

FACTSHEET

TITLE: CHANGE OF ZONE NO. 3343, from B-2 Planned Neighborhood Business to R-4 Residential, requested by Olsson Associates on behalf of Holdrege Investors, L.L.C. and the University Park Congregation of Jehovah's Witnesses, Inc., on property generally located at the northeast corner of No. 84th & Holdrege Streets.

STAFF RECOMMENDATION: Approval.

ASSOCIATED REQUESTS: Special Permit No. 1839A, an amendment to the Morning Glory Estates Community Unit Plan (01R-308), and Use Permit No. 128A (Resolution No. PC-00717).

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda, 10/31/01
Administrative Action: 10/31/01

RECOMMENDATION: Approval (8-0: Bills, Carlson, Duvall, Krieser, Newman, Schwinn, Steward and Taylor voting 'yes'; Hunter absent).

FINDINGS OF FACT:

1. The staff recommendation to approve this change of zone request is based upon the following analysis:
 - A. This is a request for a change of zone and amendment to the special permit to add 11 residential lots and 11 dwelling units for a total of 280 dwelling units and to correct a legal description.
 - B. The added dwelling units are within the allowed units according to the density calculation.
 - C. The Police Department has no objections to this request.
 - D. The Public Works & Utilities Department has no objections to this request.
 - E. The Lincoln Electric System requests to change the 10-foot easement along Holdrege Street and the east line in Block 4 to a 15-foot easement. LES also requests two notes be added to the site plan regarding construction or grade changes in LES transmission lines easement corridors and landscaping material selections within easement corridors.
2. This application was placed on the Consent Agenda of the Planning Commission on October 31, 2001, and opened for public hearing. No one came forward to speak.
3. The Planning Commission agreed with the staff recommendation and voted 8-0 to recommend approval.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: November 13, 2001

REVIEWED BY: _____

DATE: November 13, 2001

REFERENCE NUMBER: FS\CC\FSCZ3343

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for each individual application.

P.A.S.: Morning Glory Estates
Change of Zone #3343
Special Permit #1839A

DATE: October 18, 2001

PROPOSAL:

1. Change of Zone #3343 from B-2, Planned Business to R-4, Residential due to an incorrect legal description.
2. Special Permit #1839A Morning Glory Estates Community Unit Plan to add 11 lots and dwelling units and to correct the legal description.

LAND AREA: Changes of Zone: 369.78 square feet
Special Permit (CUP) 30.83 acres

CONCLUSION: This application conforms to the Comprehensive Plan.

RECOMMENDATION: Special Permit/CUP:	Conditional Approval
Change of Zone:	Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Change of Zone: The remaining portion of Lot 93 Irregular Tract, located in the SW 1/4 of Section 17, T10N, R7E, Lancaster County Nebraska, and more particularly described in the attached sheet.

LOCATION: Northeast corner of N. 84th & Holdrege Streets

APPLICANT: Holdrege Investors, LLC
(Don Linscott contact)
5101 Central Park Drive, Ste 100
Lincoln, NE 68504
(402) 467-1234

University Park Congregation of
Jehovah's Witnesses, Inc
1900 N. 84th St.
Lincoln, NE 68505

OWNER: Same

CONTACT: Kim Jones
Olsson Associates
1111 Lincoln Mall
Lincoln, NE 68508
(402) 474-6311

EXISTING ZONING: B-2, Planned Business District, R-3 Residential District, R-4, Residential District

EXISTING LAND USE: Agricultural and Church

SURROUNDING LAND USE AND ZONING:

North:	Undeveloped and agriculture	AG, Agriculture
South:	Fire station and Church	O-3, Office Park District, AG
East:	Agricultural, acreages and church	AG
West:	Commercial uses	B-2, Planned Neighborhood District and H-4, General Commercial District

ASSOCIATED APPLICATIONS: Use Permit 128A, Morning Glory Estates

HISTORY: The N. 84th Street Subarea Plan was approved in 1998 showing this area for commercial and residential developments.

