

City Council Introduction: **Monday**, September 13, 2004
Public Hearing: **Monday**, September 20, 2004, at **1:30 p.m.**

Bill No. 04-167

FACTSHEET

TITLE: CHANGE OF ZONE NO. 04054, from R-5 Residential District to I-1 Industrial District, requested by Steven E. Miers, on property generally located at 66th & Vine Streets.

STAFF RECOMMENDATION: Approval.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 09/01/04
Administrative Action: 09/01/04

RECOMMENDATION: Approval (8-0: Carlson, Carroll, Krieser, Marvin, Pearson, Bills-Strand, Sunderman and Larson voting 'yes'; Taylor absent).

FINDINGS OF FACT:

1. This is a proposal to change the zoning on approximately 1.6 acres from R-5 Residential to I-1 Industrial, which would be an extension of the existing I-1 zoning and self-storage units to the southeast.
2. The staff recommendation to approve this change of zone request is based upon the "Analysis" as set forth on p.3-5, concluding that this change of zone would allow for the expansion of an existing adjacent self-storage use onto a narrow and long shaped lot. This proposed self-storage would provide for a good transition from the apartments to the rest of the I-1 zoning.
3. On September 1, 2004, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
4. On September 1, 2004, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend approval.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: September 7, 2004

REVIEWED BY: _____

DATE: September 7, 2004

REFERENCE NUMBER: FS\CC\2004\CZ.04054

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for September 1, 2004 PLANNING COMMISSION MEETING

P.A.S.: Change of Zone 04054

PROPOSAL: From R-5 Residential to I-1 Industrial

LOCATION: 66th & Vine Street.

LAND AREA: 1.6 acres, more or less

CONCLUSION: A change of zone from R-5 to I-1 would allow for the expansion of an existing adjacent self storage use onto a narrow and long shaped lot. This self storage proposed would provide for a good transition from the apartments to the rest of the I-1 zoning.

<u>RECOMMENDATION:</u>	Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: A portion of the former Missouri Pacific right-of-way, located in the SE 1/4 of Section 21-10-7, Lancaster County, Nebraska, generally located at N. 66th Street and Vine Street.

EXISTING ZONING: R-5 Residential

EXISTING LAND USE: Abandoned Mo-Pac Rail Road(Abandoned 1987), with a trail running through the southern boundary of the site. The trail was developed in the early 1990's.

SURROUNDING LAND USE AND ZONING:

North:	R-5 Residential	Apartment Complex
South:	I-1 Industrial	Industrial
East:	R-5 Residential O-2 Office	Apartment Complex
West:	B-5 Commercial I-1 Industrial	Industrial Park (Pioneer Business Park) Industrial land

HISTORY:

April, 1985: Change of Zone #2152, from R-4 Residential to R-5 Residential to allow for an increased density of residential dwellings. The change of zone request included the property to the north of this site, containing a apartment complex, and the abandoned Missouri Pacific Rail Road right of way.

Special Permit 1134, Community Unit Plan, allowed for the development of a 191 unit apartment complex. This special permit is directly abutting the subject property to the northeast.

Changed from A-2 Single Family Residential District to R-4 Residential District in the 1979 zoning update.

COMPREHENSIVE PLAN SPECIFICATIONS:

Industrial: Areas where railroads, manufacturing, trucking and transportation facilities are the dominant land use, some commercial activities may also take place in predominately industrial districts, such as office, retail or warehouses. (F-22)

The 2025 Comprehensive Plan shows this area as urban residential and open space, with the property to the south as industrial. (F 23)

The land use plan displays the generalized location of each land use. It is not intended to be used to determine the exact boundaries of each designation. (F-27)

The Plan foresees the demand for nearly 2,400 acres of additional industrial property over the planning period. (F 37)

Light Industrial areas should generally be distributed throughout the community. (F-39)

Guiding principles for the urban environment includes;

Maximizing the community's present infrastructure investment by planning for development in areas with available capacity. This can be accomplished in many ways, including encouraging appropriate new development in unused land in older neighborhoods. (F 17)

TRAFFIC ANALYSIS: Vine Street and 66th Street are classified as Urban Minor Arterials.

