

FACTSHEET

TITLE: Change of Zone No. 17026 -
H-3 to I-1
(235 South Coddington Avenue)

BOARD/COMMITTEE: Planning Commission

APPLICANT: Planning Department

RECOMMENDATION: Approval (6-0: Beckius, Edgerton, Harris, Washington, Corr, and Scheer voting 'yes'; Hove, Joy and Finnegan absent).

STAFF RECOMMENDATION: Approval.

OTHER DEPARTMENTS AFFECTED:

SPONSOR: Planning Department

OPPONENTS: None present at hearing.

REASON FOR LEGISLATION:

This is a request for a change of zone from H-3 Highway Commercial District to I-1 Industrial District over one lot. The change of zone would allow for future expansion of the premises to the south at 2100 Magnum Circle. Both properties are under the same ownership.

DISCUSSION / FINDINGS OF FACT:

1. The proposed change of zone was heard before the Planning Commission on September 27, 2017, as part of the Consent Agenda.
2. The staff recommendation of approval of this change of zone request is based upon the "Analysis" as set forth on p.2, concluding that the boundary between the H-3 and I-1 districts in this area has been revised in several similar instances to more closely reflect property lines or re-zone individual properties to industrial. This lot is approximately 450 feet from West O Street, so the highway commercial zoning corridor identified on the future land use map would not be compromised. The proposed I-1 zoning is not within 300 feet of a residential zoning district.
3. On September 27, 2017, the Planning Commission voted 6-0 to recommend approval of this change of zone request.

FACTSHEET PREPARED BY: Geri Rorabaugh, Administrative Officer

DATE: September 29, 2017

REVIEWED BY: David R. Cary, Director of Planning

DATE: September 29, 2017

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

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

APPLICATION NUMBER Change of Zone #17026	FINAL ACTION? No	OWNER Magnum Properties, LLC
PLANNING COMMISSION HEARING DATE September 27, 2017	RELATED APPLICATIONS None	PROPERTY ADDRESS 235 S. Coddington Avenue

RECOMMENDATION: APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a change of zone from H-3 Highway Commercial District to I-1 Industrial District over one lot. The change of zone would allow for future expansion of the premises to the south at 2100 Magnum Circle. Both properties are under the same ownership.



JUSTIFICATION FOR RECOMMENDATION

The boundary between the H-3 and I-1 districts in this area has been revised in several similar instances to more closely reflect property lines or re-zone individual properties to industrial. This lot is approximately 450 feet from West O Street, so the highway commercial zoning corridor identified on the future land use map would not be compromised. The proposed I-1 zoning is not within 300 feet of a residential zoning district.

APPLICATION CONTACT

James Gallentine, (402) 617-5259 or jwg@neb.rr.com

STAFF CONTACT

Rachel Jones, (402) 441-7603 or rjones@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

The West O Street corridor is identified on the future land use map for highway commercial zoning along the corridor itself and industrial zoning further to the south. The zoning and future land use boundaries between highway commercial and industrial on the south side of West O Street bisect several properties and do not exactly match one another. This change of zone fits within the overall future land use pattern and preserves the West O Street commercial zoning corridor.

KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

P. 12.3 - this site is shown as future Commercial on the 2040 Lincoln Area Future Land Use Plan.

P. 12.4 - Commercial. Areas of retail, office, service and residential mixed uses. Commercial uses may vary widely in their intensity of use and impact. Individual areas designated as commercial in the land use plan may not be appropriate for every commercial zoning district.

P. 5.17 - There are considerations for industrial uses in regard to the potential impact on adjacent property. In 2005, a Joint Committee of the Board of Health and Planning Commission began to meet regularly to discuss issues of common interest; including industrial land uses that use and store hazardous materials. The Joint Committee developed reports called Use and Storage of Hazardous Materials and Pipelines Carrying Hazardous Materials.

P. 5.18 - Public Health & Safety Measures: Industrial zoning districts should be primarily for industrial uses. Risk Reduction: In areas where industrial and residential uses are already close, efforts should focus on changes in the quantity and type of hazardous materials used and on increasing the distance between where hazardous materials are stored and residential districts. Notification: Persons living in close proximity to businesses with hazardous materials should be notified of the hazards.