On **July 30, 2001**, City Council approved annexation #00006, Preliminary Plat #00011, Special Permit #1839 for 269 dwelling units, Use Permit #128 for 153,000 square feet of office and commercial space, and Change of Zone #3255 from AG to R-3, R-4, B-2 and O-3.

COMPREHENSIVE PLAN SPECIFICATIONS: Shown for commercial and urban residential uses in the Comprehensive Plan.

UTILITIES: Available

TRAFFIC ANALYSIS: 84th Street is classified as an urban principal arterial and Holdrege Street is classified as a local street in the Comprehensive Plan.

ANALYSIS:

1. This is a request for a change of zone and amendment to the special permit to add 11 residential lots and 11 dwelling units for a total of 280 dwelling units and to correct the legal description.

2. The added dwelling units are within the allowed units according to the density calculation.
3. The Police Department has no objections to this request.
4. The Public Works & Utilities Department has no objections to this request.
5. The Lincoln Electric System requests to change the 10-foot easement along Holdrege Street and the east line in Block 4 to a 15-foot easement. LES also requests two notes be added to the site plan regarding construction or grade changes in LES transmission lines easement corridors and landscaping material selections within easement corridors.

Prepared by:

Becky Horner
Planner

CHANGE OF ZONE NO. 3343

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

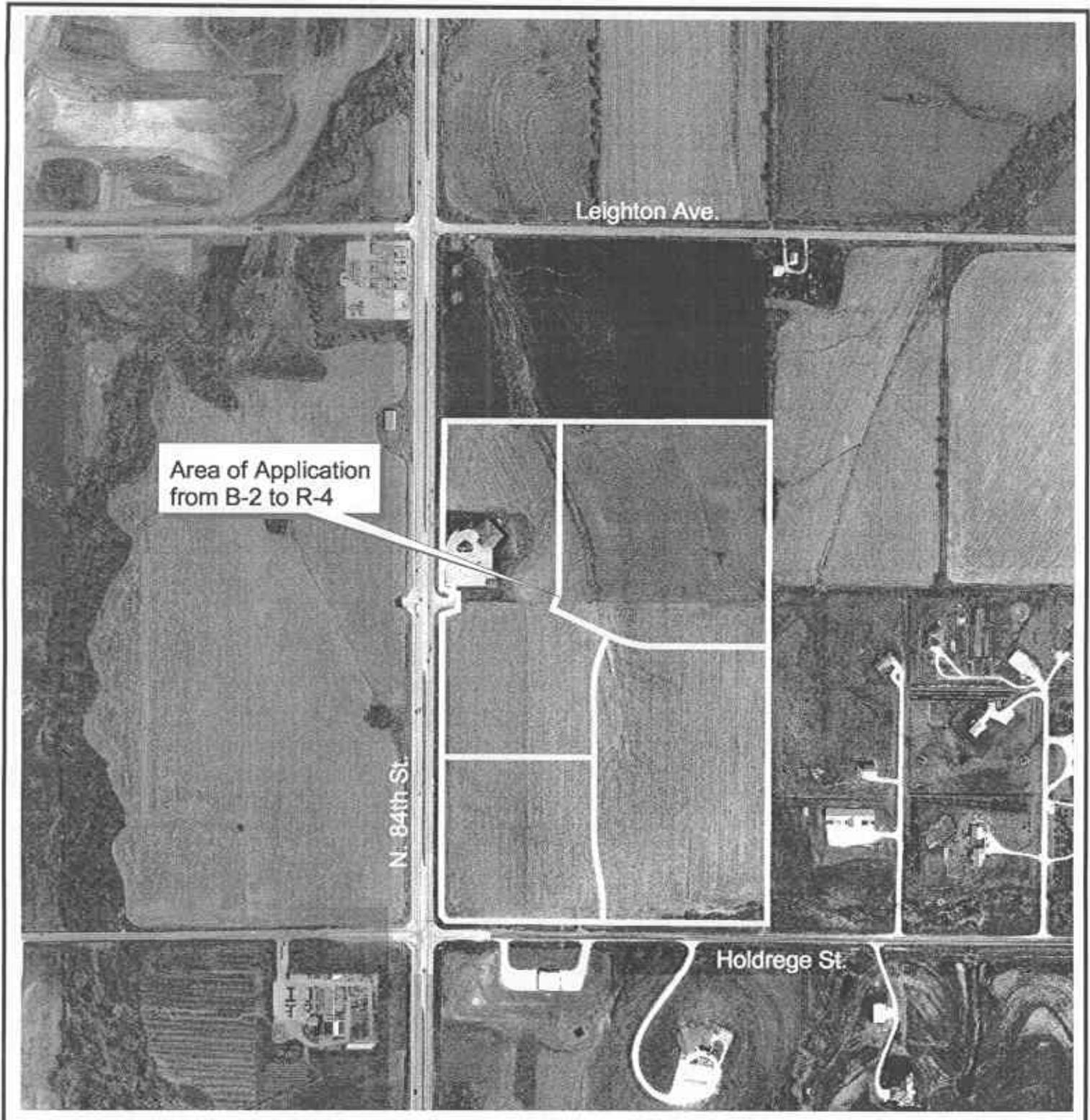
October 31, 2001

Members present: Bills, Carlson, Duvall, Krieser, Newman, Schwinn, Steward and Taylor; Hunter absent.

The Consent agenda consisted of the following items: **CHANGE OF ZONE NO. 3343; SPECIAL PERMIT NO. 1839A; USE PERMIT NO. 128A; PRELIMINARY PLAT NO. 01013, ALDERWOOD; STREET AND ALLEY VACATION NO. 01016; and STREET AND ALLEY VACATION NO. 01019.**

