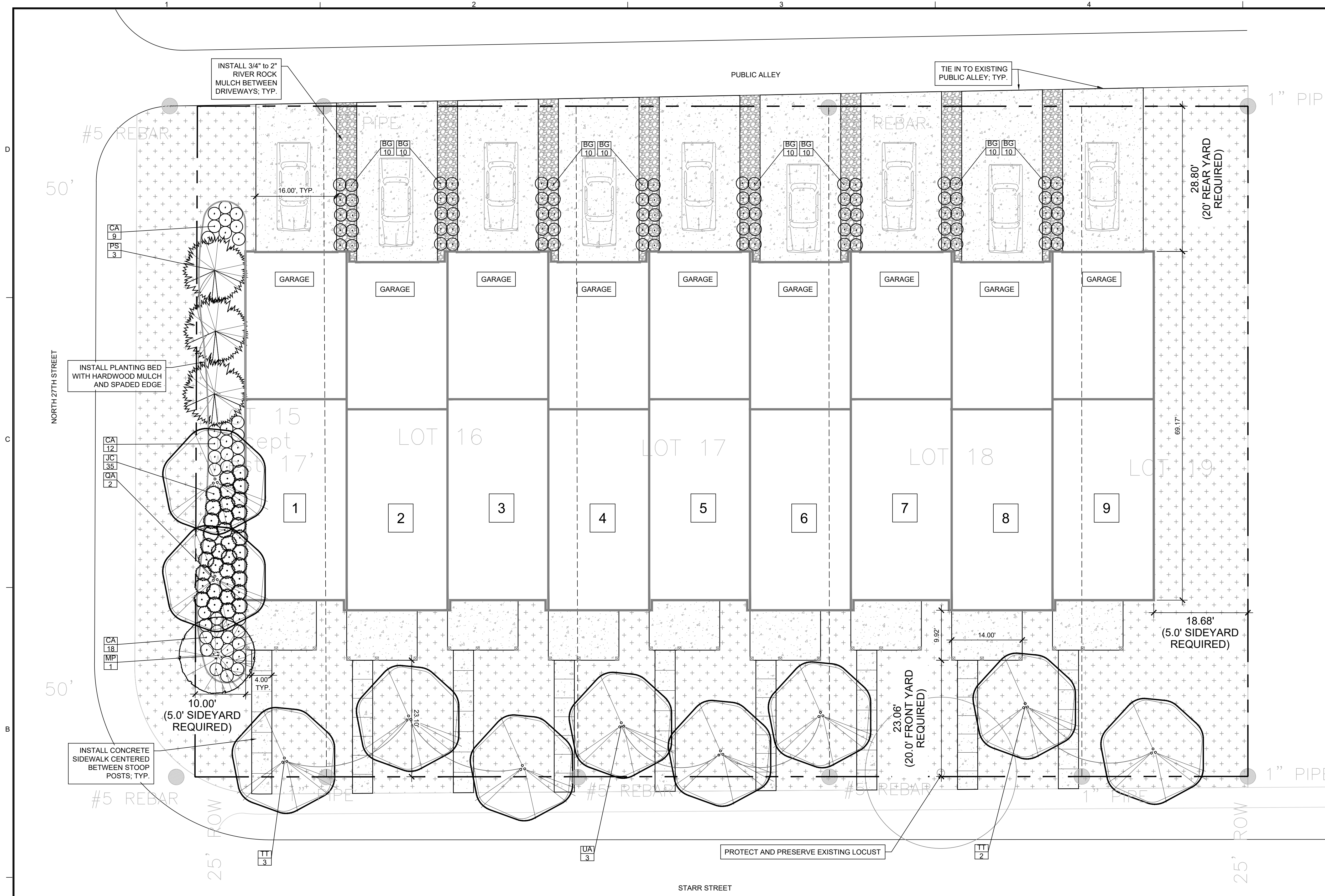
ISSUED FOR  
 SITE PLAN  
 REVIEW  
 NOT FOR  
 CONSTRUCTION

COPYRIGHT © 2020 BY CONFLUENCE  
 ALL RIGHTS RESERVED. THIS DRAWING IS PROVIDED AS AN INSTRUMENT OF SERVICE BY CONFLUENCE, AND IS INTENDED FOR USE ON THIS PROJECT ONLY. ANY REPRODUCTION, USE OR DISCLOSURE OF INFORMATION CONTAINED HEREIN WITHOUT PRIOR WRITTEN CONSENT OF CONFLUENCE IS STRICTLY PROHIBITED.

Site Plan

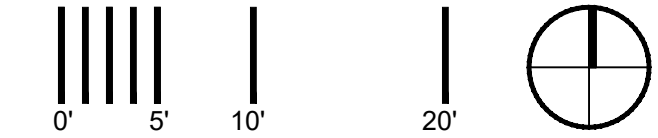
CONFLUENCE PROJECT # 20488

L100



PLANT SCHEDULE						
KEY	QTY	BOTANICAL NAME	COMMON NAME	SIZE	ROOT	SPACING/REMARKS
<b>CANOPY TREES</b>						
QA	2	Quercus alba	WHITE OAK	25 GAL	BAGGED	SPECIMEN QUALITY
TT	5	Tilia tomentosa 'Sterling'	STERLING LINDEN	25 GAL	BAGGED	SPECIMEN QUALITY
UA	3	Ulmus 'Accolade'	ACCOLADE ELM	25 GAL	BAGGED	SPECIMEN QUALITY
<b>ORNAMENTAL TREES</b>						
MP	1	Malus 'Prairiefire'	FLOWERING CRABAPPLE	25 GAL	BAGGED	TREE FORM
<b>CONIFER TREES</b>						
PS	3	Pinus strobus	WHITE PINE	6' HT	BBB	AS SHOWN ON PLAN
<b>CONIFER SHRUBS</b>						
JC	35	Juniper chinensis 'Sea Green'	SEA GREEN JUNIPER	#5	CONT.	3'-0" O.C.
<b>ORNAMENTAL GRASSES</b>						
BG	80	Bouteloua gracilis 'Blonde Ambition'	BLONDE AMBITION GRAMA	#1	CONT.	2'-0" O.C.
CA	39	Calamagrostis x acutiflora 'Karl Forester'	KARL FORESTER	#1	CONT.	2'-6" O.C.

SCALE: 1"=10'



File Location: N:\PROJECTS\2020\20488\_27 and Starr\0488\_WORKING\AUTOCAD\SHETS\L100\_LANDSCAPE PLAN.dwg / SAVE DATE: 3/18/2021 10:35:AM BY: chamin / PLOT DATE: 3/18/2021 2:00:PM BY: Chamin Hean















March 10, 2021

Re: 27<sup>th</sup> & Starr Change of Zone Request

Planning Department:

LS Commercial LLC purchased the property located at 27<sup>th</sup> & Starr, NE corner empty lots, about three years ago. Our plan has always been to construct housing on this site.

We have been working with the City and have been provided important feedback and guidance from all involved. Our change of zone request from its current B-3/R-4 to R-6 is to allow for the construction of 8-9 townhomes. All will be facing Starr Street with access to garages from the alley.

We look forward to continuing with our project as plans and actions are reviewed and approved.

If you have any questions, please contact me at the phone number below.

Sincerely,



LS Commercial LLC

303-588-4669

## DEVELOPMENT AND CONDITIONAL ZONING AGREEMENT

This Development and Conditional Zoning Agreement (“Agreement”) is hereby made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by and between LS Commercial Developer, LLC (“LS Commercial”), and the City of Lincoln, Nebraska, a municipal corporation, hereinafter referred to as “City.”

### RECITALS

#### I.

LS Commercial has requested that the City, through Change of Zone 21010 (“CZ 21010”), change the zoning description from R-4 Residential District and B-3 Business District to R-6 Residential District on property owned by LS Commercial, generally located at 2716 Starr Street, 2718 Starr Street, and 1420 N. 27<sup>th</sup> Street, and legally described as:

**EAST PARK ADDITION, BLOCK 2, Lot 15, EX W17' & LOTS  
16 & 17**

(Presently zoned B-3 and R-4, to be changed to R-6)

**EAST PARK ADDITION, BLOCK 2, Lot 18 – 19**

(Presently zoned R-4, to be changed to R-6)

**All Lincoln, Lancaster County, Nebraska**

(the “Subject Property”)

#### II.

Approval of CZ 21010 would allow LS Commercial to construct multi-family housing with off street parking, to be accessed from the alley, on the subject property.

#### III.

LS Commercial has represented to the City that it intends to construct the multi-family housing with a maximum of nine (9) dwelling units in conformance with the Site Plan as Exhibit A and with Neighborhood Design Standards.

#### IV.

LS Commercial has represented to the City a willingness to pave the alley abutting the Subject Property as a condition of a change of zone from R-4/B-3 to R-6.

**V.**

LS Commercial has represented to the City a willingness to install landscaping along the Starr Street portion of right of way abutting of the Subject Property.

**VI.**

The City, as a condition of rezoning the Subject Property, will require LS Commercial to enter into this Agreement to assure that the LS Commercial will develop the Subject Property in conformance with Exhibits A and B, and Neighborhood Design Standards, construct no more than nine (9) units, pave the alley abutting the subject property, take vehicular access from the Alley, and install landscaping along the Starr Street portion of the right of way abutting Subject Property.

NOW THEREFORE, in consideration of the above recitals and the following terms and conditions, the parties agree as follows:

1. The City hereby agrees to grant LS Commercial's request to rezone the Subject Property from R-4 Residential District and B-3 Business District all to R-6 Residential District.

2. In consideration for the City rezoning the Subject Property to R-6 Residential, LS Commercial agrees to:

- a. Develop the Subject Property in conformance with the Site Plan as it appears on Exhibit A, and the Building Elevations as they appear on Exhibit B, and also in conformance with Neighborhood Design Standards, or in a manner approved by the Planning Director which keeps with the spirit and intent of the development proposal shown on Exhibits A and B;
- b. Construct no more than nine (9) dwelling units on the Subject Property;
- c. Pave the alley abutting the Subject Property prior to occupancy of the new multifamily housing structure;
- d. Design and maintain a side yard on the east portion of the Subject Property of at least fifteen (15) feet;
- e. Take vehicular access to the Subject Property from the alley abutting the north side of the subject property;
- f. Revise the landscaping plan to the satisfaction of the Planning Department. Landscaping plan shall not show trees along the 27th Street Right of Way and will show four (4) to five (5) trees evenly spaced from each other and the sidewalk along the Starr Street side of the Subject Property. Street trees along Starr Street may be in the right of way or on the Subject Property.

3. The Parties agree the Planning Director, upon request, may approve revised site plans, so long as revisions do not materially alter the general development plan and proposed use of the subject property as multi-family residential housing with a maximum of nine (9) dwelling units, and off-street parking.

4. This Agreement shall run with the Subject Property and shall be binding upon the LS Commercial and its respective successors and assigns.

5. This Agreement, when executed by the parties, shall be recorded by the City in the office of the Register of Deeds of Lancaster County, Nebraska, filing fees to be paid by LS Commercial.

IN WITNESS WHEREOF, the parties herein have executed this Agreement on the day and year set forth above.

*(Signature Page to Follow)*

**City of Lincoln, Nebraska,**  
a municipal corporation

\_\_\_\_\_  
Leirion Gaylor Baird

STATE OF NEBRASKA            )  
  ) ss.  
COUNTY OF LANCASTER        )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by Leirion Gaylor Baird, Mayor of the City of Lincoln.

\_\_\_\_\_  
Notary Public

**LS COMMERCIAL DEVELOPER, LLC**

By: \_\_\_\_\_

\_\_\_\_\_, Member  
(Printed Name)

STATE OF NEBRASKA            )  
  ) ss.  
COUNTY OF LANCASTER        )

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 2021, by \_\_\_\_\_, Member of the LS Commercial Developer, LLC.

\_\_\_\_\_  
Notary Public

**LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT**

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

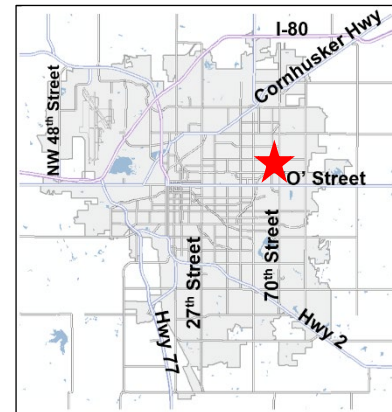
APPLICATION NUMBER Miscellaneous 21003 <i>Meadowlane Shopping Center Redevelopment Area Blight &amp; Substandard Determination Study</i>	FINAL ACTION? No	DEVELOPER/OWNER Hampton Enterprises Inc Whitehead Oil Company
PLANNING COMMISSION HEARING DATE April 28, 2021	RELATED APPLICATIONS None	LOCATION NE Corner of 70 <sup>th</sup> & Vine Streets

**RECOMMENDATION: FINDING OF SUBSTANDARD AND BLIGHTED CONDITIONS**

**BRIEF SUMMARY OF REQUEST**

The Meadowlane Shopping Center Redevelopment Area is generally located northeast of 70<sup>th</sup> & Vine Streets, encompassing the entire Meadowlane Shopping Center and adjacent gas station.

This request is to determine whether the area qualifies as substandard and blighted within the definition set forth in the Nebraska Community Development Law, NEB REV STAT '18-2103. The designation of substandard and blighted conditions is a first step to facilitate redevelopment of the site, including the possible provision of Tax Increment Financing (TIF) at a future date.



**JUSTIFICATION FOR RECOMMENDATION**

The Meadowlane Shopping Center Redevelopment Area qualifies as substandard and blighted within the definition set forth in the Nebraska Community Development Law, NEB REV STAT '18-2103, as determined by the Meadowlane Shopping Center Redevelopment Area Blight & Substandard Determination Study. The Blight & Substandard Study is consistent with the redevelopment and revitalization activities identified in Lincoln-Lancaster County 2040 Comprehensive Plan.

