

FACTSHEET

TITLE: CHANGE OF ZONE NO. 15006
(N. 12th Street and Y Street)

BOARD/COMMITTEE: Planning Commission

APPLICANT: 1100 Y, LLC

RECOMMENDATION: Approval (8-0: Sunderman, Harris, Beecham, Cornelius, Hove, Scheer, Corr and Lust voting 'yes'; Weber absent).

STAFF RECOMMENDATION: Approval.

OTHER DEPARTMENTS AFFECTED: Urban
Development Department

SPONSOR: Planning Department

OPPONENTS: None

REASON FOR LEGISLATION:

To change the zoning from P Public Use District to R-8 Residential District on property generally located at North 12th Street and Y Street.

DISCUSSION / FINDINGS OF FACT:

1. This change of zone request and the associated Comprehensive Plan Conformance No. 15003 (Bill #15-47) were heard at the same time before the Planning Commission, along with Special Permit No. 14008A.
2. The purpose of this change of zone from P Public Use District to R-8 Residential District is to expand the boundaries of the community unit plan to allow for additional parking.
3. The staff recommendation to approve the change of zone request is based upon the "Analysis" as set forth on p.5-6, concluding that the change of zone is in conformance with the Comprehensive Plan.
4. On March 18, 2015, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
5. On March 18, 2015, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend approval of this change of zone request.
6. On March 18, 2015, the Planning Commission also voted 8-0 to recommend approval of the associated Comprehensive Plan Conformance No. 15003 (Bill #15-47), and voted 8-0 to adopt Resolution No. PC-01439 approving Special Permit No. 14008A to amend the community unit plan boundary to include additional parking, including a request to waive the front and side yard setback requirements. The special permit has not been appealed to the City Council as of this date.

FACTSHEET PREPARED BY: Geri Rorabaugh, Administrative Officer

DATE: March 23, 2015

REVIEWED BY: David R. Cary, Acting Planning Director

DATE: March 23, 2014

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for March 18, 2015 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone No. 15006

PROPOSAL: From P, Public Use District to R-8, Residential District.

LOCATION: N. 12th Street and Y Street

LAND AREA: 0.21 acres, more or less

EXISTING ZONING: P, Public Use District

CONCLUSION: This location is the southern edge of the North Bottoms Neighborhood and is a transition area between Downtown Lincoln and the North Bottoms Neighborhood. R-8 zoning at this location is appropriate since development of this property will be governed by a special permit for a community unit plan.

RECOMMENDATION:

Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: A portion of Lot 1, Block 14, Antelope Valley 1st Addition, located in the NE 1/4 of 23-10-6, Lincoln, Lancaster County, Nebraska, more particularly described on the attached legal description.

EXISTING LAND USE: Vacant/Undeveloped

SURROUNDING LAND USE AND ZONING:

North: Single Family Dwellings; R-4
South: Railroad Corridor; I-1
East: Railroad Corridor; P
West: Multi-Family Dwellings (under construction); R-8

ASSOCIATED APPLICATIONS:

CPC15003 Declaration of surplus property
SP14008A Amendment to the special permit to expand the C.U.P. boundaries

HISTORY:

This site was rezoned from K Light Industrial District to I-1 Industrial District with the 1979 Zoning Update.

This property was acquired from the University in connection with the Antelope Valley Redevelopment Project in 2009 and was rezoned to P.

- May 2014 The Planning Commission approved a special permit for a Community Unit Plan to develop a 126 unit apartment building.
- July 2014 The City Council approved a change of zone from B-3, R-4 and I-1 to R-8.
- July 2014 The City Council approved an amendment to the Antelope Valley Redevelopment Plan for the Eleven Hundred Y Street Project.
- October 2014 The City Council approved an ordinance vacating a portion of Y Street right-of-way adjacent to the multi-family development.
- February 2015 The City Council declared approximately 2,690 square feet as surplus property adjacent to the 1100 Y Street Community Unit Plan and to the west of the N. 12th Street right-of-way.

