

City Council Introduction: **Monday**, June 21, 2004
Public Hearing: **Monday**, June 28, 2004, at **5:30** p.m.

Bill No. 04-126

FACTSHEET

TITLE: **CHANGE OF ZONE NO. 04036**, from R-4 Residential District to R-2 Residential District, requested by the Director of Planning on behalf of the Country Club Neighborhood Association and the Irvingdale Neighborhood Association, on property generally located at South 27th Street and Stratford Avenue.

STAFF RECOMMENDATION: Approval

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 06/09/04
Administrative Action: 06/09/04

RECOMMENDATION: Approval (8-0: Larson, Marvin, Carroll, Taylor, Sunderman, Carlson, Krieser, and Bills-Strand voting 'yes'; Pearson absent).

FINDINGS OF FACT:

1. This is a request to change the zone from R-4 to R-2 on three lots within the Irvingdale and Country Club Neighborhoods. These three lots were inadvertently omitted from the legal notice for previous Change of Zone No. 04026 for the surrounding area, which was adopted by the City Council on May 24, 2004, Ordinance No. 18370.
2. The staff recommendation of approval is based upon the "Analysis" as set forth on p.5.
3. On June 9, 2004, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
4. On June 9, 2004, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend approval.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: June 14, 2004

REVIEWED BY: _____

DATE: June 14, 2004

REFERENCE NUMBER: FS\CC\2004\CZ.04036

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for June 6, 2004 PLANNING COMMISSION MEETING

P.A.S.: Change of Zone 04036

PROPOSAL: To change the zoning on 3 lots within the Irvingdale & Country Club Neighborhoods from R-4 Residential to R-2 Residential.

LOCATION: Generally located at South 27th and Stratford Avenue.

LAND AREA: 1 acre, more or less.

CONCLUSION: These lots were intended to be included in change of zone #04026, however these lots were left out of the legal notice by mistake.

RECOMMENDATION:

Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION:

Lot 13, Block 8 Sheridan Place located in the South Half of Section 36, Township 10 North, Range 6 East and Lots 12 and 13 Block 12 Sheridan Park located in the Southwest Quarter of Section 31, Township 10 North, Range 7 East Lancaster County, Nebraska. generally located between South Street and Van Dorn Street, from S. 17th Street to S. 30th Street.

EXISTING ZONING: R-4 Residential

EXISTING LAND USE: Single-family dwellings.

SURROUNDING LAND USE AND ZONING:

North:	Residential uses	R-4 Residential
South:	Residential uses	R-1 Residential
East:	Residential uses	R-2 Residential
West:	Residential uses	R-4 Residential

HISTORY:

Prior to the 1979 zoning update, this area was zoned B Two-Family Dwelling and C Multiple Dwelling. As a result of the update, the zoning changed to R-4 Residential, which substantially reflected the previous zoning.

HISTORY OF OTHER RESIDENTIAL DOWNZONING:

April 2004 Change of Zone #04026 from R-4 to R-2 Residential was recommended for approval

by the Planning Commission for areas within the Country Club and Irvingdale Neighborhoods. The Planning Staff recommended approval.

- Dec 2003 Zone #3424 from R-4, R-5, R-6 Residential and B-3 Commercial to R-2 Residential was approved for an area within the Everett Neighborhood. The Planning Staff recommended approval.
- Sept 2003 Change of Zone #3416 from R-4 Residential to R-2 Residential was approved for an area within the Witherbee Neighborhood. The Planning Staff recommended denial.
- Aug 2003 Change of Zone #3412 from R-4 Residential to R-2 Residential was approved for an area within the Antelope Park Neighborhood. The Planning Staff recommended approval.
- Apr 2003 Change of Zone #3397 from R-4 Residential to R-2 residential was approved for an existing landmark district within the Near South Neighborhood. The Planning Staff recommended approval.
- Oct 2002 Change of Zone #3378 from R-5 and R-6 Residential to R-2 Residential was approved within the existing Mount Emerald Neighborhood landmark district. The Planning Staff referred to new language in the recently adopted Comprehensive Plan on preserving the character of the existing neighborhoods.
- Feb 2002 Change of Zone #3354 from R-4 Residential to R-2 Residential was approved for the area located immediately adjacent and southeast of this application. The area included approximately 106 dwelling units. The Planning Staff recommended denial because the change would cause 35% of the lots to become nonstandard and the R-4 district allows a diversity of housing types.
- Jun 1995 Change of Zone #2890 from R-4 Residential to R-2 Residential was approved for a small area located immediately adjacent and west of this application. The area included 23 dwelling units (21 single-family and 2 duplex units). The Planning Staff recommended denial because the change would result in 57% of the lots becoming nonstandard.

