

# URBAN DESIGN COMMITTEE

The Urban Design Committee will hold a meeting on **Tuesday, July 11, 2023**, at **3:00 p.m.** in the County-City Building, 555 S. 10<sup>th</sup> Street, Lincoln, Nebraska in **City Council Chambers** on the 1<sup>st</sup> floor. For more information, contact the Planning Department at 402-441-7491.

## AGENDA

1. Approval of UDC meeting record of [June 6, 2023](#).

### DISCUSS AND ADVISE

2. [9<sup>th</sup> and R Redevelopment](#) – [UDR23075](#)

### STAFF REPORT & MISC.

3. Staff report & miscellaneous

*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>

### ACCOMMODATION NOTICE

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<https://linclanc.sharepoint.com/sites/PlanningDept-Boards/Shared Documents/Boards/UDC/Agendas/2023/ag071123.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.*

**NAME OF GROUP:** URBAN DESIGN COMMITTEE

**DATE, TIME AND PLACE OF MEETING:** Tuesday, June 6, 2023, 3:00 p.m., County-City Building, City Council Chambers, 555 S. 10<sup>th</sup> Street, Lincoln, NE.

**MEMBERS IN ATTENDANCE:** Emily Deeker, Jill Grasso, Peter Hind, Gil Peace and Michelle Penn; Mark Canney and Tom Huston absent.

**OTHERS IN ATTENDANCE:** Paul Barnes, Collin Christopher, Arvind Gopalakrishnan and Teresa McKinstry of the Planning Department; Hallie Salem and Jennifer Hiatt with Urban Development Department; Jesse Benedict; Sean Dunbar; Brandon Kosek; Aaron Stitt with Marriott; 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 March 7, 2023. Motion for approval made by Hind, seconded by Grasso and carried 4-0: Grasso, Hind, Peace and Penn voting 'yes' Deeker absent at time of vote; Canney and Huston absent.

### **2200 'R' STREET – SINGLE FAMILY HOUSE:**

**June 6, 2023**

Members present: Deeker, Grasso, Hind and Penn; Peace declared a conflict of interest; Canney and Huston absent.

Arvind Gopalakrishnan stated that the applicant would like to construct a new modern home. This falls within the Antelope Valley Planned Unit Development (PUD). The property currently has a one-story single family residence. City staff decided that generally, the house blends in well. Design standards say a house in this area is supposed to have two openings per story. The design that was submitted has no opening on the first floor other than the garage door. Staff recommends adding one window. The applicant has stated they cannot add a window due to their plans for the interior. Staff is recommending conditional approval. If the committee decides against adding a window, staff recommends adding a railing around the egress well. The shorter side of the railing could be a gate that opens to accommodate from the lower level. It could be planted with low height ornamental landscaping to break up the concrete wall.

Gill Peace appeared as the applicant's architect and stated that he is excited about this project. It has great views and great access to the bike trails. Jesse Benedict (the owner) is largely the author of this project. The PUD has been approved. They have submitted a building permit. He believes the window is the last

issue. He doesn't think it would be the end of the world if this window had to go in, but there is a plan on the interior for an art piece on this wall.

Grasso asked about egress and any plans for landscaping. Peace noted the landscaping plan is in progress. The goal was to get the design and construction documents to where they could get the permit. He doesn't think the landscaping plan is complete yet.

Penn inquired where this is in the process. Has is gone out for pricing? Peace replied yes. Penn has a concern with the garage door being value engineered. Peace stated there is potential for some value engineering based on how the pricing come in. The idea is for cast concrete and metal siding. The second floor will have three oversized sliding glass panels. He believes this is a reasonable tradeoff for windows. In looking at the interior plan, the first floor occupiable space is basically an entry foyer. Due to the way this site is set up, the living space is really on the second floor. Penn thinks that potentially the glass garage door could stay with no additional windows required. There could be a condition added that the site would be approved as shown. The garage door with glass front must remain.

Grasso agreed with Penn. She thinks this complements the corner nicely. There are other windows. It feels very open to her. She is sure it will have some kind of landscaping. She doesn't have a problem with not having a window on the first floor. She is fine with glass on the garage door with some transparency.

Hind inquired if the wall will be cast. Peace replied yes. Hind stated that his initial reaction was to just add a window. In looking at the Downtown Design Standards, is there any requirement for the size of a window? Gopalakrishnan believes it is 18 inches wide minimum. Paul Barnes noted that the Neighborhood Design Standards have a supplement document that speaks to windows. It references a standard window size.

Hind commented on the railing suggestion. A railing is a good suggestion, but not required. He would support not doing a railing. In some ways if there is a ladder, the railing could make it another height to go over. It could be an issue of safety. He believes a window well railing is not required. He wondered if it would have to meet standards. If it isn't required, he wouldn't put it in. Peace believes the intent is to not put in a rail and treat it with landscaping.

Hind would vote for a thin window against the entry wall and satisfy the intent of the standards. He is sure a glass garage door is pretty pricy. If you want a blank door, add a window. He thinks this is a great project and a wonderful piece of architecture.

Jesse Benedict is the owner. The intent is to come in the front door and not have a window. You need a private entry. You will get a lot of light in there from the tall windows. He wants to stay away from having a window on this wall. He wants to put a grate over the egress. He has lived in this area since 2009. Tim Renner from Hawley Hamlet has been very involved in the neighborhood, and he wants the landscaping to come from the parkway and lead to that corner. He plans on putting some trees on that side. He doesn't have an exact landscaping plan yet.

Hind asked for the applicant's position on the overhead door. Benedict responded that for privacy reasons, he is on the fence. He would prefer solid for privacy. He is nervous about what kind of heat will go through the glass. Hind appreciates the comments, but every developer would want a blank front. Benedict has experimented with various windows. He has had 43 designs of different windows and to make it work inside and out, he can't do it.

Deeker inquired if it has to be a solid glass door to meet the standards. There are many options for garage doors with glass. Peace doesn't think there is anything in what the City has written that allows the garage door with glass to take the place of the window. Benedict thinks he has the windows covered for this project. Hind would disagree. This could potentially set a precedent. Guidelines are there for a reason. There needs to be a creative way to find a solution. A frosted or opaque window would be more palatable. Peace is cognizant of setting a precedent and doesn't want someone else to take advantage. If others did as nice of a job with a good design on this corner, he believes he would be willing to give it to them.

Penn asked for input from the Planning Dept. regarding the glass garage door. She pointed out the applicant has said it could potentially be a solid door. Gopalakrishnan pointed out the overhead door is not considered an opening, but due to the glass, it could add to the look and feel. Penn believes a glass garage door is potentially two openings due to the large size, in her opinion. She does believe that setting a precedent is not the best way to move forward with this.

Grasso wondered if the applicant is done investigating the glass garage door. She believes the glass would give more transparency to the first floor. She would be fine with that.

Collin Christopher stated that obviously, the design of the garage door is instrumental in the design. If that goes away, he believes it is proper to ask the applicant to come back for another review.

**ACTION:**

Grasso moved conditional approval of deviation from the Neighborhood Design Standards if the proposed garage door glass is opaque. If the garage door is solid, the applicant must come back before the Urban Design Committee and show what the new proposal will look like. The motion was second by Penn and carried 4-0: Deeker, Grasso, Hind and Penn voting 'yes'; Peace declared a conflict of interest; Canney and Huston absent.

**SIDEWALK CAFÉ APPLICATION FOR SULTAN'S KITE AT 1309 'O' STREET:**

**June 6, 2023**

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

Christopher stated that the Downtown Corridor Streetscape project was reviewed by this committee last year. Things are moving a little slower than anticipated, with design for the first phase anticipated to begin in the next month. This brings up a couple of points. He doesn't have a firm timeline for construction, but it is likely to begin in the next twelve to twenty-four months. When construction does begin, there is a very real possibility these sidewalk cafés will have to be deconstructed and reconstructed. We have informed those applicants who would be affected. If the streetscape design process determines that a café



railing needs to be replaced, in theory, an applicant could be purchasing equipment that could only last twelve to twenty-four months. That said, the streetscape project would absorb all replacement costs. Staff is also looking at some code and policy changes as part of the Downtown Corridors project. One of those is centered around the sidewalk café regulations. They are comparing Lincoln's regulations with other cities. Personally, he would like to examine what it would look like to move the cafes away from the building to the curb side. He believes it could lead to a more active streetscape. In theory in some cases, it allows for a more consistent pedestrian pathway in front of the store. They are also looking at the requirement for railings around the sidewalk café. Staff talked about allowing some flexibility with what materials could be used. This is relevant to today's discussion because of the sidewalk café applicants didn't quite meet the current standards because of some site constraints. They have worked with the applicant and come up with a solution, knowing it wouldn't be long term. This solution would also serve as a bit of a test case for the sidewalk café changes the city is exploring.

Gopalakrishnan stated that this application abuts the public right-of-way. They were proposing a café of ten feet by 25 feet, with a five-foot-wide entrance. 'O' Street on this side of the block does not currently have any sidewalk cafés. The initial sketch was submitted by the applicant. The café would accommodate 15 people. He reviewed the site plan with Urban Development staff. They recommended the café be closer to the planting bed. This gives the applicant the benefit of adding the railing on both sides and the benefit of an unobstructed walkway. The applicant likes the proposal and doesn't see a big change in his plans. He is willing to take the staff suggestions and modify his concept.

Hind wondered if anyone knows what is under the brick pavers here. Christopher believes there is a concrete base under the pavers. Hind's only concern is fastening the railing. There might have to be an installation discussion. It could be a safety issue. Christopher believes it is never an ideal solution to attach to pavers and that they are recommending that they drill down through the pavers and into the concrete base. In his opinion, this would be acceptable as a temporary scenario, as long as they can get to the concrete.

Penn wondered if someone ever thought of temporary planters. She was curious why a temporary planting fence wasn't considered. Gopalakrishnan talked to the applicant and he expressed concerns with the temporary option of planters. Barnes believes that is a valid point and part of the package for possible code changes. He believes a fence is more in line with what the code requires today.

Deeker wondered about the fence enclosure and alcohol. Hallie Salem stated this won't have a liquor permit, so there is not a requirement for an enclosed space. They are still looking at addressing requirements of liquor permits in the future on what is allowable related to licensed liquor premises.

Hind understands that if a property has a liquor license, they would need a fence along 'O' Street with a defined entrance. Salem noted he was correct. In this particular case, they are trying to get as many seats in there as possible and keep the pedestrian path open.

