

City Council Introduction: **Monday**, January 26, 2004
Public Hearing: **Monday**, February 2, 2004, at **1:30 p.m.**

Bill No. 04-15

FACTSHEET

TITLE: CHANGE OF ZONE NO. 3432, from H-3 Highway Commercial District to I-2 Industrial Park District, requested by Tom Huston on behalf of Yasufuku USA, Inc., on property generally located at N.W. 12th Street and West Bond Circle.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 01/07/04
Administrative Action: 01/07/04

STAFF RECOMMENDATION: Approval.

RECOMMENDATION: Approval (9-0: Carlson, Carroll, Krieser, Larson, Marvin, Pearson, Bills-Strand, Sunderman 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 the request is in conformance with the Comprehensive Plan. The applicant/owner desires to expand their industrial use to a portion of their land that is currently zoned H-3. This requires an expansion of the I-2 zoning to include this portion. I-2 zoning also extends north and west of the applicant's ownership in this area.
2. On January 7, 2004, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
3. On January 7, 2004, the Planning Commission agreed with the staff recommendation and voted 9-0 to recommend approval.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: January 20, 2004

REVIEWED BY: _____

DATE: January 20, 2004

REFERENCE NUMBER: FS\CC\2004\CZ.3432

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for January 7, 2003 PLANNING COMMISSION MEETING

P.A.S.: Change of Zone #3432

PROPOSAL: From H-3, Highway Commercial to I-2, Industrial Park.

LOCATION: NW 12th and West Bond Circle.

LAND AREA: Approximately 1 acre, more or less.

CONCLUSION: In conformance with the Comprehensive Plan.

RECOMMENDATION:	Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: The south 192' of Lot 8, Block 1, Union Pacific Addition.

EXISTING ZONING: H-3, Highway Commercial

EXISTING LAND USE: Yasufuku USA Inc., manufacturer.

SURROUNDING LAND USE AND ZONING:

North:	Manufacturing	I-2, Industrial Park
South:	Commercial	H-3, Highway Commercial
East:	Commercial	H-3
West:	Manufacturing	I-2

COMPREHENSIVE PLAN SPECIFICATIONS: : The Land Use Plan in the Comprehensive Plan indicates this area as Commercial and Industrial (F-25).

This area is identified as a heavy industrial area in the "Existing and Proposed Industrial Centers" map in the Comprehensive Plan(F-39).

"Moderate to Heavy Industrial areas are primarily for manufacturing, processing and assembly uses such as Goodyear, ADM, and Kawasaki. In the past, large industrial users were often located in isolation from each other; preferably industries should locate together in planned industrial centers. Many industrial centers also include some warehouse, storage and contractor yard uses with a minor amount of supporting commercial use" (F-38)

"Each area designated as commercial in the land use plan may not be appropriate for every commercial zoning district. The appropriateness of a commercial district for a particular piece of property will depend on a review of all the elements of the Comprehensive Plan" (F-22).

HISTORY: The area to the north and west was changed from H-1, Interstate Commercial to I-2, Industrial Park in 1995.

The area was changed from M, Restricted Industrial and H-S, Highway Service to I-2, Industrial Park and H-1, Interstate Commercial during the 1979 zoning update.

The area was changed from AA, Rural and Public Use to M, Restricted Industrial and H-S, Highway Service in July 1968.

TRAFFIC ANALYSIS: NW 12th Street is classified as an Urban Minor Arterial street, W. Bond Circle is classified as a local road.

ANALYSIS:

1. This is a request to change the zoning from H-3, Highway Commercial to I-2, Industrial Park.
2. The applicant indicates that at the time they acquired the property, Star City Motor Sports occupied the southeast corner of the existing building, which is zoned H-3. Star City Motor Sports will no longer occupy the building and Yasufuku USA, Inc. would like to expand their existing operations into that portion of the building.
3. There is I-2 to the west and north of this property. The nearest H-3 zoning district is across W. Bond and NW 12th Streets.
4. The I-2 district is “for a developing area intended for manufacturing and industrial uses in an open and environmentally attractive atmosphere” according to Title 27.49 (I-2 district).
5. Most of the area northwest of NW 12th and West Bond Street is already in manufacturing, changing the district will not alter the facade of the existing building. The change will likely be unnoticeable from the exterior.
6. The I-2 zoning district requires greater setbacks than the H-3 district but allows a greater maximum height limit. H-3 limits height to 45', and I-2 limits height at 55'. The present building meets setbacks for the I-2 district.
7. Signage is more heavily regulated in the I-2 district, with no pole signs allowed. Any existing pole signs become non-conforming.
8. The current zoning designation cuts through the existing building. The vast majority of the building is located in the I-2 district. Therefore, the request to change the zoning to be consistent with the rest of the building to I-2 is reasonable.

Prepared by:

Becky Horner
Planner

DATE: December 22, 2003

APPLICANT: Yasufuku USA, Inc.
3201 NW 12th Street
Lincoln, NE 68521
(402)434-1900

OWNER: Same

CONTACT: Tom Huston
233 S. 13th Street, Suite 1900
Lincoln, NE 68508
(402)474-6900

CHANGE OF ZONE NO. 3432

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

January 7, 2004

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

The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 3432; SPECIAL PERMIT NO. 2047; COUNTY SPECIAL PERMIT NO. 207 and COUNTY PRELIMINARY PLAT NO. 03010, OAK PRAIRIE; PRELIMINARY PLAT NO. 03008, NORTH CREEK 1ST ADDITION; STREET AND ALLEY VACATION NO. 03014; STREET AND ALLEY VACATION NO. 03018; and WAIVER NO. 03015.**

Item No. 1.3a, County Special Permit No. 207, and Item No. 1.3b, County Preliminary Plat No. 03010, were removed from the Consent Agenda at the request of Commissioner Pearson and scheduled for separate public hearing. **Item No. 1.5, Street and Alley Vacation No. 03015**, was removed from the Consent Agenda and scheduled for separate public hearing at the request of Michael Rierden.

