

# URBAN DESIGN COMMITTEE

The City of Lincoln Urban Design Committee will have a regularly scheduled public meeting on Tuesday, **September 13, 2022**, at **3:00 p.m.** in City Council Chambers on the 1<sup>st</sup> floor, County-City Building, 555 S. 10<sup>th</sup> Street, Lincoln, Nebraska, to consider the following agenda. For more information, contact the Planning Department at (402) 441-7491.

## AGENDA

1. Approval of UDC meeting record of [August 2, 2022](#).

### HEARING AND ACTION

2. Neighborhood Design Standards Appeal at 1200 S. 16th – [UDR22085](#)

### DISCUSS AND ADVISE

3. [Muchachos Sidewalk Café](#) – [UDR22091](#)

### STAFF REPORT & MISC.

4. Staff report & misc.;

*Urban Design Committee's agendas may be accessed on the Internet at*  
<https://www.lincoln.ne.gov/City/Departments/Planning-Department/Boards-and-Commissions/Urban-Design-Committee>

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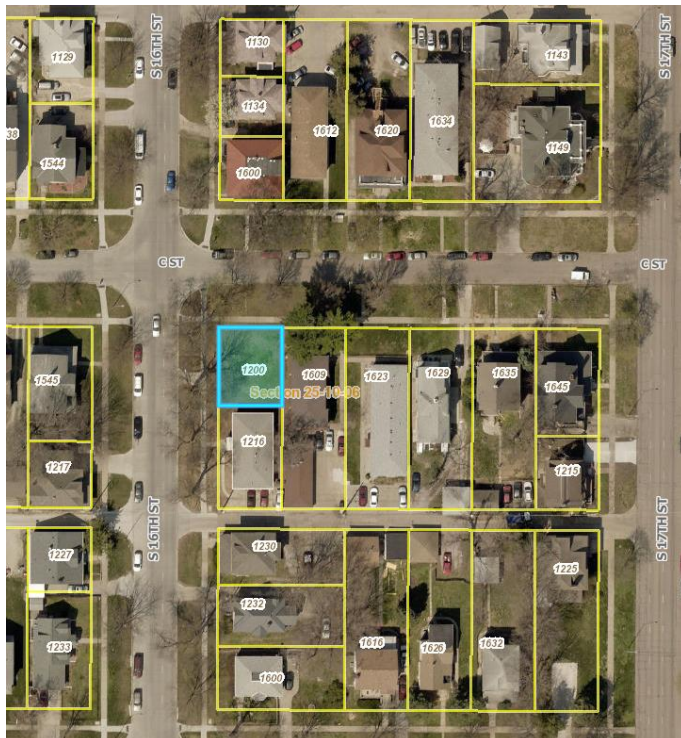
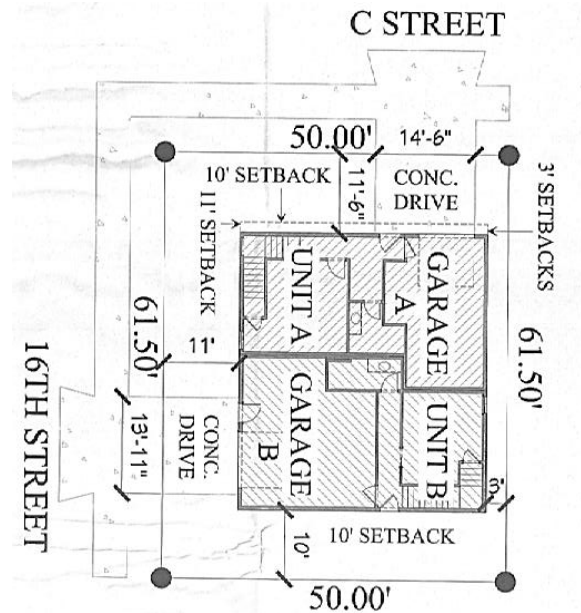
<https://linclanc.sharepoint.com/sites/PlanningDept-Boards/Shared Documents/Boards/UDC/Agendas/2022/ag091322.docx>

TO: **Urban Design Committee**  
 FROM: Stacey Hageman  
 RE: Meeting of September 13, 2022  
 DATE: September 7, 2022

**ITEM 2: Neighborhood Design Standards Appeal (1200 S 16th Street)**

Matt Larson is applying for a building permit at 1200 S 16th Street. He would like to build a duplex, maximizing this 50' x 61.5' lot at the southeast corner of 16th and C Streets. The proposed site plan is shown to the right.