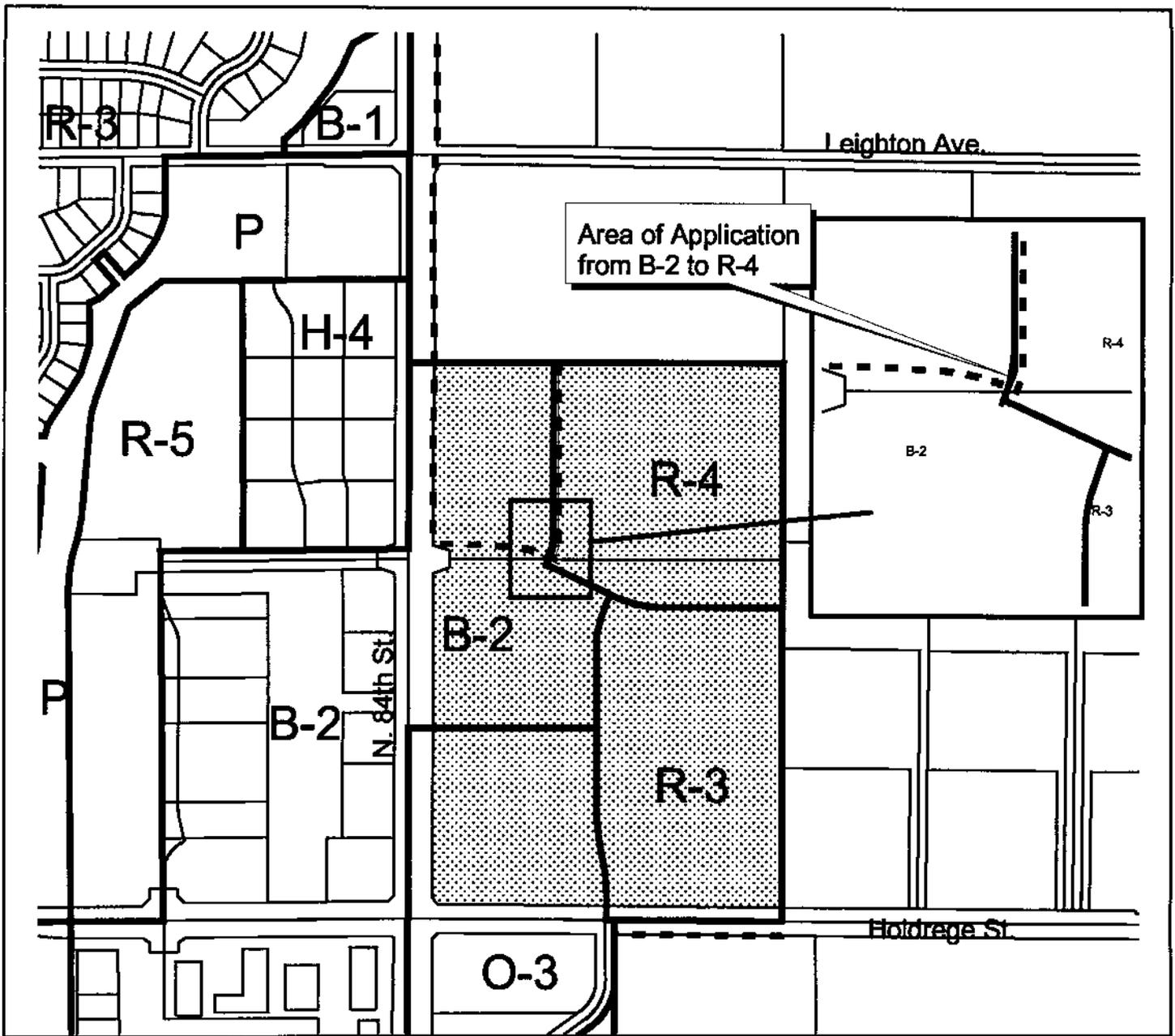
Duvall moved to approve the Consent Agenda, seconded by Bills and carried 8-0: Bills, Carlson, Duvall, Krieser, Newman, Schwinn, Steward and Taylor voting 'yes'; Hunter absent.

Note: This is final action on Use Permit No. 128A, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days of the action by the Planning Commission.



**Change of Zone #3343
N. 84th & Holdrege St.**



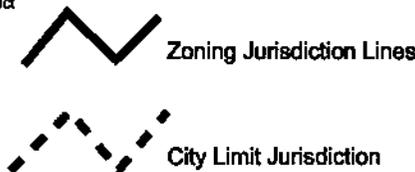


Change of Zone #3343 N. 84th & Holdrege St.

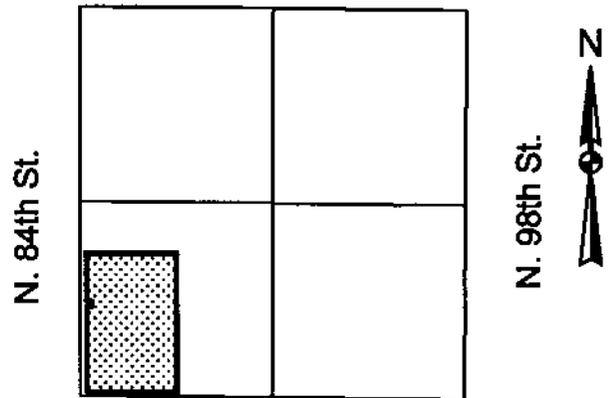
Zoning:

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. 14 T10N R7E



Adams St.