PUBLIC SERVICE: The nearest fire station is located at 901 North Cotner Street.

AESTHETIC CONSIDERATIONS: The property is surrounded and shares uses which are not compatible to the subject site on the north and south. The north side of the subject property is multi-family residential complex and should be screened accordingly to offset these conflicting uses. The Mo-Pac trail runs along the southern boundary of the property and would also need consideration for screening.

ANALYSIS:

1. This is a request to change the zoning from R-5 to I-1 Industrial on approximately 1.6 acres. This would be an extension of the existing I-1 and self storage units to the southeast.
2. Although the Land Use Plan identifies this area as Urban Residential and Open Space, the Land Use Plan is generalized and is not to be used for exact boundaries. This area is bordered on the south by industrial zoning and is designated in the land use plan for industrial.
3. This request, while not shown as industrial on the Land Use Plan, is in conformance with the Comprehensive Plan as listed in the Comprehensive Plan specifications.

4. The approval of this application would allow the area to develop as industrial in character with the adjacent area to the south and southeast. However leaving the area R-5 is in character with the multiple family to the east.
5. The lot is a long and narrow piece of property running northwest to southeast with sewer and recreational trail easements running through it. Due to the shape of the lot and the easements this lot would most likely be restricted to self storage like the existing I-1.
6. The I-1 Industrial District requires that when a side or rear yard abuts a residential district there shall be a required yard of twenty feet or ten percent of the lot width, whichever is less provided that the yard shall not be reduced to less than five feet, and it shall be screened in conformance with the landscape design standards of the City of Lincoln. The lot width is 100 feet wide making the side yard set back 10 feet.

The landscape screening as provided by the design standards are as follows: The screen shall be evenly distributed horizontally, however, it may vary in height so as to screen at least sixty percent (60%) of the surface area of a vertical plane extending along the entire length of the property line and from the ground elevation to a height of ten feet (10') above the adjacent ground elevation. This screen shall generally be located adjacent to the property line abutting the different uses.

7. The entire site is within the 100 year flood plain and the extreme northwest corner of the site is within the flood way. (See attached map) The buildings must be raised one foot above the highest flood elevation or flood proofing the building one foot above the highest flood elevation.
8. The Public Works Department has raised the following issues:
 - 8.1 The area to be re-zoned is the location of the existing public Dead Man's Run sanitary trunk sewer and a City bike path. Any construction of buildings will need to stay out of easements that exist.
 - 8.2 The area of the change of zone is partially located in a flood plain and flood way.
9. The Lincoln/Lancaster County Health Department has raised the following issues:
 - 9.1 The LLCHD advises that residential zoning is adjacent to the proposed industrial zoning. The LLCHD has concerns regarding the possible storage of hazardous chemicals/materials in the proposed storage units. The LLCHD requests additional information from the applicant relative to the types of belongings/items that will be typically stored in the proposed storage units.
 - 9.2 Furthermore, the LLCHD has historically advocated against locating industrial zoning adjacent to residential zoning due to public health concerns regarding the possible exposure to hazardous chemicals/ material.
- 10 The Parks and Recreation Department has the following concerns:

- 10.1 All structures need to be kept as far away from the trail as possible to allow for proper maintenance including mowing and snow removal.
- 10.2 No structure shall be located on the property line.