COMPREHENSIVE PLAN SPECIFICATIONS:

P. 1.9 - This site is shown as Urban Density Residential and Public & Semi-Public on the Future Land Use Map.

P. 2.4 - Generation Y, the children of the Baby Boomers (those born between 1977 and 1994) also express a desire for a more urban setting that includes access to transit, proximity to amenities such as shopping and dining, and smaller dwellings that don't require a great deal of time spent on maintenance.

P. 2.5 - The City of Lincoln and the University of Nebraska have undertaken several major efforts in the West Haymarket, Antelope Valley and Innovation Campus areas over the past decade that include and encourage the development of residential infill and redevelopment projects.

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. 2.9 - More compact, dense development clusters allow for savings in public infrastructure cost and improved accessibility to jobs, goods and services.

P. 4.4 - The community has also expressed its interest in good urban design through the Neighborhood Design Standards for infill development in older residential neighborhoods.

P. 4.8 - The project site is near the I-180 Primary Entryway Corridor.

P. 6.1 - The primary focus for new dwelling units is the "Greater Downtown" which includes Downtown property, Antelope Valley, the Haymarket and Innovation Campus.

P. 7.8 - New construction should continue the architectural variety (in existing neighborhoods), but in a manner that is sensitive to the existing neighborhoods.

P. 7.8 - Residential redevelopment in existing neighborhoods tends to occur naturally without public intervention over a long period of time, as individual properties become obsolete or are acquired piecemeal by private or nonprofit developers.

P. 7.9 - Strategies for Redevelopment in Existing Neighborhoods.

Promote the preservation, maintenance and renovation of existing housing and neighborhoods throughout the city, with special emphasis on low and moderate income neighborhoods.

Maintain and enhance infrastructure and services in existing neighborhoods.

Encourage increased density of existing apartment complexes and special needs housing where there is land available for additional buildings or expansions.

Recognize that broad economic diversity within existing neighborhoods encourages reinvestment and improves quality of life for all residents while acknowledging the need for affordable housing.

Preserve, protect and promote the character and unique features of urban neighborhoods, including their historical and architectural elements.

P. 7.10 - Detailed Strategies for Existing Neighborhoods.

Similar uses on the same block face

Similar housing types face each other: single family faces single family, change to different use at rear of lot

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 a mix of housing types all within one area

Encourage retention of single-family uses where appropriate in order to maintain mix of housing

Maintain existing pattern of streets for connectivity

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. 10.18 - The BNSF railroad is shown near this site on the Existing Rail Lines Map.

ANTELOPE VALLEY REDEVELOPMENT PLAN SPECIFICATIONS:

P. 54 - This area is shown as Medium Density Neighborhood and Low Density Conservation District on the Future Land Use Map.

P. 55 - **Neighborhoods.** New construction will be invited and encouraged provided primary emphasis is given to the preservation of existing buildings. The design of such new space should enhance and contribute to the aesthetic character and function of the existing buildings and the surrounding neighborhood form.

P. 60 - **Medium Density.** While current quality housing structures should continue, this category envisions replacement of lesser quality housing structures with new quality housing products. These blocks are to have a higher density to capitalize on the public improvements by providing greater activity and overall sense of community. This category should fade in density and character to blend seamlessly with the adjacent neighborhoods.

P. 66 - **General Principals.** More choices, new residential products, compaction, unique attributes, easy walking distance, open spaces, public spaces, conservation, economic development, commercial buildings, economic restructuring, sustainability, public services, regional services, broad support, participation, public decisions and incentives.

P. 82 - North Bottoms South Edge.

- New medium density residential opportunities
- Need to address floodplain issue
- Need to relocate existing business
- Recreation area
- Easy access to campus
- Passive Park/Open Space buffer area from I-180

NORTH BOTTOMS NEIGHBORHOOD FOCUS AREA ACTION PLAN:

P. 5 - The biggest land use issue facing the North Bottoms Neighborhood is the conflict between residential and industrial areas.

P. 5 - Housing adjacent to the industrial area is largely rental and in poorer condition than owner occupied housing to the north. Expansion of the industry into a residential area, with no buffers, generally contributes to blighting conditions and neighborhood deterioration.

P. 11 - **Focus Area Strategies.** Reduce land use conflicts. If industrial uses move out of the neighborhood, encourage replacement with a green space buffer.