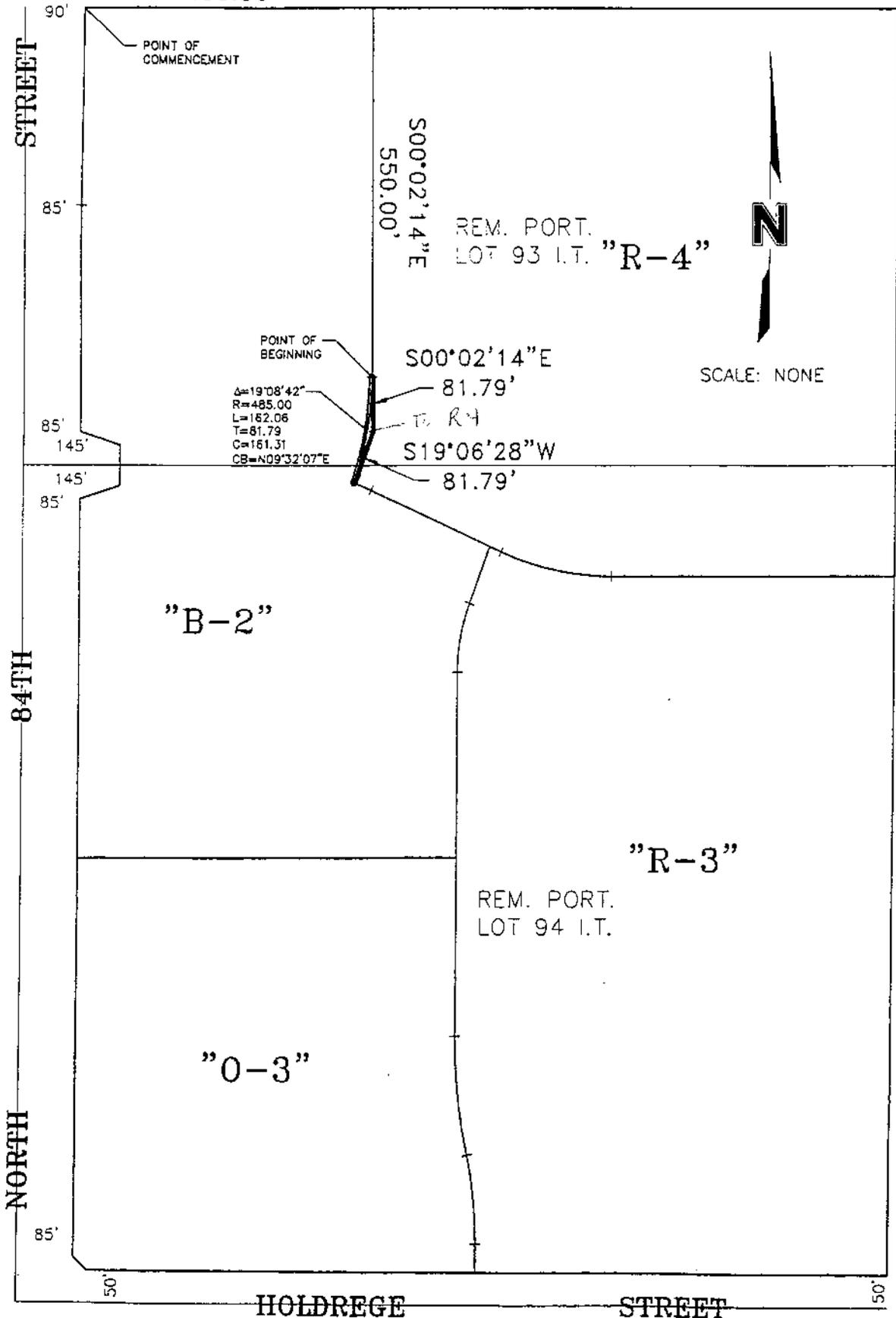
Holdrege St.