Nebraska Community Development Law, NEB REV STAT '18-2109 requires the Planning Commission to review whether an area is substandard and blighted. A recommendation of the Planning Commission is required to be provided to the City Council prior to a redevelopment area being declared blighted and substandard.

**COMPATIBILITY WITH THE COMPREHENSIVE PLAN**

The Comprehensive Plan encourages infill development and utilizing blight studies to facilitate infill development.

**APPLICATION CONTACT**

Ernie Castillo, (402) 441-7855 or [ecastillo@lincoln.ne.gov](mailto:ecastillo@lincoln.ne.gov)

**STAFF CONTACT**

Andrew Thierolf, (402) 441-6371 or [athierolf@lincoln.ne.gov](mailto:athierolf@lincoln.ne.gov)

## KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

- p. 5.2 Promote and foster appropriate, balanced, and focused future economic growth that maintains the quality of life of the community.
- p. 5.2 Seek to efficiently utilize investments in existing and future public infrastructure to advance economic development opportunities.
- p. 6.2 Target existing underdeveloped or redeveloping commercial and industrial areas in order to remove blighted conditions and more efficiently utilize existing infrastructure.
- p. 6.10 Strategies for facilitating infill development:
  - Develop subarea plans for specific areas that set a framework for development, including advance blight studies, redevelopment plans, identification of infrastructure needs, and public/private roles.
  - Work with state and local government to extend financial incentives to designated locations within the built environment.
  - Support and enhance existing infrastructure and amenities.

## ANALYSIS

1. This is a request to determine whether the Meadowlane Shopping Center Redevelopment Area should or should not be declared substandard and blighted per '18-2103 (11) Nebraska Revised Statutes. After an area is declared substandard and blighted, the City may proceed with the preparation and approval of a Redevelopment Plan. Redevelopment activities may include utilizing Tax Increment Financing (TIF) from private development to pay for public infrastructure and improvements. A total of two Parcels, three structures, and seven acres within the City of Lincoln are within this request. Comprehensive Plan conformity must be found by the respective jurisdiction.
2. The Urban Development Department hired a consultant who conducted the study to determine whether or not there was a presence of substandard or blighting conditions in the study area per '18-2103 (11) Nebraska Revised Statutes.
3. According to the land use categories identified in the Blight Study, approximately 85.7% of the land (6 acres) is Commercial use and 14.3% (1 acre) is Street/Public Right-of-Way.
4. All of the land within the study area is inside the City of Lincoln corporate limits.
5. The Urban Development Department requests the determination study be reviewed by the Planning Commission for conformance with the Comprehensive Plan.
6. A **substandard** area is defined in the Nebraska Revised Statutes as containing a predominance of buildings or improvements with at least one of four conditions present:
  1. Dilapidation/deterioration
  2. Age or obsolescence
  3. Inadequate provision for ventilation, light, air, sanitation or open spaces
  4. a) High density of population and overcrowding; or  
b) The existence of conditions which endanger life or property by fire and other causes; or  
c) Any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, and is detrimental to the public health, safety, morals or welfare.

7. According to the Blight Study, the area qualifies as **substandard** because all four substandard factors were found to have a strong presence in the study area.
- A) Dilapidation, deterioration, age or obsolescence of structures is evident in all three structures. Two structures are classified as deteriorating with major defects and one structure is classified as deteriorating with minor defects. (Pages 16-20).
  - B) Based on field evaluation 100% of structures (all three structures) are over 40 years of age. (Page 20).
  - C) Based on field evaluation, 100% of parcels show deteriorating driveways and structures with roof surfaces/structures prone to leaking and containing deteriorating wood components. The presence of debris was evident on two parcels. The sanitary sewer and water mains in the area are approximately 40 years of age. Water mains in 70<sup>th</sup> Street and Vine Street are approximately 60 years old. Service lines are original to each structure. Repeated maintenance and repair issues in the area will become more prevalent as both water and sanitary sewer mains continue to age (Page 21).
  - D) A combination of factors that are detrimental to the public health, safety, morals or welfare is present with reasonable presence of deterioration among structures, advanced age of structures, advanced age of utilities, and functionally and economically obsolete structures/land uses (Page 22).
8. A **blighted** area is defined in the Nebraska Revised Statutes as having the presence of one or more of the twelve following conditions:
- 1. A substantial number of deteriorated or deteriorating structures;
  - 2. Existence of defective or inadequate street layout;
  - 3. Faulty lot layout in relation to size, adequacy, accessibility or usefulness;
  - 4. Insanitary or unsafe conditions;
  - 5. Deterioration of site or other improvements;
  - 6. Diversity of ownership;
  - 7. Tax or special assessment delinquency exceeding the fair value of the land;
  - 8. Defective or unusual conditions of title;
  - 9. Improper subdivision or obsolete platting;
  - 10. The existence of conditions which endanger life or property by fire or other causes;
  - 11. Any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations or constitutes an economic or social liability;
  - 12. Is detrimental to the public health, safety, morals, or welfare in its present condition and use; and in which there is at least one of the following conditions:
    - a) Unemployment in the designated blighted area is at least one hundred twenty percent of the state or national average;
    - b) The average age of the residential or commercial units in the area is at least 40 years;
    - c) More than half of the platted and subdivided property in the area is unimproved land that has been within the City for 40 years and has remained unimproved during that time;
    - d) The per capita income of the designated blighted area is lower than the average per capita income of the city or City in which the area is designated; or
    - e) The area has had either stable or decreasing population based on the last two decennial censuses.
9. The study found the following **6 blighting** factors to be present to a strong extent in the study area:
- A) A substantial number of deteriorated or deteriorating structures (Pages 23-27).
  - C) Insanitary or unsafe conditions (Page 30).
  - D) Deterioration of site improvements (Page 31).
  - F) Conditions which endanger life or property by fire and other causes (Page 34).
  - G) Other environmental and blighting factors (Page 35).
  - H) The average age of the residential or commercial units in the area is estimated at 40 years (Page 36).

10. The study finds there is at least a reasonable distribution of all four factors that constitute an area as substandard within the study area, and out of 12 possible factors that constitute an area blighted, 6 are strongly present in the area. Therefore it is the conclusion of the study that sufficient conditions and factors meet the criteria of substandard and blight as evidenced in the Blight Study. These factors present a serious barrier to the planned and coordinated development of the area, have created an environment that negatively impacts private sector investment in the area, and serve as a detriment to the overall healthy economic growth and physical development of the community.
11. The Blight & Substandard Determination Study is on file with the Urban Development Department and the Planning Department.

**EXISTING LAND USE & ZONING:** Commercial, B-1 Local Business District

**SURROUNDING LAND USE & ZONING**

North: X Street, Single Family Detached	R-2 Residential
South: Vine Street, Church	R-2 Residential
East: Single Family Detached	R-2 Residential
West: 70 <sup>th</sup> Street, Single Family Detached	R-2 Residential

**APPROXIMATE LAND AREA:** 7 acres

**LEGAL DESCRIPTION:** See Attached

Prepared by

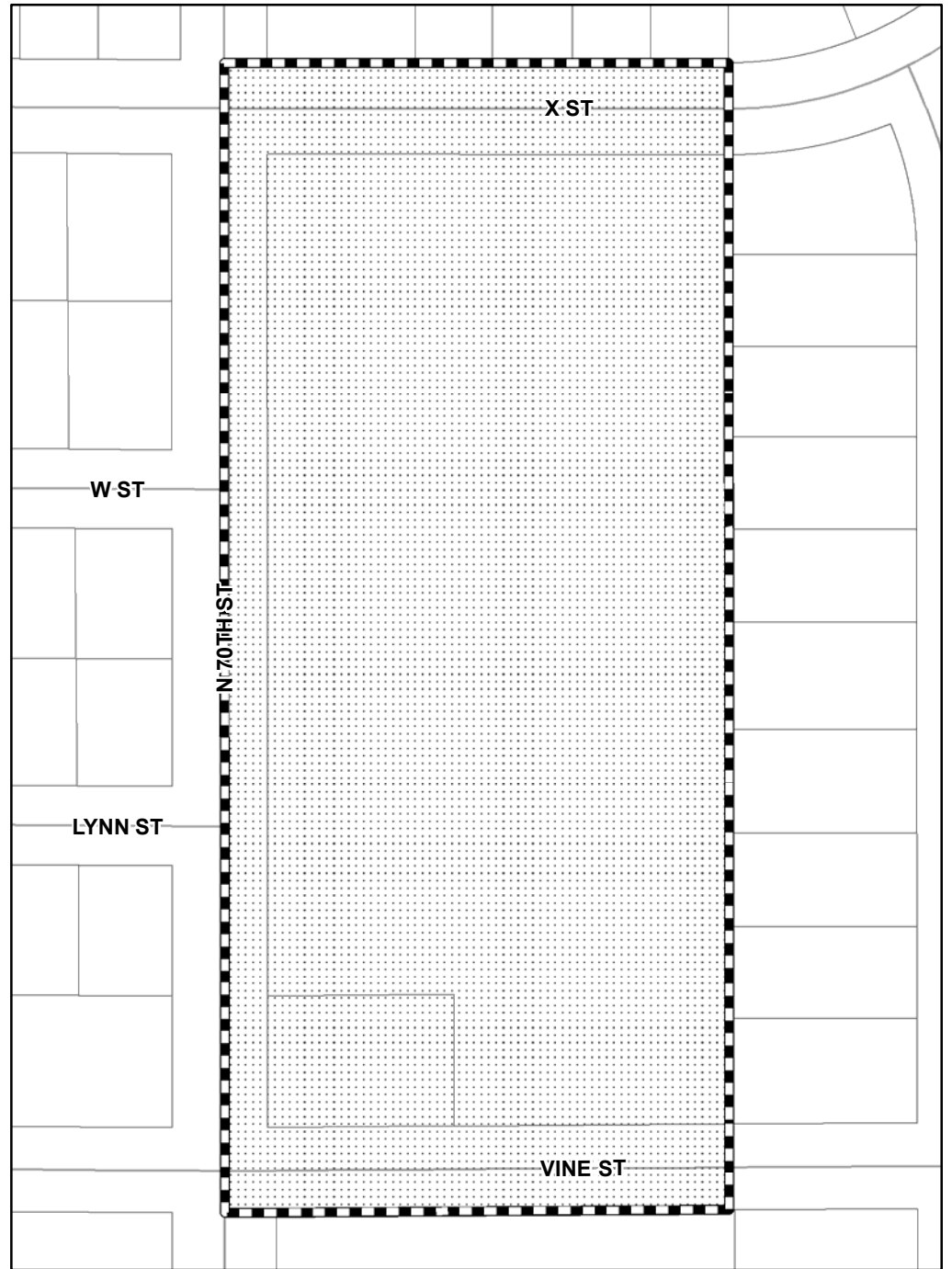
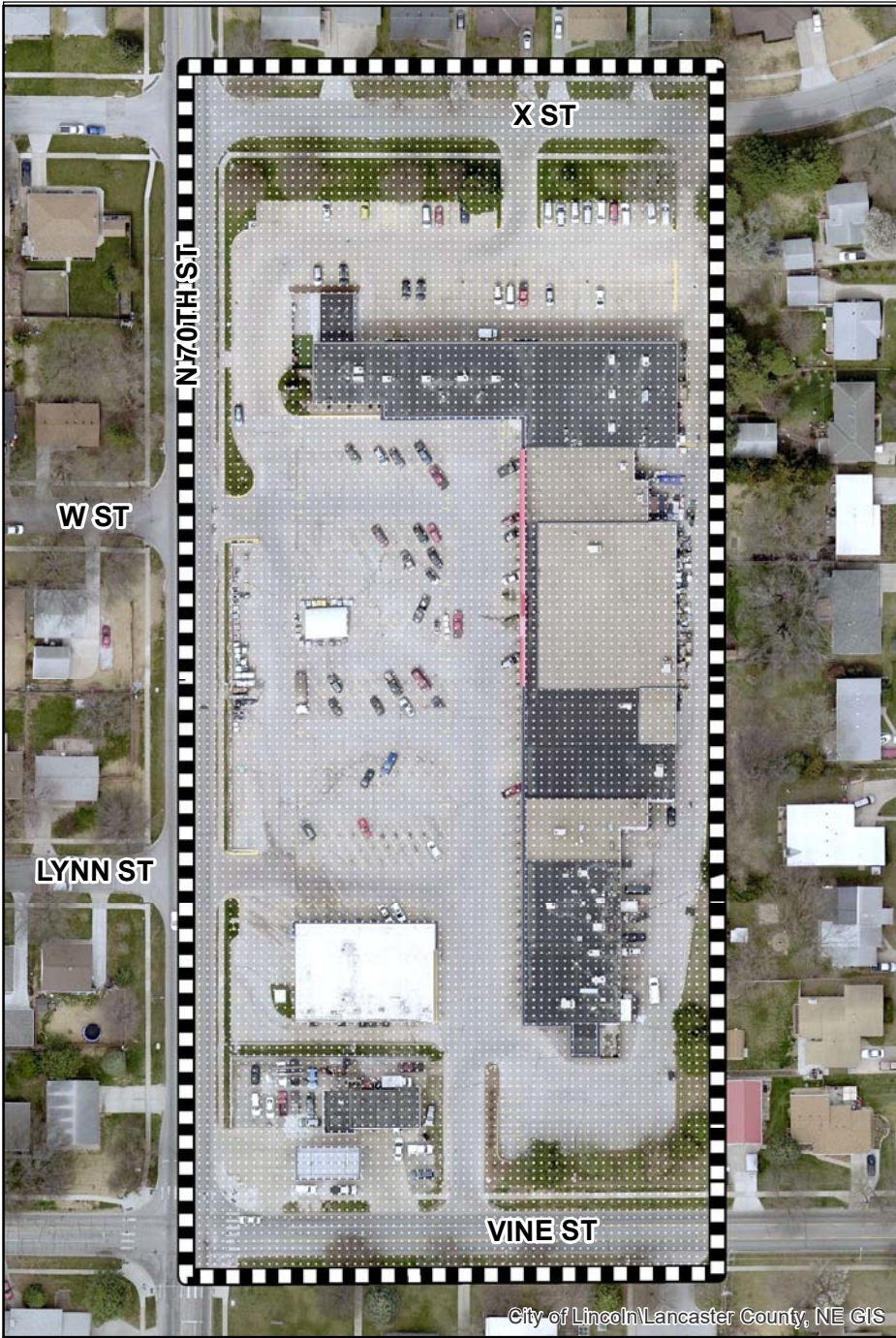
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Andrew Thierolf, AICP  
 April 14, 2021

**Applicant:** Dan Marvin, Urban Development  
 555 S. 10<sup>th</sup> Street  
 Lincoln, NE 68508  
 (402) 441-7126  
[dmarvin@lincoln.ne.gov](mailto:dmarvin@lincoln.ne.gov)

**Contact:** Ernie Castillo  
 555 S. 10<sup>th</sup> Street  
 Lincoln, NE 68508  
 (402) 441-7855  
[ecastillo@lincoln.ne.gov](mailto:ecastillo@lincoln.ne.gov)

<b>Owners:</b> Hampton Enterprises Inc 3400 Plantation Dr, Suite 110 Lincoln, NE 68516	Whitehead Oil Company PO Box 30211 Lincoln, NE 68503
--	--



**Miscellaneous #21003**  
**Meadowlane Shopping Center**  
**Blight & Substandard Determination Study**

2020 aerial

## **Meadowland Shopping Center Legal Description**

BETHANY HEIGHTS, BLOCK 101, LOT 1 - 14, & VACATED ALLEY  
ADJACENT & BLOCK 102 LOTS 1 - 7 & 11 - 14 & LOTS 8 - 10 EXTENDED SOUTH 100' &  
VACATED ALLEY ADJACENT & VACATED "W" STREET ADJACENT.