Prepared by:

Derek Miller
441-6372, dlmiller@lincoln.ne.gov

DATE: August 18, 2004

APPLICANT: Steven E. Miers
6000 South 56th Street
Lincoln, NE 68516

OWNER: same as applicant

CONTACT: Mark Hunzeker/Shanna Cole
1045 Lincoln Mall, Suite 200
Lincoln, NE 68508
(402) 476-7621

CHANGE OF ZONE NO. 04054

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

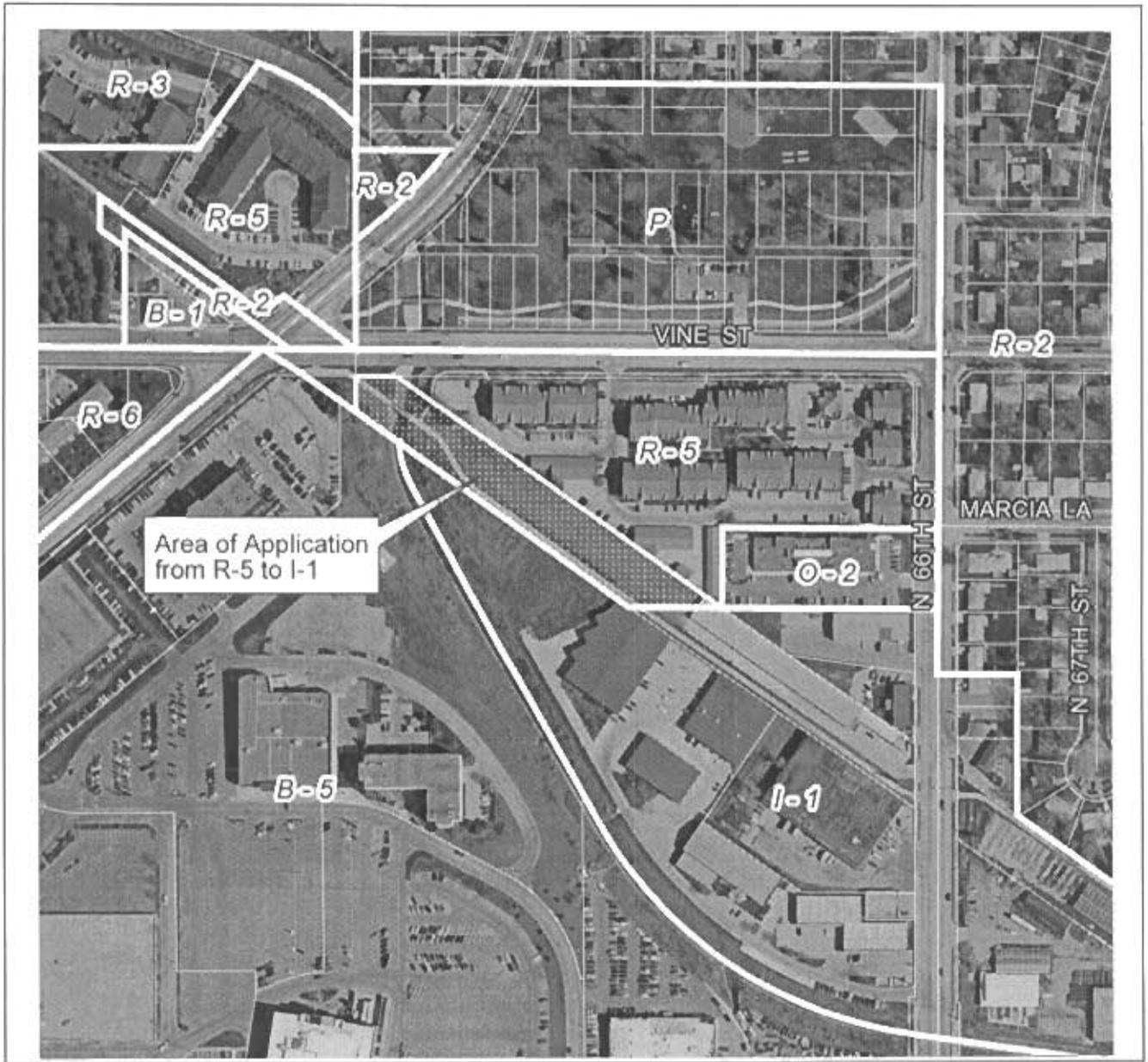
September 1, 2004

Members present: Carlson, Carroll, Krieser, Larson, Marvin, Pearson, Bills-Strand and Sunderman; Taylor absent.

