

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Change of Zone 3395

DATE: February 12, 2003

SCHEDULED PLANNING COMMISSION MEETING:

DATE: March 5, 2003

PROPOSAL: Rezone approximately 0.58 acres from B-1 Local Business to R-5 Residential to permit the construction of a 5-unit housing facility for developmentally challenged adults.

LAND AREA: 25,278 sq. ft., or 0.58 acres, more or less.

CONCLUSION: While this application is not in strict compliance with the Land Use Plan, it does meet the spirit and intent of the Comprehensive Plan.

RECOMMENDATION:

Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 2, 3, and 4, and the South Half of the east-west alley adjacent thereto, Block 90, Bethany Heights Addition, all located in the NE1/4, Section 21, T10N, R7E, Lancaster County, Nebraska.

LOCATION: North 63rd and Y Streets

APPLICANT: Martin Luther Homes Society
Sandy Volker
650 J Street, Ste. 305
Lincoln, NE 68508
434.3250

OWNER: Chandler A. Tyrrell
3901 South 27th Street, Unit 12
Lincoln, NE 68502
423.6106

CONTACT: Kurtis Suhr
8030 Thornview Road
Lincoln, NE 68506
489.5290

EXISTING ZONING: B-1 Local Business

EXISTING LAND USE: Vacant

SURROUNDING LAND USE AND ZONING:

North:	Vacant, Commercial	B-1 Local Business
South:	Single-Family Residential	R-2 Residential
East:	Commercial	B-1 Local Business
West:	Apartments (via CUP)	R-3 Residential

HISTORY:

May 1979 Prior to the 1979 zoning update, this property was zoned G Local Business District. After the update, the zoning designation changed to B-1 Local Business District.

COMPREHENSIVE PLAN SPECIFICATIONS:

The 2025 Comprehensive Plan Land Use Plan shows this property as Commercial. (F 25)

Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. This can be accomplished in many ways including encouraging appropriate new development on unused land in older neighborhoods... (F 17)

Encourage mixed-use redevelopment, adaptive reuse, and in-fill development including residential, commercial and retail uses. These uses may develop along transit routes and provide residential opportunities for persons who do not want to or cannot drive an automobile. (F 18)

Many activities of daily living should occur within walking distance. (F 18)

The land use plan displays the generalized location of each land use. It is not intended to be used to determine the exact boundaries of each designation. The area of transition from one land use is often gradual. The Comprehensive Plan also encourages the integration of compatible land uses, rather than a strict segregation of different land uses. (F 27)

A safe residential dwelling should be available for each citizen: the efficiency apartment and the country estate, the small single family "starter" home and the large downtown apartment suite, the most affordable and the most expensive dwelling unit, completely independent living and living within the care of others. (F 65)

Provide different housing types and choices, including affordable housing, throughout each neighborhood for an increasingly diverse population. (F 66)

Create housing opportunities for residents with special needs throughout the city that are compatible with residential neighborhoods. (F 66)

Encourage a mix of compatible land uses in neighborhoods, but similar uses on the same block face. Similar housing types face each other: single family faces single family, change to different use at rear of lot. (F 69)

Expansion in existing [commercial] centers should not encroach, or expand to encroach, on existing neighborhoods, and commercial areas must be screened from residential areas. (F 69)

Encourage pedestrian orientation with parking at rear of residential and neighborhood commercial uses. (F 69)

Encourage a mix of housing types, including single family, duplex, attached single family units, apartments, and elderly housing all within one area. Encourage multi-family near commercial centers. (F 69)

The key to both new and existing urban neighborhoods is diversity...For existing neighborhoods, the diversity is often already in place, but efforts must focus on maintaining this balance and variety....New construction should continue the architectural variety, but in a manner that is sympathetic with the existing neighborhoods. Infill development also needs to respect the street pattern, block sizes and development standards of the area, such as having parking at the rear and front porches, windows and doors on the front street side. The diversity of land uses, including commercial and congregate living facilities are important to the diversity of an area, provided they fit within the character of the block and neighborhood. (F 71)

Congregate [housing] facilities should be designed and located to enhance the surrounding neighborhood. Reasonable spacing, design, and operational requirements should be created for all congregate facilities to preserve the neighborhood character while providing for those with special needs. (F 72)

Public Transportation is an essential component of the transportation system and should be integrated with all other transportation modes...These public services are critical to those persons that are dependent on public transit services. (F 97)

HISTORY: No relevant history.