BETHANY HEIGHTS, BLOCK 102, LOTS 8 - 10, SOUTH 100'.

March 26, 2021

David Cary, Planning Director  
City of Lincoln-Lancaster County Planning Department  
555 S. 10<sup>th</sup>  
Lincoln, NE 68508

Dear David:

Enclosed is Meadowlane Shopping Center Blight and Substandard Study. The study will assist the City in moving forward with a redevelopment plan and an eventual redevelopment agreement for the area described in the study. The site is located at the NE corner of 70<sup>th</sup> & Vine Streets.

Please forward this study to the Planning Commission for their earliest consideration for Comprehensive Plan compliance. My understanding is that the Blight and Substandard Study should be on the April 28, 2021 agenda.

If you have questions or need additional information, Please contact me at 402-441-7855 or at [ecastillo@lincoln.ne.gov](mailto:ecastillo@lincoln.ne.gov).

Sincerely,



Ernie Castillo

Cc: Dan Marvin, Director, Urban Development  
Dallas McGee, Urban Development  
Andrew Thierolf, Planning Department



## **MEADOWLANE SHOPPING CENTER REDEVELOPMENT AREA.**

*Blight & Substandard Determination Study.*

**City of Lincoln, Nebraska.**

**January, 2021**

**HANNA:KEELAN ASSOCIATES, P.C.  
COMMUNITY PLANNING & RESEARCH**



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**HANNA:KEELAN ASSOCIATES, P.C.  
COMMUNITY PLANNING & RESEARCH**

*COMPREHENSIVE PLANS & ZONING \* HOUSING STUDIES \*  
DOWNTOWN, NEIGHBORHOOD & REDEVELOPMENT PLANNING \*  
CONSULTANTS FOR AFFORDABLE HOUSING DEVELOPMENTS\**

*\*Lincoln, Nebraska\* 402.464.5383 \**

*\* Becky Hanna, Tim Keelan, Keith Carl \**

# BLIGHT & SUBSTANDARD DETERMINATION STUDY.

## *EXECUTIVE SUMMARY.*

### Purpose of Study.

The purpose of this **Blight and Substandard Determination Study** is to apply the criteria set forth in the **Nebraska Community Development Law, Section 18-2103**, to the designated **Meadowlane Shopping Center Redevelopment Area** in the City of Lincoln, Nebraska. The results of this **Study** will assist the City in declaring the **Redevelopment Area** as both **blighted and substandard**.

### Location.

The **Redevelopment Area** is located in east central Lincoln, generally bound by North 70<sup>th</sup> Street (west), Vine Street (south), “X” Street (north) and the east boundary of Parcel #172212900300. **Illustration 1, Context Map, Page 2**, identifies the location of the **Area** in relation to the City of Lincoln. The **Redevelopment Area** encompasses the entirety of the Meadowlane Shopping Center, as well as a dated Phillips 66 Service Station at the northeast corner of North 70<sup>th</sup> and Vine Streets. The **Area** equals an estimated **seven acres** and is composed of commercial structures on two separate lots.

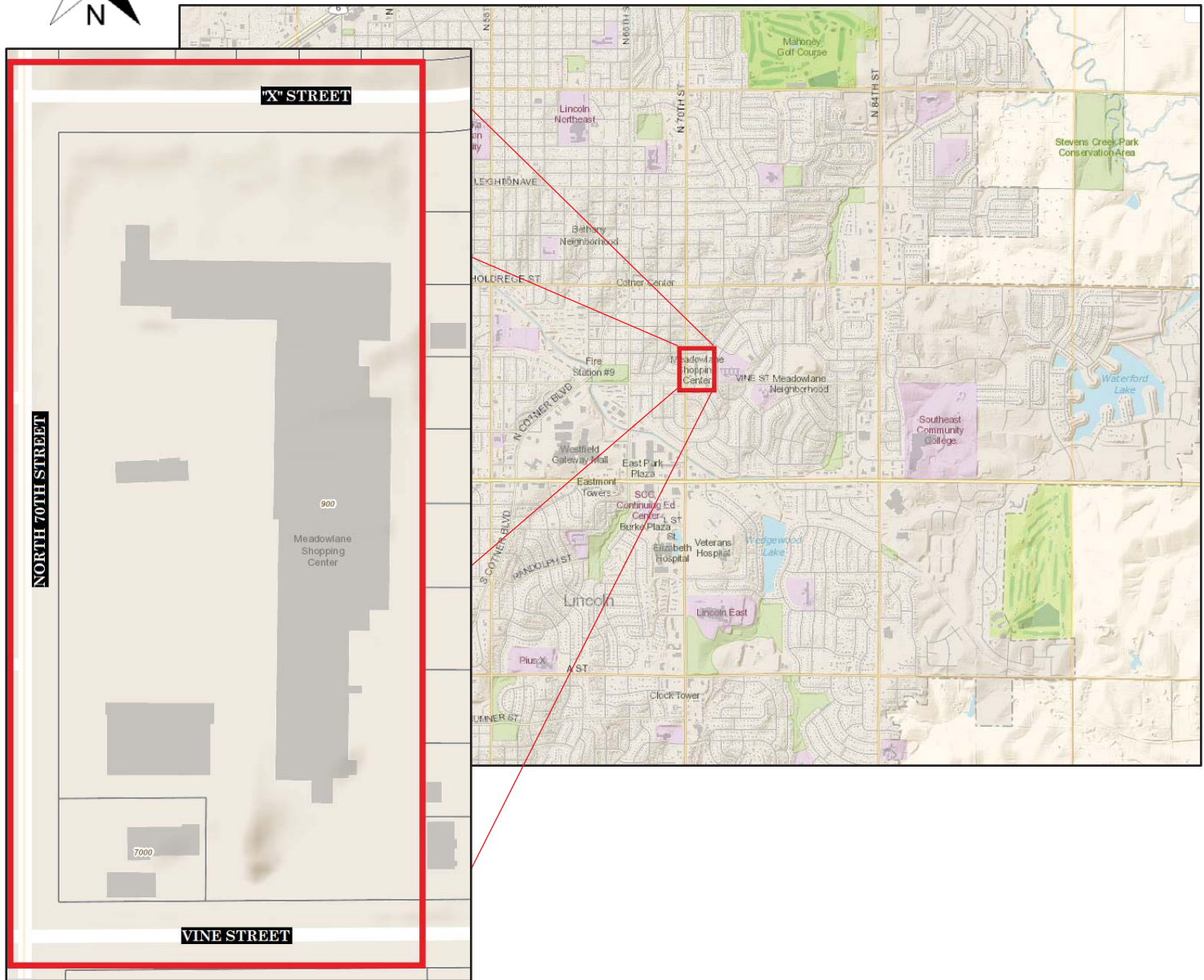


The referenced **Meadowlane Shopping Center Redevelopment Area**, in the City of Lincoln, Nebraska, includes the following **Property IDs and Legal Descriptions** on file with the Lancaster County Assessor’s Office:

1. **1722129003000**. BETHANY HEIGHTS, BLOCK 101, LOT 1 - 14, & VACATED ALLEY ADJACENT & BLOCK 102 LOTS 1 - 7 & 11 - 14 & LOTS 8 - 10 EXTENDED SOUTH 100' & VACATED ALLEY ADJACENT & VACATED “W” STREET ADJACENT.
2. **1722130001000**. BETHANY HEIGHTS, BLOCK 102, LOTS 8 - 10, SOUTH 100'.

# CONTEXT MAP – ILLUSTRATION 1

## MEADOWLANE SHOPPING CENTER REDEVELOPMENT AREA LINCOLN, NEBRASKA



**HANNA:KEELAN ASSOCIATES, P.C.**  
**COMMUNITY PLANNING & RESEARCH**

**\* Lincoln, Nebraska \* 402.464.5383 \***

### LEGEND

 REDEVELOPMENT AREA

This **blight and substandard evaluation** included a detailed **Structural/Site Conditions Survey of three structures and associated parcels**, conversations with City of Lincoln Staff and a review of available reports and documents containing information which could substantiate the existence of **blight and substandard conditions**.

***SUBSTANDARD AREA.***

As set forth in the Nebraska legislation, a **substandard area** shall mean one in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which by reason of the presence of the following factors:

1. Dilapidated/deterioration;
2. Age or obsolescence;
3. Inadequate provision for ventilation, light, air, sanitation or open spaces;
4. (a) High density of population and overcrowding; or  
(b) The existence of conditions which endanger life or property by fire and other causes; or  
(c) Any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, and is detrimental to the public health, safety, morals or welfare.

***BLIGHTED AREA.***

As set forth in the Section 18-2103 (11) Nebraska Revised Statutes (Cumulative Supplement 1994), a **blighted area** shall mean "an area, which by reason of the presence of the following factors:

1. A substantial number of deteriorated or deteriorating structures;
2. The advanced age and associated condition of structures;
3. Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
4. Insanitary or unsafe conditions due to the age, small diameter of water mains;
5. Deterioration of site or other improvements;
6. Diversity of ownership;
7. Tax or special assessment delinquency exceeding the fair value of the land;
8. Defective or unusual conditions of title;
9. Improper subdivision or obsolete platting;

10. The existence of conditions which endanger life or property by fire or other causes;
11. Any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations or constitutes an economic or social liability; and
12. Is detrimental to the public health, safety, morals or welfare in its present condition and use; and in which there is at least one or more of the following conditions exists;
  1. Unemployment in the study or designated blighted area is at least one hundred twenty percent of the state or national average;
  2. The average age of the residential or commercial units in the area is at least 40 years;
  3. More than half of the plotted and subdivided property in an area is unimproved land that has been within the City for 40 years and has remained unimproved during that time;
  4. The per capita income of the study or designated blighted area is lower than the average per capita income of the City or Village in which the area is designated; or
  5. The area has had either stable or decreasing population based on the last two decennial censuses."

While it may be concluded the mere presence of a majority of the stated **Factors** may be sufficient to make a finding of **blight and substandard**, this evaluation was made on the basis that existing **Blight and Substandard Factors** must be present to an extent which would lead reasonable persons to conclude public intervention is appropriate or necessary to assist with any development or redevelopment activities. Secondly, the distribution of **Blight and Substandard Factors** throughout the **Meadowlane Shopping Center Redevelopment Area** must be reasonably distributed so basically good areas are not arbitrarily found to be blighted simply because of proximity to areas which are **blighted and substandard**.

On the basis of this approach, the Meadowlane Shopping Center Redevelopment Area is found to be eligible as "blighted" and "substandard", within the definition set forth in the legislation. Specifically:

***SUBSTANDARD FACTORS.***

All Four Substandard Factors set forth in the Nebraska Community Development Law represent a “strong presence” within the Redevelopment Area. The Substandard Factors are described in detail, below.

**TABLE 1  
SUBSTANDARD FACTORS  
MEADOWLANE SHOPPING CENTER  
REDEVELOPMENT AREA  
LINCOLN, NEBRASKA**

- |    |   |   |
|----|---|---|
| 1. | Dilapidated/deterioration.  | ☐ |
| 2. | Age or obsolescence.  | ☐ |
| 3. | Inadequate provision for ventilation, light, air, sanitation or open spaces.                      | ☐ |
| 4. | Any combination of factors that are detrimental to the public health, safety, morals, or welfare. | ☐ |

**Strong Presence of Factor**           ☐  
**Reasonable Presence of Factor**   ☐  
**No Presence of Factor**           ○

Source: Hanna:Keelan Associates, P.C., 2021.

**Strong Presence of Factor -**

The results of a **Structural/Site Conditions Survey** identified **all three structures** in the **Meadowlane Shopping Center Redevelopment Area** as being in a **deteriorating** condition with, at least, minor defects. This includes **two structures** identified as being in a **deteriorating** condition with major defects. This **Factor** is a **strong presence** throughout the **Area**.

According to information from the Lancaster County Assessor’s Office and based on the results of a **Structural/Site Conditions Survey**, **all three structures** in the **Redevelopment Area** are **40+ years of age** (built in or prior to 1981). The **average age** of commercial structures in the **Area** is an estimated **52 years**. The **Factor of Age or Obsolescence** is a **strong presence** throughout the **Area**.