Penn is conflicted. Her office building is catty-corner from this site. There can be homeless people hanging out in front of Walgreens. She wonders what will happen in this space with this not being directly in front of the café space. Salem stated the applicant will be leasing the space so they will have a right to remove

people who aren't using the space for the restaurant. It really becomes a complaint basis if there are issues with people who won't leave the licensed premises. Penn understands if this doesn't work, this could change in twelve to twenty four months. Salem would like to see how this works on 'O' Street. Penn noted this has often been a spot for people to collect. Salem stated that the hope is by creating an initial activity, it might change some behaviors. Penn is somewhat concerned with this not being attached. It could be viewed as public domain. She doesn't want to see it misused.

Peace stated that Christopher mentioned staff had studied some other cities. Christopher noted that Jennifer Hiatt is writing the ordinance changes, so she could provide some examples. Christopher noted that Lawrence, Kansas was a great example of another college town that has been really successful in their approach. When Covid hit, they really leaned into outdoor spaces. He believes there are a lot of lessons to be learned.

Jennifer Hiatt stated that Alexandria, Virginia has a very successful sidewalk café program. Raleigh, North Carolina provides the most information. During Covid, they used American Rescue Plan Act (ARPA) funding to open sidewalk cafes. The way they are doing it is leased out. It becomes private property and the owner's responsibility to police the property. This would happen if the café was against the building or not. She doesn't know that against the building or in the sidewalk would create a different perspective. Food service workers will be coming and going and it will be an active space.

Penn inquired if Bison Witches has signage that says 'private property'. Hiatt responded they haven't really gotten that deep in the conversation yet.

Deeker understands this is not being done anywhere in the City yet. She wondered if there is a way to say this is a test. Salem stated that permanent commercial signage isn't allowed. Placards on the table are not an issue. Advertising in the right-of-way isn't allowed. Staff is open to working with applicants on this issue. In terms of this being a test trial, this isn't the only place where the café is located away from the building. She also noted that they will still have to follow the general rules and policies.

**ACTION:**

Hind moved approval as recommended by staff, seconded by Peace.

Hind commented that Charlotte, Brooklyn and Manhattan all have these at various scales and he believes they work well. He applauds the City for creating a better flow of pedestrian traffic.

Peace noted this pattern also works great in Chicago. They moved theirs away from the buildings as well. He is in favor of giving this a try. There are examples where planters have been used in downtown. He recommended that is something that is looked at. He thinks it is great to define a space with planters.

Motion for approval carried 5-0: Deeker, Grasso, Hind, Peace and Penn voting 'yes'; Canney and Huston absent.

**SIDEWALK CAFÉ APPLICATION FOR JAKE’S CIGARS & SPIRITS AT 101 N. 14<sup>TH</sup> ST:**

**June 6, 2023**

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

Gopalakrishnan stated that this application is for a sidewalk café of 45 feet by 9 feet attached to the building. The plans meet design standards. A potential café could attract more people. He showed the site plan. They would be installing fencing that would leave about nine feet of walkway. The café hopes to hold around 30 people. The fence will be 36 inches and bolted to the ground. Staff has identified one issue – there are 8 bike racks outside of this business. They were installed by Downtown Lincoln Association (DLA). City staff will coordinate with DLA to relocate the bike racks since there is a bike lane on 14<sup>th</sup> Street. They would like to push four of them closer to the curb and three closer to the end of the block near Jimmy John’s.

Hind asked if the applicant is paying for moving the bike racks. Sean Dunbar stated they haven’t discussed how or who would be moving them yet. Christopher believes it would be considered City property and the City would be moving them. Dunbar believes fencing would be sturdy enough to attach bikes to. Everything would also be completely removable if something changes.

Penn asked if this property has a liquor license to go out here. Dunbar replied yes.

Peace understands this will be temporary since there will be streetscape improvements. Dunbar stated yes, he understood.

**ACTION:**

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

**SIDEWALK CAFÉ APPLICATION FOR BISON WITCHES BAR AND DELI AT 1320 P ST:**

**June 6, 2023**

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

Christopher stated this item relates to the café for Bison Witches that sits at the northeast corner of 13<sup>th</sup> Street and ‘P’ Street. The original sidewalk café dates back to 2013. At some point last fall, the owner of Bison Witches enclosed the existing patio space. Unfortunately, they did it without consent of City staff. He believes this particular solution is non-compliant with the approved application. In regards to the enclosure itself, staff has a few concerns. One concern is the durability of the material itself. It is already starting to show wear and tear. Lack of transparency is another issue. You can’t see activity in the space which limits the positive impact that sidewalk cafes can have on downtown. Finally, it is not the most attractive solution and could set a bad precedent for the future. This type of enclosure isn’t something that has been allowed in the past. Staff does think Bison Witches is a great partner for downtown and Tower Square, and they would like to find a solution that works for everyone.

Brandon Kosek stated that when warmer weather arrives, the drapes are opened up and tied back.

Penn asked if everything is moved inside in the evening. Kosek stated that everything stays outside in the open in warm weather and closed in winter. Penn asked if the drapes are closed at night. Kosek stated the space has been open for the last month or so, even at night.

Hind wondered if clear drapes would be acceptable. Christopher noted that is something that has been discussed as a possible solution. He would like the committee to consider whether a more transparent solution would be appropriate. Kosek stated that Lincoln Tent installed this. They have a clear option. He understood that wasn't very durable. This is supposed to be very durable. Hind asked if the openings have clear acrylic inside. Kosek replied yes.

Peace asked if staff researched some other precedents for this. He knows his daughter's team has a host of creative ways to do three seasons. Kosek stated when it was colder outside, people could use the area with the curtains they have. It has been a huge benefit for them to be able to fill the space.

Christopher noted this is most commonly seen in places where it is meant to be temporary. He believes that clear drapes might be appropriate. He would like Salem to weigh in. From his perspective, a much more transparent approach would be considered. Kosek noted that there have been transients in the area that have created issues for the business.

Penn stated it has been interesting to see the homeless make an encampment in Tower Square. She understands shielding the patio from that activity, but it creates an alcove for people to camp. This is a city urban experience. She is concerned about what is being done. She knows the applicant has spent money on the curtains, but believes it is a bigger issue. Kosek agreed. It is attracting more people to this spot with a shield, but he understands transients are an issue. They are still there even with the curtains open. Something needs to be done. Salem totally agreed. She believes DLA has stepped up and is working more with an outreach person from CenterPointe. They can come out and make contact with people. It is not just a DLA problem, but a broader City problem. She believes it needs to be addressed on a broader City scale.

Peace asked if people can be removed from the current situation given the nature of public property. Salem stated it is more challenging to remove people from public property. She thinks it is a little different in that the park has specific hours where people can be. People have a right to be in public property. There is a balance between generally undesirable behavior and illegal behavior. They are trying to help them into a better situation. Christopher added that one of the issues in Tower Square is that they haven't done a good enough job of activating the space to where it is somewhere that everyone wants to be.

Penn stated the umbrellas are great, but none of them work. Christopher just ordered new ones.

Salem agreed with Christopher. This is a partner/business that they want to continue to have a relationship with. They have invested in this space. This will have to go back to the sidewalk café committee. They need to go through the items and make sure it meets code. They are looking for guidance on the design itself.

Kosek stated there are a few minor fire code items to be addressed that can be easily done. Peace asked what the items are. Kosek replied they need to have an emergency exit bar and light.

Penn believes this is a difficult one. She spends almost every day there and can see it from her office.

Grasso agreed this is a hard one. Some of the things she has noticed is that she used to like to sit outside. There have been enough incidents with the homeless, which is unfortunate. This feels a little dark to her. With paint or some other finishes, the area could be a little more bright or lively. She feels like there might be some subtle ways to add a little more lighting. She doesn't know if it will lessen any of the traffic. She wondered if screen doors could be utilized. Perhaps if even the top half is clear. She has some issues with creating a full clear bubble. Perhaps somehow lightening the structure could help. She doesn't know what the answer is.

Kosek wanted more windows, but the material isn't as flexible. He appreciates the feedback.

Grasso has seen some projects with nice shades. This has to look good because this is a prime location.

Deeker would be open to committing to something with a more solid panel at the bottom and some more openness along the top half.

Grasso understands this is a large design commitment. She knows this business is busy and the extra seating is helpful. She asked the applicant if they were looking for a permanent addition or different outdoor seating. She knows this is a quandary and a broader issue. In the summer, this is a great place to sit.

Kosek knows that the guests like the outdoor space.

Grasso wondered about setting a precedent also. She doesn't want to see tent enclosures all over the place.

Kosek asked if it was the tent enclosure or the color that is an issue. He realizes at some point it will need to be replaced. Grasso believes it is the design of the tent enclosure, not necessarily the idea. It is very solid with a small window, and it sits on a very public corner that is supposed to be active and engaging.

Peace thought that Christopher had spoken in the past about the City considering creating standards for what a three season enclosure might look like. Christopher doesn't think they have taken the idea on, to date. He thinks it is a good idea. He believes this is a pretty unique scenario. Salem stated that there is another additional issue in that this isn't actually a sidewalk café. It is actually on park property. There is a different agreement associated with it that would need to be amended to allow for this change. Peace agrees this is tricky. He understands why the applicant did what they did. There is an unspoken contract with the City that they are doing this in a great space. He believes the applicant should be able to keep it for one more season and see if conditions in the park can be improved. What he objects to is the part facing the sidewalk. If that side could be modified to have more transparency, it would be better. He would

like to see it allowed for one more season to see if the issues can be handled. If this comes up again, perhaps some standards can be created.

Penn was thinking that as well. This elevation is one that needs the most love. She wouldn't want the corner to be so transparent. There might be something that could be done in other areas. Perhaps there are other ways the design could be accented. It needs to have more transparency.

Grasso understood that today is just advice. Salem stated yes. It would be helpful to have these recommendations to take to the City Attorney, Parks & Recreation and the property owner, and perhaps revisit the agreement. Any changes made need to be reviewed with the Fire Department and Building & Safety. Also, this affects the liquor permit as well, since it is now an enclosed area.

Grasso understands the curtains are now down. Kosek replied that was correct. They have the summer to figure this out. They have an agreement currently to keep it open.

**ACTION:**

Penn made a motion to have this item come back for another review, seconded by Peace and carried 5-0: Deeker, Grasso, Hind, Peace and Penn voting 'yes'; Canney and Huston absent.