UTILITIES: Public utilities are available to serve this property. However, water main upgrades may be required to provide adequate water pressures for sprinkler systems. See attached memo from Public Works.

TRAFFIC ANALYSIS: The existing and future classification for North 63rd Street and Y Street is Local Street. See attached memo from Public Works.

PUBLIC SERVICE:

StarTRAN provides weekday and Saturday service at the intersection of North 66th and Holdrege Streets, approximately 4 blocks northeast from this location.

The MoPac Trail and Bethany Park are located at the intersection of Vine Street and Cotner Boulevard, approximately 3 blocks south of this location.

The Bethany branch of Lincoln Public Libraries is located at 1810 N. Cotner Boulevard, approximately 8 blocks northeast of this location.

Fire Station #9 is located at 901 N. Cotner Boulevard, approximately 2 blocks southwest of this location.

ANALYSIS:

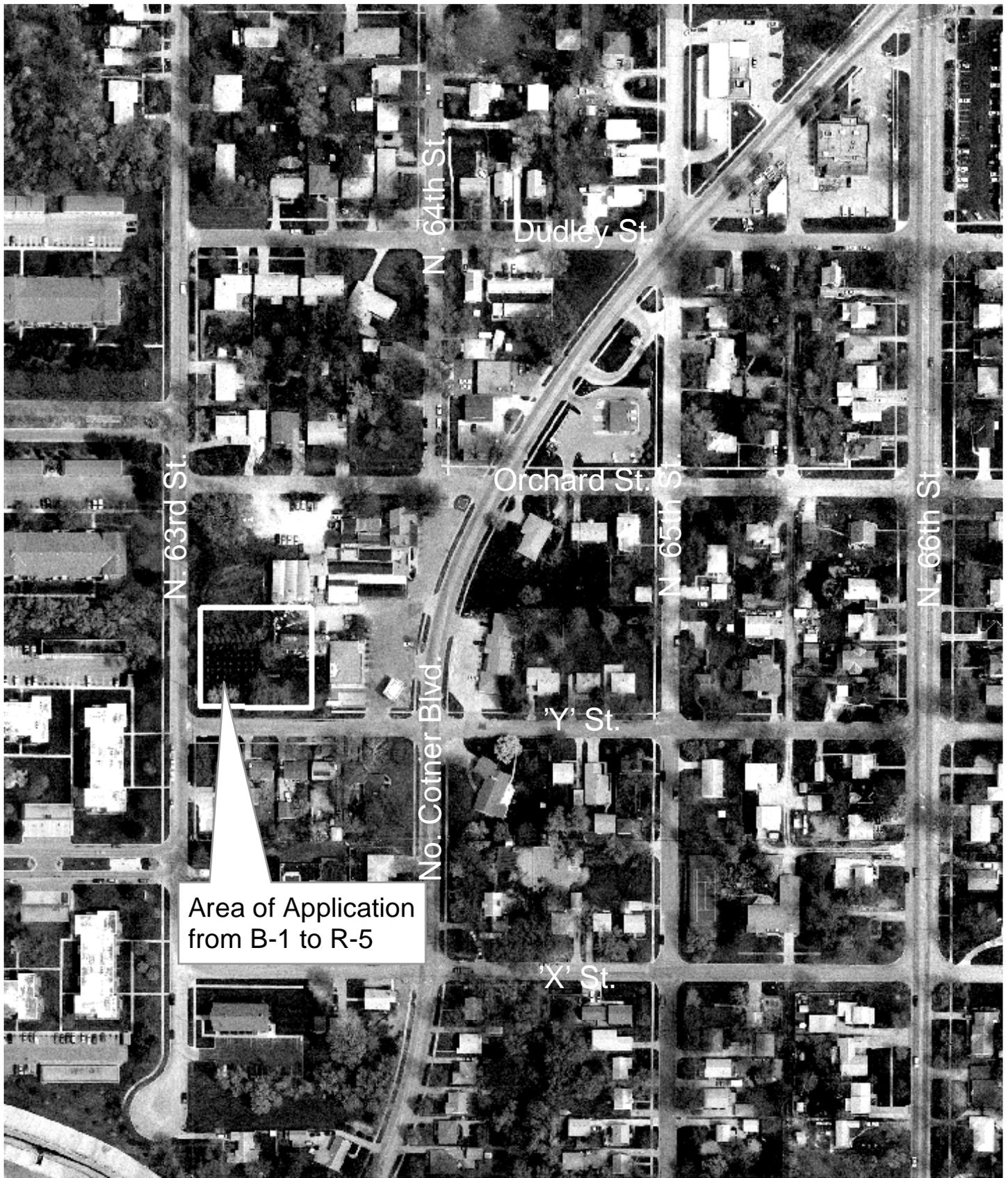
1. This is an application to rezone this property from B-1 Local Business to R-5 Residential in order to allow the development of a 5-unit housing facility for developmentally challenged adults.
2. Although this area is shown Commercial in the Land Use Plan, the Comprehensive Plan recognizes district boundaries are generalized and transitions should be gradual.
3. In this part of Lincoln, the Land Use Designations generally followed the zoning pattern. The general location of commercial activity in this area is along North Cotner Boulevard, without much intrusion into the residential area. This multiple family use would further buffer existing residences from nearby commercial uses.
4. A multiple family use of this property would provide a reasonable transition between the residential and commercial districts. Such a use would also result in residential uses being across the street from one another. Currently, a commercial use could locate here, across from residential uses in two directions.
5. Turning this into a developed site would utilize existing infrastructure already in place. This site is accessible by public utilities, with the only caveat being that water may need to be upgraded to serve sprinkler systems.
6. The Comprehensive Plan discusses the need to provide a variety of housing types within each neighborhood, safe housing for each citizen, and housing for persons with special needs. The proposed development would provide a medium-intensity residential use between single family residences and large scale apartments.
7. The Comprehensive Plan suggests housing should be located within walking distance of daily activities. Many of the prospective tenants may not have the ability to drive. This site places them in close proximity to public transportation, shopping, recreation, and a public library.
8. By changing the zoning of this property to R-5 Residential, this property could be developed to full R-5 potential. This means that based upon the lot area requirement