The conditions which result in ***Inadequate Provision for Ventilation, Light, Air, Sanitation or Open Space*** are a **strong presence** throughout the **Meadowlane Shopping Center Redevelopment Area**. City of Lincoln Public Works Staff described sanitary sewer mains that primarily serve the **Area** as being 40+ years of age and in “good” condition, based on age, size and material. Staff described segments of water mains in the **Area**, being 60+ years of age, but in “good” condition, based upon size and break and maintenance history. Private service lines for the Meadowlane Shopping Center are original to the facility’s construction. Additionally, one of the two total parcels (50 percent) in the **Area** maintains a “fair” overall site condition. Aging infrastructure, combined with declining site conditions and deteriorating structures results in an inadequate provision for ventilation, light, air, sanitation and open space within the **Redevelopment Area**.

The only “open space” provision in the **Redevelopment Area** is the Center’s major parking lot, which was determined to be in “fair” condition.

The **Structural/Site Conditions Survey** determined that the **Substandard Factor *Any Combination of Factors that are Detrimental to the Public Health, Safety, Morals, or Welfare*** is a **strong presence** throughout the **Redevelopment Area**. The primary contributing elements include deteriorating buildings that will require rehabilitation and modernization for continued and future use and occupation, and the localized effects of a dated Phillips 66 auto service station. Additionally, water and sanitary sewer mains within the **Redevelopment Area** are aging but in “good” condition, as per the City of Lincoln Public Works Staff. The water system dates back to the 1950s and will need to be monitored in the event of leaks and breakages.

***The prevailing substandard conditions, evident in buildings and the public infrastructure, as determined by the Structural/Site Conditions Survey, include:***

1. **Deteriorating structures** with minor and major defects;
2. **Advanced Age** of structures. All three structures in the **Area** are 40+ years of age. The average age of commercial structures in the **Area** is an estimated **52 years**;
3. Water and sanitary sewer mains throughout the **Area** are generally 60 years of age, constructed of outmoded material and/or have a history of repeated maintenance issues; and
4. **Functionally and economically obsolete structures** serviced by aging and outmoded water and sanitary sewer lines.

**BLIGHT FACTORS**

Of the **12 Blight Factors** set forth in the **Nebraska Community Development Law**, throughout the **Redevelopment Area**, **six** represent a **strong presence**, **three** are present to a **reasonable extent** and **two** represent **little or no presence**. The Factor, “defective or unusual condition of title,” was not reviewed. All **Blight Factors** are reasonably distributed throughout the **Area**.

**TABLE 2  
BLIGHT FACTORS  
MEADOWLANE SHOPPING CENTER  
REDEVELOPMENT AREA  
LINCOLN, NEBRASKA**

- |     |  |    |
|-----|--|----|
| 1.  | A substantial number of deteriorated or dilapidated structures.                      | ☐  |
| 2.  | Existence of defective or inadequate street layout.                                  | ▣  |
| 3.  | Faulty lot layout in relation to size, adequacy, accessibility or usefulness.        | ▣  |
| 4.  | Insanitary or unsafe conditions.   | ☐  |
| 5.  | Deterioration of site or other improvements.   | ☐  |
| 6.  | Diversity of Ownership.  | ○  |
| 7.  | Tax or special assessment delinquency exceeding the fair value of land.              | ○  |
| 8.  | Defective or unusual condition of title.   | NR |
| 9.  | Improper subdivision or obsolete platting.   | ▣  |
| 10. | The existence of conditions which endanger life or property by fire or other causes. | ☐  |
| 11. | Other environmental and blighting factors.   | ☐  |
| 12. | One of the other five conditions.  | ☐  |

<b>Strong Presence of Factor</b>	☐
<b>Reasonable Presence of Factor</b>	▣
<b>Little or No Presence of Factor</b>	○
<b>NR = Not Reviewed</b>	NR

Source: Hanna:Keelan Associates, P.C., 2021.

### **Strong Presence of Factor –**

***Deteriorated or Dilapidated Structures*** are a **strong presence** throughout the **Meadowlane Shopping Center Redevelopment Area**. All three structures in the **Area** were documented as deteriorating with either minor or major defects.

***Insanitary or Unsafe Conditions*** are a **strong presence** throughout the **Redevelopment Area**. Conditions contributing to this **Factor** includes all three buildings (100 percent) being in a deteriorating condition and being 40+ years of age and the localized effects of a dated auto service station. Water and sanitary sewer mains in the **Area** range from 22 to 66 years of age. Public Works Staff described both the water and sanitary sewer system as “good” in condition. Meadowlane Shopping Center’s service lines are original to the facility’s construction.

***Deterioration of Site or Other Improvements*** is a **strong presence** throughout the **Redevelopment Area**. One of the two parcels (50 percent) was observed to maintain “fair” overall site conditions. Both parcels also contained debris to a minor extent. Additionally, all three structures maintained driveways/parking lots and side conditions deteriorated to a major extent, including cracking and settling pavement and sidewalks.



The ***Existence of Conditions Which Endanger Life or Property by Fire or Other Causes*** is a **strong presence** throughout the **Area**. Conditions associated with this factor include the presence of structures which are both aging and identified as deteriorating with minor or major defects, as well as parcels with deteriorating overall site conditions and/or debris to a minor extent. The localized effects of a dated auto service station also contribute to this Blight Factor.

In regards to ***Other Environmental and Blighting Factors***, economically and socially undesirable land uses, with **functional and economical obsolescence**, are a **strong presence** throughout the **Redevelopment Area**. The **Area** contains vacated retail bays, structures that are deteriorating with minor and major defects, dated public infrastructure in need of repair/replacement.

***One of the Required Five Additional Blight Factors*** has a **strong presence** throughout the **Redevelopment Area**. Based on the **Structural/Site Conditions Survey** and records obtained from the Lancaster County Assessor’s Office, the estimated average age of commercial structures in the **Area** is **52 years**, exceeding the blight criteria of 40+ years of age.

### Reasonable Presence of Factor –

***Faulty Lot Layout*** is a **reasonable presence** throughout the **Redevelopment Area**, due, primarily, to topographic issues between the two lots. Such issues pose a hindrance to future development resulting in tracts of land, in current state, considered to be both **functionally and economically obsolete**.

***Existence of Defective or Inadequate Street Layout*** is a **reasonable presence** throughout the **Redevelopment Area**. Public street segments, including North 70<sup>th</sup>, Vile and “X” Streets were generally found to be in “good” condition throughout the **Area**, but all driveways and side conditions were determined to be deteriorating with, at least, minor defects, or worse.

***Improper Subdivision or Obsolete Platting*** is a **reasonable presence** throughout the **Redevelopment Area**. Underdeveloped/underutilized structures and tracts of land exist throughout the **Area**. Additionally, parcels throughout the **Area** have been incrementally split off from larger tracts of land in a variety of sizes and shapes necessary to support the existing development pattern.

### Little or No Presence of Factor -

***Diversity of Ownership*** is of **little or no presence** throughout the **Area**. Research of public records from the Lancaster County Assessor’s Office indicates that **two individuals/ownership groups** own property within the **Redevelopment Area**.

***Tax or Special Assessment Delinquency Exceeding the Fair Value of Land*** is of **little or no presence** throughout the **Area**. Research of public records from the Lancaster County Treasurer’s Office concluded that zero parcels within the **Redevelopment Area** were property tax delinquent.

The Factor ***Defective or Unusual Condition of Title*** was not reviewed.

### Conclusion.

It is the conclusion of the Consultant that the number, degree and distribution of **Blight and Substandard Factors**, as documented in this **Executive Summary**, are beyond remedy and control solely by regulatory processes in the exercise of the police power and cannot be dealt with effectively by the ordinary operations of private enterprise without the aids provided in the **Nebraska Community Development Law**. It is also the opinion of the Consultant that the findings of this **Blight and Substandard Determination Study** warrant designating the **Meadowlane Shopping Center Redevelopment Area** as “substandard” and “blighted.”

The conclusions presented in this **Study** are those of the Consultant engaged to examine whether conditions of **blight and substandard** exist. The Lincoln City Council should review this Study and, if satisfied with the summary of findings contained herein, may adopt a resolution making a **finding of blight and substandard** and this **Study** a part of the public record.

## ***BASIS FOR REDEVELOPMENT.***

For a project in the City of Lincoln to be eligible for redevelopment under the **Nebraska Community Development Law**, the subject area or areas must first qualify as both a “**substandard**” and “**blighted**” area, within the definition set forth in the **Nebraska Community Development Law**. This **Study** has been undertaken to determine whether conditions exist which would warrant designation of the **Meadowlane Shopping Center Redevelopment Area** as a “**blighted and substandard area**” in accordance with provisions of the law.

As set forth in Section 18-2103 (10) Neb. Rev. Stat. (Cumulative Supplement 1994), a **substandard area** shall mean an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which by reason of the following:

1. Dilapidation/deterioration;
2. Age or obsolescence;
3. Inadequate provision for ventilation, light, air, sanitation or open spaces;
4.
  - (a) High density of population and overcrowding; or
  - (b) The existence of conditions which endanger life or property by fire and other causes; or
  - (c) Any combination of such factors is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency and crime, and is detrimental to the public health, safety, morals or welfare.

As set forth in the Nebraska legislation, a **blighted area** shall mean an area, which by reason of the presence of:

1. A substantial number of deteriorated or deteriorating structures;
2. Existence of defective or inadequate street layout;
3. Faulty lot layout in relation to size, adequacy, accessibility or usefulness;
4. Insanitary or unsafe conditions;
5. Deterioration of site or other improvements;
6. Diversity of ownership;
7. Tax or special assessment delinquency exceeding the fair value of the land;
8. Defective or unusual conditions of title;

9. Improper subdivision or obsolete platting;
10. The existence of conditions which endanger life or property by fire or other causes;
11. Any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations or constitutes an economic or social liability;
12. Is detrimental to the public health, safety, morals, or welfare in its present condition and use; and in which there is at least one of the following conditions:
  1. Unemployment in the designated blighted area is at least one hundred twenty percent of the state or national average;
  2. The average age of the residential or commercial units in the area is at least 40 years;
  3. More than half of the plotted and subdivided property in the area is unimproved land that has been within the City for 40 years and has remained unimproved during that time;
  4. The per capita income of the designated blighted area is lower than the average per capita income of the City or Village in which the area is designated; or
  5. The area has had either stable or decreasing population based on the last two decennial censuses.

The Consultant for this **Blight and Substandard Determination Study** was guided by the premise that the finding of **blight and substandard** must be defensible and sufficient evidence of the presence of **Factors** should exist so the Lincoln Planning Commission and City Council (local governing body), acting in a reasonable and prudent manner, could conclude public intervention is necessary or appropriate. Therefore, each factor was evaluated in the context of the extent of its presence and the collective impact of all **Factors** found to be present.

Also, these deficiencies should be reasonably distributed throughout the **Redevelopment Area**. Such a "reasonable distribution of deficiencies test" would preclude localities from taking concentrated **areas of blight and substandard conditions** and expanding the areas arbitrarily into non-blighted/substandard areas for planning or other reasons. The only exception which should be made to this rule is where projects must be brought to a logical boundary to accommodate new development and ensure accessibility, but even in this instance, the inclusion of such areas should be minimal and related to an area otherwise meeting the reasonable distribution of deficiencies test.

**THE STUDY AREA.**

The purpose of this **Study** is to determine whether all or part of the **Meadowlane Shopping Center Redevelopment Area** in the City of Lincoln, Nebraska, qualifies as a **blighted and substandard area**, within the definition set forth in the **Nebraska Community Development Law, Section 18-2103**.

**Location.**

The referenced **Meadowlane Shopping Center Redevelopment Area**, in the City of Lincoln, Nebraska, includes the following **Property IDs and Legal Descriptions** on file with the Lancaster County Assessor’s Office:

The **Redevelopment Area** is located in east central Lincoln, generally bound by North 70<sup>th</sup> Street (west), Vine Street (south), “X” Street (north) and the east boundary of Parcel #172212900300. **Illustration 1, Context Map, Page 2**, identifies the location of the **Area** in relation to the City of Lincoln. The **Redevelopment Area** encompasses the entirety of the Meadowlane Shopping Center, as well as a dated Phillips 66 Service Station at the northeast corner of North 70<sup>th</sup> and Vine Streets. The **Area** equals an estimated **seven acres** and is composed of commercial structures on two separate lots.

The referenced **Meadowlane Shopping Center Redevelopment Area**, in the City of Lincoln, Nebraska, includes the following **Property IDs and Legal Descriptions** on file with the Lancaster County Assessor’s Office:

1. **1722129003000**. BETHANY HEIGHTS, BLOCK 101, LOT 1 - 14, & VACATED ALLEY ADJACENT & BLOCK 102 LOTS 1 - 7 & 11 - 14 & LOTS 8 - 10 EXTENDED SOUTH 100' & VACATED ALLEY ADJACENT & VACATED “W” STREET ADJACENT.
2. **1722130001000**. BETHANY HEIGHTS, BLOCK 102, LOTS 8 - 10, SOUTH 100'.

**Table 3** identifies the estimated **existing land use** within the **Meadowlane Shopping Center Redevelopment Area**, in terms of number of acres and percentage of total for all existing uses. Designated commercial land use occupies an estimated 85.7 percent of the **Area**. The existing land use is graphically presented on **Illustration 2, Page 14**.