Carlson moved to approve the remaining Consent Agenda, seconded by Larson and carried 9-0: Carlson, Carroll, Krieser, Larson, Marvin, Pearson, Bills-Strand, Sunderman and Taylor voting 'yes'.

Note: This is final action on the North Creek 1st Addition Preliminary Plat No. 03008 and Waiver No. 03015, 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.



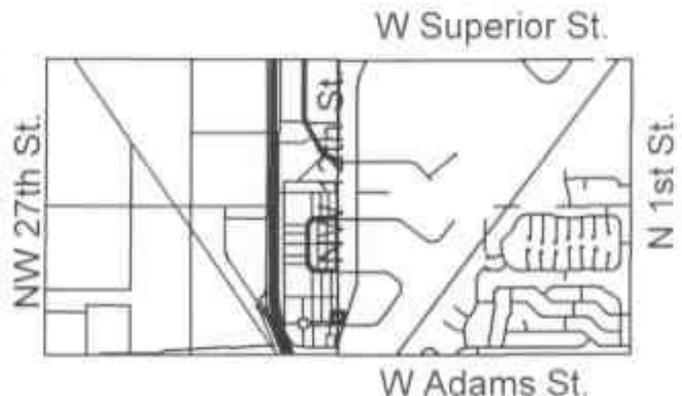
2002 aerial

Change of Zone #3432 3201 NW 12th 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

Two Square Miles
Sec. 10 T10N R6E
Sec. 9 T10N R6E



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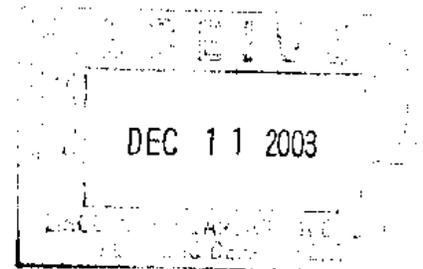
SCOTTSBLUFF OFFICE:
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115 RAILWAY STREET, SUITE B-104
SCOTTSBLUFF, NEBRASKA 69361
(308) 635-1020

December 10, 2003

Hand Delivery

Mr. Marvin Krout, Director of Planning
City of Lincoln
555 South 10th Street, Suite 213
Lincoln NE 68508

Re: Change of Zone for Yasufuku U.S.A., Inc.
Our File: YAS01-CB001



Dear Mr. Krout:

I represent Yasufuku U.S.A., Inc., which operates a manufacturing facility at 3201 N.W. 12th, Suite 1, Lincoln, Nebraska 68521. On behalf of my client, I enclose the following:

1. A City of Lincoln zoning application signed by Masaru Oda, the authorized representative of Yasufuku U.S.A., Inc. The zoning application seeks a change of zone from the H-3 Highway Commercial district to the I-2 Industrial Park district;
2. A copy of the plat map of the area desired to be changed to I-2;
3. A check made payable to the City of Lincoln in the amount of \$370 for the application fee.

This letter shall also serve as the statement of purpose for the change of zone application. Yasufuku U.S.A., Inc., acquired this property comprised of Lots 8 and 9, Block 1, Union Pacific Addition, approximately ten years ago. When my client acquired this site, the southeast corner of the building was occupied by

December 10, 2003

Page 2

Star City Motor Sports. It was our understanding, as confirmed by Steve Henrichsen, that the southeast corner of the building carried the H-3 Highway Commercial district zoning classification. The present tenant, Star City Motor Sports, is vacating the building no later than January 31, 2004. My client would desire to return the entire property to the previous I-2 Industrial Park district. My client would desire to expand into the space formerly occupied by the tenant with its current operations.

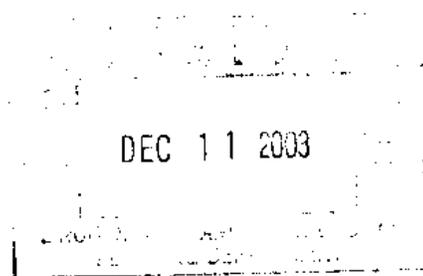
The zoning application is being submitted based upon our understanding that the southeast corner of the current property carries the H-3 zoning classification. I was not able to confirm that assumption through a review of the zoning map. I presume that the files of the Planning Department would reflect this fact. However, if our assumption is incorrect and all of the property carries the I-2 zoning classification, I would appreciate it if you would return the application and check to me.

Should you have any questions, please call.

Sincerely,



Thomas C. Huston
For the Firm



Enc.

c: Stuart Zetterman (w/o enc.)

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Memorandum

To:	Becky Horner, Planning Department
From:	Charles W. Baker, Public Works and Utilities
Subject:	Change of Zone #3432, Yasufuku U.S.A., Inc.
Date:	December 23, 2003
cc:	Randy Hoskins

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the request for the proposed Change of Zone on the property located at Northwest 12th and West Bond Circle. Public Works has no objections.