Date: 10/18/10

007

CHANGE OF ZONE EXHIBIT

N89°58'15"E
438.50'



LEGAL DESCRIPTION
CHANGE OF ZONE
FROM "B-2" TO "R-4"

A LEGAL DESCRIPTION FOR CHANGE OF ZONE PURPOSES FOR A TRACT OF LAND COMPOSED OF A PORTION OF LOT 93 I.T., LOCATED IN THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 10 NORTH, RANGE 7 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID LOT 93 I.T., THENCE ON AN ASSUMED BEARING OF NORTH 89 DEGREES 58 MINUTES 15 SECONDS EAST ALONG THE NORTH LINE OF SAID LOT 93 I.T., A DISTANCE OF 438.50 FEET TO A POINT, THENCE SOUTH 00 DEGREES 02 MINUTES 14 SECONDS EAST, A DISTANCE OF 550.00 FEET TO A POINT, SAID POINT BEING **THE TRUE POINT OF BEGINNING**, THENCE CONTINUING SOUTH 00 DEGREES 02 MINUTES 14 SECONDS EAST, A DISTANCE OF 81.79 FEET TO A POINT, THENCE SOUTH 19 DEGREES 06 MINUTES 28 SECONDS WEST, A DISTANCE OF 81.79 FEET TO A POINT, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 485.00 FEET, ARC LENGTH OF 162.06 FEET, DELTA ANGLE OF 19 DEGREES 08 MINUTES 42 SECONDS, A CHORD BEARING OF NORTH 09 DEGREES 32 MINUTES 07 SECONDS EAST, AND A CHORD LENGTH OF 161.31 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 369.78 SQUARE FEET OR 0.01 ACRES, MORE OR LESS.

October 5, 2001 (8:17AM)
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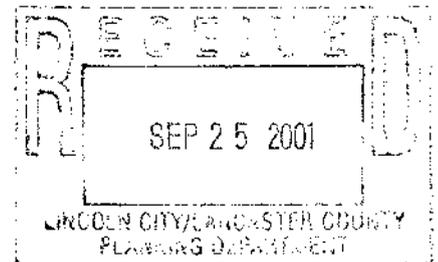


OLSSON ASSOCIATES
ENGINEERS • PLANNERS • SCIENTISTS • SURVEYORS

21 September 2001

Ms. Kathleen Sellman
Planning Department
County-City Building
555 South 10th Street
Lincoln, NE 68508

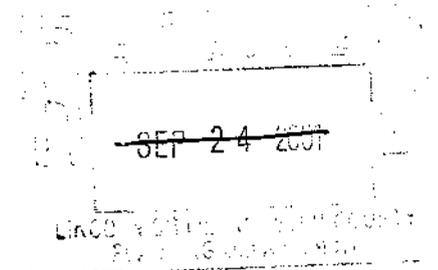
Re: Morning Glory Estates - Amendment to the CUP #1839
and Use Permit #128
OA Project No. 2001-0483



Dear Steve:

Enclosed please find the following documents for the above-mentioned project:

1. 21 copies of the Site Plan.
2. 5 copies of the Drainage and Grading Plan.
3. 5 copies of the Street Profiles.
4. 6 copies of the Landscape Plan.
5. 1 copy of the Special Permit Application.
6. 1 copy of the Use Permit Application.
7. 1 copy of the Change of Zone Application and exhibits.
8. 1 copy of the Ownership Certificate.
9. \$1365 Submittal Fee.



On behalf of the Owners/Developers, Holdrege Investors, LLC, Mr. Don Linscott, 5101 Central Park Dr., Suite 100, Lincoln, NE 68504, Phone (402) 467-1234 and University Park Congregation of Jehovah's Witnesses, Inc., 1900 North 84th St., Lincoln, NE 68505, we are requesting an amendment to the existing Community Unit Plan and Use Permit. The following modifications and revisions have been made and are being requested:

1. Boundary revised to centerline of private roadway North 86th Street, North of Lexington Avenue.
2. Duplex units added to Blocks 4 and 5, resulting in a net increase of 11 lots.

Ms. Kathleen Sellman
Page Two
21 September 2001

If you have any questions or require further information, please call.

Sincerely,



Kim Jones

Enclosures

cc:

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