**TABLE 3  
EXISTING LAND USE  
MEADOWLANE SHOPPING CENTER REDEVELOPMENT AREA  
LINCOLN, NEBRASKA**

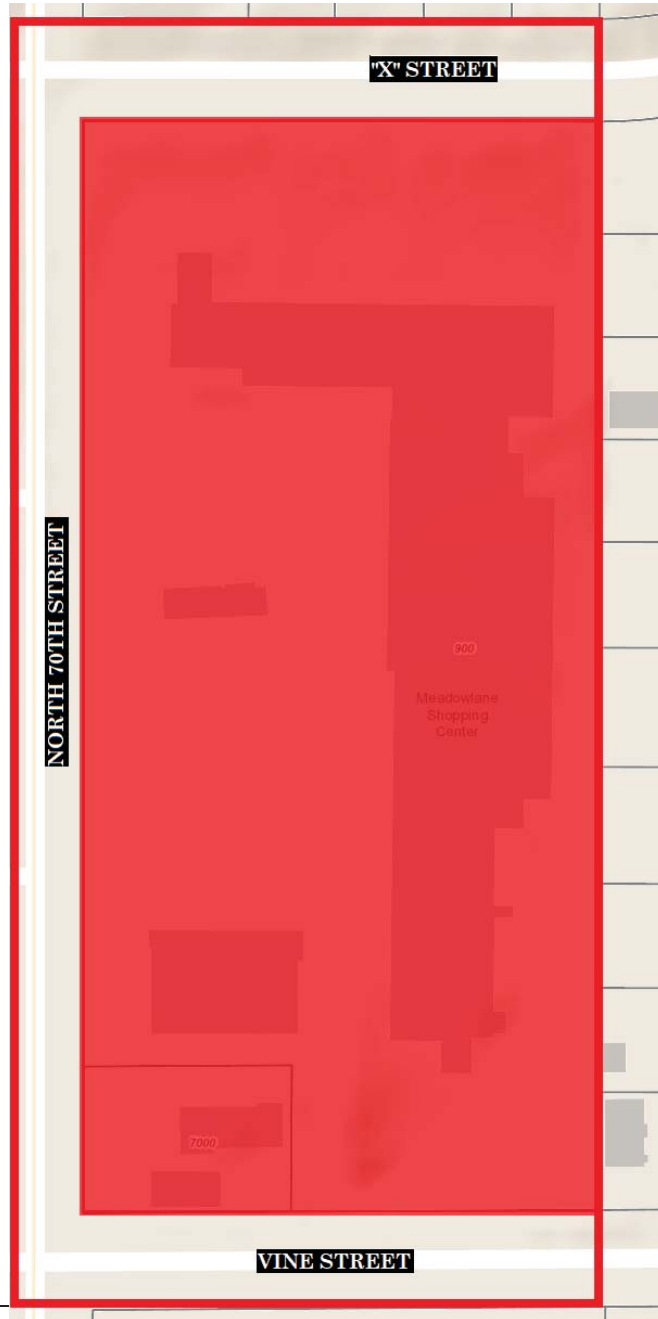
<u>Land Use</u>	<u>Acres</u>	<u>Percent</u>
Commercial	6.0	85.7%
<u>Street/Public Right-of-Way</u>	<u>1.0</u>	14.3%
<b>Totals</b>	<b>7.0</b>	<b>100.0%</b>

Source: Hanna:Keelan Associates, P.C., 2021.

**Illustration 3, Page 15**, identifies the existing **Zoning Classifications** in the **Meadowlane Shopping Center Redevelopment Area**. The entire **Redevelopment Area** is zoned “B-1 Local Business District”.

# EXISTING LAND USE MAP – ILLUSTRATION 2

MEADOWLANE SHOPPING CENTER  
REDEVELOPMENT AREA  
LINCOLN, NEBRASKA



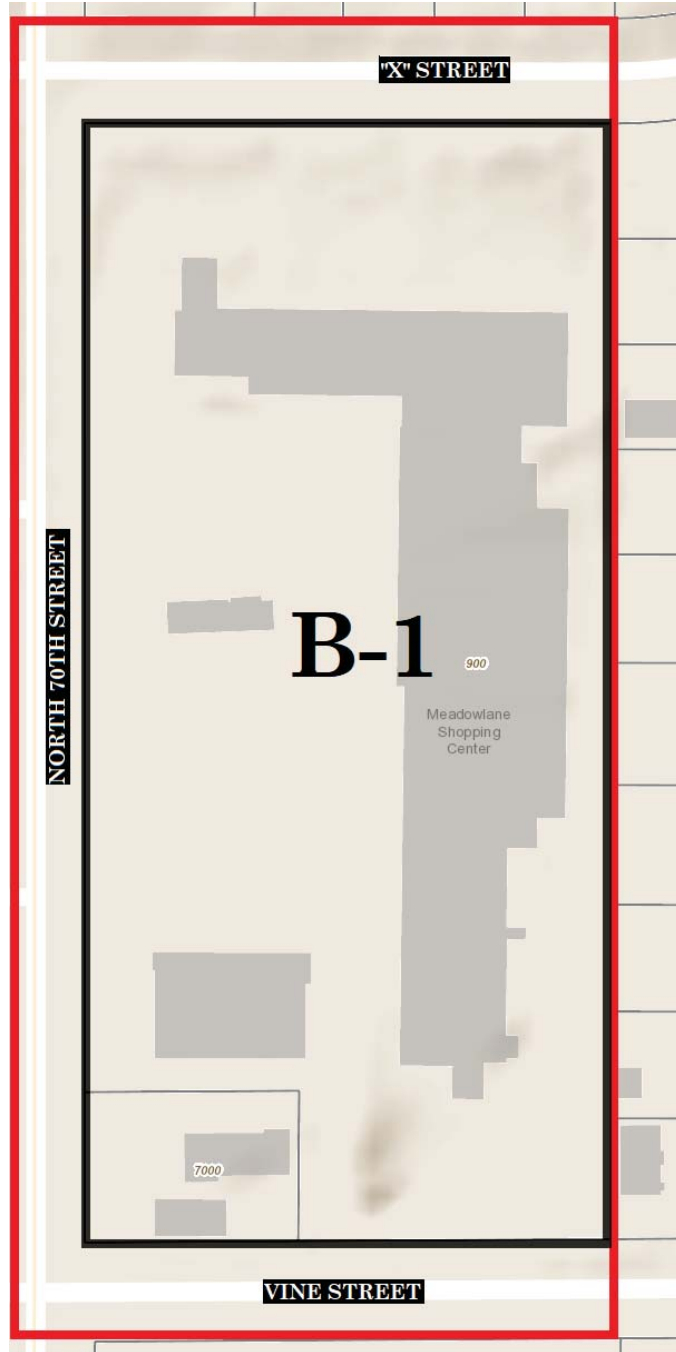
## LEGEND

-  REDEVELOPMENT AREA
-  COMMERCIAL

HANNA:KEELAN ASSOCIATES, P.C.  
COMMUNITY PLANNING & RESEARCH

\* Lincoln, Nebraska \* 402.464.5383 \*

**EXISTING ZONING MAP – ILLUSTRATION 3**  
**MEADOWLANE SHOPPING CENTER**  
**REDEVELOPMENT AREA**  
**LINCOLN, NEBRASKA**



**LEGEND**

- REDEVELOPMENT AREA
- B-1** LOCAL BUSINESS DISTRICT

**HANNA:KEELAN ASSOCIATES, P.C.**  
**COMMUNITY PLANNING & RESEARCH**

**\* Lincoln, Nebraska \* 402.464.5383 \***

## ***THE RESEARCH APPROACH.***

The **blight and substandard determination research approach** implemented for the **Meadowlane Shopping Center Redevelopment Area** included an area-wide assessment (100 percent sample) of all of the Blight and Substandard Factors identified in the **Nebraska Community Development Law**, with the exception of **defective or unusual condition of title**.

### **Structural/Site Conditions Survey Process.**

The rating of building conditions is a critical step in determining the eligibility of an area for redevelopment. It is important that the system for classifying buildings be based on established evaluation standards and criteria, and that it result in an accurate and consistent description of existing conditions.

A **Structural/Site Conditions Survey** was conducted in January, 2021. A total of **three structures** received exterior inspections. These structures were evaluated to document structural deficiencies in individual buildings and to identify related environmental deficiencies in the **Meadowlane Shopping Center Redevelopment Area**.

The **Structural/Site Conditions Survey** included a parcel-by-parcel review of **two legal parcels** of record identified by the Lancaster County Assessor's Office in the **Redevelopment Area**. Parcels were evaluated for existing and adjacent land uses, overall site conditions, existence of debris, parking lot conditions and street, sidewalk and alley surface conditions. The **Redevelopment Area** contains an estimated **seven acres**.

The **Structural/Site Conditions Survey Form** and associated results are provided in the **Appendix**.

### **Research on Property Ownership and Financial Assessment of Properties.**

Public records and aerial photographs of all parcels in the **Meadowlane Shopping Center Redevelopment Area** were analyzed to determine the number of property owners within the **Area**.

An examination of public records was conducted to determine if tax delinquencies existed for properties in the **Redevelopment Area**. The valuation, tax amount and any delinquent amount was examined for each of the properties.

## ***ELIGIBILITY SURVEY AND ANALYSIS FINDINGS.***

An analysis was made of each of the **Blight and Substandard Factors** listed in the Nebraska legislation to determine whether each or any were present in the **Redevelopment Area** and, if so, to what extent and in what locations. The following represents a summary evaluation of each **Blight and Substandard Factor** presented in the order of listing in the law.

### ***SUBSTANDARD FACTORS.***

#### **(1) Dilapidation/Deterioration of Structures.**

The rating of structural conditions is a critical step in determining the eligibility of a substandard area for redevelopment. The system for classifying structures must be based on established evaluation standards and criteria and result in an accurate and consistent description of existing conditions.

The following summarizes the process used for assessing building conditions in the **Meadowlane Shopping Center Redevelopment Area**, the standards and criteria used for evaluation, and the findings as to the existence of dilapidation/deterioration of structures.

The **Structural/Site Conditions Survey** was based on an exterior inspection of **three existing structures** within the **Area**, to note structural deficiencies in individual buildings and to identify related environmental deficiencies for individual sites or parcels within the **Area**.

#### **1. Structure/Building Systems Evaluation.**

During the on-site **Structural/Site Conditions Survey**, each component of a structure/building was examined to determine whether it was in sound condition or had minor, major or critical defects. Structures/building systems examined included the following three types, **one Primary** and **two Secondary**.

**Structural Systems (Primary Components)**. These include the basic elements of any structure/building: roof structure, wall foundation and basement foundation.

## **(Secondary Components)**

**Building Systems.** These components include: roof surface condition, chimney, gutters/down spouts and exterior wall surface.

**Architectural Systems.** These are components generally added to the structural systems and are necessary parts of the structure/building, including exterior paint, doors, windows, porches, steps and fire escape and driveways and side conditions.

The evaluation of each individual parcel of land included the review and evaluation of adjacent land use, street surface type, street conditions, sidewalk conditions, parking, existence of debris, overall site condition, and the documentation of age and type of structure/ building.

## **2. Criteria for rating components for structural, building and architectural systems.**

The components for the previously identified Systems were individually rated utilizing the following criteria.

**Sound.** Component that contained no defects, is adequately maintained and requires no treatment outside of normal ongoing maintenance.

**Minor Defect.** Component that contains minor defects (loose or missing material or holes and cracks over a limited area). These can be corrected through the course of normal maintenance. The correction of such defects may be accomplished by the owner or occupants, such as pointing masonry joints over a limited area or replacement of less complicated systems. Minor defects are considered in rating a structure/building as deteriorating/dilapidated.

**Major Defect.** Components that contained major defects over a widespread area and would be difficult to correct through normal maintenance. Structures/buildings having major defects would require replacement or rebuilding of systems by people skilled in the building trades.

**Critical Defect.** Components that contained critical defects (bowing, sagging, or settling to any or all exterior systems causing the structure to be out-of-plumb or broken, loose or missing material and deterioration over a widespread area) so extensive the cost of repairs would be excessive in relation to the value returned on the investment.

**3. Final Structure/Building Rating.**

After completion of the **Exterior Rating** of each structure/building, each individual structure/building was placed in one of four categories, based on the combination of defects found with Components contained in Structural, Building, and Architectural Systems. Each final rating is described below:

**Sound.** Defined as structures/buildings that can be kept in a standard condition with normal maintenance. Structures/buildings, so classified, **have less than six points.**

**Deteriorating-Minor.** Defined as structures/buildings classified as deficient--requiring minor repairs--**having between six and 10 points.**

**Deteriorating-Major.** Defined as structures/buildings classified as deficient--requiring major repairs--**having between 11 and 20 points.**

**Dilapidated.** Defined as structurally substandard structures/buildings containing defects that are so serious and so extensive that it may be most economical to raze the structure/building. Structures/buildings classified as dilapidated will **have at least 21 points.**

An individual **Exterior Rating Form** is completed for each structure/building. The results of the **Exterior Rating** of all structures/buildings are presented in a **Table format.**

<b>Primary Components</b>	<b>Secondary Components</b>
One Critical = 11 pts.	One Critical = 6 pts.
Major Deteriorating = 6 pts.	Major Deteriorating = 3 pts.
Minor = 2 pts.	Minor = 1 pt.

Major deficient buildings are considered to be the same as deteriorating buildings as referenced in the Nebraska legislation; substandard buildings are the same as dilapidated buildings. The word "building" and "structure" are presumed to be interchangeable.

#### 4. Survey Conclusions.

The conditions of the total **three buildings** within the **Meadowlane Shopping Center Redevelopment Area** were determined based on the findings of the **Structural/Site Conditions Survey**. This **Survey** indicated the following:

- Zero (0) structures were classified as structurally **sound**;
- One (1) structure was classified as **deteriorating** with **minor** defects.
- Two (2) structures were classified as **deteriorating** with **major** defects; and
- Zero (0) structures were classified as **dilapidated**.

The results of the **Structural/Site Conditions Survey** identified the condition of structures throughout the **Meadowlane Shopping Center Redevelopment Area**. All three existing structures were identified as deteriorating with minor or major defects.