P. 5.1-5.2 - Business & Economy Guiding Principles

- Focus primarily on retention and expansion of existing businesses; attracting new businesses should also be encouraged.
- Promote and foster appropriate, balanced, and focused future economic growth that maintains the quality of life of the community.
- Seek to efficiently utilize investments in existing and future public infrastructure to advance economic development opportunities.
- Provide flexibility to the marketplace in siting future commercial and industrial locations.
- Strive for predictability for neighborhoods and developers.

P. 5.16 - LPlan 2040 foresees the demand for nearly 1,400 acres of additional industrial property over the planning period.

ANALYSIS

1. This is a request for a change of zone from H-3 Highway Commercial District to I-1 Industrial District over one lot. The owners requested the change of zone over this parcel to allow potential expansion of the brewery on the lot to the south.
2. The I-1 district allows a wider range of uses than the H-3 district. The I-1 district permits approximately 50 uses that are not permitted in any form in the H-3 district including dry cleaning works, sheet metal shops, wholesale and distribution centers, refining or bulk storage of petroleum or natural gas, rock crushing, and salvage yards. In addition to having fewer use restrictions, the I-1 district also allows smaller front, side, and rear yards and a greater building height than does the H-3 district.
3. New industrial zoning is generally discouraged within 300 feet of residential zoning. The nearest residential zoning is approximately 650 feet to the north across West O Street. Although there are three residential uses located approximately 200-250 feet to the east and north, the zoning of the residential properties is H-3 and I-1 and their future land use classification is commercial and industrial. The Health Department has no objection to the proposed change of zone due to the fact that there is no residential zoning nearby.
4. This property is within an existing industrial and commercial area. This change of zone supports the intent of the future land use map in the Comprehensive Plan, which shows commercial uses along the south side of the West O Street corridor and industrial uses further to the south. The future land use map indicates that the intended character of this area is commercial and industrial. Industrial zoning is appropriate in this location and is supported by the Comprehensive Plan.

EXISTING LAND USE & ZONING: Light industrial; H-3

SURROUNDING LAND USE & ZONING

North: Commercial (warehouse); H-3
South: Light industrial (brewery); I-1
East: Commercial (truck storage and service); H-3
West: Light industrial (auto body repair); I-1

APPLICATION HISTORY

March 2003 The G & C Addition Preliminary Plat was approved by the City Council (PP #02022).

July 2003 The G & C Addition final plat was approved by the Planning Commission.

APPROXIMATE LAND AREA: 0.95 acres, more or less

LEGAL DESCRIPTION: Lot 13, Block 1, G & C Addition, located in the northwest quarter of Section 28-10-6, Lincoln, Lancaster County, Nebraska.

Prepared by

Rachel Jones, Planner

Date: September 19, 2017

Applicant/Contact: James Gallentine, Magnum Properties, LLC
2636 High Street
Lincoln, NE 68502
(402) 617-5259 or jwg@neb.rr.com

Owner: Magnum Properties, LLC
2636 High Street
Lincoln, NE 68502

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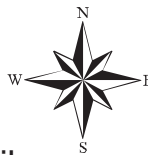
2016 aerial

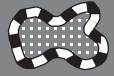


**Change of Zone #: CZ17026 (H-3 to I-1)
S Coddington Ave & Magnum Cir**

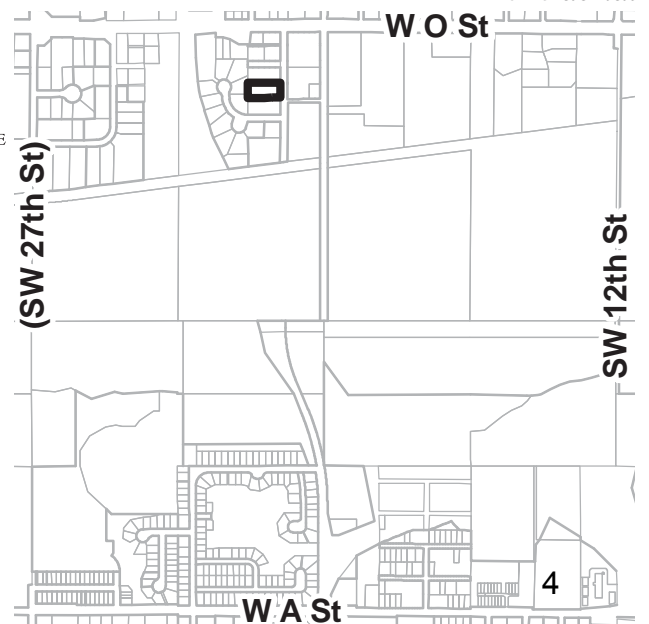
Zoning:

- 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.28 T10N R06E



	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction



August 27, 2017

City of Lincoln
Planning Department
555 South 10th Street #213
Lincoln, NE 68508

Dear Planning Department:

We would like to request a change of zone for the property located at 235 Coddington Avenue (G & C Addition, Block 1, Lot 13) from the current H-3 to I-1. This lot is adjacent to the building located at 2100 Magnum Circle (G & C Addition, Block 1, Lot 14-15). Both locations are owned by Magnum Properties, LLC.

