

LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

FROM THE LINCOLN/LANCASTER COUNTY PLANNING DEPARTMENT, 555 S. 10TH STREET, SUITE 213, LINCOLN, NE 68508

APPLICATION NUMBER Change of Zone #17016 North 70 th Project	FINAL ACTION? No	DEVELOPER Almond Opportunity, LLC
PLANNING COMMISSION HEARING DATE June 21, 2017	RELATED APPLICATIONS Comprehensive Plan Amendment #17005	PROPERTY ADDRESS/LOCATION 7620 N 70 th Street

RECOMMENDATION: CONDITIONAL APPROVAL

BRIEF SUMMARY OF REQUEST

This is a request for a change of zone from H-2 Highway Business to I-1 Industrial for 31 acres. The applicant is requesting to redevelop the Abbott Sports Complex for commercial and industrial uses. The first phase is to convert the existing 92,000 square-foot building for industrial use. Future phases could involve redevelopment of the outdoor sports facilities and other buildings. An additional change of zone, along with a preliminary plat, would be required before additional phases can begin.



JUSTIFICATION FOR RECOMMENDATION

Industrial uses are appropriate for this site. N 70th Street north of Cornhusker Highway is almost entirely occupied by existing or future industrial uses. I-1 and I-2 zoning is adjacent to this site on the west, the wastewater treatment plant is to the south, and areas to the north and east are identified as future industrial. Per the zoning agreement, recreational uses would remain 300 feet away from the I-1 district until those areas are redeveloped.

APPLICATION CONTACT

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COMPATIBILITY WITH THE COMPREHENSIVE PLAN

This change of zone is associated with Comprehensive Plan Amendment No. 17005. The suitability of industrial for this site is discussed in more detail in that staff report. With approval of Comprehensive Plan Amendment No. 17005 this site would be within the Industrial future land use designation, which is appropriate for I-1 zoning.

KEY QUOTES FROM THE 2040 COMPREHENSIVE PLAN

P. 12.3 - With approval of Comprehensive Plan Amendment No. 07005 this site would be shown as Industrial on the 2040 Lincoln Area Future Land Use Plan. It is currently shown as Green Space to reflect its use as a recreational facility.

P. 5.18 - Public Health & Safety Measures: Industrial zoning districts should be primarily for industrial uses.

P. 5.5-5.6 - Commercial and Industrial Development Strategies

- It is the policy that Commercial and Industrial Centers in Lancaster County be located:
 - Within the City of Lincoln or incorporated villages.
 - Outside of saline wetlands, signature habitat areas, native prairie and floodplain areas (except for areas of existing commercial and industrial zoning).
 - Where urban services and infrastructure are available or planned for in the near term.
 - In sites supported by adequate road capacity – commercial development should be linked to the implementation of the transportation plan.
 - In areas compatible with existing or planned residential uses.
 - In existing underdeveloped or redeveloping commercial and industrial areas in order to remove blighted conditions and to more efficiently utilize existing infrastructure.
 - In areas accessible by various modes of transportation (i.e. automobile, bicycle, transit, and pedestrian).
 - In a manner that supports the creation and maintenance of green space as indicated in the environmental resources section of this Plan.

P. 5.16 - LPlan 2040 foresees the demand for nearly 1,400 acres of additional industrial property over the planning period.

P. 5.16 - The City's policy is to site Industrial Centers in the land use plan in advance in order to ensure public safety and adequate infrastructure. The Lincoln/Lancaster County Health Department should be involved in all siting of new industrial centers to ensure the public's health and safety.