in the R-5 district of 1,500 square feet of lot per unit, this property could support 16 dwelling units, assuming required open space and parking requirements could also be provided.

9. Driveway locations to the proposed use will need to be reviewed to avoid conflicts with existing driveway uses in the area.
10. The Public Works Department has no objection to this requested change of zone.
11. The Building and Safety Department has not commented on this request.

Prepared by:

Greg Czaplewski
Planner



Area of Application
from B-1 to R-5

Change of Zone #3395 N. 63rd & 'Y' St.



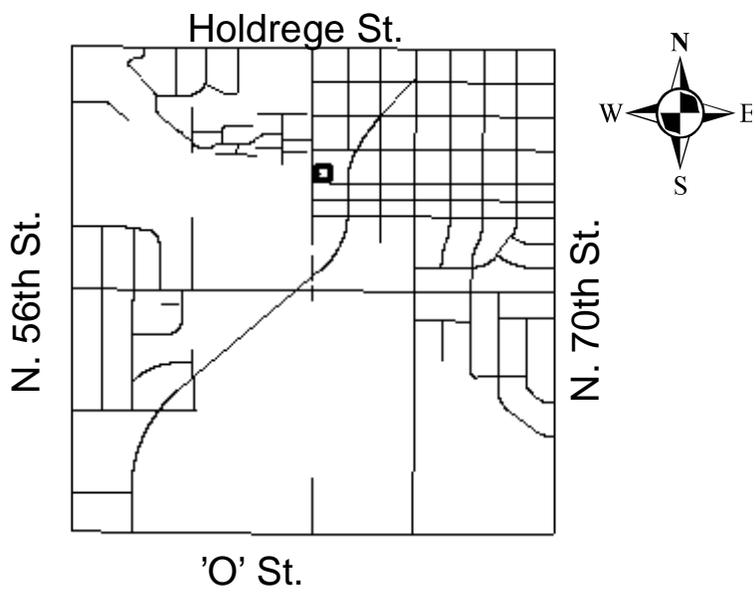
Lincoln City - Lancaster County Planning Dept.
1997 aerial



Change of Zone #3395 N. 63rd & 'Y' St.