Each unit will have a garage facing the street, which is atypical for this area. Many of the surrounding properties are multi-family apartments with parking off the alley, but there isn't a pattern of garages. The Neighborhood Design Standards say *"if there is no garage pattern shared by at least half of the residential properties on the same and facing block front, garages may be attached and face the street provided the garage portion of the building is set back from the main plane of the principal facade at*

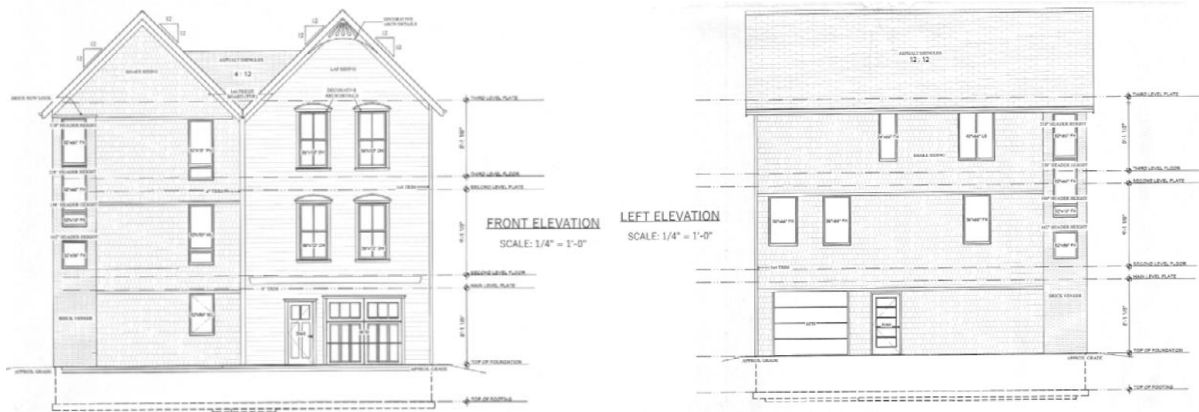


*least five feet."* Because the limited site area, garages are proposed to be in line with the main façade of the building. This does not meet the standard for garages.

According to the Standards, *"Existing residential structures within established neighborhoods typically share similar design features, such as a common orientation to the street, seen in the location of entrances, windows, and porches."* In this area, shown to the left, the primary orientation is to 16th Street.

The standards also say *"On corner properties with two required front yards, the principal facade for purposes of orientation (requiring door and windows) shall match the pattern of half or more of the houses on the same and facing block*

fronts, if such a pattern exists. The other required front yard shall not be required to have an entrance to a dwelling unit but shall meet other requirements for a principal facade (regarding windows, limitations on garage doors, and building length).” The street-facing elevations are shown below. This standard requires one more window to be located on the first floor C Street façade, which the applicant has agreed to provide.



Another Standard says that “Front porches are required, when half or more of the houses on the same and facing block fronts or on adjacent blocks have front porches. Front porches shall be equal in width to at least 50% of the length of the front facade and equal in depth to half the depth of the front yard, or ten feet, whichever is less. Smaller porches may be approved based on evidence that half or more of the houses on the same and facing block fronts or on the adjacent block faces have smaller porches.” 4 out of 8 houses (or 50%) along 16<sup>th</sup> Street have front porches. This proposal does not meet the standard for front porches. I recommend that the applicant add some reference to a porch element along 16<sup>th</sup> Street (i.e. a roof above the entrance and garage door).