ENVIRONMENTAL CONCERNS: This property is located within the Salt Creek floodplain. Any grading of this site must be approved by the Watershed Management Division in order to determine and preserve flood storage on this property.

The project site is also located near the BNSF railroad. A minimum separation of 300 feet from the railroad to residential units is recommended to provide a protection zone from chemical spills. The proposed use of this property is for parking, as reflected on the Community Unit Plan. Parking is an appropriate use on this site.

ANALYSIS:

1. The applicant is requesting a change of zone from P, Public Use District to R-8 Residential District on approximately 0.21 acres. The property is located on the north side of Y Street on either side of the N. 12th Street right-of-way.
2. The Comprehensive Plan shows this property as Urban Density Residential on the west and Public & Semi-Public on the east. The property has been used for parking during football games and otherwise remains vacant and undeveloped land.
3. The applicant is also requesting an amendment to the 1100 Y Street Community Unit Plan to expand the boundaries to include this property. The remainder of the C.U.P. to the west was rezoned to R-8, Residential District in July 2014.
4. This property is located adjacent to the BNSF mainline railroad on the east. No new residential units are recommended within 300 feet of the mainline railroad. R-8 zoning adjacent to the railroad is acceptable since development of this property will be governed by the community unit plan. The proposed use of this property is for parking

which is an appropriate use within 300 feet of a railroad.

5. The Antelope Valley Redevelopment Plan shows the south boundary of the North Bottoms Neighborhood as Medium Density Residential, and the core of the North Bottoms Neighborhood is identified as Low Density Conservation. The Antelope Valley Redevelopment Plan recognizes the “edge” of the neighborhood should be treated differently, and that there is opportunity to develop this site while conserving the single-family character within North Bottoms. This edge is unique and should be treated differently in order to help preserve and enhance the single-family homes in the North Bottoms Neighborhood. The R-8 zoning district is appropriate at this location and will continue to serve as the edge.
6. Given the apartment development to the west and the request to amend the special permit for a community unit plan, this property is appropriate for R-8 Residential zoning and is in conformance with the Comprehensive Plan.

Prepared by:

Paul Barnes, Planner
402-441-6372
pbarnes@lincoln.ne.gov

DATE: March 5, 2015

APPLICANT/CONTACT: REGA Engineering
Attn: Marcia Kinning
601 Old Cheney Road, Suite A
Lincoln, NE 68512

OWNERS: 1100 Y, LLC
Chris Elsey
1532 College Avenue, Unit #F
Manhattan, KS 66502

City of Lincoln
Urban Development Department
555 S. 10th Street, Suite 205
Lincoln, NE 68508