**9<sup>TH</sup> AND R REDEVELOPMENT:**

**June 6, 2023**

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

Christopher stated this item is regarding the Marriott Hotel. They are proposing one small modification. In the original proposal there was a canopy along the 'R' Street side. They are now proposing to remove that canopy from the streetscape. If you look at the image with the overhang, they are planning now to extend the overhang out into the streetscape with some design features to tie it into the hotel. When this was here last time, the committee members asked for the site plan to come back for review. Building permits were received with streetscape improvements. Staff would like to coordinate them with the Downtown Corridor Streetscape project. Staff would emphasize the need to ask the applicant to come back at a future date to review the streetscape around their property.

Salem added this is a proposed redevelopment project using Tax Increment Financing (TIF). The awning is important to the timing of the approval process, but the streetscape will need to be coordinated with the Downtown Corridors consultant. They would like to get a building permit for the site work shortly after the agreement is approved. They don't want to have to come back and amend the agreement.

Aaron Stitt stated they discovered with cost analysis, it was going to be very expensive to build this the way it was initially proposed. A main fiber trunk line has been installed underneath the sidewalk. They are concerned about building on top of it. He believes the canopy off the hotel here protrudes ten feet.

Peace asked for clarification on the canopy. There was a discussion.

Peace asked if this is budgetary. TIF funding paid for what is there now. Salem believes it could use up a large portion of the TIF, especially if the fiber line had to be relocated. She believes it was originally estimated at \$600,000.00 and then went up to \$800,000.00 or \$900,000.00. Now it is double that for structure and planter relocation.

Deeker understands there is no definitive answer if this can be built over the line or not. Salem replied no, and the price has gone up. They weren't sure if this met the test for public funding. It is a drop off structure in a public sidewalk. It tends to be leaning on the commercial use more than the public use. It is used mainly by hotel guests. Even now, her hesitation is if there are better uses for the public funding. Getting a wider sidewalk for safer access would be more important.

Stitt would like to see the TIF funding go to a better use.

Penn asked what the material is over the entrance. Stitt believes it is a metal product with recessed lighting. Christopher believes it is supposed to represent a faux beam structure that could be downlit for accent.

Grasso inquired about the dimensions. It is hard to tell if it covers the seating area on the south side or projects further on the east entry. Stitt stated that from what he sees, it extends six feet out on the west and about ten feet out from the entrance.

Peace asked where this project sits in the permitting process. Christopher did a quick review of the permit sent today and didn't see this in their plans. This change would likely be part of a permit set revision. He doesn't know if this element has been fully worked out at this point.

Penn stated it feels like we are missing a basic site plan. Salem will need a site plan for the redevelopment agreement.

Deeker wondered about the proposed materials. Salem stated the applicant has told her the materials have not changed.

Salem showed what was previously submitted and pointed out the location of the awning. Christopher showed a note from the applicant that stated the concrete deck could be extended out maybe 6 feet further.

Peace thinks the money needs to be spent where it is needed. Since this is preliminary, it would be nice to have some dimensions and show what it will look like. He would like to see where the drip line is relative to the curb.

Grasso would like to see a perspective relative to the building. It is hard to make a decision with minimal information. Salem believes they are looking for any additional comments before finishing the design.

Peace believes it would be nice to know what the white fascia is. There are a lot of things that could be white fascia. They could be very different things. He would like ACM, not stucco EIFS. He wants more detail.

If you can cantilever 6 feet more, it's getting to be quite large. This is all information that needs to be discussed.

Penn would like to see a site plan, elevation, reflective ceiling plan or something that shows how far the canopy extends out and a presentation of materials. She doesn't think that is an unreasonable ask. She wants to see the applicant follow through with the design aspect that was presented.

Post commented that the first time this project appeared before this committee, there were renderings and the architect had worked extensively on this. This is designed for more of an urban market.

Peace would like to see the exterior view modeled without the canopy and extending the drop off. It would be nice to see.

**STAFF REPORT AND MISCELLANEOUS:**

- Christopher stated that typically, Urban Design Committee is responsible for reviewing street art applications. One came forward in early May with a tight timeline to install on Memorial Day weekend. Due to specific parameters, it was approved administratively. They came forward with a new application to change the street art at S 35<sup>th</sup> and Washington from a smiley face back to a peace sign. Since the committee had previously reviewed and approved a similar design at this location, staff felt that an administrative approval was appropriate.
- Christopher gave another update on the Antelope Tower project. This was reviewed going back in December of last year. The committee reviewed a proposal for the Early Bird Café on the southwest corner. They came in with revised building permits and are now moving it to the northwest corner. Since it has shifted north, the cooler design is now on the street side. No other details were changed. Staff deemed it appropriate.

Peace wondered if Planning has ever thought about commenting on exterior walk-ins. Barnes and Christopher don't believe so. Peace isn't a fan of exterior walk ins. There was a discussion and Committee members agreed that if this is being moved, they would like it to be mirrored so the design looks the same as what was approved. The walk-in located at the south end would be better.

Grasso agreed. The seating worked with the design as well.

Christopher can reach out to the applicant.

Grasso thinks another tenant came to the building and wanted the south space and the bay next to it. She thinks there was some negotiation. The developer asked if this needed to come back to Urban Design Committee. Barnes doesn't recall receiving a phone call. Staff will take another look at this. Grasso believes the original design helped to liven up the corner.

- Christopher mentioned that the next meeting will be on July 11, 2023.



- Barnes acknowledged Arvind Gopalakrishnan as the Planning Department's newest planner.
- Barnes stated there is a standard window size. There is a sketch book that accompanies the design standards. Staff uses that book along with the design standards. Staff will put the sketch book online and send the committee members a link to the document.

There being no further business, the meeting was adjourned at 5:25 pm.

## URBAN DESIGN COMMITTEE STAFF REPORT

APPLICATION NUMBER	Urban Design Record #23075
APPLICATION TYPE	Advisory Review
ADDRESS/LOCATION	401 N 9 <sup>th</sup> Street
HEARING DATE	July 11, 2023
ADDITIONAL MEETINGS	October 4, 2022 (original review by UDC) and June 6, 2023 (review of the canopy modification by UDC)
APPLICANT	Hallie Salem, 402-441-7866, hsalem@lincoln.ne.gov
STAFF CONTACT	Collin Christopher, 402-441-6370, cchristopher@lincoln.ne.gov

### RECOMMENDATION: ADVICE ONLY

#### Summary of Request

In October of 2022, Urban Design Committee recommended approval of this project, subject to review of the site plan once complete. The developer is now proposing some changes to the project that they'd like to get approval on.

As can be seen in the attached renderings, the original proposal included a freestanding canopy south of the building that would complement the existing canopy in front of the adjacent Courtyard by Marriott. What is now being shown is an enlarged canopy extending out from the building's south façade. The canopy would consist of white, metal panel soffits with aluminum batten linear soffit slats above the lobby entry point.

This proposed change originally came to the Committee last month (June 6, 2023), but there were concerns that not enough detail and specificity were being provided in order to make an informed decision. As such, the Committee asked the developer to come back with additional materiality details, dimensions and renderings of the proposed changes.

The Urban Design Committee is being asked to weigh in once again on the proposed canopy modifications.

Also of note, conceptual streetscape plans have been provided as part of this submittal, and staff decided to include those plans in the agenda packet to help inform decision-making by the Committee. However, it should be understood that there are changes that will need to be made to allow the streetscape design to align with the vision of the Downtown Corridors project. The City's design consultant will be working with the developer to coordinate those efforts so that the streetscape plans can be reviewed by the Committee at a future date.

#### Compatibility with the Downtown Design Standards

The materiality and dimensions of the proposed canopy should be presented by the applicant and discussed by the Committee, but ultimately this modification does not appear to be in conflict with any of the Downtown Design Standards.

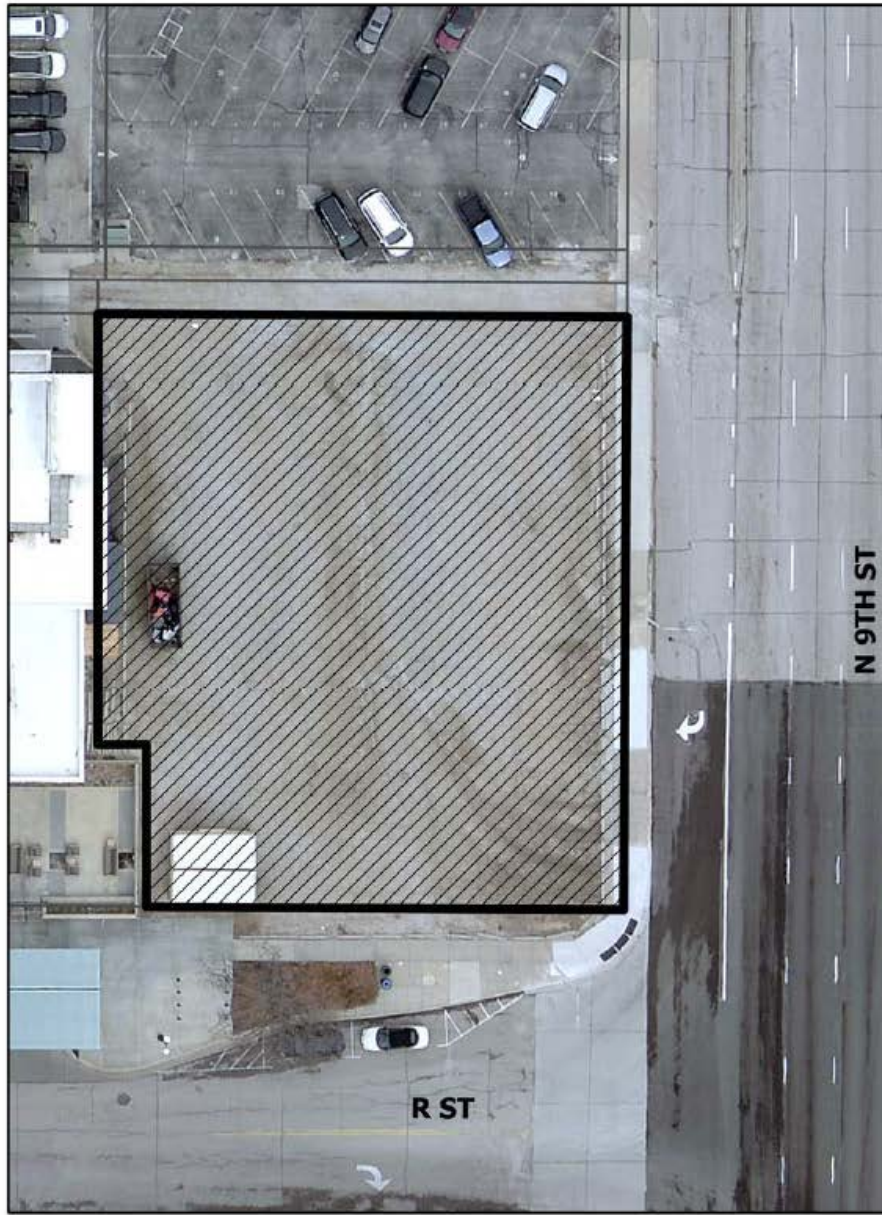
<https://linclanc.sharepoint.com/sites/PlanningDept-Boards/Shared Documents/Boards/UDC/REPORTS/2023/07 July/9th and R Redevelopment Staff Report.docx>

## **Recommendations**

While the proposed canopy change will certainly have an impact on the south façade and the adjacent streetscape, it meets the Downtown Design Standards. Still, the Urban Design Committee should weigh the proposal and offer appropriate feedback pertaining to materiality, lighting, impacts on the streetscape, and the interaction that this feature creates between the interior and exterior of the building.