The Consent Agenda consisted of the following items: ***CHANGE OF ZONE NO. 04054; SPECIAL PERMIT NO. 1654B; COUNTY SPECIAL PERMIT NO. 04039, PRAIRIE VIEW ESTATES COMMUNITY UNIT PLAN; COUNTY PRELIMINARY PLAT NO. 04018, PRAIRIE VIEW ESTATES; STREET AND ALLEY VACATION NO. 04010; and WAIVER NO. 04009.***

Item No. 1.4, Street and Alley Vacation No. 04010, and Item No. 1.5, Waiver No. 04009, were removed from the Consent Agenda and scheduled for separate public hearing.

Larson moved to approve the remaining Consent Agenda, seconded by Krieser and carried 8-0: Carlson, Carroll, Krieser, Larson, Marvin, Pearson, Bills-Strand and Sunderman; Taylor absent.



2002 aerial

Change of Zone #04054 N. 66th & Vine St.

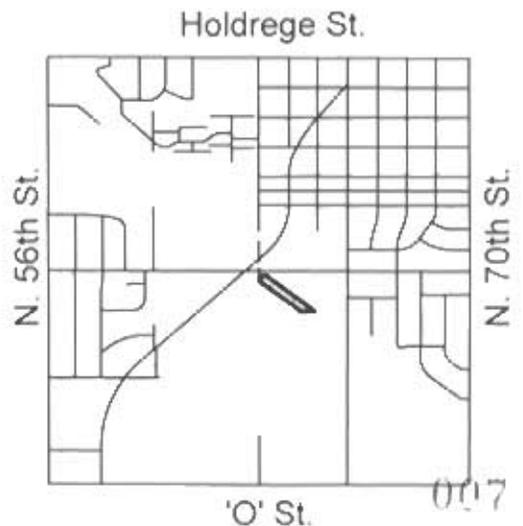
Zoning:

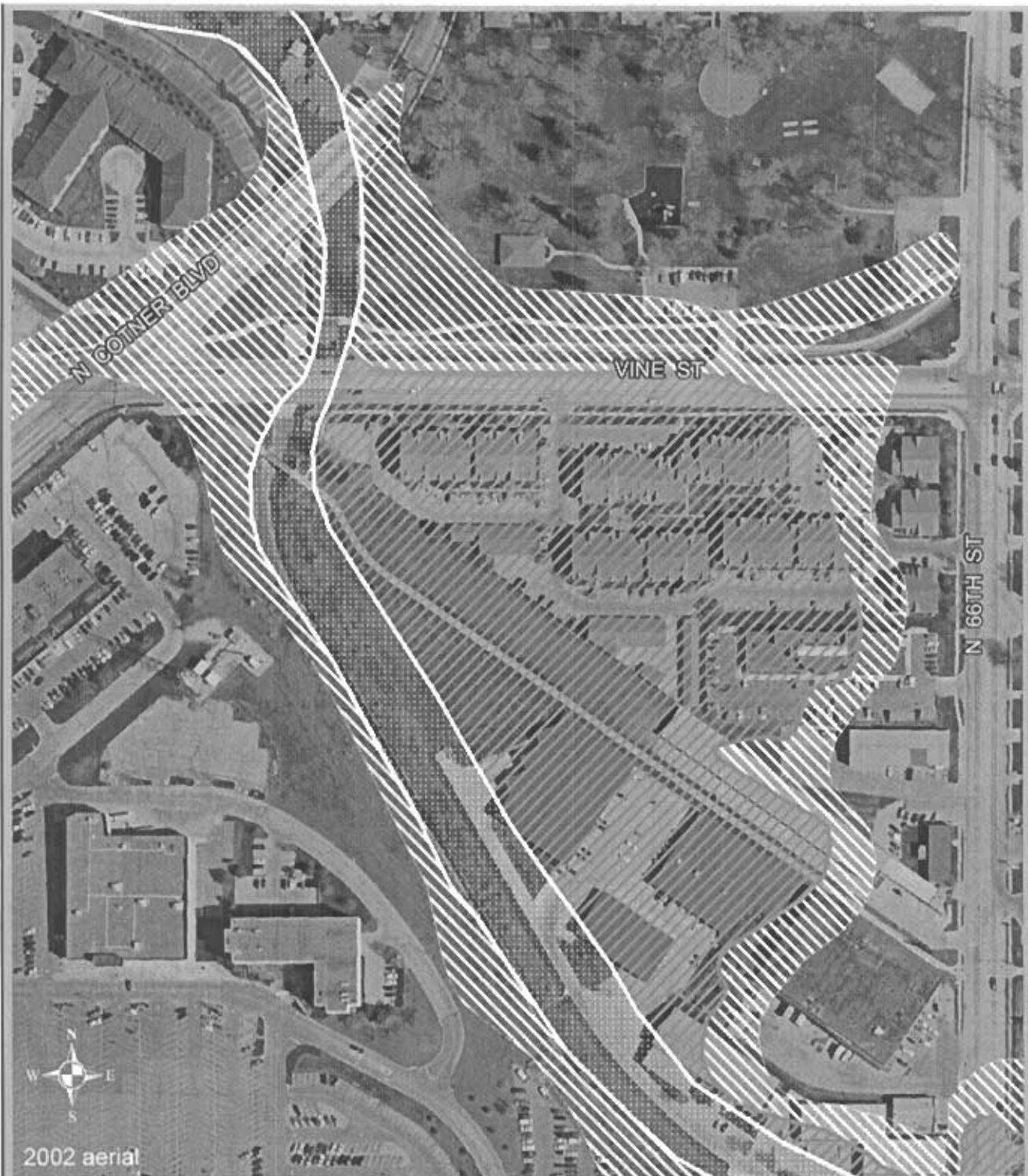
R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business 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 T10N R7E



