

City Council Introduction: **Monday**, March 29, 2004
Public Hearing: **Monday**, April 5, 2004, at **1:30 p.m.**

Bill No. 04-58

FACTSHEET

TITLE: **CHANGE OF ZONE NO. 04012**, from AGR Agricultural Residential District to R-3 Residential District, requested by Hartland Homes, Inc., on property generally located at S.W. 27th Street and West South Street.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 03/17/04
Administrative Action: 03/17/04

STAFF RECOMMENDATION: Approval

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

FINDINGS OF FACT:

1. The staff recommendation to approve this change of zone request is based upon the "Analysis" as set forth on p.3-4, concluding that the change of zone is in conformance with the Comprehensive Plan.
2. On March 17, 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 March 17, 2004, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend approval.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: March 22, 2004

REVIEWED BY: _____

DATE: March 22, 2004

REFERENCE NUMBER: FS\CC\2004\CZ.04012

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for March 17, 2004 PLANNING COMMISSION MEETING

P.A.S.: Change of Zone 04012

PROPOSAL: From AGR, Agriculture Residential to R-3, Residential

LOCATION: SW 27th St. & W. South St.

LAND AREA: 0.75 acres, more or less.

CONCLUSION: The change of zone is in conformance with the 2025 Comprehensive Plan.

<u>RECOMMENDATION:</u>	Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 6-10, Block 37, Hawthorne Addition, all located in the NW 1/4 of Section 33, Township 10 North, Range 6 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska.

EXISTING ZONING: AGR Agricultural Residential

EXISTING LAND USE: Undeveloped

SURROUNDING LAND USE AND ZONING:

North:	R-3 Residential	Multi-family under construction
South:	AGR Agricultural Residential	Vacant
East:	R-3 Residential	Single family residential
West:	P Public	Vacant

HISTORY:

December 30, 2003 Final Plat #03057, Hartland Homes SW 3rd Addition, was approved by the Planning Director.

April 30, 2003 Final Plat #02045, Hartland Homes SW 1st Addition, was approved by the Planning Commission.

November 27, 2002 Final Plat #02037, Hartland Homes SW Addition, was approved by the Planning Commission.

June 17, 2002 Change of Zone #3361 from AGR to R-3 was approved by City Council.

June 17, 2002	Special Permit #1951 for a Community Unit Plan and Preliminary Plat #01020, Hartland Homes SW, was approved by City Council.
April 16, 2001	CZ #3303 changed zoning from AGR to R-3 on approximately 1.25 acres of Lot 102 IT.
April 16, 2001	CZ #3258 changed zoning from AGR to R-3 on approximately 13.26 acres of Lot 102 IT.
April 16, 2001 March 1998	PP #00013 Aspen Ridge was approved allowing 63 single family lots. CZ #3044 changed zoning from AGR to H-4 west of SW 27 th St. north of W. South St.

COMPREHENSIVE PLAN SPECIFICATIONS:

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 in unused land in older neighborhoods, and encouraging a greater amount of commercial space per acre and more dwelling units per acre in new neighborhoods. (F-17)

Acreage areas will be directed to areas outside of the future urban growth areas in order to minimize conflicts between urban and acreage uses and so that the City may provide services as efficiently as possible. (F-17)

The Land Use Plan in the 2025 Comprehensive Plan identifies this 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)

Affordable housing should be distributed throughout the region to be near job opportunities and to provide housing choices within every neighborhood. Preserve existing affordable housing and promote the creation of new affordable housing throughout the community. (F-65)

UTILITIES: Utilities are available to serve this area.

TRAFFIC ANALYSIS: S.W. 27th St. is classified as a local street. W. South St. is classified as an urban collector. Both streets are gravel streets. A paving district has been approved for S.W. 27th St. and W. South St.

ANALYSIS:

1. This proposal is a request is for a change of zone from AGR, Agriculture Residential to R-3 Residential. The area of this request is shown in the Comprehensive Plan as Urban Residential.
2. This request is in conformance with the Comprehensive Plan.

3. The area to the north and east of the subject property was changed from AGR to R-3 in 2002.
4. The approval of this application would allow the area to develop as urban residential keeping in character with the adjacent neighborhood.
5. The 2025 Comprehensive Plan indicates that acreage development be outside the future service limit.
6. Development potential of this land would be 1 dwelling unit under AGR zoning and five dwelling units under R-3 zoning.
7. This area is currently platted into five lots; three lots are 6,250 sq. ft. and two lots are 6,937 sq. ft. The minimum lot area in the R-3 district is 6,000 sq. ft.
8. Changing this area to R-3 would allow development of urban residential on an undeveloped parcel within the city limits.