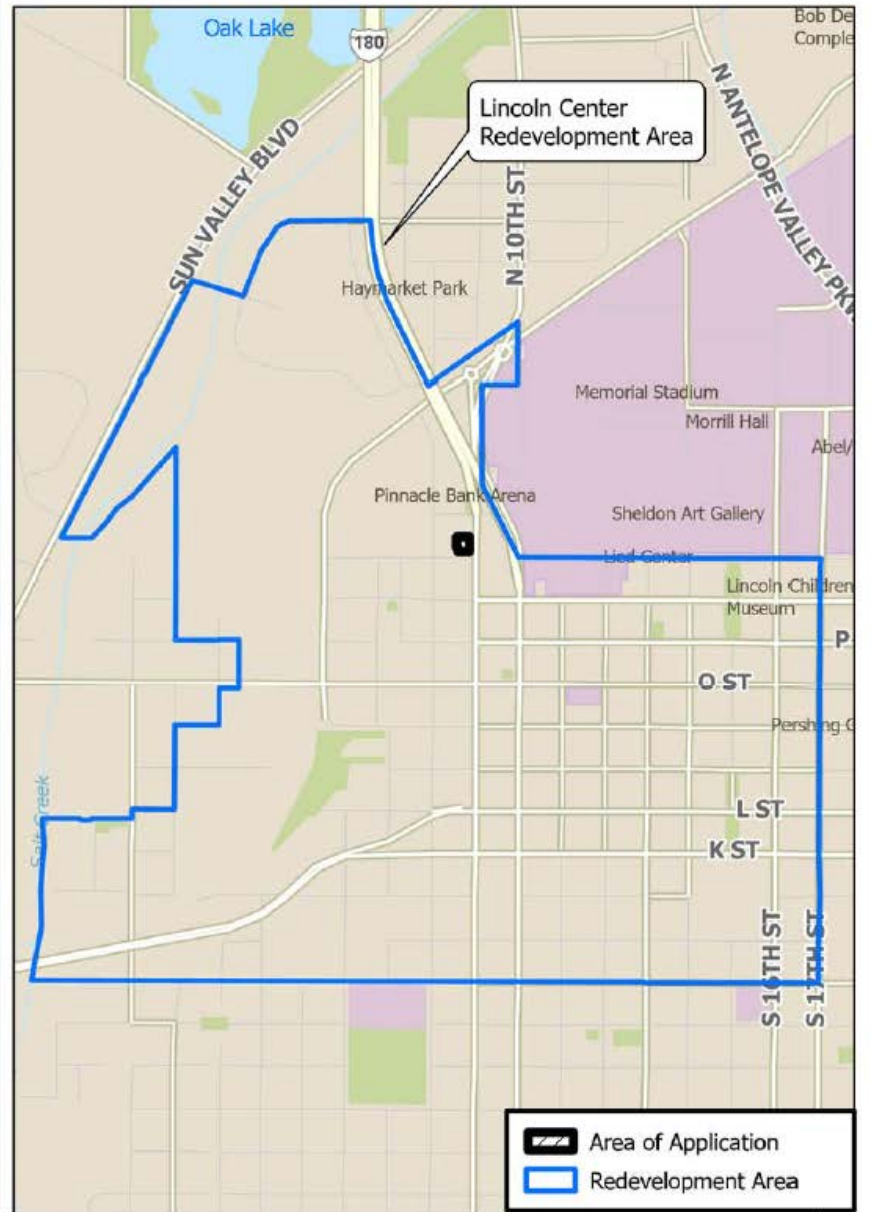
Additionally, the Committee should reiterate that the applicant come back at a future date to receive a final review of the streetscape plan for the project.

# ATTACHMENT A - Location Map



2022 aerial

UDR23075 - 9th and R Redevelopment (401 N 9th Street)



Area of Application  
 Redevelopment Area

Project: GIS\Projects\Dev\RWAA\LOC\_LocationMap.aprx  
 File: UDR23075\REPORTS\Location Map

## ATTACHMENT B – Original Canopy Rendering





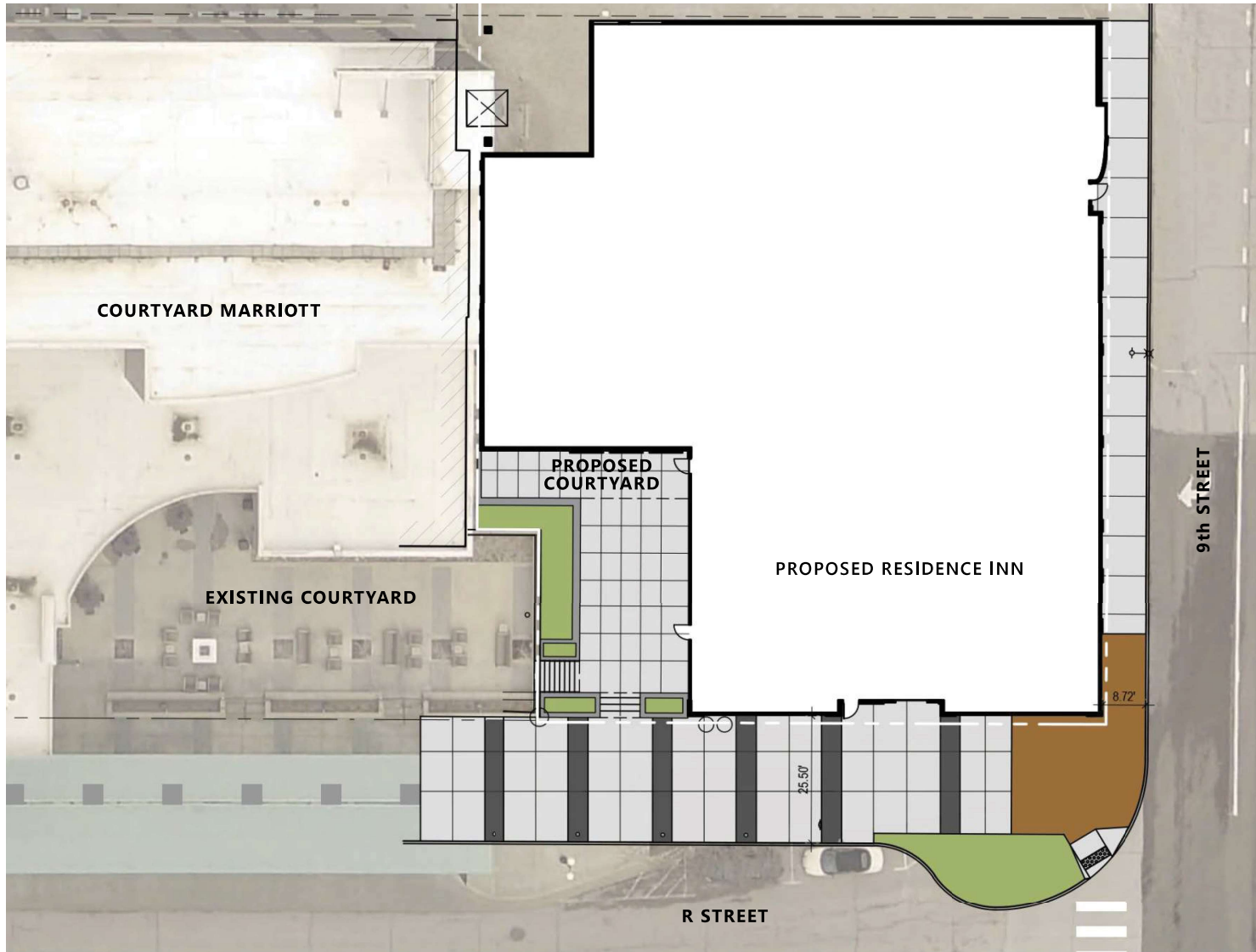
## ATTACHMENT C – New Canopy Renderings



<https://inlanc.sharepoint.com/sites/PlanningDept-Boards/Shared Documents/Boards/UDC/REPORTS/2023/07 July/9th and R Redevelopment Staff Report.docx>