I denied this project because it does not meet the Neighborhood Design Standards for orientation, garages setbacks, or porches. Urban Design Committee is the Appeal Board for these design standards and can waive these standards if it finds that “the design enhances its setting and meets the overall intent and spirit of the Design Standards.”

**ITEM 3: Sidewalk Café at Muchachos (416 S 11<sup>th</sup> Street)**

Muchachos would like to add a sidewalk café at their location on 11<sup>th</sup> Street. The permit application is attached and includes a site plan as well as photos of proposed furniture and railing. For your reference, the sidewalk café ordinance states that “Such application shall be reviewed by the Sidewalk Café Review Committee in regard to the urban design relationship of the application to the streetscape, the amount of pedestrian movement to be accommodated, and the accuracy and appropriateness of the area to be licensed, and by the Urban Design Committee in regard to the appropriateness of the design and materials.”

<https://linclanc.sharepoint.com/sites/PlanningDept-Boards/Shared Documents/Boards/UDC/REPORTS/2022/09 Sep/Sep2022Memo.docx>

## 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.*

<b>NAME OF GROUP:</b>	URBAN DESIGN COMMITTEE
<b>DATE, TIME AND PLACE OF MEETING:</b>	Tuesday, August 2, 2022, 3:00 p.m., County-City Building, City Council Chambers, 555 S. 10 <sup>th</sup> Street, Lincoln, NE.
<b>MEMBERS IN ATTENDANCE:</b>	Mark Canney, Emily Deeker, Jill Grasso, Tom Huston and Michelle Penn; (Peter Hind and Gil Peace absent).
<b>OTHERS IN ATTENDANCE:</b>	Paul Barnes and Teresa McKinstry of the Planning Department; Andy Wayne; Todd Hesson with Encompass Architects; Stacey Hageman of the Planning Dept. appeared via Zoom Video Communications ©; and other interested parties.

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

Penn then called for a motion approving the minutes of the regular meeting held July 12, 2022. Motion for approval made by Huston, seconded by Grasso and carried 5-0: Canney, Deeker, Grasso, Huston and Penn voting 'yes'; Hind and Peace absent.

### **AMERICAN MADE DISTILLERY SIDEWALK CAFÉ:**

**August 2, 2022**

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

Stacey Hageman stated this was on the agenda last month there was no site plan provided. She asked for one and they provided one with a little more information. The plans are a little hard to read. She can request additional information if needed.

Grasso is assuming the dimensions mentioned are to the curb. Hageman believes so. Grasso noted that they asked for the dimensions between the curb and the right-of-way.

Huston asked if there was any concern with the kiosk or fence. Hageman hasn't heard any concerns. She believes this area is a little tight anyway. She hasn't heard any specific concerns regarding the distances.

Grasso noted that it looks like the existing stair is six feet from the bush. Huston agreed. Grasso can't think what the kiosk is on the corner. Hageman showed the view from Google street view and the kiosk. She pointed out the planting beds. Grasso believes that no information was given

other than the photo regarding the materials, or regarding how the fence would be secured to the ground. Hageman agreed with the assessment. All she was given was the images.

Canney asked if there is really twelve feet between the dining area and the planting area. The drawing appears to show eight feet out from the dining and another twelve feet from the dining area to the planting area. Huston is seeing six feet from the canopy. Canney asked about the minimum clearance preferred on 'O' Street and if there is a minimum required. Hageman responded that we generally like to have ten feet. She believes the minimum is six that we try to get. It does pinch in several places. We try to avoid that where we can. This is a little unique with the kiosk here.

Grasso wondered if anyone knows how to enter this facility. She asked if you have to walk through the fence to get to the door, or if there is an entry on the east side. Canney believes it feels like the corner is the door. It looks like the fence extends out. Grasso is wondering if the door is at the corner or where it is shown. Canney thinks we have asked for clarification. As long as there is a minimum of six feet of access, we can ask to maintain the six foot pedestrian access between the fence and planting bed, with the exception of the kiosk.

Paul Barnes noted that staff is agreeable with taking this back to the applicant for more information. The clearance is not clearly shown. Grasso wants to know about the materials being used and how the fence will be mounted to the ground. We want to encourage this, but more information is needed.