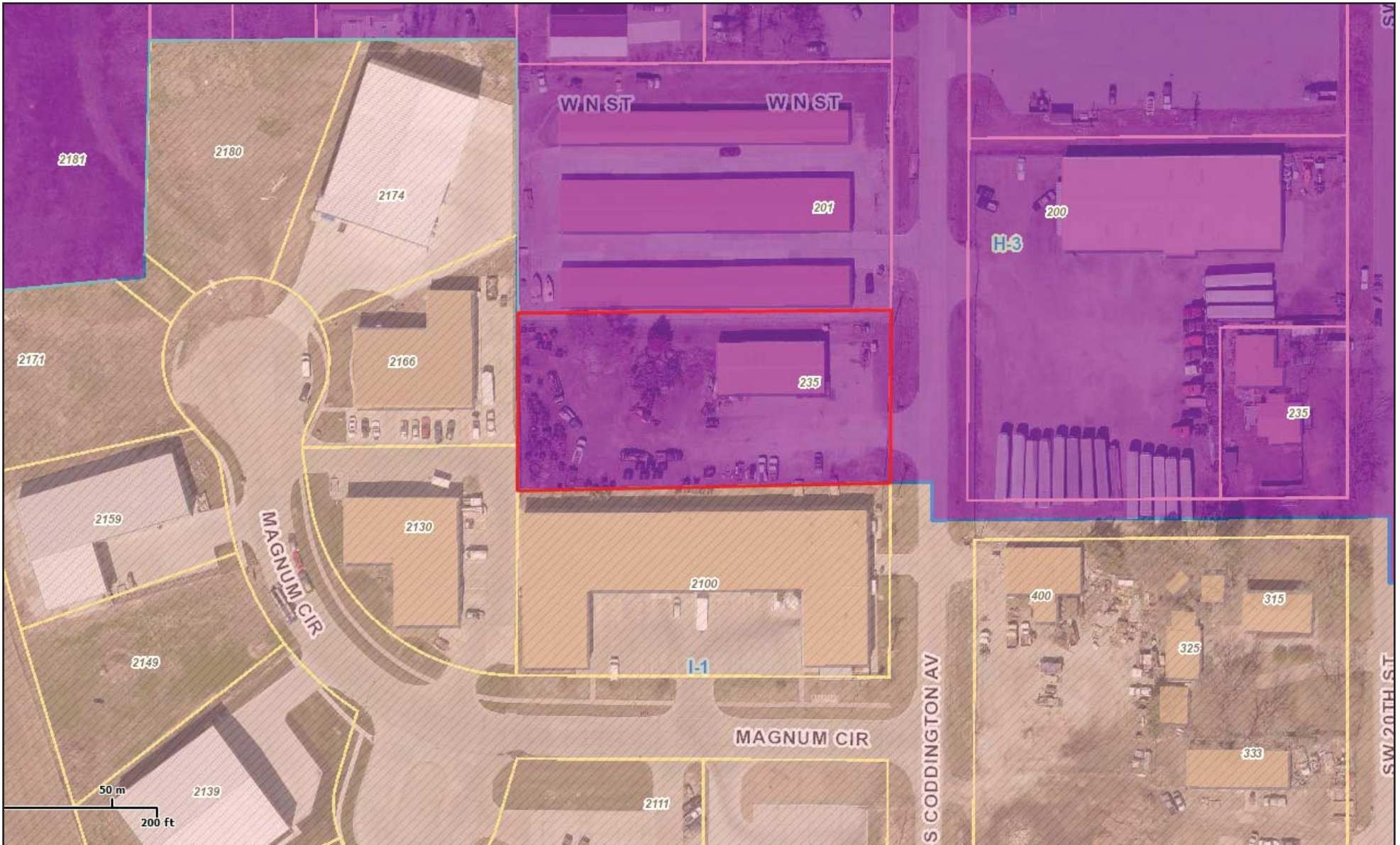
A zoning change to I-1 would allow for future expansion of the building at 2100 Magnum Circle. Our hope is to provide some additional options to the 2100 Magnum tenants as they continue to grow their businesses.