CORNER INTERSECTION PAVERS TO MATCH EXISTING PAVERS AT SOUTHWEST CORNER OF 9TH & R







PAVER BANDING TO MATCH EXISTING BANDING ALONG 'R' STREET

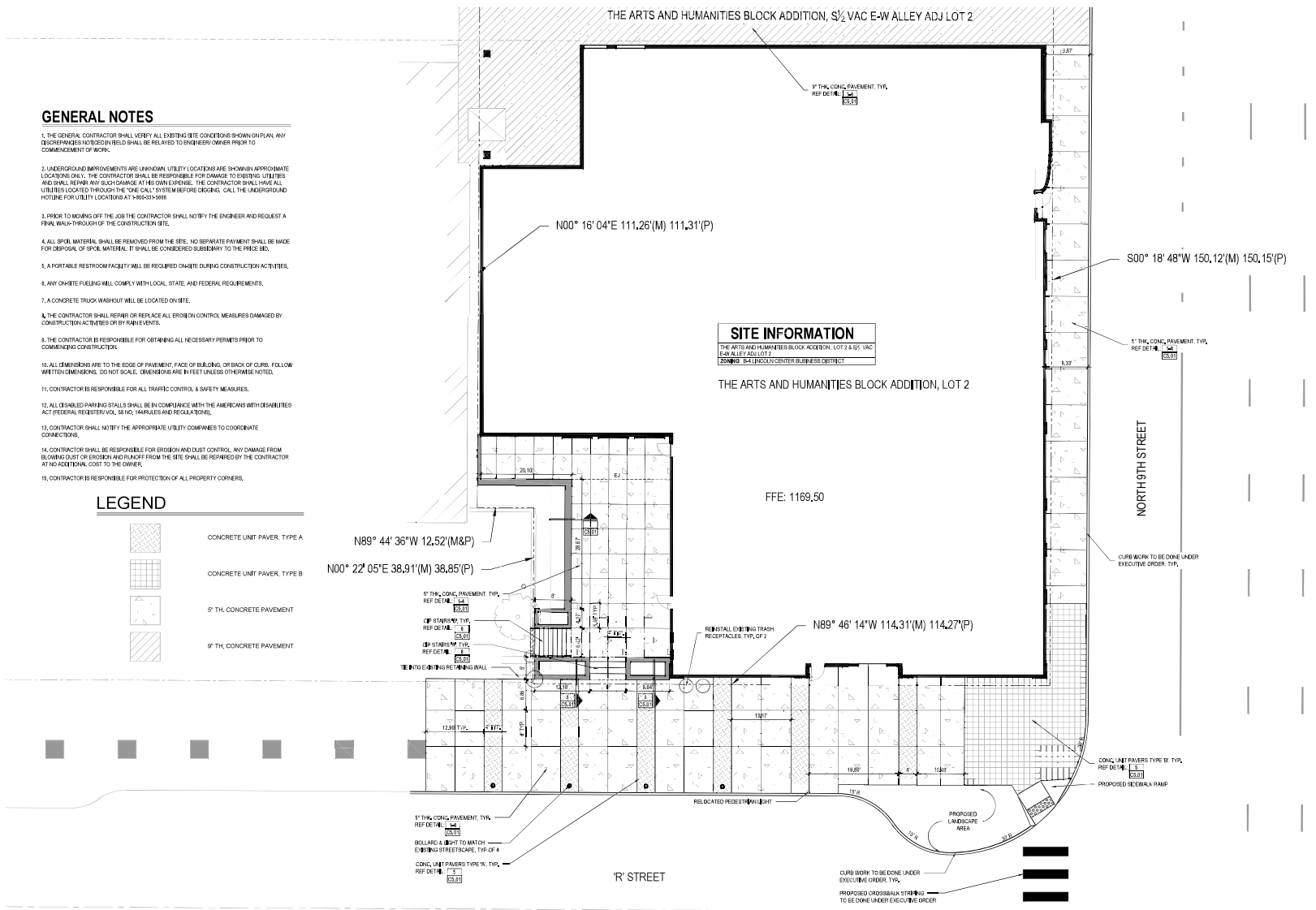


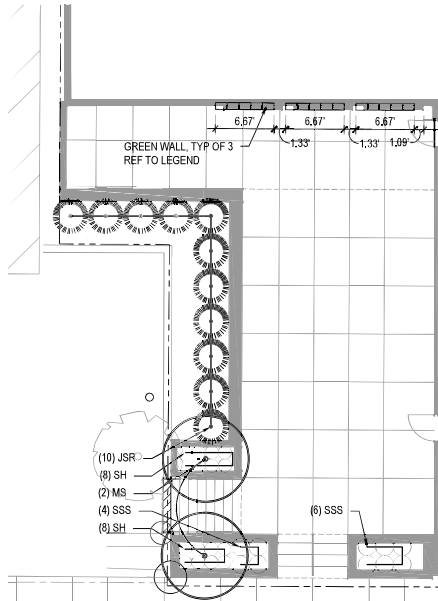
### GENERAL NOTES

1. THE GENERAL CONTRACTOR SHALL VERIFY ALL EXISTING SITE CONDITIONS SHOWN ON PLAN. ANY DISCREPANCIES NOTICED IN FIELD SHALL BE RELATED TO ENGINEER/OWNER PRIOR TO COMMENCEMENT OF WORK.
2. UNDERGROUND IMPROVEMENTS ARE UNKNOWN. UTILITY LOCATIONS ARE SHOWN IN APPROXIMATE LOCATIONS ONLY. THE CONTRACTOR SHALL BE RESPONSIBLE FOR DAMAGE TO EXISTING UTILITIES AND SHALL REPAIR ANY SUCH DAMAGE AT HIS OWN EXPENSE. THE CONTRACTOR SHALL HAVE ALL UTILITIES LOCATED THROUGH THE "ONE CALL" SYSTEM BEFORE BEGINNING. CALL THE UNDERGROUND NOTICE FOR UTILITY LOCATIONS AT 1-800-525-5889.
3. PRIOR TO MOVING OFF THE JOB THE CONTRACTOR SHALL NOTIFY THE ENGINEER AND REQUEST A FINAL WALK-THROUGH OF THE CONSTRUCTION SITE.
4. ALL SPILL MATERIAL SHALL BE REMOVED FROM THE SITE. NO SEPARATE PAYMENT SHALL BE MADE FOR REMOVAL OF SPILL MATERIAL, IT SHALL BE CONSIDERED SUBSIDIARY TO THE PRICE BID.
5. A PORTABLE RESTROOM FACILITY WILL BE REQUIRED ON-SITE DURING CONSTRUCTION ACTIVITIES.
6. ANY CONCRETE FUELING WILL COMPLY WITH LOCAL, STATE, AND FEDERAL REQUIREMENTS.
7. A CONCRETE TRUCK WASHOUT WILL BE LOCATED ON-SITE.
8. THE CONTRACTOR SHALL REPAIR OR REPLACE ALL EROSION CONTROL MEASURES DAMAGED BY CONSTRUCTION ACTIVITIES OR BY RAINFALL EVENTS.
9. THE CONTRACTOR IS RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS PRIOR TO COMMENCING CONSTRUCTION.
10. ALL DIMENSIONS ARE TO THE EDGE OF PAVEMENT, FACE OF BUILDING, OR BACK OF CURB, FOLLOW WRITTEN DIMENSIONS, DO NOT SCALE. DIMENSIONS ARE IN FEET UNLESS OTHERWISE NOTED.
11. CONTRACTOR IS RESPONSIBLE FOR ALL TRAFFIC CONTROL & SAFETY MEASURES.
12. ALL DISABLED PARKING SPACES SHALL BE IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT (FEDERAL REGISTER VOL. 58 NO. 144 RULES AND REGULATIONS).
13. CONTRACTOR SHALL NOTIFY THE APPROPRIATE UTILITY COMPANIES TO COORDINATE CONNECTIONS.
14. CONTRACTOR SHALL BE RESPONSIBLE FOR EROSION AND DUST CONTROL. ANY DAMAGE FROM BLOWING DUST OR EROSION AND DAMAGE FROM THE SITE SHALL BE REPAIRED BY THE CONTRACTOR AT NO ADDITIONAL COST TO THE OWNER.
15. CONTRACTOR IS RESPONSIBLE FOR PROTECTION OF ALL PROPERTY CORNERS.

### LEGEND

	CONCRETE UNIT PAVER, TYPE A
	CONCRETE UNIT PAVER, TYPE B
	9" TH. CONCRETE PAVEMENT
	9" TH. CONCRETE PAVEMENT



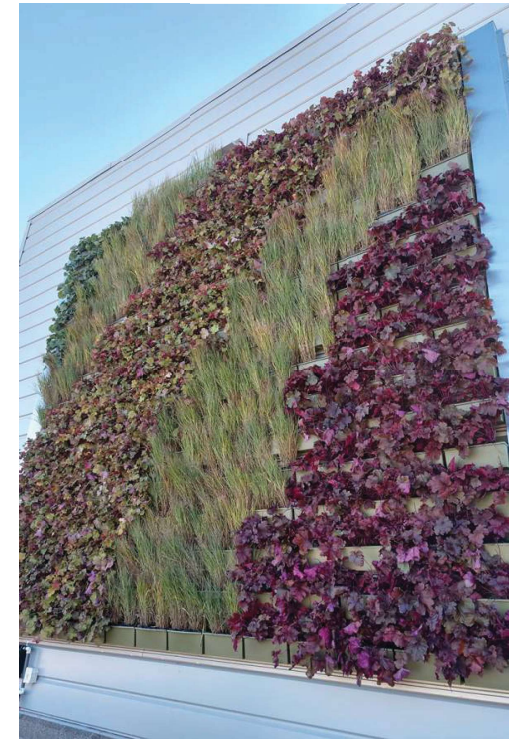
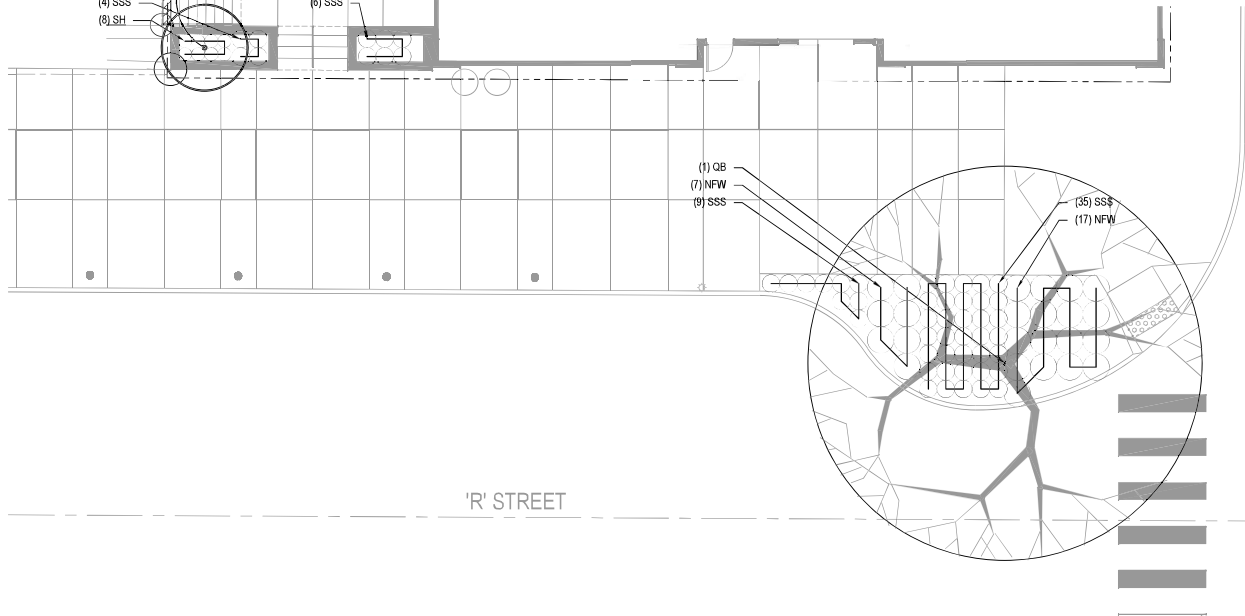