Huston believes a recommendation could be issued subject to demonstration that the applicant will use durable materials and fencing. He would like to see mounted furniture in a fashion that will last and commercial grade furniture used. It should be of an appropriate color as well.

Penn thinks the outdoor dining furniture looks fine to her.

Hageman noted that the next steps for approval of a sidewalk café are that it goes before a committee that consists of several departments that include Building and Safety, Urban Development, Health Dept., Lincoln Transportation and Utilities and the Planning Dept. They will have to meet requirements for alcohol sales as well if this is approved.

**ACTION:**

Huston moved approval subject to demonstration that the applicant will maintain a minimum of six feet of pedestrian access between the fence and planting bed with the exception of the kiosk, durable materials are used, commercial grade furniture of an appropriate color is mounted in a fashion that will last and appropriate fencing, seconded by Penn and carried 5-0: Canney, Deeker, Grasso, Huston and Penn voting 'yes'; Hind and Peace absent.



**DAMMI DAMMI SIDEWALK CAFE:**

**August 2, 2022**

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

Andy Wayne appeared. He is one of the owners. He is here to answer questions. He believes the questions were regarding color, materials and distances. One question that arose from the last meeting was in regard to distance to various obstructions and the curb. On 13<sup>th</sup> St. and 'P' St., there is a minimum for clearance of five feet to the patio. The patio is an area that is paved with bricks. Everything else is a minimum of six feet. The only other area that is six feet is what he believes is a water access construction of some sort and the trash receptacles.

Huston noted the application indicates they are not seeking a liquor license. Wayne answered they are not seeking a license at this time but would consider doing so down the road. For the time being, they are planning on keeping liquor indoors.

Penn asked about what appears to be a break in the fence. Wayne replied that is for water access to a set of valves that he assumes the City will want to maintain access. A gap is needed there for people to get in and out. The thought is to take advantage of the opening.

Grasso asked if the applicant laid out 56 inches to make sure there is enough width with the size of the table. Wayne replied yes, they have looked at that. The tables are 33 inches in diameter.

Penn inquired about furniture. Wayne stated it will be wrought iron furniture designed for weather durability. They will not have them be permanent fixtures. They will be brought in at night for durability.

Grasso asked about fence material. Wayne replied they are proposing 36 inch tall black wrought iron fence installed in four foot width panels that extend under the sidewalk. They are planning on installing the fence by drilling no more than two inches. There will be a metal plate. He understands there are durability concerns. If necessary, they would consider this being a seasonal fixture. Unless it is necessary for it to be year round, they would deconstruct this in fall and replace in the spring. Grasso thinks that sounds like a great plan.

Huston noted that if a liquor license is pursued in the future, there would be some additional regulations regarding a permanent fence and controlled access.

Penn thinks it is a great location and she is excited to see this. Wayne hopes to use this as an opportunity to springboard.

**ACTION:**

Huston moved approval as proposed, seconded by Canney and carried 5-0: Canney, Deeker, Grasso, Huston and Penn voting 'yes'; Hind and Peace absent.

Grasso thanked the applicant for coming back with more information

**TELEGRAPH WAREHOUSE REDEVELOPMENT:****August 2, 2022**

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

Todd Hesson appeared. He showed a design for the final piece of this block. It is the warehouse renovation. This is an existing structure to be rehabbed. The area includes Telegraph Flats and Telegraph Lofts. To the north is a little turfed area for recreation. The warehouse is in pretty rough shape. There are no services in the building. A lot of the windows are boarded up. They are completely rehabbing the structure. Their proposal includes new windows, awnings, renovating the masonry and new roofing. He showed a plan for the overall site. Right now, the floor plan calls for building out some common functions and circulation. All occupiable space is speculation at this point. The main level is about three feet up off grade. There is a connector piece inside the space that connects Telegraph Flats with this space. They are adding a small mezzanine to the north piece. It is a pretty tall space. It is programmed now for a bar/restaurant function. Future high end residential is planned. They are not building that at this point. He showed a rendering of what is being proposed. On the south elevation, they are maintaining existing openings and adding new openings.