**COMPREHENSIVE PLAN CONFORMANCE NO. 15003,
CHANGE OF ZONE NO. 15006, AND
SPECIAL PERMIT NO. 14008A**

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

March 18, 2015

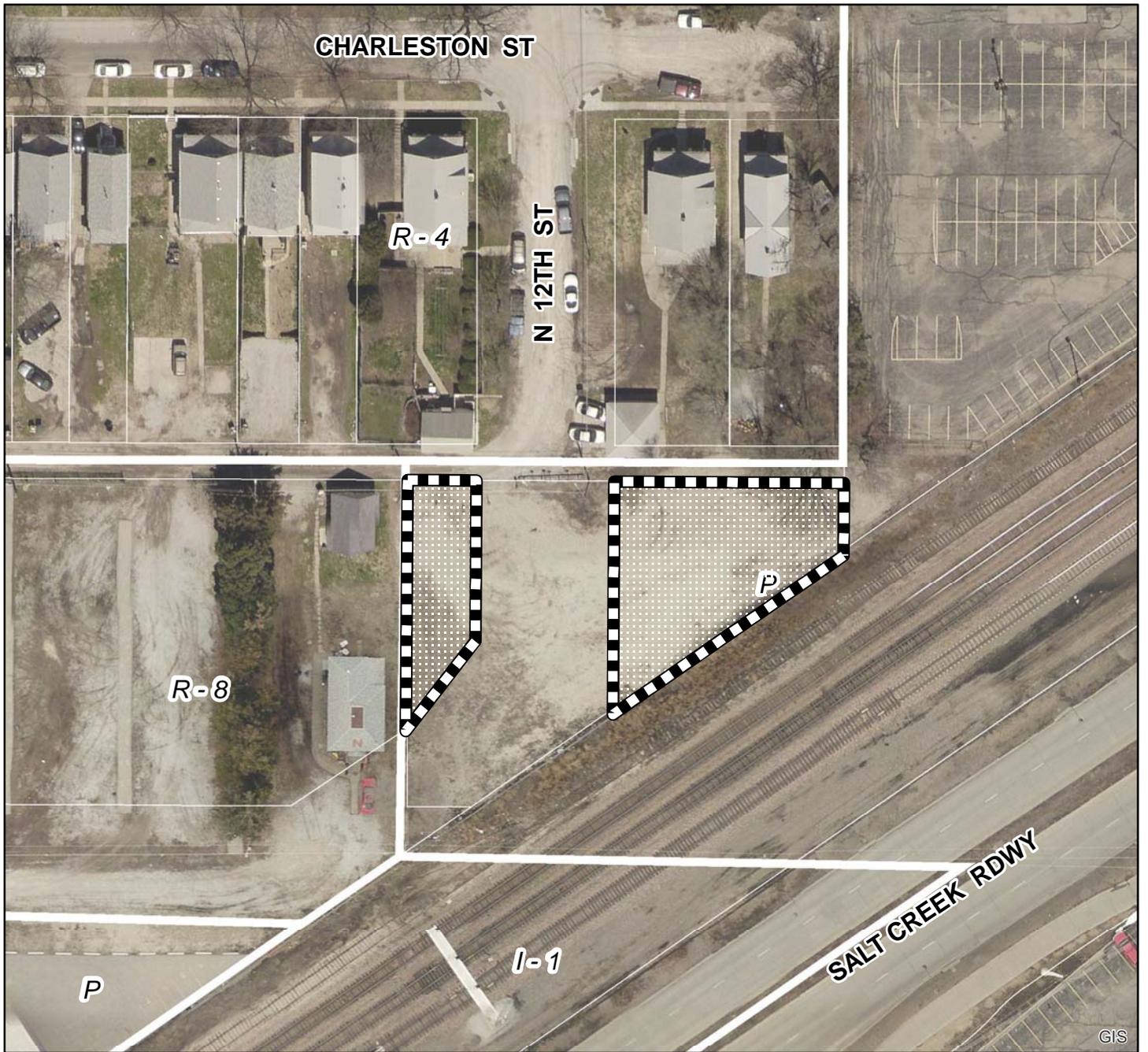
Members present: Lust, Hove, Beecham, Cornelius, Corr, Harris, Scheer, and Sunderman; Weber absent.

The Consent Agenda consisted of the following items: **COMPREHENSIVE PLAN CONFORMANCE NO. 15003, CHANGE OF ZONE NO. 15006, SPECIAL PERMIT NO. 14008A, and STREET & ALLEY VACATION NO. 15001.**

There were no ex parte communications disclosed.

Beecham moved approval of the Consent Agenda (Item Nos. 1.1 - 1.3), seconded by Cornelius and carried 8-0: Lust, Hove, Beecham, Cornelius, Corr, Harris, Sunderman, and Scheer; Weber absent.

Note: This is final action on Special Permit No. 14008A, unless appealed to the City Council within 14 days.



2013 aerial

Change of Zone #: CZ15006
N 12th & Y St
P to R-8

Zoning:

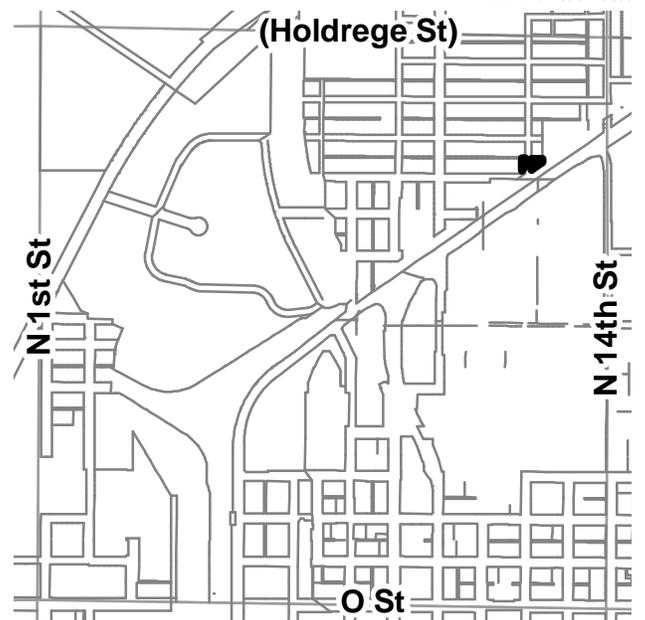
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned Neighborhood Business District
- B-3 Commercial 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.23 T10N R06E

