

City Council Introduction: **Monday**, November 4, 2002
Public Hearing: **Monday**, November 18, 2002, at **1:30 p.m.**

Bill No. 02-168

FACTSHEET

TITLE: CHANGE OF ZONE NO. 3380, from B-2 Planned Neighborhood Business District to R-3 Residential, requested by the Director of Planning, on property generally located at So. 79th Street and Pioneers Blvd.

STAFF RECOMMENDATION: Approval

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda, 10/16/02
Administrative Action: 10/16/02

RECOMMENDATION: Approval (9-0: Carlson, Duvall, Krieser, Larson, Newman, Schwinn, Steward, Bills-Strand and Taylor voting 'yes').

FINDINGS OF FACT:

1. The staff recommendation to approve this change of zone request is based upon the "Analysis" as set forth on p.3, concluding that this change of zone request is consistent with the Comprehensive Plan and would correct an error due to a previous change of zone which inadvertently changed the zoning district designation of this parcel.
2. On October 16, 2002, this application was placed on the Consent Agenda of the Planning Commission and opened for public hearing. No one came forward to speak.
3. The Planning Commission agreed with the staff recommendation and voted 9-0 to recommend approval.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: October 28, 2002

REVIEWED BY: _____

DATE: October 28, 2002

REFERENCE NUMBER: FS\CC\2002\CZ.3380

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Change of Zone #3380

DATE: October 1, 2002

SCHEDULED PLANNING COMMISSION

October 16, 2002

PROPOSAL: A change of zone from B-2 Planned Neighborhood Business District to R-3 Residential District.

LAND AREA: Approximately 0.12 acres.

CONCLUSION: This change of zone request is consistent with the Comprehensive Plan and would correct an error due to a previous change of zone which inadvertently changed the zoning district designation of this parcel.

RECOMMENDATION:

Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: A portion of Lot 55 I.T., located in the NE 1/4 of Section 10, Range 9 Township 7, Lancaster County, Nebraska.

LOCATION: South 79th Street and Pioneers Boulevard.

APPLICANT: Marvin S. Krout
Director of Planning
555 S. 10th Street, Rm 213
Lincoln, NE 68508

OWNER: Nebraska Nurseries Inc., c/o Essex Corporation
Kent Braasch
11606 Nicholas Street, Suite 100
Omaha, NE 68154

CONTACT: Duncan Ross
Lincoln-Lancaster County Planning Department
555 S. 10th Street, Rm 213
Lincoln, NE 68508
(402) 441-7491

EXISTING ZONING: B-2 Planned Neighborhood Business District

EXISTING LAND USE: Residential

SURROUNDING LAND USE AND ZONING:

North:	Residential	R-1
South:	Residential, not yet developed	R-3
East:	Residential	R-3
West:	Commercial	B-2, O-3

COMPREHENSIVE PLAN SPECIFICATIONS:

- Page F 15 - Guiding Principles from the Comprehensive Plan Vision
- Quality of Life Assets: The community continues its commitment to neighborhoods. Neighborhoods remain one of Lincoln's great strengths and their conservation is fundamental to this plan.
- Page F 18 - Guiding Principles for the Urban Environment
- Residential Neighborhoods: Construction and renovation within the existing urban area should be compatible with the character of the surrounding neighborhood.
- Page F 24 - Future Land Use Map
- This land is designated as Urban Residential in the Land Use Plan.

UTILITIES: This area is within the Future Service Limit of the Comprehensive Plan. All utilities are available or planned for this area.

TOPOGRAPHY: The topography is flat across the site.

TRAFFIC ANALYSIS: Pioneers Boulevard is classified as a minor arterial adjacent to this site. The Comprehensive Plan states that "This class interconnects with, and augments principal arterials, distributes traffic to smaller areas, and contains streets that place some emphasis, on land access. These are characterized by moderate to heavy traffic volumes. (page F 102 - Minor Arterials).

PUBLIC SERVICE: This area is served by City of Lincoln public safety services and utilities, and by Lincoln Public Schools.