Penn asked about the signage. Wayne stated that the signage panels would be metal screen cutout and used to mount tenant signage. They believe this would be super effective and easy to understand.

Canney agreed. He believes this is turning out to be a nice development.

Grasso likes that they are salvaging the piece for the canopy. She asked the applicant to be aware that Open Harvest is across the street. This could be a great connector. She would recommend they make the north an active space. She appreciates the applicant adding more windows.

**ACTION:**

Huston moved approval as proposed, seconded by Grasso and carried 5-0: Canney, Deeker, Grasso, Huston and Penn voting 'yes'; Hind and Peace absent.

**STAFF REPORT:**

The Committee members voiced their consensus that the next meeting will be moved to September 13, 2022 as opposed to the regularly scheduled date of the day after Labor Day. The new meeting date will be placed online.

There being no further business, the meeting was adjourned at 3:45 p.m.

# SIDEWALK CAFÉ PERMIT APPLICATION

Please PRINT using blue or black ink only.

1

BUSINESS OWNER'S NAME & HOME ADDRESS			
NAME:	Nick Maestas		
STREET ADDRESS:	630 Wolf Dr	CITY:	Lincoln Eagle
STATE:	NE	ZIP:	68437
EMAIL ADDRESS:	nick@yomuchacho.com		

2

MAILING ADDRESS			
NAME:			
STREET ADDRESS:			
CITY:	STATE:	ZIP:	

3

CAFÉ INFORMATION			
BUSINESS NAME:	Muchachos		
STREET ADDRESS:	416 S 11th St. Lincoln, NE		
ZIP:	BUSINESS PHONE#:	FAX#:	
68508	531-500-2290	//	

4

MANAGER OF CAFÉ & THEIR HOME ADDRESS			
NAME:	Nick Maestas		
STREET ADDRESS:	630 Wolf Dr		
CITY:	Eagle	STATE:	NE
PHONE #:	402-416-8618	ZIP:	68437
CELL#:	//	DATE OF BIRTH:	

5

OWNER OF PROPERTY			
NAME:	Jason Davis		
STREET ADDRESS:	3332 Grimsby Lane		
CITY:	Lincoln	STATE:	NE
ZIP:	68502	PHONE #:	402-304-1763
DOES THE RECORD PROPERTY OWNER AGREE TO SUCH USE? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
<b>ATTACH A NOTARIZED LETTER OF CONSENT BY RECORD PROPERTY OWNER FOR THE USE OF SAID PROPERTY &amp; A COPY OF YOUR LEASE.</b>			



6

DAYS & HOURS OF OPERATION							
	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
OPEN	Closed	<del>0730</del> 1100	<del>0730</del> 1100	<del>0730</del> 1100	0800	0800	Closed
CLOSE	Closed	2000	2000	2000	2000	2000	Closed

7

**HOW WILL THE SIDEWALK CAFÉ BE SUPERVISED & MAINTAINED**

Clear view of Patio through windows at front of Store with employees providing service as required

8

**HOW MANY PATRONS WILL BE SERVED IN THE CAFÉ AREA (OCCUPANCY):** 12

9

**DESCRIBE, IN DETAIL, ANY PERMITTED ADVERTISING TO BE USED (ATTACH PHOTOS)**

-None-

10

**DESCRIBE, IN DETAIL, FURNITURE TO BE USED (ATTACH PHOTOS)**

Black metal outdoor chairs and similar style tables will be used.