Zoning Jurisdiction Lines
City Limits Jurisdiction





2002 aerial

Disclaimer: The accompanying map displays floodplain and floodway information for Lancaster County, Nebraska and incorporated areas. The source of this information is the Digit Flood Insurance Rate Map (D-FIRM) provided by the Federal Emergency Management Agency (FEMA), through the National Flood Insurance Program. The floodplain and floodway information reflects the September 21, 2001 maps adopted by the City of Lincoln and Lancaster County.

The digital files containing the flood hazard data have been provided by FEMA to Lincoln and Lancaster County for use in computer mapping. These files can be used in conjunction with other thematic data for floodplain management purposes, insurance purchase and rating requirements and many other planning applications.

This map is for use in administering the National Flood Insurance Program; it does not necessarily identify all areas subject to flooding, particularly from local drainage sources of small size, or all planimetric features outside floodplain and floodway areas. Flood information from the FEMA Flood Insurance Study (FIS) document should be utilized in conjunction with the FIRM for purposes of construction and/or floodplain management.

In particular, the FIS or the Building and Safety Department should be consulted for detailed data on Base Flood Elevations (BFEs), and for any information on floodway delineations, prior to the use of this map for property purchase or construction purposes. BFEs shown on the FIRM represent rounded whole-foot elevations which should not be used as the sole source of flood elevation information, and floodway widths in some areas may be too narrow to be shown to scale.

Flood elevations on this map are referenced to the National Geodetic Vertical Datum of 1929. Elevation reference mark (ERM) elevations listed on this map may have changed since the publication of this map. To obtain up-to-date elevation information on National Geodetic Survey (NGS) ERMs shown on this map, please contact the Information Services Branch of the NGS at (301)713-3242, or visit their website at www.ngs.noaa.gov.

If you have questions concerning properties in the floodplain or flood elevations, please contact John Callen in the City's Building and Safety Department at (402) 441-4970.

-  100 Year Floodplain
-  Floodway
-  500 Year Floodplain