- Zoning:**
- R-1 to R-5 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. 21 T10N R7E



: City of Lincoln
: Planning Department
: 555 S 10th Street
: Lincoln, NE 68508

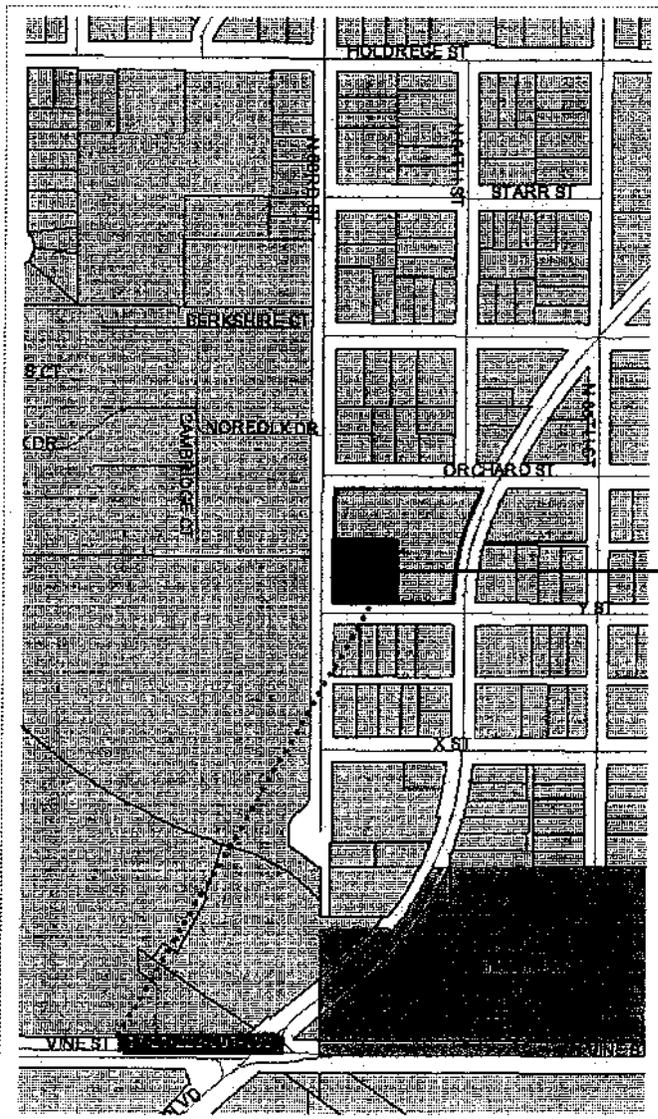
2/5/2003

Re: Martin Luther Homes – Zoning Application
63rd and Y Streets, Lincoln, NE
Project # 2003-1

Dear Sirs:

Martin Luther Homes is proposing to develop five apartments of affordable housing for the developmentally challenged in Lincoln, NE. Funding for the project has been secured via a successful Section 811 grant application to the United States Department of Housing and Urban Development (HUD).

Property for the project has been secured at a site located northeast of the intersection of 63rd and Y Streets as illustrated below.



Project Site Location

- Lots 2,3 and 4 and ½ of east-west alley.
- 166.3 E-W x 152 N-S
- 25,278 sf
- .58 acres.

FEB 5 2003

LINCOLN CITY PLANNING DEPARTMENT

• 8030 Thornview Road, Lincoln, NE 68506
phone / fax • [402] 489.5290
cellular • [402] 580.2312
e-mail • ksarchone@AOL.com