#### Conclusion.

**The results of the Structural/Site Conditions Survey indicate deteriorating structures are a strong presence throughout the Meadowlane Shopping Center Redevelopment Area. Table 4, Page 20, identifies the results of the structural rating process per building type.**

**TABLE 4  
EXTERIOR SURVEY FINDINGS  
MEADOWLANE SHOPPING CENTER  
REDEVELOPMENT AREA  
LINCOLN, NEBRASKA**

Structural/Site Conditions Survey Rating

<u>Activity</u>	<u>Sound</u>	<u>Deteriorating (Minor)</u>	<u>Deteriorating (Major)</u>	<u>Dilapidated</u>	<u>Number of Structures</u>	<u>Deteriorating and/ or Dilapidated</u>
Commercial	0	1	2	0	3	3
Totals	<u>0</u>	<u>1</u>	<u>2</u>	<u>0</u>	<u>3</u>	<u>3</u>
Percent	0.0%	33.3%	66.7%	0.0%	100.0%	100.0%

Source: Hanna:Keelan Associates, P.C., 2021.

**(2) Age or Obsolescence.**

As per the results of the **Structural/Site Conditions Survey**, confirmed by the Lancaster County Assessor’s records, all three structures in the **Meadowlane Shopping Center Redevelopment Area** are 40+ years of age (built in or prior to 1981). The average age of commercial structures in the **Redevelopment Area** is an estimated **52 years**.

**Conclusion.**

**The age and obsolescence of structures is a strong presence throughout the Meadowlane Shopping Center Redevelopment Area.**



(3) **Inadequate Provision for Ventilation, Light, Air, Sanitation or Open Spaces.**

The results of the **Structural/Site Conditions Survey**, including other field data, provided the basis for the identification of the inadequate provision for ventilation, light, air, sanitation or open spaces in the **Meadowlane Shopping Center Redevelopment Area**. Contributing **Factors** are discussed below.



As per the results of the **Survey**, all structures in the **Redevelopment Area** were rated as deteriorating with minor or major defects. This includes driveways and side conditions in a deteriorating condition and roof surfaces/structures prone to leaking and containing rotting and deteriorating wood components. When not adequately maintained or upgraded to present-day occupancy standards, buildings in these conditions can pose health, safety and sanitary problems.

The overall site conditions in the **Redevelopment Area** revealed that one parcel was recorded to be in a “fair” condition. Factors related to these conditions included site features such as the major parking lot area, driveways, yard and landscaping in deteriorating conditions. The presence of debris was evident on both parcels. Additionally, all three structures in the **Area** had parking lot conditions deteriorated to a minor extent or worse.

The City of Lincoln Public Works Staff described municipal sanitary sewer mains in the **Redevelopment Area** as being approximately 40 years of age and “good” in condition. The existing sanitary sewer lines are 12 inches diameter and are constructed of cast iron material (rather than PVC, the current standard). Water mains in the **Area** are generally in “good” condition. A 16 inch water main was installed along “X” Street in 1999, but 12 inch water mains along North 70th and Vine Streets were installed in the 1950s. Meadowlane Shopping Center property owners identified service lines as being original to the facility’s construction. Repeated maintenance and repair issues in the **Area** will become more prevalent as both the water and sanitary sewer mains continue to age and in need of replacement.

The only “open space” provision in the **Redevelopment Area** is the Center’s major parking lot, which was determined to be in “fair” condition.

**Conclusion.**

**The inadequate provision for ventilation, light, air, sanitation or open spaces in the Meadowlane Shopping Center Redevelopment Area is a strong presence and constitutes a Substandard Factor.**

4) **Any Combination of Factors that are Detrimental to the Public Health, Safety, Morals, or Welfare.**

1. **Deteriorating or Dilapidated Buildings and Structures**

There is a strong presence of deterioration among structures within the **Meadowlane Shopping Center Redevelopment Area**, as one structure was recorded as deteriorating with minor defects and two structures were identified as being in a deteriorating condition with major defects. These structures will require moderate- to substantial rehabilitation and modernization for continued use and occupation. One bay at the Shopping Center recent experienced extreme damage due to a fire.

2. **Advanced Age of Structures.**

All three structures in the **Redevelopment Area** were built in or prior to 1981, thus 40+ years of age. The average age of commercial structures is estimated to be **52 years**. Age is a contributing factor to deferred maintenance.

3. **Advanced Age and Associated Condition of Utilities.**

The City of Lincoln Public Works Staff described municipal sanitary sewer mains in the **Redevelopment Area** as being approximately 40 years of age and “good” in condition. The existing sanitary sewer lines are 12 inches diameter and are constructed of cast iron material (rather than PVC, the current standard). Water mains in the **Area** are generally in “good” condition. A 16 inch water main was installed along “X” Street in 1999, but 12 inch water mains along North 70th and Vine Streets were installed in the 1950s. Meadowlane Shopping Center property owners identified service lines as being original to the facility’s construction. Repeated maintenance and repair issues in the **Area** will become more prevalent as both the water and sanitary sewer mains continue to age and in need of replacement.

4. **Functionally and Economically Obsolete Structures/Land Uses.**

The Meadowlane Shopping Center is serviced by aging and outmoded water and sanitary sewer lines, including original utility infrastructure from the Center’s construction. A total of three retail/office bays are currently vacant and available for rent.

**Conclusion.**

**The combination of factors that are detrimental to the public health, safety, morals or welfare are a strong presence throughout the Meadowlane Shopping Center Redevelopment Area.**

## ***BLIGHT FACTORS.***

### **(1) Dilapidation/Deterioration of Structures.**

The rating of building conditions is a critical step in determining the eligibility of a substandard area for redevelopment. The system for classifying buildings must be based on established evaluation standards and criteria and result in an accurate and consistent description of existing conditions.

This section summarizes the process used for assessing building conditions in the **Meadowlane Shopping Center Redevelopment Area**, the standards and criteria used for evaluation and the findings as to the existence of dilapidation/deterioration of structures.

The **Structural/Site Conditions Survey** was based on an exterior inspection of all **three existing structures** within the **Area**, to note structural deficiencies in individual buildings and to identify related environmental deficiencies for individual sites or parcels within the **Area**.

#### **1. Structures/Building Systems Evaluation.**

During the on-site **Structural/Site Conditions Survey**, each component of a structure/building was examined to determine whether it was in sound condition or had minor, major or critical defects. Structures/building systems included the following three types, **one Primary** and **two Secondary**.

**Structural Systems (Primary Components).** These include the basic elements of any structure/building: roof structure, wall foundation and basement foundation.

#### **(Secondary Components)**

**Building Systems.** These components include: roof surface condition, chimney, gutters/down spouts and exterior wall surface.

**Architectural Systems.** These are components generally added to the structural systems and are necessary parts of the structure/building, including exterior paint, doors, windows, porches, steps and fire escape and driveways and side conditions.

The evaluation of each individual parcel of land included the review and evaluation of adjacent land use, street surface type, street conditions, sidewalk conditions, parking, existence of debris, overall site condition and the documentation of age and type of structure/ building.

**2. Criteria for Rating Components for Structural, Building and Architectural Systems.**

The components for the previously identified Systems were individually rated utilizing the following criteria.

**Sound.** Component that contained no defects, is adequately maintained, and requires no treatment outside of normal ongoing maintenance.

**Minor Defect.** Component that contained minor defects (loose or missing material or holes and cracks over a limited area) which often can be corrected through the course of normal maintenance. The correction of such defects may be accomplished by the owner or occupants, such as pointing masonry joints over a limited area or replacement of less complicated systems. Minor defects are considered in rating a structure/building as deteriorating/dilapidated.

**Major Defect.** Components that contained major defects over a widespread area and would be difficult to correct through normal maintenance. Structures/buildings having major defects would require replacement or rebuilding of systems by people skilled in the building trades.

**Critical Defect.** Components that contained critical defects (bowing, sagging, or settling to any or all exterior systems causing the structure to be out-of-plumb or broken, loose or missing material and deterioration over a widespread area) so extensive the cost of repairs would be excessive in relation to the value returned on the investment.

### 3. Final Structure/Building Rating.

After completion of the **Exterior Rating** of each structure/building, each individual structure/building was placed in one of four categories, based on the combination of defects found with Components contained in Structural, Building and Architectural Systems. Each final rating is described below:

**Sound.** Defined as structures/buildings that can be kept in a standard condition with normal maintenance. Structures/buildings, so classified, **have less than six points.**

**Deteriorating-Minor.** Defined as structures/buildings classified as deficient--requiring minor repairs--**having between six and 10 points.**

**Deteriorating-Major.** Defined as structures/buildings classified as deficient--requiring major repairs-- **having between 11 and 20 points.**

**Dilapidated.** Defined as structurally substandard structures/buildings containing defects that are so serious and so extensive that it may be most economical to raze the structure/building. Structures/buildings classified as dilapidated will **have at least 21 points.**

An individual **Exterior Rating Form** is completed for each structure/building. The results of the **Exterior Rating** of all structures/buildings are presented in a **Table format.**

<b>Primary Components</b>	<b>Secondary Components</b>
One Critical = 11 pts.	One Critical = 6 pts.
Major Deteriorating = 6 pts.	Major Deteriorating = 3 pts.
Minor = 2 pts.	Minor = 1 pt.

Major deficient buildings are considered to be the same as deteriorating buildings as referenced in the Nebraska legislation; substandard buildings are the same as dilapidated buildings. The word "building" and "structure" are presumed to be interchangeable.

#### 4. Survey Conclusions.

The conditions of the total **three buildings** within the **Meadowlane Shopping Center Redevelopment Area** were determined based on the findings of the **Structural/Site Conditions Survey**. This **Survey** indicated the following:

- Zero (0) structures were classified as structurally **sound**;
- One (1) structure was classified as **deteriorating** with **minor** defects.
- Two (2) structures were classified as **deteriorating** with **major** defects; and
- Zero (0) structures were classified as **dilapidated**.

The results of the **Structural/Site Conditions Survey** identified the condition of buildings throughout the **Meadowlane Shopping Center Redevelopment Area**. All three structures were identified as deteriorating with minor or major defects.

#### Conclusion.

The results of the **Structural/Site Conditions Survey** indicate **deteriorating structures** are a **strong presence** throughout the **Meadowlane Shopping Center Redevelopment Area**. **Table 5, Page 27**, identifies the results of the structural rating process per building type.

**TABLE 5  
EXTERIOR SURVEY FINDINGS  
MEADOWLANE SHOPPING CENTER  
REDEVELOPMENT AREA  
LINCOLN, NEBRASKA**

Structural/Site Conditions Survey Rating

<u>Activity</u>	<u>Sound</u>	<u>Deteriorating (Minor)</u>	<u>Deteriorating (Major)</u>	<u>Dilapidated</u>	<u>Number of Structures</u>	<u>Deteriorating and/ or Dilapidated</u>
Commercial	0	1	2	0	3	3
Totals	<u>0</u>	<u>1</u>	<u>2</u>	<u>0</u>	<u>3</u>	<u>3</u>
Percent	0.0%	33.3%	66.7%	0.0%	100.0%	100.0%

Source: Hanna:Keelan Associates, P.C., 2021.



**(2) Existence of Defective or Inadequate Street Layout.**

The **Meadowlane Shopping Center Redevelopment Area** does not have a standard street pattern, as the **Area** primarily consists of service roads and parking lots associated with the established commercial uses. The primary public streets within and adjacent the **Redevelopment Area** are North 70th, “X” and Vine Streets. Conditions that contribute to the **Factor** of existence of defective or inadequate street layout are discussed below.

**1. Condition of Streets/Parking Lots.**

Street conditions within the **Meadowlane Shopping Center Redevelopment Area** were generally found to be in “good” condition. However, approximately 67 percent of the asphalt and concrete-surfaced parking lots and driveways were determined to be deteriorating to a minor to major extent.

While the public streets serving the Meadowlane Shopping Center are generally in good condition, there are no turn lanes to support northbound North 70<sup>th</sup> Street, or westbound Vine Street traffic, desiring to access the property. A single traffic light services the North 70<sup>th</sup> & Vine Street intersection.

**2. Lack of Adequate Public Infrastructure.**

Vacant building spaces exist in the **Redevelopment Area**. These vacant spaces can be considered both **functionally and economically obsolete**, until leased. An upgrade of both the local public and private (on-site) infrastructure could improve this situation.

Sidewalks in the **Area** were observed to be in “fair” condition, exhibiting cracking or settling concrete surfaces. Properties with sidewalks pose a hindrance to pedestrians and make it difficult, if not impossible, for persons with disabilities to safely move throughout the **Area**.



**Conclusion.**

**The existence of defective or inadequate street layout in the Meadowlane Shopping Center Redevelopment Area is a reasonable presence of Factor.**

3) **Faulty Lot Layout in Relation to Size, Adequacy, Accessibility or Usefulness.**

The review of property ownership and subdivision records and results of the **Structural/Site Conditions Survey** resulted in the determination of conditions associated with **faulty lot layout in relation to size, adequacy, accessibility or usefulness** of land throughout the **Meadowlane Shopping Center Redevelopment Area**. The following describes these problem conditions.

1. **Inadequate Lot Size/Adequacy Issues.**

The **Meadowlane Shopping Center Redevelopment Area** consists of two parcels. The dated auto service station, located at the northeast corner of North 70<sup>th</sup> and Vine Streets, is situated on an elevated tract of land above the Meadowlane Shopping Center. This topographic issue could hinder any large scale development from occurring in the **Area**, should this parcel become available for development

2. **Accessibility or Usefulness.**

Irregular tracts of land in the **Redevelopment Area** are considered to be both **functionally and economically obsolete**. In current state, these tracts of land will require the provision of modern infrastructure prior to supporting any new development(s) in the **Area** consistent with the City of Lincoln/Lancaster County Comprehensive Plan

Further, evidence of a lack of up-keep and maintenance of properties is prevalent throughout the **Redevelopment Area**.

**Conclusion.**

**Faulty lot layout in relation to size, adequacy and usefulness is a reasonable presence of Factor throughout the Meadowlane Shopping Center Redevelopment Area.**

**(4) Insanitary and Unsafe Conditions.**

The results of the **Structural/Site Conditions Survey**, along with information obtained from City of Lincoln Staff, provided the basis for the identification of insanitary and unsafe conditions within the **Meadowlane Shopping Center Redevelopment Area**.