ANALYSIS:

1. This portion of the property was inadvertently mapped as B-2 Planned Neighborhood Business District due to an error in the legal description that accompanied Change of Zone #3213 that was approved by City Council on July 2, 2001. The zoning district designation of this property prior to mapping Change of Zone #3213 was R-3 Residential.
2. This application is at the request of the Director of Planning and seeks to change zoning on identified property to correct the zoning designation from B-2 Planned Neighborhood Commercial to R-3 Residential.

Prepared by:

Duncan Ross, AICP
Planner

CHANGE OF ZONE NO. 3380

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

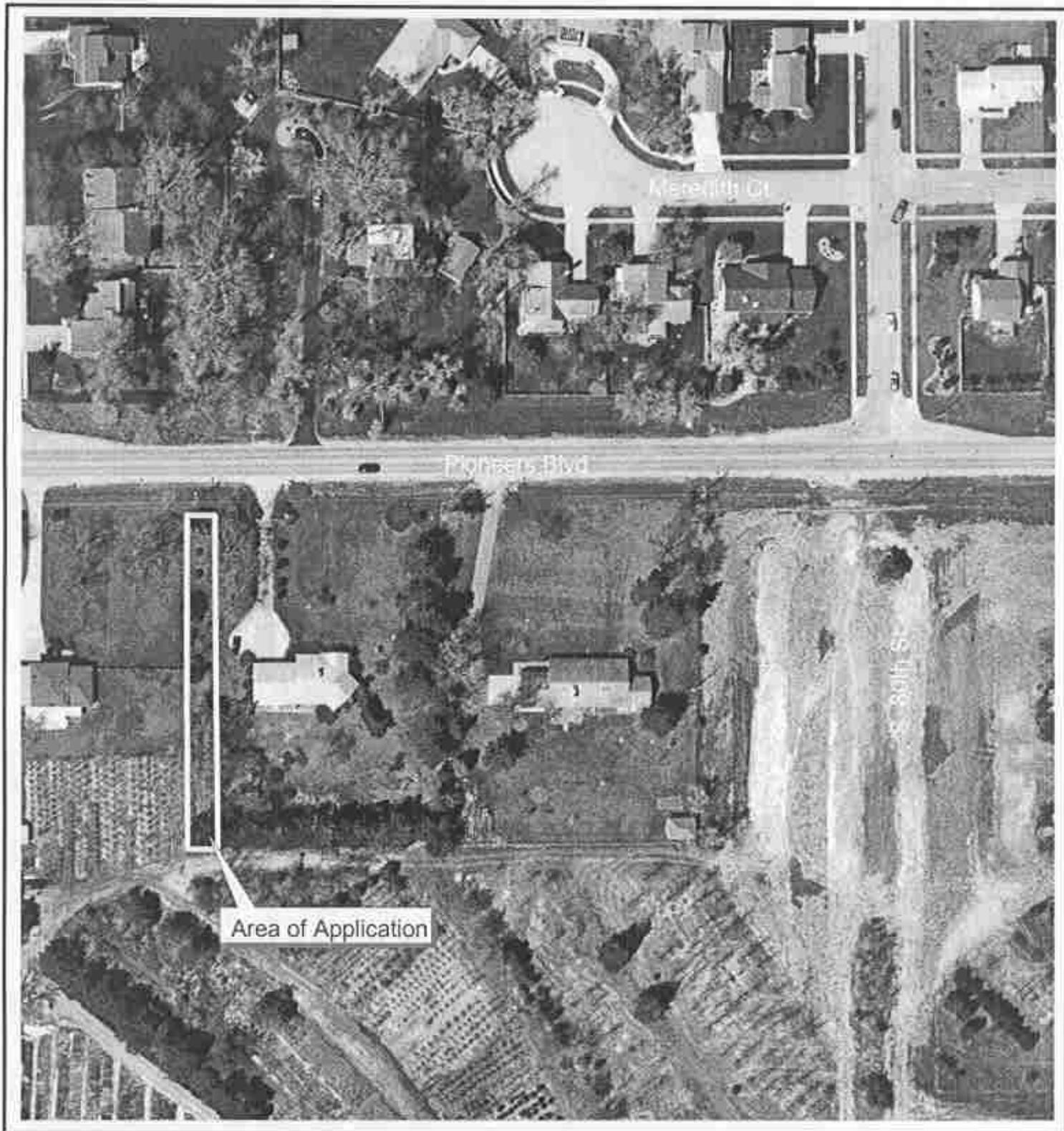
BEFORE PLANNING COMMISSION:

October 16, 2002

Members present: Carlson, Duvall, Krieser, Larson, Newman, Schwinn, Steward, Bills-Strand and Taylor.

The Consent agenda consisted of the following items: **CHANGE OF ZONE NO. 3380, CHANGE OF ZONE NO. 3382, CHANGE OF ZONE NO. 3383, SPECIAL PERMIT NO. 1692B, SPECIAL PERMIT NO. 1990 AND WAIVER OF DESIGN STANDARDS NO. 02021.**

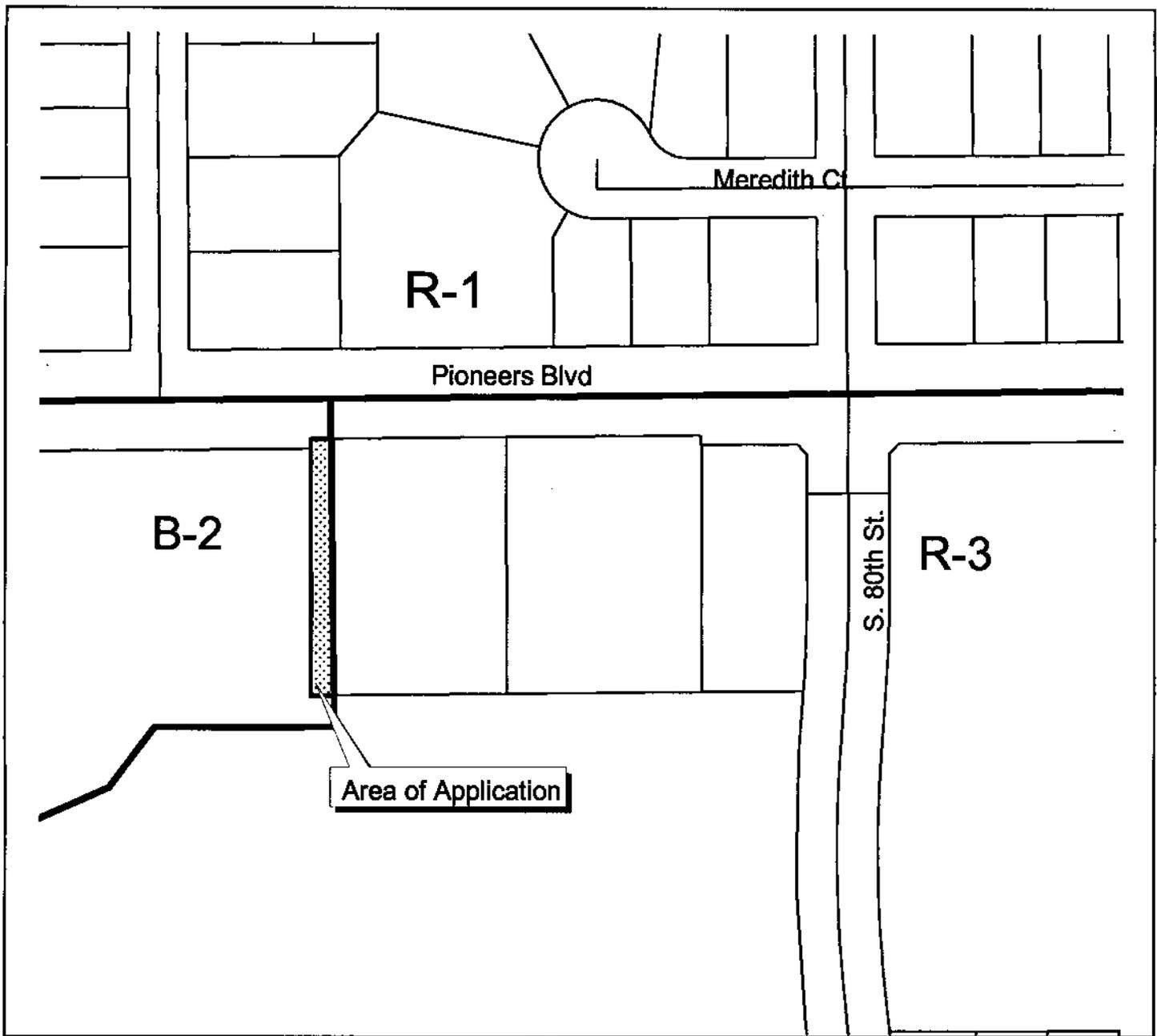
Item No. 1.3, Change of Zone No. 3383; Item No. 1.5a, Special Permit No. 1990 and Item No. 1.5b, Waiver of Design Standards No. 02021 were removed from the Consent Agenda and scheduled for separate public hearing. Steward moved to approve the remaining Consent Agenda, seconded by Carlson. Motion to approve carried 9-0: Carlson, Duvall, Krieser, Larson, Newman, Schwinn, Steward, Bills-Strand and Taylor voting 'yes'.