Area of Application

Zoning Jurisdiction Lines

Lancaster County Jurisdiction



REGA

ENGINEERING
GROUP, INC.

File No. 140045ESP
February 18, 2015

Mr. David Cary
Acting Planning Department
Paul Barnes, Planner
City of Lincoln/ Lancaster County
555 South 10th Street
Lincoln, NE 68508

RE: 1100 Y STREET
COMMUNITY UNIT PLAN/SPECIAL PERMIT #14008A
CHANGE OF ZONE FROM 'P' TO 'R-8'

Dear Paul,

On behalf of 1100 Y, LLC, we are submitting an amendment to Special Permit #14008 for review. This application adding additional area within the special permit for parking on the west and east side of N. 12th Street. A change of zone from 'P' to 'R-8' on the additional area is also being requested.

The waivers approved with the original application will remain. An additional waiver of the side yard setbacks from 10 feet to Zero feet is being requested at this time.

The parking lot east of N. 12th Street shall locate the back of curb 2 feet from the property line along the railroad right-of-way. The screening along the railroad on the south boundary and along the east line adjacent to the existing parking lot is also requested to be waived. Due to the chemicals that the railroad uses along their right-of-way, any plantings adjacent to the railroad would be affected. Screening along N. 12th Street is proposed within the street right-of-way however the developer will be responsible for maintaining.

A sidewalk connection from the west side to the east side of N. 12th Street is shown. The sidewalk along the east side of N. 12th Street will not be installed due to the area restrictions on the east and south side of the street.

Please contact me if you have any questions or comments.