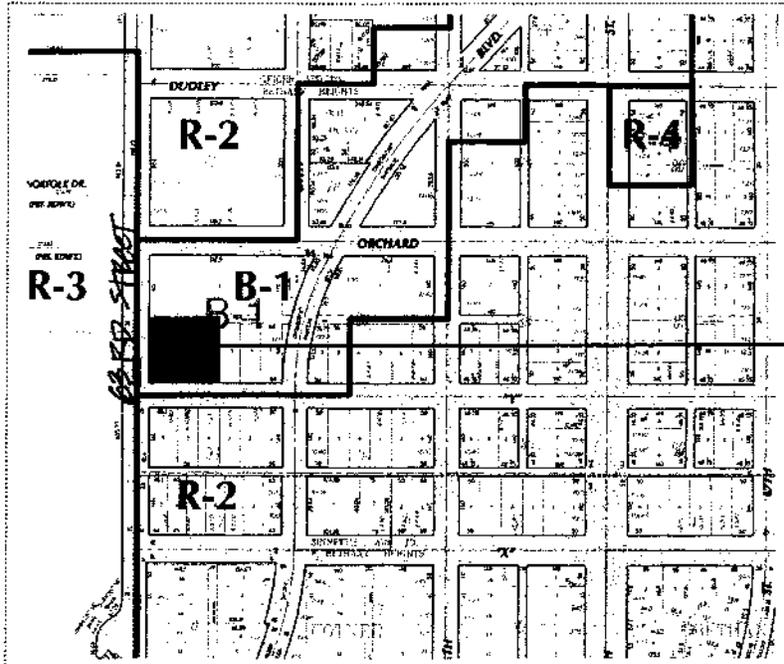
ArchitectureOne

2/5/2003

The property is legally described as:

"Lots 2, 3 and 4, including the South Half of the platted alley way, Block 90, Bethany Heights Subdivision NW/4, NE/4 Sec. 21, T10N, R6E of the 6th Principle Meridian, Lancaster County, Nebraska."

The property currently is zoned B-1 as illustrated below:



Project Site Location

- Lots 2,3 and 4 and 1/2 of east-west alley.
- 166.3 E-W x 152 N-S
- 25,278 sf
- .58 acres.

The current zoning of B-1 does not allow the construction of the proposed housing usage. We requesting the zoning of the property be changed from B-1 to R-5. The area of the site is approximately 25,278 sf or .58 acres. It is surrounded by R-2 zoning south of "Y" Street and R-3 zoning west of North 63rd Street. And if approved, the existing zoning north and east of the site will remain as designated, B-1.

We believe the new zone of R-5 is in character with the existing neighborhood. The majority of the R-2 zoned areas are composed of single family residences and the R-3 zoned area is composed of multistory and multiple tenant apartment structures. The B-1 zoned area is composed of a Kwik Shop at North Cotner and "Y" Street and a Floral Shop at North Cotner and Orchard Street. The proposed building on this site will be one story residential design to complement the single family venacular of the neighborhood and provide a natural transition between the surrounding residential areas and the existing adjacent businesses.

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City of Lincoln
Planning Department
555 S 10th Street
Lincoln, NE 68508

2/5/2003

The square footage of the independent living facility will be approximately 4000 sf consisting of a total of 4 two-bedroom apartment units at 800 sf each and 1 one-bedroom apartment unit at 540 sf for. Note these sizes are regulated by HUD and can not be exceeded. Each dwelling apartment unit will consist of a living room, kitchen/dining area, a bath, bedroom(s), closet with washer and dryer hook-ups, and ample storage space. No staff members will reside in the facility. Common areas will include a Community Room area for resident social gathering, Storage Room and Utility/Mechanical/Maintenance Room.

Enclosed is the CITY OF LINCOLN ZONING APPLICATION and the required \$290.00 application fee. All pertinent information is listed on the application stating the Property Owner as Tyrrell's Flower Inc. (Chandler A. Tyrrell), the Applicant (Permittee) as Martin Luther Society Nebraska Housing Corporation and the Contact person as Sandy Volker.

Please review the application and notify me should additional information be needed.

Sincerely,



Kurtis Suhr

cc. Sandy Volker – Martin Luther Home
Chandler Tyrrell
Hanna:Keelan Associates

RECEIVED

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Memorandum

To: Greg Czaplewski, Planning Department
From: Charles W. Baker, Public Works and Utilities *CB*
Subject: Change of Zone #3395
Date: February 10, 2003
cc: Randy Hoskins
Nicole Fleck-Tooze

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the request for the proposed change of zone for the property located on the northeast corner of North 63rd and "Y" Streets.

The east/west alley north of "Y" Street between North 63rd and Cotner Boulevard is vacated.

Utilities are available to serve this location. However, water main upgrades may be required to provide adequate water pressures for sprinkler systems.

Driveway locations to the proposed Martin Luther Homes Apartments will need to be reviewed to avoid conflicts with existing driveway uses in this area.

Public Works has no objection to the requested change of zone.