ANALYSIS

1. This is a request for a change of zone for 31 acres from H-2 Highway Business to I-1 Industrial. The area is currently home to the Abbott Sport Complex. The applicant proposes to redevelop the sports complex into an industrial site.
2. Phase one of the redevelopment project includes conversion of the existing 92,000 square-foot building into an industrial facility. The surrounding recreation fields and other buildings may eventually be redeveloped into a larger commercial and industrial facility with future phases. Prior to redevelopment the facilities might continue to be used for recreation purposes.
3. Comprehensive Plan Amendment No. 17005 is associated with this application. That amendment would change the future land use of this area from Green Space to Industrial.
4. This change of zone is appropriate only with a zoning agreement that addresses several issues regarding the redevelopment. The agreement includes three primary elements, discussed below.
 - a. Construction of new buildings may not occur without approval of a preliminary plat. This change of zone would authorize conversion of the existing 92,000 square-foot building into an industrial facility. A preliminary plat is necessary to determine the location of utility and street connections, grading and drainage, and any other issues that may need to be addressed as this site develops into a larger commercial and industrial complex. The remaining portions of the new I-1 area could be used for low impact industrial uses such as outdoor storage prior to approval of a preliminary plat.
 - b. No youth recreational activities may occur within 300 feet of I-1 zoning. Pages 5.16-5.18 in the Comprehensive Plan note that industrial uses should be separated from residential uses. This also includes other uses with vulnerable populations such as daycares. Approximately the eastern two-thirds of the site, including the tennis courts, are more than 300 feet from the proposed I-1 zoning, so those could remain in use as youth recreational facilities until the site is further developed.

- c. No buildings or storage may be placed in the floodway. This is the general policy per the floodplain regulations, but it is being added to the zoning agreement for clarification. Only a small portion of the change of zone area is within the floodway; this would primarily apply to the future development area.
- 5. A zoning agreement was approved for the site in 2005. The zoning agreement addressed the amount of fill that could be placed in the floodplain. The allowed fill locations were based on the existing and proposed recreational facilities at the time. The fill locations identified in the previous zoning agreement were only shown on the eastern part of the site, east of this change of zone application area. The existing zoning agreement will need to be addressed prior to further redevelopment of the site.
- 6. In 2002 the western half of the sports complex was rezoned from AG Agriculture to H-2 Highway Business. The purpose of the change of zone was to allow for uses such as flea markets, wedding receptions, and trade shows. These uses are prohibited as part of the recreational facilities special permit in AG, but are allowed in H-2. The applicant originally requested I-1, but the Health Department had concerns about allowing I-1 zoning due a school that was temporarily located on the site at the time. The site no longer contains a school. The eastern half of the sports complex was rezoned from AG to H-2 in 2005 with the zoning agreement discussed above.
- 7. Most of the change of zone area is within the floodplain; however, the existing 92,000 square-foot building is not in the floodplain. Conversion of that building would not have a substantial effect on the floodplain. Per the zoning agreement, any new buildings would require a preliminary plat, which would include a plan to address impacts on the floodplain.
- 8. The area is located within City Limits and has access to all utilities.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: Recreational Facility, H-2 Highway Business

SURROUNDING LAND USE & ZONING

North: Agriculture	AG Agriculture
South: Treatment Plant	AG, P Public
East: Recreational Facility	H-2 Highway Business
West: Vacant, Agriculture	I-1 Industrial, I-2 Industrial Park

APPLICATION HISTORY

- December 1992 Annexation No. 92013 approved for the Abbott Sports Complex.

Change of Zone No. 3383 from AG to H-2 approved for the western half of the Abbott Sports Complex.
- October 2005 Change of Zone No. 05050 from AG to H-2 approved for the eastern half of the Abbott Sports Complex. This change of zone included a zoning agreement for the entire H-2 area that limited the amount of fill that could be placed on the site.

APPROXIMATE LAND AREA: 31 acres, more or less

LEGAL DESCRIPTION:

Part of Lot 48, of Irregular Tracts, located in the south half of Section 27, Township 11 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska, described as follows:

Beginning at the southwest corner of said Lot 48; thence north 00°02'15" east (bearings referenced to Lancaster Low Distortion Coordinate System) for 1430.20 feet to the northwest corner of said Lot 48; thence south 88°13'10" east for 949.82 feet on the north line of said Lot 48; thence south 00°01'08" west for 1411.76 feet to the south line of said Lot 48; thence north 89°19'55" west for 949.89 feet to the point of beginning.

Prepared by

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June 12, 2017

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CONDITIONS OF APPROVAL - CHANGE OF ZONE #17016

Site Specific Conditions:

1. The Developer signs a zoning agreement before the City Council approves the change of zone.
2. The City Council approves associated request:
 - 2.1 Comprehensive Plan Amendment No. 17005