### PLANT LIST

SYMBOL	BOTANICAL NAME	COMMON NAME	SIZE & METHOD OF HANDLING	DESIGN HEIGHT & SPREAD
<b>TREES - DECIDUOUS</b>				
MS	MAGNOLIA STELLATA 'ROYAL STAR'	ROYAL STAR TREE MAGNOLIA	1 1/2" CAL/ B&B/ 8' HT MIN	10' HEIGHT, 10' SPREAD
QB	QUERCUS BICOLOR	SWAMP WHITE OAK	2 1/2" CAL/ B&B/ 12'-14' HT MIN	45' HEIGHT, 45' SPREAD
<b>TREES - EVERGREEN</b>				
JSR	JUNIPERUS VIRGINIANA 'SKYROCKET'	SKYROCKET JUNIPER	B&B/ 6' HT MIN	15' HEIGHT, 4' SPREAD
<b>GRASSES</b>				
SH	SPOROBOLUS HETEROLEPIS	PRAIRIE DROPSEED	#1 CONT, 18" SPACING	18" HEIGHT, 18" SPREAD
SSS	SCHIZACHYRIUM SCOPARIUM 'STANDING OVATION'	STANDING OVATION LITTLE BLUESTEM	#1 CONT, 24" SPACING	48" HEIGHT, 24" SPREAD
<b>PERENNIALS</b>				
NFW	NEPETA x FAASENII 'WALKER'S LOW'	WALKER'S LOW CATMINT	#1 CONT, 24" SPACING	24" HEIGHT, 24" SPREAD

### GREEN WALL

GREEN WALL  
 MANUFACTURER: LIVEWALL  
 MODEL: OUTDOOR STANDARD SIZE PLANTER  
 (5 PLANTERS WIDE X 10 PLANTERS TALL)  
 CONTRACTOR TO PROVIDE IRRIGATION SYSTEM PER MANUF. RECOMMENDATIONS



GREENWALL EXAMPLE





ROYAL STAR TREE MAGNOLIA



SWAMP WHITE OAK



SKYROCKET JUNIPER



PRAIRIE DROPSEED



STANDING OVATION LITTLE BLUESTEM



WALKER'S LOW CATMINT







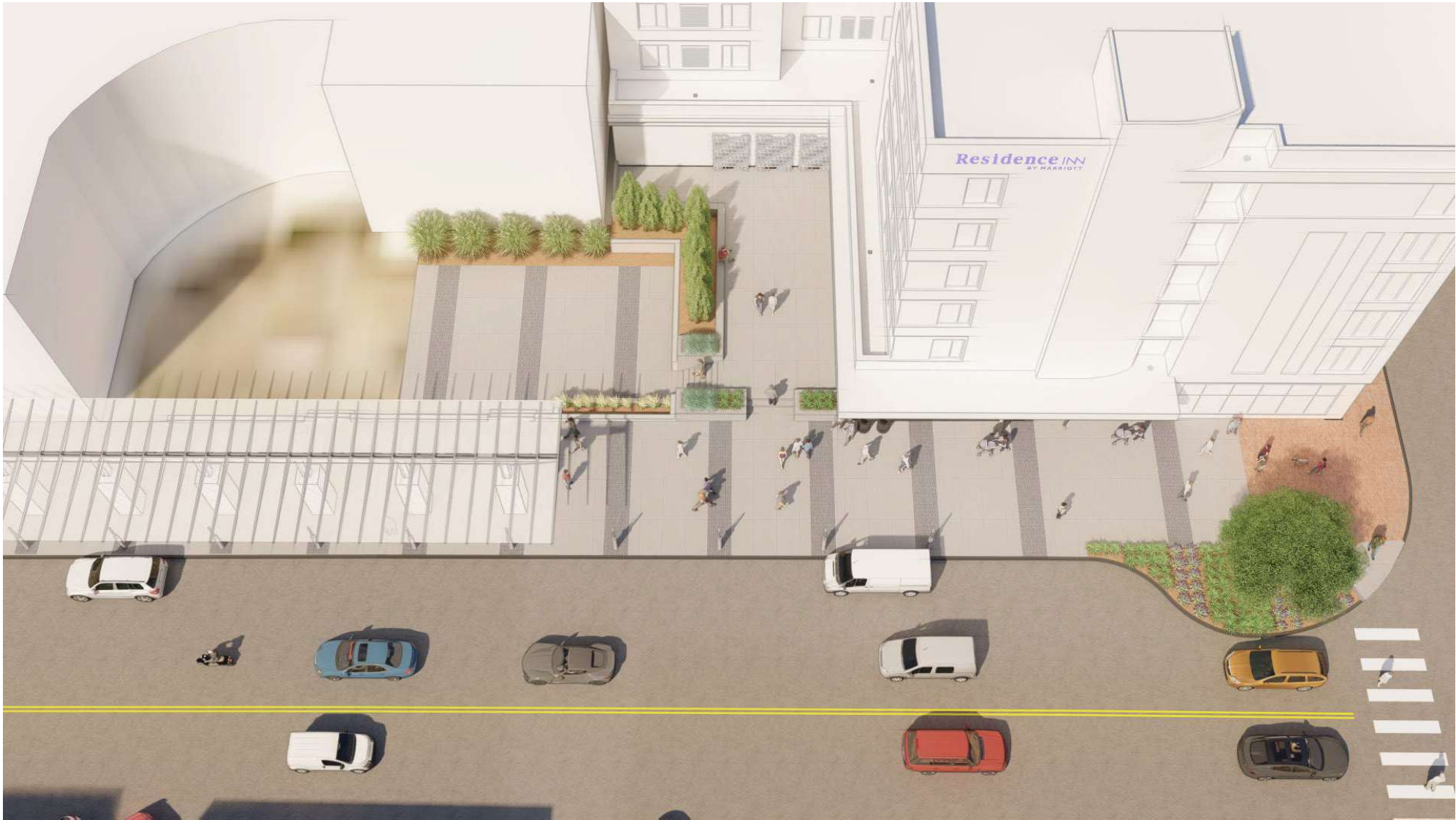
















Residence Inn By  
Marriott Lincoln  
Downtown  
401 North 9th Street  
Lincoln, NE 68508