**Change of Zone #3380
S. 79th & Pioneers Blvd**



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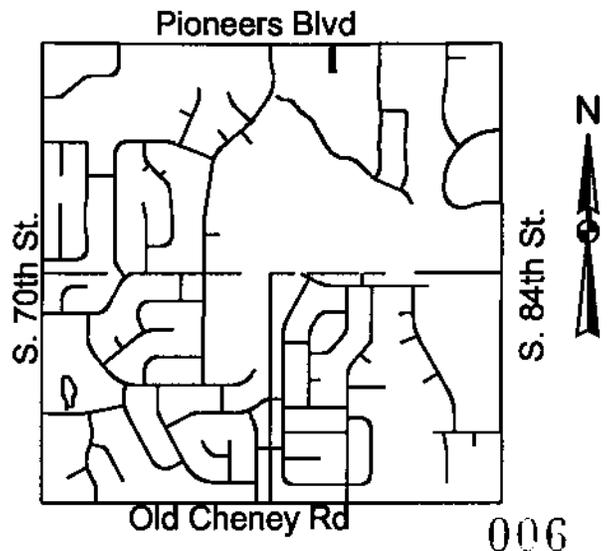
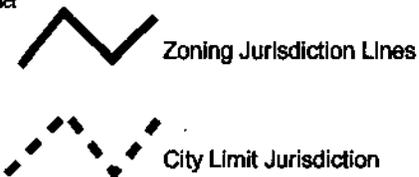


Change of Zone #3380 S. 79th & Pioneer Blvd

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. 10 T9N R7E



Lincoln



Nebraska's Capital City

September 12, 2002

Essex Corporation
Kent Braasch
11606 Nicholas Street, Suite 100
Omaha, Ne 68154

RE: Change of Zone #3213, B-2 neighborhood business, The Preserve

Dear Kent,

In mapping this change of zone we discovered that the legal description included the western 20.35 feet of Lot 55 i. t. Lot 55 is not included in the plans for the B-2 site plan (Use permit 125). Also as a general policy zoning lines should follow lot lines. I will on behalf of the Director of Planning apply for a change of zone to revert the western 20.35 feet of Lot 55 i. t. back from B-2 to R-3.

Should you have questions please contact me at 402-441-6371 or rhill@ci.lincoln.ne.us.

Sincerely,

Ray F. Hill
Land Use Manager

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