**1. Age of Structures.**

The **Structural/Site Conditions Survey** identified all three structures within the **Meadowlane Shopping Center Redevelopment Area** as being 40+ years of age (built in or prior to 1981). Additionally, the estimated average age of commercial structures is **52 years**. The advanced age of the structures results in deteriorating buildings and structures with deferred maintenance and, thus, creates insanitary and unsafe conditions.

**2. Deteriorating/Dilapidated Buildings and Sites.**

All three of the existing structures in the **Area** were found to be deteriorating with minor or major defects. Structures in this condition in combination with “fair” overall site conditions, as well as the outside storage of materials and/or presence of debris, can result in hazards that are detrimental to adjacent property owners and endanger local pedestrians and patrons and, thus, create insanitary and unsafe conditions. One bay at the Shopping Center recently experienced extensive damage due to a major fire.

**3. Lack of Adequate Utilities.**

The City of Lincoln Public Works Staff described municipal sanitary sewer mains in the **Redevelopment Area** as being approximately 40 years of age and “good” in condition. The existing sanitary sewer lines are 12 inches diameter and are constructed of cast iron material (rather than PVC, the current standard). Water mains in the **Area** are generally in “good” condition. A 16 inch water main was installed along “X” Street in 1999, but 12 inch water mains along North 70th and Vine Streets were installed in the 1950s. Meadowlane Shopping Center property owners identified service lines as being original to the facility’s construction. Repeated maintenance and repair issues in the **Area** will become more prevalent as both the water and sanitary sewer mains continue to age and in need of replacement.

**Conclusion.**

**Insanitary and unsafe conditions are a strong presence of Factor throughout the Meadowlane Shopping Center Redevelopment Area.**

**(5) Deterioration of Site or Other Improvements.**

The results of the **Structural/Site Conditions Survey** determined the condition of site improvements within the **Meadowlane Shopping Center Redevelopment Area**, including public streets and private driveways, traffic control devices, sidewalks and off-street parking lots. The **Appendix** documents the present condition of these site features. The primary issue in the **Redevelopment Area** is the existing condition of buildings and associated properties, driveways and parking lot. **Area** conditions that lead to these findings included:

1. Overall site conditions within the **Redevelopment Area** include one of the total three parcels in the **Area** as being in a “fair” condition.
2. Sidewalks in the **Area**, overall, are in “fair” to “good” condition. Several segments of sidewalk were exhibiting cracking and settling, thus creating a potentially hazardous situation for pedestrians.
3. The major parking lot area and other side lot conditions are deteriorating to a minor or major extent throughout the **Redevelopment Area**. All three structures maintain a parking lot designation and side conditions that are deteriorating to a minor or major extent.
4. All three structures were identified as deteriorating with minor or major defects. These structures are candidates for moderate to substantial rehabilitation and modernization. Several of these structures have associated parcels lacking upkeep and maintenance and exhibit minimal landscaping or other modern improvements.

**Conclusion.**

**Deterioration of site or other improvements is a strong presence of Factor throughout the Meadowlane Shopping Center Redevelopment Area.**



**(6) Diversity of Ownership.**

A total of **two** individuals/ownership groups own property within the **Meadowlane Shopping Center Redevelopment Area**. The necessity to acquire numerous lots is a hindrance to development/redevelopment activities. Land assemblage of larger proportions is necessary for major developments to be economically feasible and attract financial support. Public patronage is also required to repay such financial support. Such assemblage is difficult without public intervention.

**Conclusion.**

**The Factor “diversity of ownership” is of little to no presence of Factor in the Meadowlane Shopping Center Redevelopment Area.**

**(7) Tax or Special Assessment Delinquency Exceeding the Fair Value of the Land.**

An examination of public records was conducted to determine the tax status of properties located in the **Meadowlane Shopping Center Redevelopment Area**. It should be noted, real estate is taxed at approximately 98 percent of fair value, rendering it almost impossible for a tax to exceed value in a steady real estate market. If a badly dilapidated property was assessed (or valued) too high, the public protest system is designed to give the owner appropriate relief and tax adjustment.

**1. Real Estate Taxes.**

Public records were examined for the purposes of determining if delinquent taxes were currently outstanding on parcels within the **Redevelopment Area**. The records indicated that of the two total parcels, **zero** are currently classified as delinquent by the Lancaster County Treasurer’s Office. The public right-of-way, in the **Area**, is property tax exempt.

**2. Real Estate Values.**

The tax values within the **Redevelopment Area** were, generally, equal to or greater than the market value of the properties. The total estimated assessed valuation within the **Area**, as of 2021, is **\$5,252,700**.

**Conclusion.**

**Taxes or special assessments delinquency are of little to no presence of Factor in the Meadowlane Shopping Center Redevelopment Area.**

**(8) Defective or Unusual Condition of Title.**

Whenever land is sold, mortgaged, or both, a title insurance policy is typically issued, at which time any title defects are corrected. Once title insurance has been written, all other titles in the same subdivision or addition will only have to be checked for the period of time subsequent to the creation of the addition or subdivision, as everything previous is the same and any defects will already have been corrected. Thus, the only possibility for title problems are from improper filings, since platting on properties that have not been mortgaged or sold is very small.

**Conclusion.**

**Examination of public records does not provide any basis for identifying any defective or unusual conditions of title. Such few conditions as may exist would contribute to neither any existing problems nor to difficulty in acquisition or redevelopment and are therefore not found to exist at a level large enough to constitute a Blight Factor in the Meadowlane Shopping Center Redevelopment Area.**

**(9) Improper Subdivision or Obsolete Platting.**

An analysis of the subdivision conditions in the **Meadowlane Shopping Center Redevelopment Area** revealed that improper subdivision and obsolete platting is present in the **Area**.

The parcel containing the dated auto service station, in the **Redevelopment Area** was incrementally split off from a larger tract of land, necessary to support the existing use/development. Both parcels of land in the **Area** could be considered both **functionally** and **economically obsolete** due to outdated, outmoded infrastructure and/or require the installation of new water and sanitary sewer mains to support future developments.

**Conclusion.**

**A reasonable presence of this Factor exists for improper subdivision or obsolete platting in the Meadowlane Shopping Center Redevelopment Area.**

10) **The Existence of Conditions Which Endanger Life or Property by Fire and Other Causes.**

1. **Deteriorating or Dilapidated Buildings and Structures**

There is a strong presence of deterioration among structures within the **Meadowlane Shopping Center Redevelopment Area**, as one structure was recorded as deteriorating with minor defects and two structures were identified as being in a deteriorating condition with major defects. These structures will require moderate- to substantial rehabilitation and modernization for continued use and occupation. One bay at the Shopping Center recently experienced extensive damage due to a major fire.

2. **Advanced Age of Structures.**

All three structures in the **Redevelopment Area** were built in or prior to 1981, thus 40+ years of age. The average age of commercial structures is estimated to be **52 years**. Age is a contributing factor to deferred maintenance.

3. **Advanced Age and Associated Condition of Utilities.**

The City of Lincoln Public Works Staff described municipal sanitary sewer mains in the **Redevelopment Area** as being approximately 40 years of age and “good” in condition. The existing sanitary sewer lines are 12 inches diameter and are constructed of cast iron material (rather than PVC, the current standard). Water mains in the **Area** are generally in “good” condition. A 16 inch water main was installed along “X” Street in 1999, but 12 inch water mains along North 70th and Vine Streets were installed in the 1950s. Meadowlane Shopping Center property owners identified service lines as being original to the facility’s construction. Repeated maintenance and repair issues in the **Area** will become more prevalent as both the water and sanitary sewer mains continue to age and in need of replacement.

4. **Functionally and Economically Obsolete Structures/Land Uses.**

The **Redevelopment Area** is serviced by aging and outmoded water and sanitary sewer lines, including original utility infrastructure. A total of three retail/office bays at the Shopping Center are currently vacant and available for rent.

**Conclusion.**

**The conditions which endanger life or property by fire and other causes are a strong presence of Factor throughout the Meadowlane Shopping Center Redevelopment Area.**

## **(11) Other Environmental and Blighting Factors.**

The **Nebraska Community Development Law** includes a statement of purpose regarding additional criterion for identifying blight, viz., "economically or socially undesirable land uses." Conditions which are considered to be economically and/or socially undesirable include: (a) incompatible uses or mixed-use relationships, (b) economic obsolescence, and c) functional obsolescence. For purpose of this analysis, functional obsolescence relates to the physical utility of a structure and economic obsolescence relates to a property's ability to compete in the market place. These two definitions are interrelated and complement each other.

Public improvements in the **Meadowlane Shopping Center Redevelopment Area** have been limited. The City of Lincoln Public Works Staff described municipal sanitary sewer mains in the **Redevelopment Area** as being approximately 40 years of age and "good" in condition. The existing sanitary sewer lines are 12 inches diameter and are constructed of cast iron material (rather than PVC, the current standard). Water mains in the **Area** are generally in "good" condition. A 16 inch water main was installed along "X" Street in 1999, but 12 inch water mains along North 70th and Vine Streets were installed in the 1950s. Meadowlane Shopping Center property owners identified service lines as being original to the facility's construction. Repeated maintenance and repair issues in the **Area** will become more prevalent as both the water and sanitary sewer mains continue to age and in need of replacement.

**Functional and economical obsolescence** throughout the **Redevelopment Area** is apparent with the limitation of additional development opportunities on existing parcels in the **Area**. The average age of commercial structures throughout the **Area** is estimated to be **52 years**. Due to the age and lack of adequate maintenance and upkeep, most of these structures are deteriorating and in need of moderate rehabilitation. Parcels that are considered "**underdeveloped**" and/or "**underutilized**" have the potential to support more valuable development than its current use once modern, necessary infrastructure is installed.

Although infrastructure improvements have occurred throughout portions of the **Area**, additional efforts are needed. Numerous problems or obstacles exist for comprehensive redevelopment efforts by the private sector, problems that only public financial assistance programs can remedy. These include removal of functionally undesirable land uses, improvement of some of the aging segments of on-site water and sewer systems and the rehabilitation of driveways, the major parking lot and side lot conditions of parcels in the **Redevelopment Area**.

### **Conclusion.**

**Other Environmental Blighting Factors are a strong presence throughout the Meadowlane Shopping Center Redevelopment Area, containing functionally and economically obsolete parcels.**

**(12) Additional Blighting Conditions.**

According to the definition set forth in the **Nebraska Community Development Law**, Section 18-2102, in order for an area to be determined "blighted" it must contain at least one of the five conditions identified below:

1. Unemployment in the designated blighted and substandard area is at least one hundred twenty percent of the state or national average;
- 2. The average age of the residential or commercial units in the area is at least forty years;**
3. More than half of the plotted and subdivided property in the area is unimproved land that has been within the City for forty years and has remained unimproved during that time;
4. The per capita income of the designated blighted and substandard area is lower than the average per capita income of the Village or City in which the area is designated; or
5. The area has had either stable or decreasing population based on the last two decennial censuses.

**One of the aforementioned criteria is prevalent throughout the designated blighted areas.**

The average age of the commercial units in the area is at least forty (40) years.

Based upon the results of the **Structural/Site Conditions Survey** and confirmed by the review of Lancaster County Assessor's Office records, the estimated average age of **commercial structures** in the **Area** is **52 years**, thus concluding that all three structures throughout the **Redevelopment Area** are 40+ years of age.

**Conclusion.**

**The criteria of average age of residential or commercial units in the area is at least 40 years of age as one of five additional blighting conditions is a strong presence throughout the Meadowlane Shopping Center Redevelopment Area.**

## ***DETERMINATION OF REDEVELOPMENT AREA ELIGIBILITY***

The **Meadowlane Shopping Center Redevelopment Area** meets the requirements of the **Nebraska Community Development Law** for designation as both a "**Blighted and Substandard Area.**" All **four Factors** that constitute the **Area** as substandard are present to a strong extent. Of the 12 possible **Factors** that can constitute the **Area blighted, nine** have either a **reasonable** or **strong presence** in the **Redevelopment Area. Factors** present in each of the criteria are identified below.

### **Substandard Factors**

1. Dilapidated/deterioration.
2. Age or obsolescence.
3. Inadequate provision for ventilation, light, air, sanitation or open spaces.
4. Any combination of factors that are detrimental to the public health, safety, morals, or welfare.

### **Blight Factors**

1. A substantial number of deteriorated or dilapidated structures.
2. Defective or inadequate street layout.
3. Faulty lot layout.
4. Insanitary or unsafe conditions.
5. Deterioration of site or other improvements.
6. Improper subdivision or obsolete planning.
7. The existence of conditions which endanger life or property by fire or other causes.
8. Other environmental and blighting factors.
9. One of the other five conditions.

Although all of the previously listed **Factors** are at least reasonably present throughout the **Meadowlane Shopping Center Redevelopment Area**, the conclusion is that the average age and condition of the structures, insanitary and unsafe conditions, existence of conditions which endanger life or property by fire or other causes and **functional** and **economical obsolescence** associated with the market potential, or lack thereof, of open land areas and existing structures are a sufficient basis for designation of the **Area** as **blighted** and **substandard**.

The extent of **Blight** and **Substandard Factors** in the **Meadowlane Shopping Center Redevelopment Area**, addressed in this **Study**, is presented in **Tables 1 and 2, Pages 5 and 7**. The eligibility findings indicate that the **Area** is in need of revitalization and strengthening to ensure it will contribute to the physical, economic and social well-being of the City of Lincoln and support a variety of new developments.