11

ALCOHOL		
<b>WILL ALCOHOLIC BEVERAGES BE SERVED?</b>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<b>If YES, have you applied for your liquor license with the Nebraska State Liquor Control Commission?</b>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<b>Have you signed up for training with the Responsible Hospitality Commission?</b>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

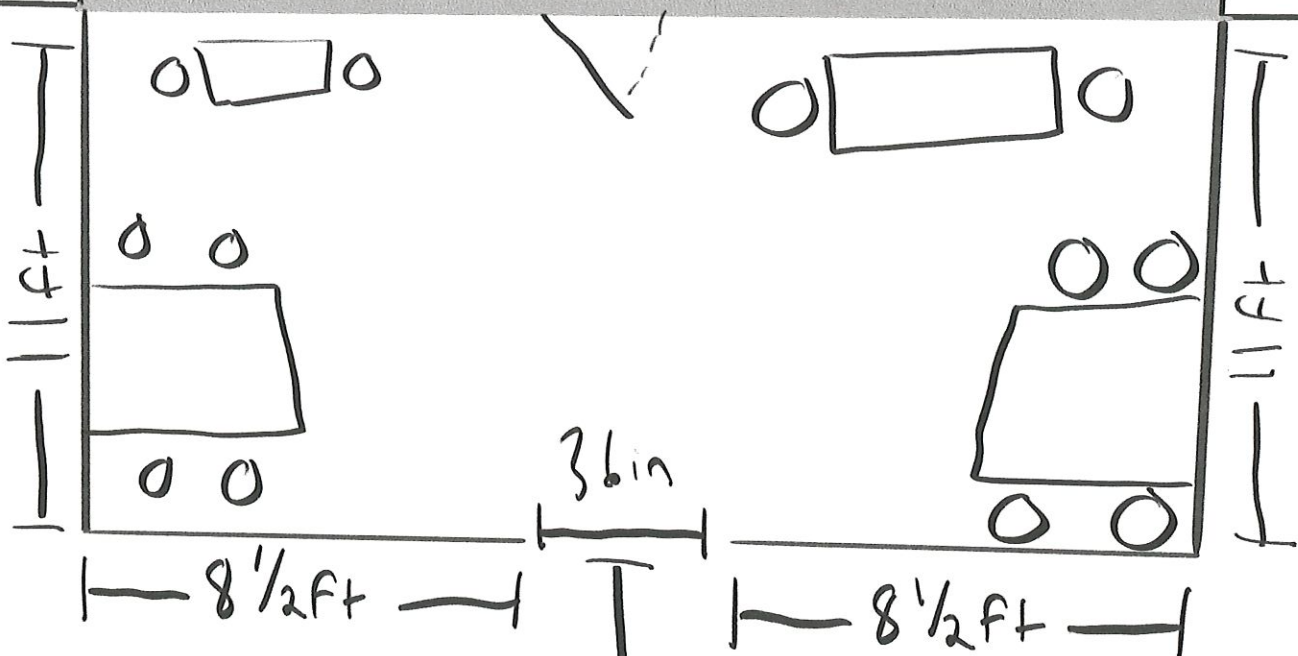
12

**DESCRIBE THE TYPE OF FOOD & DRINK TO BE OFFERED FOR SALE (ATTACH A SAMPLE MENU)**

Business sells tacos, burritos, nachos... etc. Alcohol menu consists of craft and draft beers as well as cocktails.

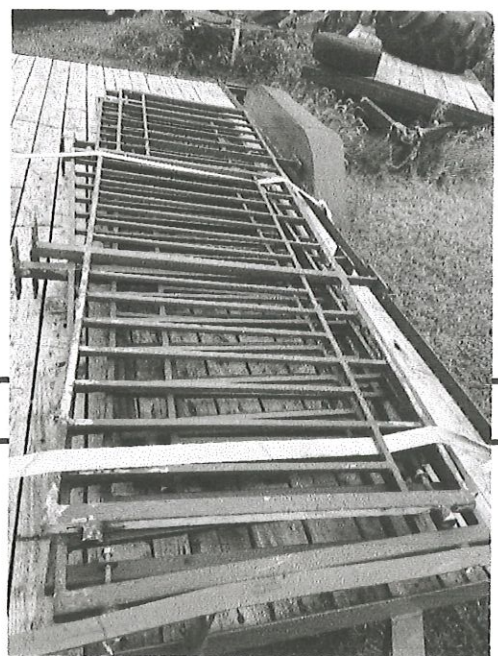


# Business



\* railing anchored into concrete w/ wedge anchors 12ft

Curb



Street