COMPREHENSIVE PLAN SPECIFICATIONS: The Comprehensive Plan shows the area as Urban Residential. (F 25)

Urban Residential: Multi-family and single-family residential areas with varying densities ranging from more than fifteen dwelling units per acre to less than one dwelling unit per acre. (F 27)

COMP PLAN SPECIFICATIONS THAT SUPPORT THIS CHANGE OF ZONE:

The *Overall Guiding Principles* for future residential planning include:

One of Lincoln's most valuable community assets is the supply of good, safe, and decent single family homes that are available at very affordable costs when compared to many other communities across the country. Preservation of these homes for use by future generations will protect residential neighborhoods and allow for many households to attain the dream of home ownership. (F 65)

The **Guiding Principles for Existing Neighborhoods** include:

Preserve, protect, and promote city and county historic resources. Preserve, protect and promote the character and unique features of rural and urban neighborhoods, including their historical and architectural elements. (F 68)

Preserve the mix of housing types in older neighborhoods. (F 68)

Promote the continued use of single-family dwellings and all types of buildings, to preserve the character of neighborhoods and to preserve portions of our past. (F 68)

Strategies for New & Existing Residential Areas

Single family homes, in particular, add opportunities for owner-occupants in older neighborhoods and should be preserved. The rich stock of existing, smaller homes found throughout established areas, provide an essential opportunity for many first-time home buyers. (F 72)

Strategies for Existing Residential Areas

In existing neighborhoods adjacent to the Downtown, retain existing predominately single family blocks in order to maintain the mix of housing types. The current mix within each neighborhood provides ample housing choices. These existing neighborhoods have significantly greater populations and residential densities than the rest of the community. Significant intensification could be detrimental to the neighborhoods and be beyond infrastructure capacities. Codes and regulations which encourage changes in the current balance of housing types, should be revised to retain the existing character of the neighborhoods and to encourage maintenance of established older neighborhoods, not their extensive conversion to more intensive uses. (F 73)

Preservation and renewal of historic buildings, districts, and landscapes is encouraged. Development and redevelopment should respect historical patterns, precedents, and boundaries in towns, cities and existing neighborhoods. (F 17)

The **Guiding Principles for the Urban Environment: Residential Neighborhoods** include:

Construction and renovation within the existing urban area should be compatible with the character of the surrounding neighborhood. (F 18)

One **Quality of Life Asset** from the **Guiding Principles from the Comprehensive Plan Vision** states:

The community continues its commitment to neighborhoods. Neighborhoods remain one of Lincoln's great strengths and their conservation is fundamental to this plan. (F 15)

Develop and promote building codes and regulations with incentives for the rehabilitation of existing buildings in order to make it easier to restore and reuse older buildings. Encourage reconversion of single family structures to less intensive (single family use) and/or more productive uses. (F 73)

COMP PLAN SPECIFICATIONS THAT DO NOT SUPPORT THIS CHANGE OF ZONE:

The **Guiding Principles for the Urban Environment: Overall Form** include:

Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. (F 17)

Provision of the broadest range of housing options throughout the community improves the quality of life in the whole community. (F 65)

AESTHETIC CONSIDERATIONS:

Many of the homes in the area appear to be of the same vintage, with similar architectural characteristics. The streetscapes appear consistent with older single-family areas; there is a rhythm to the size and shape of houses, there is some, but not a significant amount of parking on the streets, and many homes are still single-family.

Patrons of the area may be eligible for landmark district designation.

ANALYSIS:

1. This application is a follow up on a current change of zone #04026, for surrounding area. These three lots were inadvertently left out of the legal notice for change of zone #04026.

Prepared by:

Derek Miller, 441-6372, dmliller@ci.lincoln.ne.us
Planner

Date: May 17, 2004

Applicant: Planning Director

Contact: Derek L Miller

CHANGE OF ZONE NO. 04036

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

June 9, 2004

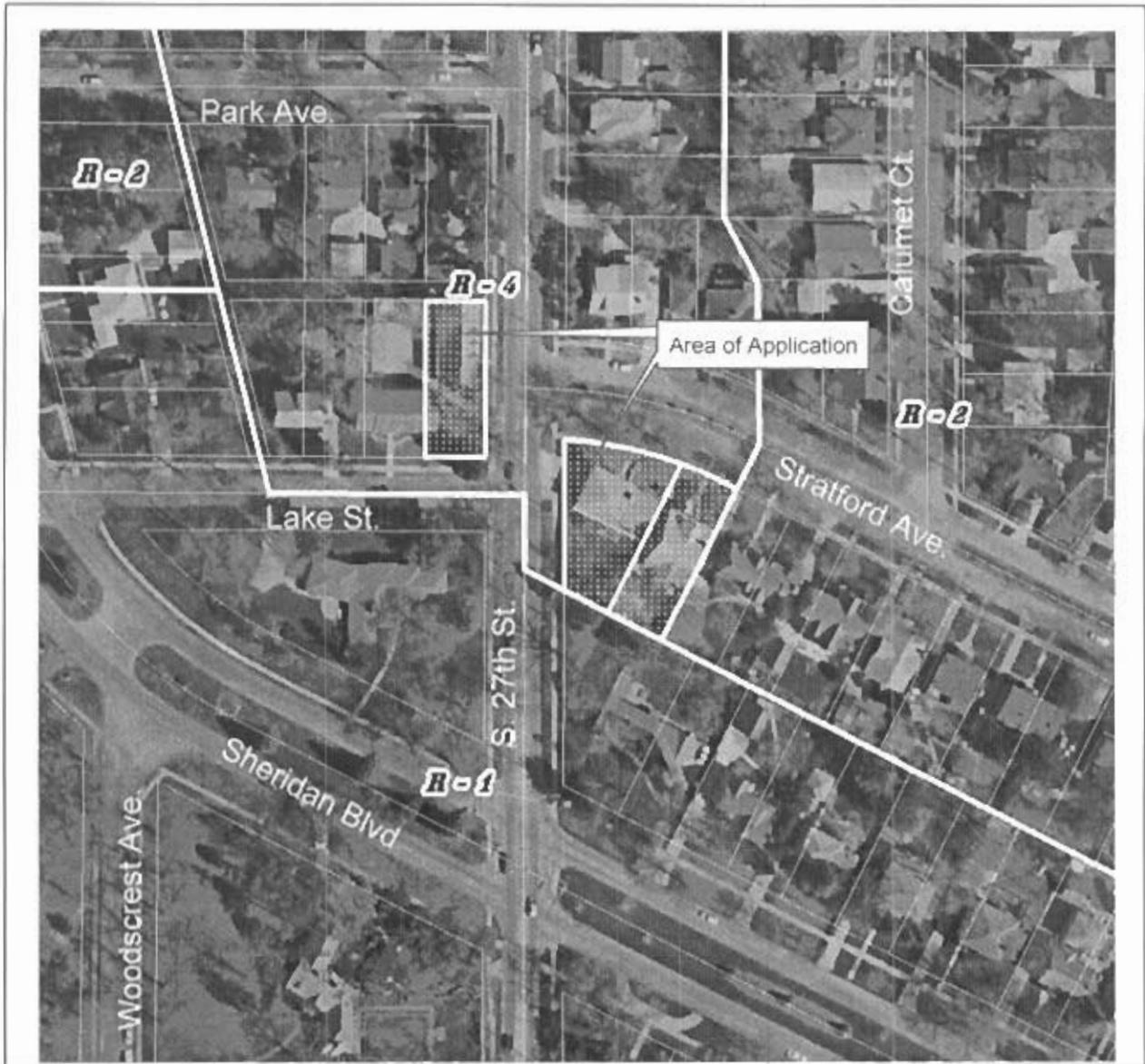
Members present: Carlson, Carroll, Krieser, Larson, Marvin, Sunderman, Bills-Strand and Taylor; Pearson absent.

The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 04036; COUNTY SPECIAL PERMIT NO. 25B; SPECIAL PERMIT NO. 04028; SPECIAL PERMIT NO. 04029; and STREET & ALLEY VACATION NO. 04007.**

Item No. 1.4, Special Permit No. 04029, was removed from the Consent Agenda and scheduled for separate public hearing.

Taylor moved to approve the remaining Consent Agenda, seconded by Larson and carried 8-0: Carlson, Carroll, Krieser, Larson, Marvin, Sunderman, Bills-Strand and Taylor voting 'yes'; Pearson absent.

This is final action on Special Permit No. 04028 and Special Permit No. 04029, 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 #04036 Downzone - Irving Dale and Country Club

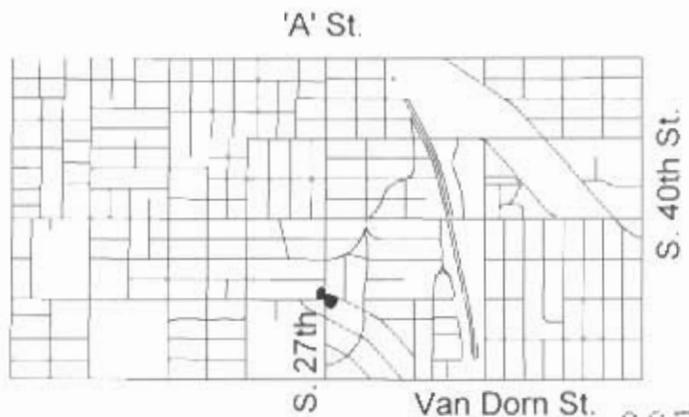
Two Square Mile
Sec. 36 T10N R6E
Sec. 31 T10N R7E

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 Livopin 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



Zoning Jurisdiction Lines
City Limit Jurisdiction



007