**Structural/Site Conditions  
Survey Form**

Parcel # \_\_\_\_\_  
Address: \_\_\_\_\_

**Section I: EXISTING LAND USE.**

1. Type of Units: \_\_\_ SF \_\_\_ MF \_\_\_ Mobile Home
2. Vacant Parcel: \_\_\_\_\_ Developable \_\_\_\_\_ Undevelopable
3. Non-residential Use: \_\_\_\_\_ Commercial \_\_\_\_\_ Industrial \_\_\_\_\_ Public

**Section II: STRUCTURAL COMPONENTS.**

	Primary Components	(Critical) Dilapidated	(Major) Deteriorating	Minor	None	Sound
1	Roof					
2	Wall Foundation					
3	Foundation					
_____ Concrete _____ Stone _____ Rolled Asphalt _____ Brick _____ Other						
	Secondary Components	(Critical) Dilapidated	(Major) Deteriorating	Minor	None	Sound
4	Roof					
_____ Asphalt Shingles _____ Rolled Asphalt _____ Cedar _____ Combination _____ Other						
5	Chimney					
6	Gutters, Downspouts					
7	Wall Surface					
_____ Wood _____ Masonry _____ Siding _____ Stucco _____ Combination _____ Other						
8	Paint					
9	Doors					
10	Windows					
11	Porches, Steps, Fire Escape					
12	Driveways, Side Condition					

**Final Rating:**

\_\_\_\_\_ Sound \_\_\_\_\_ Deficient-Minor \_\_\_\_\_ Deficient-Major \_\_\_\_\_ Dilapidated  
**Built Within:** \_\_\_\_\_ 1 year \_\_\_\_\_ 1-5 years \_\_\_\_\_ 5-10 years  
 \_\_\_\_\_ 10-20 years \_\_\_\_\_ 20-40 years \_\_\_\_\_ 40-100 years \_\_\_\_\_ 100+ years

**Section III: PARCEL/SITE COMPONENTS**

1. Street Surface Type: \_\_\_\_\_
2. Street Condition: \_\_\_\_\_ E \_\_\_\_\_ G \_\_\_\_\_ F \_\_\_\_\_ P
3. Sidewalk Condition: \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ G \_\_\_\_\_ F \_\_\_\_\_ P
4. Parking (Off-Street): \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ G \_\_\_\_\_ F \_\_\_\_\_ P  
 \_\_\_\_\_ # of Spaces \_\_\_\_\_ Surface
5. Railroad Track/Right-of Way Composition: \_\_\_\_\_ N \_\_\_\_\_ E \_\_\_\_\_ G \_\_\_\_\_ F \_\_\_\_\_ P
6. Existence of Debris: \_\_\_\_\_ MA \_\_\_\_\_ MI \_\_\_\_\_ N
7. Overall Site Condition: \_\_\_\_\_ E \_\_\_\_\_ G \_\_\_\_\_ F \_\_\_\_\_ P

**Meadowlane Shopping Center Redevelopment Area**

**TOTAL PERCENT RESIDENTIAL COMMERCIAL INDUSTRIAL VACANT OTHER**

**AGE OF STRUCTURE**

1-5 Years	0	0.0%	0	0	0	N/A	0
5-10 Years	0	0.0%	0	0	0	N/A	0
10-20 Years	0	0.0%	0	0	0	N/A	0
20-40 Years	0	0.0%	0	0	0	N/A	0
40-100 Years	3	100.0%	0	3	0	N/A	0
100+ Years	0	0.0%	0	0	0	N/A	0
<b>TOTAL</b>	<b>3</b>	<b>100.0%</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>N/A</b>	<b>0</b>

**FINAL STRUCTURAL RATING**

Sound	0	0.0%	0	0	0	N/A	0
Deficient Minor	1	33.3%	0	1	0	N/A	0
Deficient Major	2	66.7%	0	2	0	N/A	0
Substandard	0	0.0%	0	0	0	N/A	0
<b>TOTAL</b>	<b>3</b>	<b>100.0%</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>N/A</b>	<b>0</b>

**STREET CONDITION**

None	0	0.0%	0	0	0	0	0
Excellent	0	0.0%	0	0	0	0	0
Good	1	50.0%	0	1	0	0	0
Fair	1	50.0%	0	1	0	0	0
Poor	0	0.0%	0	0	0	0	0
<b>TOTAL</b>	<b>2</b>	<b>100.0%</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>

**SIDEWALK CONDITION**

None	0	0.0%	0	0	0	0	0
Excellent	0	0.0%	0	0	0	0	0
Good	0	0.0%	0	0	0	0	0
Fair	2	100.0%	0	2	0	0	0
Poor	0	0.0%	0	0	0	0	0
<b>TOTAL</b>	<b>2</b>	<b>100.0%</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>

**DEBRIS**

Major	0	0.0%	0	0	0	0	0
Minor	2	100.0%	0	2	0	0	0
None	0	0.0%	0	0	0	0	0
<b>TOTAL</b>	<b>2</b>	<b>100.0%</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>

**OVERALL SITE CONDITION**

Excellent	0	0.0%	0	0	0	0	0
Good	1	50.0%	0	1	0	0	0
Fair	1	50.0%	0	1	0	0	0
Poor	0	0.0%	0	0	0	0	0
<b>TOTAL</b>	<b>2</b>	<b>100.0%</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>0</b>

**Meadowlane Shopping Center Redevelopment Area**

	<b>TOTAL</b>	<b>PERCENT</b>	<b>RESIDENTIAL</b>	<b>COMMERCIAL</b>	<b>INDUSTRIAL</b>	<b>VACANT</b>	<b>OTHER</b>
<b>DOORS</b>							
Sound	0	0.0%	0	0	0	N/A	0
None	0	0.0%	0	0	0	N/A	0
Minor	3	100.0%	0	3	0	N/A	0
Substandard	0	0.0%	0	0	0	N/A	0
Critical	0	0.0%	0	0	0	N/A	0
<b>TOTAL</b>	<b>3</b>	<b>100.0%</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>N/A</b>	<b>0</b>

<b>WINDOWS</b>							
Sound	0	0.0%	0	0	0	N/A	0
None	0	0.0%	0	0	0	N/A	0
Minor	3	100.0%	0	3	0	N/A	0
Substandard	0	0.0%	0	0	0	N/A	0
Critical	0	0.0%	0	0	0	N/A	0
<b>TOTAL</b>	<b>3</b>	<b>100.0%</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>N/A</b>	<b>0</b>

<b>STREET TYPE</b>							
None	0	0.0%	0	0	0	0	0
Concrete	0	0.0%	0	0	0	0	1
Asphalt	2	100.0%	0	2	0	0	0
Gravel	0	0.0%	0	0	0	0	0
Dirt	0	0.0%	0	0	0	0	0
Brick	0	0.0%	0	0	0	0	0
<b>TOTAL</b>	<b>2</b>	<b>100.0%</b>	<b>0</b>	<b>2</b>	<b>0</b>	<b>0</b>	<b>1</b>

<b>PORCHES/STEPS/FIRE ESCAPE</b>							
Sound	0	0.0%	0	0	0	N/A	0
None	0	0.0%	0	0	0	N/A	0
Minor	1	33.3%	0	1	0	N/A	0
Substandard	2	66.7%	0	2	0	N/A	0
Critical	0	0.0%	0	0	0	N/A	0
<b>TOTAL</b>	<b>3</b>	<b>100.0%</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>N/A</b>	<b>0</b>

<b>PAINT</b>							
Sound	0	0.0%	0	0	0	N/A	0
None	0	33.3%	0	0	0	N/A	0
Minor	3	50.0%	0	3	0	N/A	0
Substandard	0	16.7%	0	0	0	N/A	0
Critical	0	0.0%	0	0	0	N/A	0
<b>TOTAL</b>	<b>3</b>	<b>100.0%</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>N/A</b>	<b>0</b>

<b>DRIVEWAYS/SIDE CONDITION</b>							
Sound	0	33.3%	0	0	0	N/A	0
None	0	0.0%	0	0	0	N/A	0
Minor	0	50.0%	0	0	0	N/A	0
Substandard	3	16.7%	0	3	0	N/A	0
Critical	0	0.0%	0	0	0	N/A	0
<b>TOTAL</b>	<b>3</b>	<b>100.0%</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>N/A</b>	<b>0</b>

**Meadowlane Shopping Center Redevelopment Area**

	<b>TOTAL</b>	<b>PERCENT</b>	<b>RESIDENTIAL</b>	<b>COMMERCIAL</b>	<b>INDUSTRIAL</b>	<b>VACANT</b>	<b>OTHER</b>
<b>ROOF STRUCTURE</b>							
Sound	0	0.0%	0	0	0	N/A	0
None	0	0.0%	0	0	0	N/A	0
Minor	3	100.0%	0	3	0	N/A	0
Substandard	0	0.0%	0	0	0	N/A	0
Critical	0	0.0%	0	0	0	N/A	0
<b>TOTAL</b>	<b>3</b>	<b>100.0%</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>N/A</b>	<b>0</b>

<b>WALL FOUNDATION</b>							
Sound	3	100.0%	0	3	0	N/A	0
None	0	0.0%	0	0	0	N/A	0
Minor	0	0.0%	0	0	0	N/A	0
Substandard	0	0.0%	0	0	0	N/A	0
Critical	0	0.0%	0	0	0	N/A	0
<b>TOTAL</b>	<b>3</b>	<b>100.0%</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>N/A</b>	<b>0</b>

<b>FOUNDATION</b>							
Sound	3	100.0%	0	3	0	N/A	0
None	0	0.0%	0	0	0	N/A	0
Minor	0	0.0%	0	0	0	N/A	0
Substandard	0	0.0%	0	0	0	N/A	0
Critical	0	0.0%	0	0	0	N/A	0
<b>TOTAL</b>	<b>3</b>	<b>100.0%</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>N/A</b>	<b>0</b>

<b>FOUNDATION TYPE</b>							
Concrete	3	100.0%	0	3	0	N/A	0
Stone	0	0.0%	0	0	0	N/A	0
Rolled Asphalt	0	0.0%	0	0	0	N/A	0
Brick	0	0.0%	0	0	0	N/A	0
Other/None	0	0.0%	0	0	0	N/A	0
<b>TOTAL</b>	<b>3</b>	<b>100.0%</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>N/A</b>	<b>0</b>

<b>ROOF SURFACE</b>							
Sound	1	33.3%	0	1	0	N/A	0
None	0	0.0%	0	0	0	N/A	0
Minor	1	33.3%	0	1	0	N/A	0
Substandard	1	33.3%	0	1	0	N/A	0
Critical	0	0.0%	0	0	0	N/A	0
<b>TOTAL</b>	<b>3</b>	<b>100.0%</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>N/A</b>	<b>0</b>

<b>ROOF TYPE</b>							
Asphalt Shingles	0	0.0%	0	0	0	N/A	0
Rolled Asphalt	3	100.0%	0	3	0	N/A	0
Cedar	0	0.0%	0	0	0	N/A	0
Combination	0	0.0%	0	0	0	N/A	0
Other	0	0.0%	0	0	0	N/A	0
<b>TOTAL</b>	<b>3</b>	<b>100.0%</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>N/A</b>	<b>0</b>

**Meadowlane Shopping Center Redevelopment Area**

City of Lincoln, Nebraska  
 Blight & Substandard Determination Study  
 Meadowlane Shopping Center Redevelopment Area

	TOTAL	PERCENT	RESIDENTIAL	COMMERCIAL	INDUSTRIAL	VACANT	OTHER
<b>CHIMNEY</b>							
Sound	0	0.0%	0	0	0	N/A	0
None	3	100.0%	0	3	0	N/A	0
Minor	0	0.0%	0	0	0	N/A	0
Substandard	0	0.0%	0	0	0	N/A	0
Critical	0	0.0%	0	0	0	N/A	0
<b>TOTAL</b>	<b>3</b>	<b>100.0%</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>N/A</b>	<b>0</b>

<b>GUTTERS, DOWNSPOUTS</b>							
Sound	0	0.0%	0	0	0	N/A	0
None	3	100.0%	0	3	0	N/A	0
Minor	0	0.0%	0	0	0	N/A	0
Substandard	0	0.0%	0	0	0	N/A	0
Critical	0	0.0%	0	0	0	N/A	0
<b>TOTAL</b>	<b>3</b>	<b>100.0%</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>N/A</b>	<b>0</b>

<b>WALL SURFACE</b>							
Sound	0	0.0%	0	0	0	N/A	0
None	0	0.0%	0	0	0	N/A	0
Minor	3	100.0%	0	3	0	N/A	0
Substandard	0	0.0%	0	0	0	N/A	0
Critical	0	0.0%	0	0	0	N/A	0
<b>TOTAL</b>	<b>3</b>	<b>100.0%</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>N/A</b>	<b>0</b>

<b>WALL SURFACE TYPE</b>							
Frame	0	0.0%	0	0	0	N/A	0
Masonry	3	100.0%	0	3	0	N/A	0
Siding	0	0.0%	0	0	0	N/A	0
Combination	0	0.0%	0	0	0	N/A	0
Stucco	0	0.0%	0	0	0	N/A	0
Other	0	0.0%	0	0	0	N/A	0
<b>TOTAL</b>	<b>3</b>	<b>100.0%</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>N/A</b>	<b>0</b>

<b>PARKING SURFACE</b>							
None	0	0.0%	0	0	0	N/A	1
Concrete	1	33.3%	0	1	0	N/A	0
Asphalt	2	66.7%	0	2	0	N/A	0
Gravel	0	0.0%	0	0	0	N/A	0
Dirt	0	0.0%	0	0	0	N/A	0
Brick	0	0.0%	0	0	0	N/A	0
<b>TOTAL</b>	<b>3</b>	<b>100.0%</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>N/A</b>	<b>1</b>

<b>PARKING SPACES</b>							
None	0	0.0%	0	0	0	N/A	1
1 to 2	0	0.0%	0	0	0	N/A	0
3 to 5	0	0.0%	0	0	0	N/A	0
6 to 10	2	66.7%	0	2	0	N/A	0
11 to 20	0	0.0%	0	0	0	N/A	0
21 or More	1	33.3%	0	1	0	N/A	0
<b>TOTAL</b>	<b>3</b>	<b>100.0%</b>	<b>0</b>	<b>3</b>	<b>0</b>	<b>N/A</b>	<b>1</b>