Textbook 21, LLC

2733 East Parkway Way, Suite 300  
Salt Lake City, UT 84109

3D VIEWS

DATE: 10/20/2020  
PROJECT #: 2020  
DRAWN BY: AJR  
CHECKED BY: OLC  
CONSTRUCTION DOCUMENTS

A205





**SHEET NOTES**

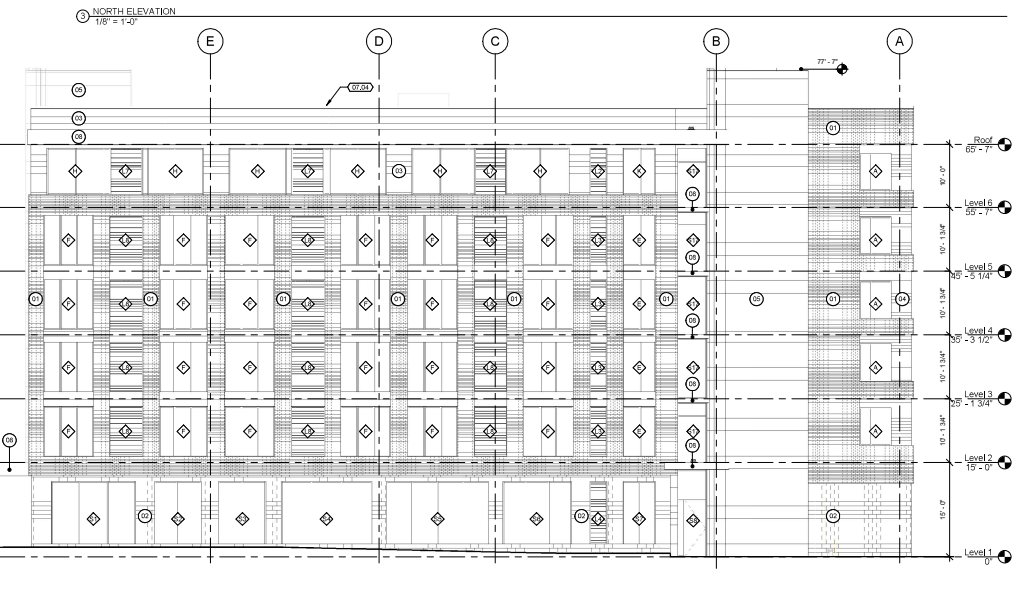
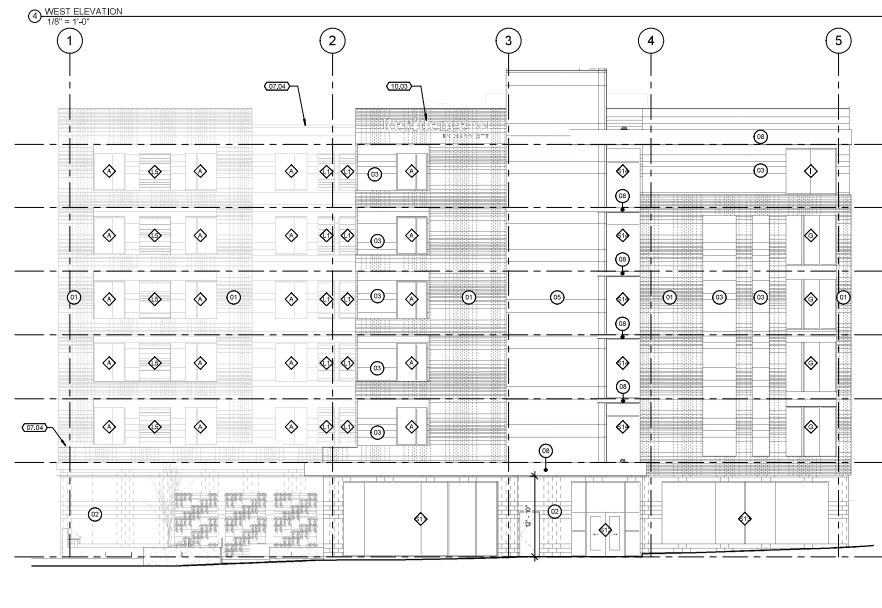
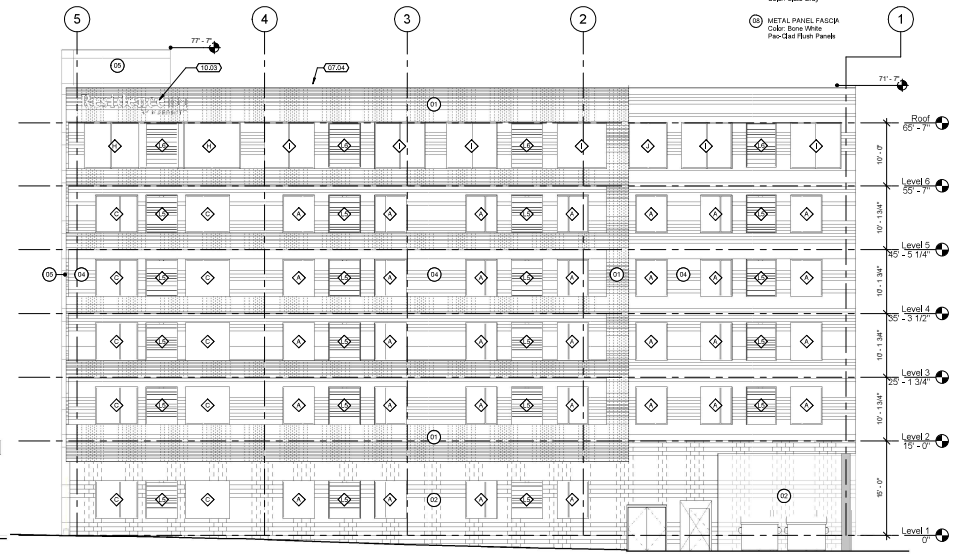
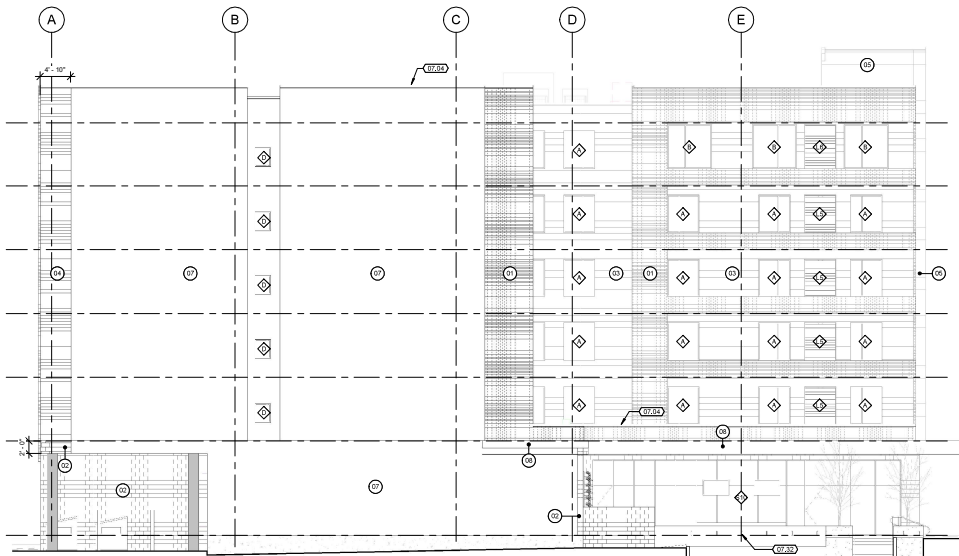
- 07.04 PRE-FINISHED METAL COPING - SEE ELEVATIONS FOR FINISH AND TYPES.
- 07.32 WEIR HOLE
- 10.03 BUILDING DRAINAGE PROVIDED BY OWNER. QC SHALL PROVIDE BACKING AND POWER FOR DRAINAGE PER MANUFACTURER'S WRITTEN INSTRUCTIONS.

**ELEVATION GENERAL NOTES**

1. REFER TO DOOR SCHEDULE AND WINDOW SCHEDULE FOR SIZES AND TYPES.
2. ALL ROOF DRAINS SHALL FLOW DIRECTLY TO GUTTER. CUSTOM COLORS ARE SELECTED AND SHALL BE APPROVED BY OWNER. SUBMIT COLOR SAMPLES OF ALL FINISH PRODUCTS TO OWNER AND ARCHITECT PRIOR TO INSTALLATION.
3. AT ALL PENETRATIONS OF EXTERIOR WALLS BY REES, DUCTS OR CONDUITS, THE SPACE BETWEEN THE WALL AND REES, DUCTS OR CONDUITS SHALL BE CAULKED OR FILLED WITH MORTAR TO FORM AN AIRTIGHT SEA.
5. PAINT ALL PENETRATIONS, VENTS AND LOUVERS TO MATCH SURROUNDING WALL.

**EXTERIOR FINISH LEGEND**

- ① BRICK  
Color: New England Blend  
Yankee Hill Brick
- ② STUCCO  
Color: Ten - Georgia Renaissance  
Smooth - Anvora
- ③ METAL PANEL  
Color: Graphite  
Pac-Clad Finish Wall Panels
- ④ METAL PANEL  
Color: Slate Gray  
Pac-Clad Finish Wall Panels
- ⑤ METAL PANEL  
Color: Native Copper  
Pac-Clad Reduced ACM Wall Panels
- ⑥ PRE-FINISHED METAL COPING  
Color: Match Adjacent Wall  
Festone Building Products
- ⑦ STUCCO  
Color: Bone White
- ⑧ METAL PANEL, FASPC  
Color: Bone White  
Pac-Clad Finish Panels



**LINE TWENTY NINE**  
ARCHITECTURE  
1833 MERRIMACK BLVD  
SOUTH PLAZA, SUITE 200  
F. R. 02109  
T. 603.231.1071  
www.linewentynine.com

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Marriott Lincoln  
Downtown  
40 North Main Street  
Lincoln, NE 68508

Textbook 21, LLC

2733 East Parkway Way, Suite 300  
5th Lake City, UT 84059

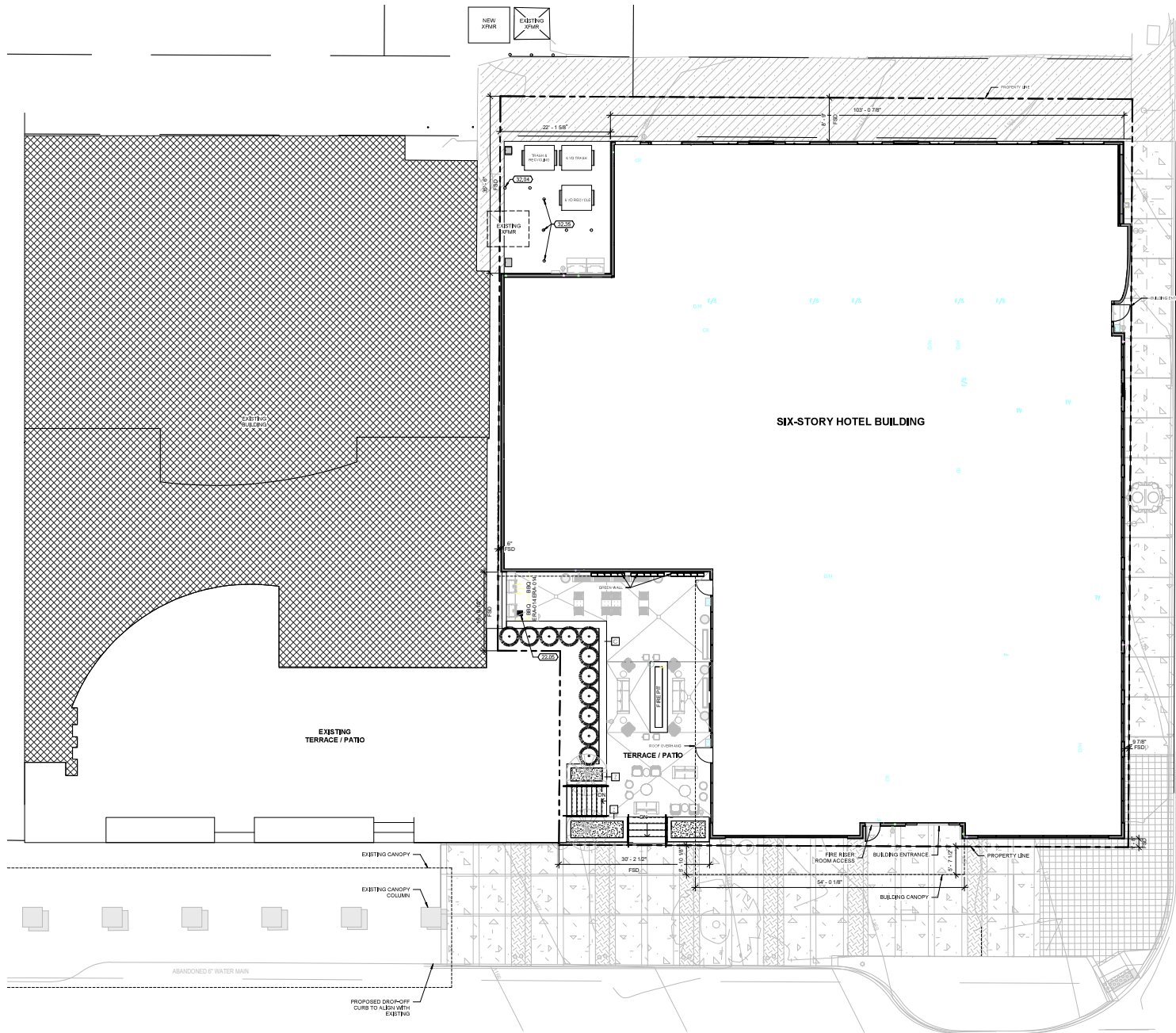
EXTERIOR ELEVATIONS

DATE: 10/20/2020  
PROJECT #: 2020-0001  
DRAWN BY: J. ALLEN  
CHECKED BY: C. HAYES

CONSTRUCTION DOCUMENTS

A200

[Back to Top](#)



- SITE GENERAL NOTES**
1. ALL SITE WORK SHALL BE COORDINATED WITH CIVIL DOCUMENTS. ANY DISCREPANCIES SHALL BE REPORTED TO THE ARCHITECT AND CIVIL ENGINEER FOR RESOLUTION. NO WORK SHALL BE PERFORMED ON THE CONTRACTORY INFORMATION OR ANY EXISTING CONDITION NOT IN CONFORMANCE WITH THE CONSTRUCTION DOCUMENTS WITHOUT FIRST CONSULTING THE ARCHITECT AND ENGINEER.
  2. COORDINATE ALL LANDSCAPING, PARKING STEPS, AND SIDEWALKS SHOWN WITH LANDSCAPE DRAWINGS.
  3. CONTRACTOR IS RESPONSIBLE FOR RELOCATION OF OR UTILITIES. CONTRACTOR TO KNOW UTILITY PROVIDER. BE FIRM OFFICE, CABLE CO., FOR RELOCATION OF SHORING, MAINTENANCE OR REPAIR OF ALL EXISTING UTILITIES. REFER TO CUIE AND MESH-ANAL DRAWINGS FOR WET UTILITIES.
  4. FOR SIDEWALK AND FINISH GRADES, COORDINATE WITH ARCHITECTURAL, CIVIL AND LANDSCAPE DRAWINGS.
  5. SEE SITE ELECTRICAL PLANS FOR ALL SITE LIGHTING, POST LIGHTS, ARCHITECT AND LANDSCAPE TO VERIFY FINAL LOCATIONS.