Thank you for your time and consideration. Please let me know if further detail or information is required.

Regards,



James Gallentine
Managing Member
Magnum Properties, LLC.



Lancaster County/City of Lincoln GIS Map

Proposed Change of Zone from H-3 to I-1, 235 S. Coddington Ave.

Printed: Aug 30, 2017

DISCLAIMER: The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments. If you have questions or comments regarding the data displayed on this map, please email ags@lincoln.ne.gov and you will be directed to the appropriate department.

CHANGE OF ZONE NO. 17026

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

September 27, 2017

Members present: Beckius, Corr, Edgerton, Harris, Scheer and Washington; Hove, Finnegan and Joy absent.

The Consent Agenda consisted of the following items: **TEXT AMENDMENT NO. 17016, SPECIAL PERMIT NO. 2004A, ANNEXATION NO. 17010, ANNEXATION NO. 17012, ANNEXATION NO. 17013, CHANGE OF ZONE NO. 17026, and CHANGE OF ZONE NO. 17027.**

Scheer disclosed he had a brief conversation with Nebco and advised them to contact the Planning Department to make comments.

Hove declared a conflict of interest on Change of Zone No. 17026 and exited the Chambers.

The following items were removed from the Consent Agenda to have separate Public Hearing: **Annexation No. 17010 and Annexation No. 17012.**

Beckius moved approval of the remaining Consent Agenda, seconded by Washington and carried 6-0: Beckius, Corr, Edgerton, Harris, Washington, and Scheer voting 'yes'; Hove declared a Conflict of Interest, Finnegan and Joy absent.

Note: This is a recommendation to the City Council on all items.

Hove returned to the chambers at 1:10 P.M.

Planning

From: Planning
Sent: Tuesday, September 26, 2017 10:58 AM
To: 'jwg@neb.rr.com'
Cc: David R. Cary; Steve S. Henrichsen; Rachel K. Jones; Brenda J. Thomas
Subject: Applicant's Synopsis RE: Change of Zone #17026
Attachments: 2017.09.24 CZ17026 Request for Approval.docx

Mr. Gallentine,

Thank you for submitting your comments regarding the above-referenced application, which have now become part of the record. A copy of your comments and related attachment are being distributed to each Planning Commission member for their consideration. I am also providing a copy of your comments to the staff planner for their information. If you have specific questions, please contact the project planner, Rachel Jones at 402 441-7603 or rjones@lincoln.ne.gov

Thank you.

Geri Rorabaugh, Administrative Officer
Lincoln-Lancaster County Planning Department
(402) 441-6365

-----Original Message-----

From: James Gallentine [mailto:jwg@neb.rr.com]
Sent: Tuesday, September 26, 2017 6:16 AM
To: Planning <Plan@lincoln.ne.gov>
Subject: Change of Zone #17026

Dear Lincoln-Lancaster County Planning Department:

I will not be able to attend the meeting tomorrow due to other previous commitments. This attachment is a brief synopsis of the rationale for our request.

Please let me know if I can provide any further information.

Thank you for your time and assistance.

Sincerely,

James Gallentine
Mangum Properties LLC

September 24, 2017

Lincoln-Lancaster County Planning Department
555 South 10th Street
Suite 213
Lincoln, NE 68508

Reg : Change of Zone CZ17026

Dear Lincoln-Lancaster County Planning Department:

This letter is in support of the proposed change in zoning request for Lot 13, Block 1, G & C Addition, from H-3 to I-1.

The request for conversion from H-3 to I-1 is to provide the opportunity to expand the footprint of the adjacent building on 2100 Magnum Circle (zoned I-1). The 2100 Magnum Circle building is fully occupied by several companies that have continued to grow over the last several years. Converting Lot 13, Block 1, G & C Addition to I-1 would be beneficial in providing options for these companies to continue to expand in their current location. Future growth of these companies is beneficial to all as it provides jobs and tax revenue for the local economy. Their expansion would also lead to improvement of the lot under consideration. It does not appear that approval of this request would be detrimental to the surrounding properties.

Thank you in advance for your time and consideration of this request.

Sincerely,

James Gallentine
Managing Member
Magnum Properties, LLC.