Sincerely,



Marcia L. Kinning

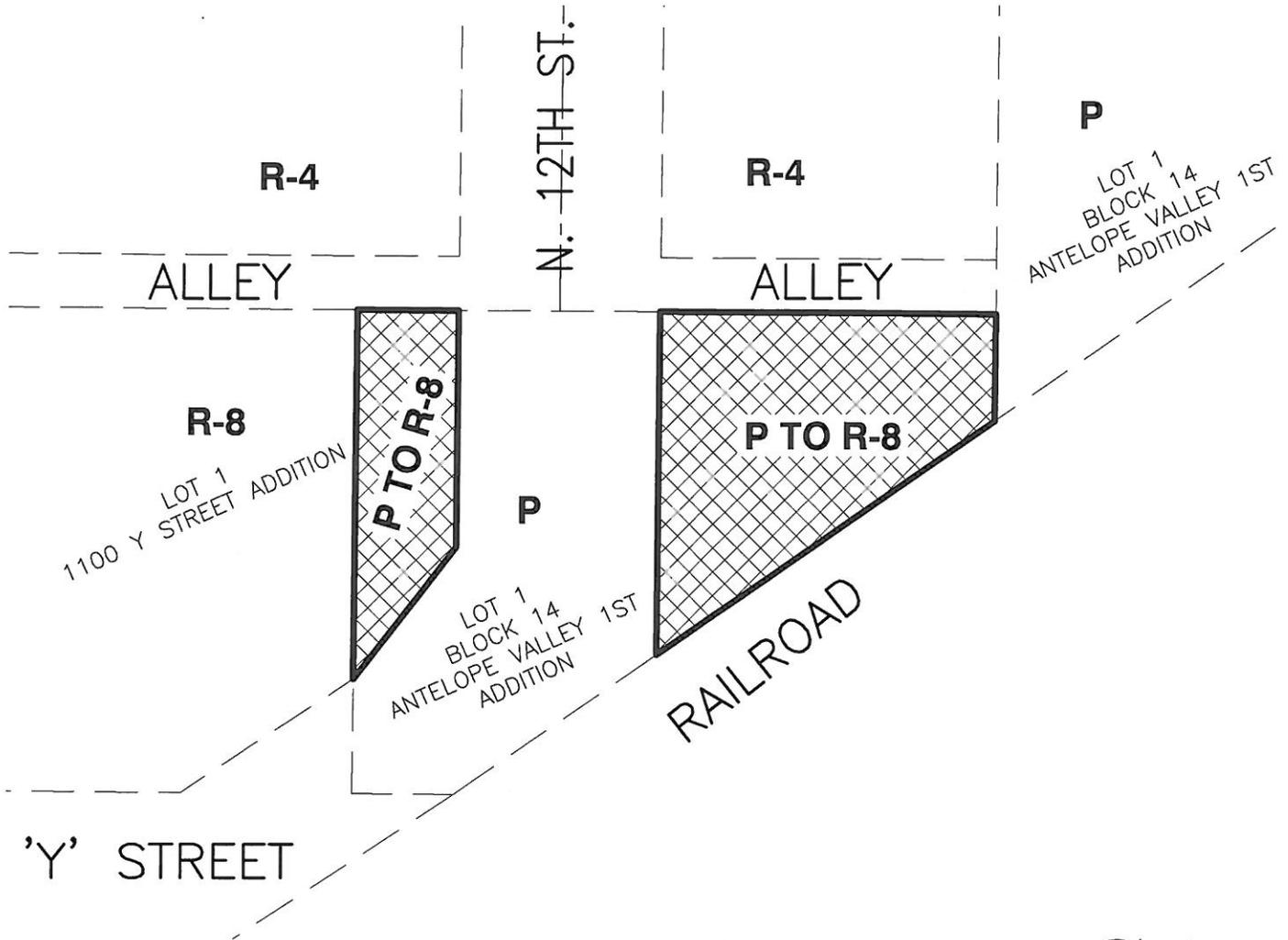
Cc: Chris Elsey

Enclosures: Application

CUP fee of \$819.72

COZ fee of \$330.00

CHANGE OF ZONE EXHIBIT P TO R-8



REGA

ENGINEERING
GROUP, INC.

601 OLD CHENEY RD., SUITE A
LINCOLN, NEBRASKA 68512
(402).484.7342

- ENGINEERING
- PLANNING
- LAND SURVEYING

CHANGE OF ZONE EXHIBIT P TO R-8

LEGAL DESCRIPTION (EAST PARCEL)

A PORTION OF LOT 1, BLOCK 14, ANTELOPE VALLEY 1ST ADDITION, LOCATED IN THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 10 NORTH, RANGE 6 EAST, OF THE 6TH P.M., LINCOLN, LANCASTER COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 1, 1100 Y STREET ADDITION; THENCE S89°36'16"E, A DISTANCE OF 90.00 FEET TO THE POINT OF BEGINNING;

THENCE S89°36'16"E, A DISTANCE OF 100.14 FEET;

THENCE S00°23'44"W, A DISTANCE OF 31.63 FEET;

THENCE S55°28'27"W, A DISTANCE OF 122.13 FEET;

THENCE N00°23'44"E, A DISTANCE OF 101.54 FEET TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 6,667.85 SQUARE FEET.

LEGAL DESCRIPTION (WEST PARCEL)

A PORTION OF LOT 1, BLOCK 14, ANTELOPE VALLEY 1ST ADDITION, LOCATED IN THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 10 NORTH, RANGE 6 EAST, OF THE 6TH P.M., LINCOLN, LANCASTER COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHEAST CORNER OF LOT 1, 1100 Y STREET ADDITION;

THENCE S89°36'16"E, A DISTANCE OF 30.00 FEET;

THENCE S00°23'44"W, A DISTANCE OF 70.00 FEET;

THENCE S37°42'13"W, A DISTANCE OF 49.50 FEET;

THENCE N00°23'44"E, A DISTANCE OF 109.37 FEET TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 2,690.54 SQUARE FEET.