- SHEET NOTES**
- EXISTING 8" SANITARY SEE
- 22.05 FLOOR DRAIN, SEE PLUMBING DRAWINGS.
  - 32.04 STEEL PIPE BOLLARD
  - 32.35 EXISTING STEEL PIPE BOLLARD

**GROSS BUILDING AREA**

LEVEL 1	14,810 SF
LEVEL 2	13,803 SF
LEVEL 3	13,803 SF
LEVEL 4	13,803 SF
LEVEL 5	13,803 SF
LEVEL 6	13,803 SF
TOTAL	83,625 SF

ARCHITECTURAL SITE PLAN  
1/8" = 1'-0"

**LINE**  
**20**  
**NE**

ARCHITECTURE  
14333 MIDPOND LIGHT DR  
BETHANNA UT 9905  
T 362.23366  
F 362.23371  
www.thelinearch.com

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Marriott Lincoln  
Downtown  
40 North 9th Street  
Lincoln, NE 68508

Textbook 21, LLC

2733 East Parkway Way, Suite 300  
Salt Lake City, UT 84109

ARCHITECTURAL  
SITE PLAN

DATE: 10/20/2020  
PROJECT #: 2020-0001  
DRAWN BY: AJR  
CHECKED BY: OLR

CONSTRUCTION  
DOCUMENTS

A100

- ### CEILING PLAN GENERAL NOTES
- COORDINATE WITH MECHANICAL DOCUMENTS FOR ACCESS TO DAMPERS AND MECHANICAL EQUIPMENT. PROVIDE ACCESS AND IDENTIFICATION FOR ALL FRESH AIR DUCT DAMPERS IN COMPLIANCE WITH IBC 714.4.
  - COORDINATE WITH MECHANICAL DOCUMENTS FOR CORRECT LOCATION OF CEILING DIFFUSERS AND ACCESS PANELS.
  - FIRE SPRINKLER LOCATIONS ARE NOT INDICATED.
  - SEE ELECTRICAL DRAWINGS FOR FIXTURE SPECIFICATIONS AND REQUIREMENTS.
  - COORDINATE WITH ELECTRICAL DOCUMENTS FOR CORRECT LOCATION OF SMOKE DETECTORS, FIRE ALARMS, EXIT SIGNS AND SIGNS.
  - PROVIDE GYPSUM BOARD CONTROL AND EXPANSION JOINTS IN CEILING AND SOFFITS PER STANDARD CONSTRUCTION PRACTICES AND PER GYPSUM MANUFACTURER'S WRITTEN RECOMMENDATIONS.
  - CEILING PANEL DIMENSIONS ARE 12" FACE OF GYPSUM WALL BOARD. TYPICAL CEILING HEIGHTS ARE MEASURED FROM TOP OF SLAB OR TOP OF CONCRETE REFER TO CEILING DETAILS FOR FURTHER INFORMATION.
  - REFER TO CEILING DETAILS FOR ALL INFORMATION REGARDING SUSPENDED SEISMIC BRACING REQUIREMENTS.
  - ALL CEILING SHALL COMPLY WITH THE REQUIREMENTS FOR SUSPENDED CEILING IN SEISMIC CATEGORY D.
  - INSTALL BATHROOM EXHAUST FANS IN JOIST/TRUSS SPACE IN CEILING CAVITY WITH TESTED SOFFIT.
  - PAINT ALL GYPSUM BOARD CEILING.

### CEILING FIXTURE LEGEND

	RECESSED LIGHT FIXTURE		SUPPLY AIR DIFFUSER
	RECESSED DOWN LIGHT FIXTURE		RETURN AIR GRILL
	WALL MOUNTED VANITY LIGHT		EXHAUST AIR GRILL
	1" X 4" SURFACE MOUNT LIGHT		BATHROOM EXHAUST FAN
	1" X 4" SURFACE MOUNT LIGHT		FIRE SPRINKLER HEAD
	1" X 4" EMERGENCY LIGHT		17" FLUSH MOUNT CEILING LIGHT
	WALL SCONCE		11" FLUSH MOUNT CEILING LIGHT
	4" WALL WASHER LIGHT		FLUSH MOUNT CEILING LIGHT
	DOWN ROUND LIGHT		

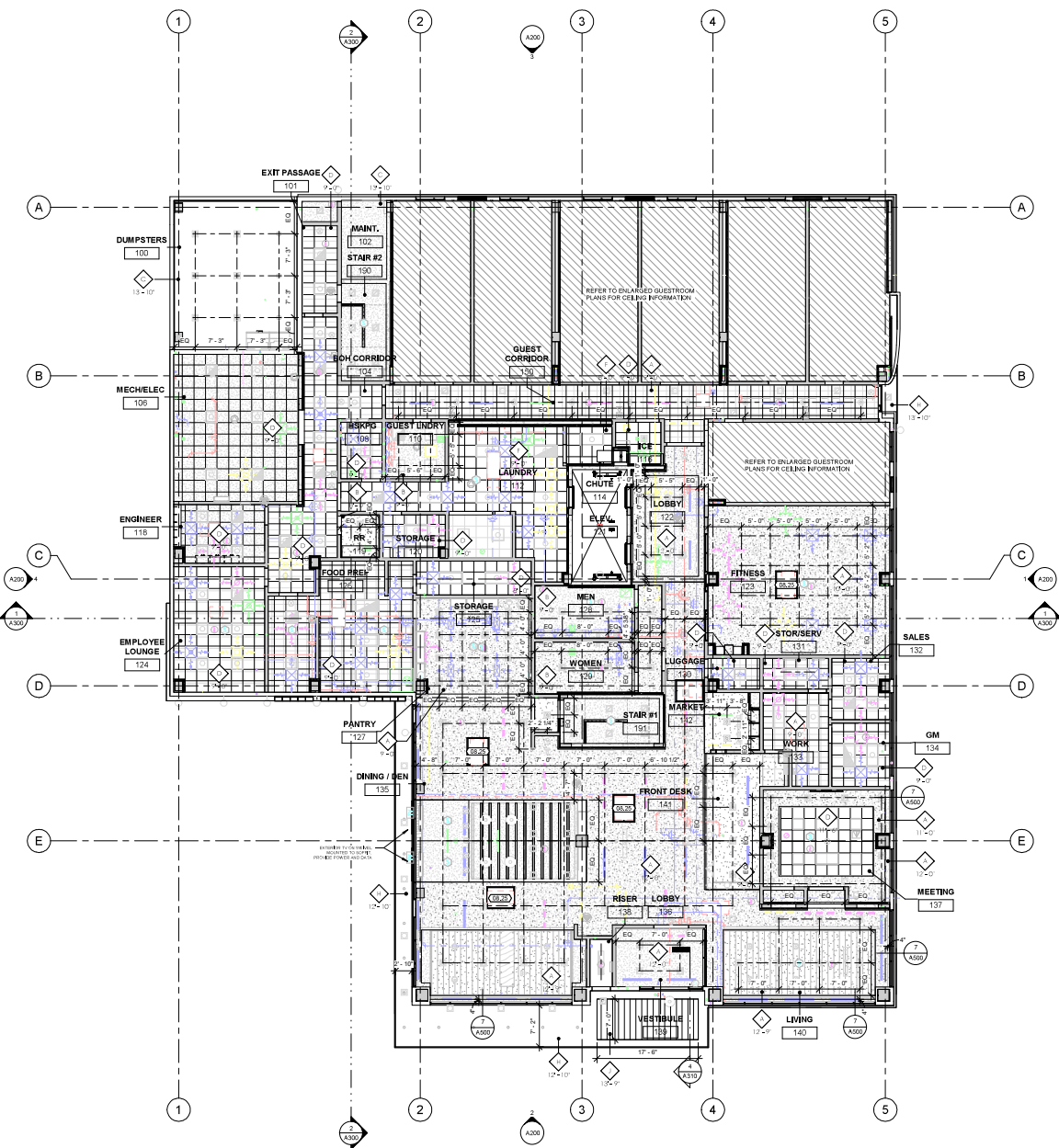
SEE ELECTRICAL/MECHANICAL DRAWINGS FOR SPECIFICATIONS

### CEILING SCHEDULE

A	PRIMED AND PAINTED GYPSUM BOARD
B	PRIMED AND PAINTED WATER RESISTANT GYPSUM BOARD
C	OPEN TO HORIZONTAL ASSEMBLY
D	Z x Z' ACT SYSTEM
F	Z x Z' ACT SYSTEM, WASHABLE
H	METAL PANEL SOFFIT - PAC-CLAD ACM PANELS
J	ALUMINUM BATTEN LINEAR SOFFIT SLATS

### SHEET NOTES

08.25 CEILING MOUNTED, HIDDEN (MULDING) FLANGE ACCESS PANEL. PAINT TO MATCH CEILING. COORDINATE SIZE AND LOCATION WITH MECHANICAL EQUIPMENT.



LEVEL 1 REFLECTED CEILING PLAN  
 1/8" = 1'-0"

Residence Inn By Marriott Lincoln Downtown  
 40 North 9th Street  
 Lincoln, NE 68508

Textbook 21, LLC

2733 East Parkway Way, Suite 200  
 54 Lake City, UT 84109

LEVEL 1 REFLECTED CEILING PLAN

DATE: 03/20  
 PROJECT #: 2007  
 DRAWN BY: AJR  
 CHECKED BY: OLC/BJ

CONSTRUCTION DOCUMENTS

A151