Prepared by:

Tom Cajka
441-5662
tcajka@ci.lincoln.ne.us

Planner

DATE: March 2, 2004

APPLICANT: Hartland Homes
P. O. Box 22787
Lincoln, NE 68542
(402) 477-6668

OWNER: Same as applicant

CONTACT: Brian D. Carstens and Associates
601 Old Cheney Road, Suite C
Lincoln, NE 68512
(402) 434-2424

CHANGE OF ZONE NO. 04012

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

March 17, 2004

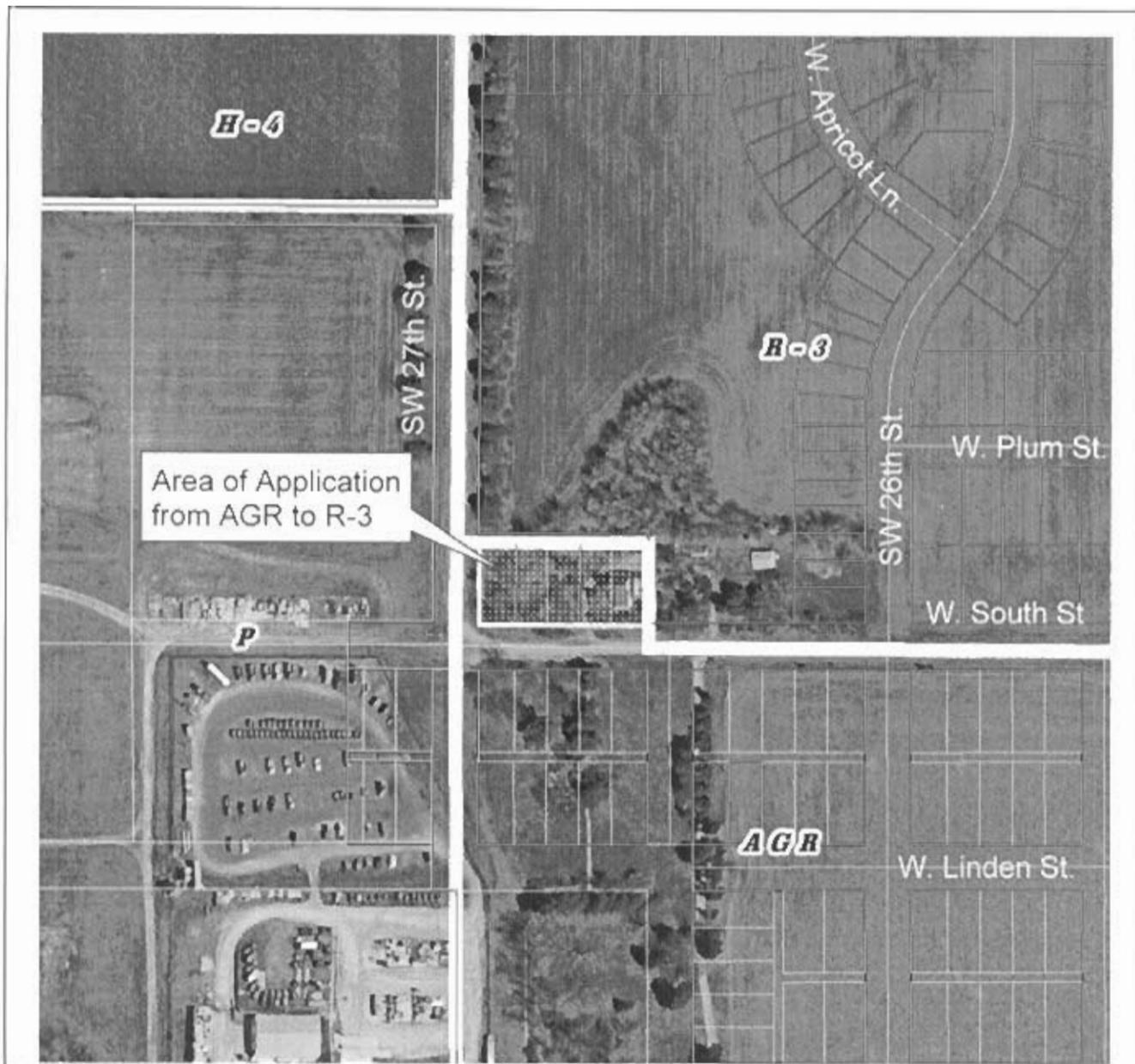
Members present: Carlson, Carroll, Larson, Marvin, Pearson, Bills-Strand, Sunderman and Taylor; Krieser absent.

The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 04008; CHANGE OF ZONE NO. 04012; ANNEXATION NO. 03008; CHANGE OF ZONE NO. 04013; SPECIAL PERMIT NO. 2045, HARTLAND'S CARDINAL HEIGHTS 2ND ADDITION; SPECIAL PERMIT NO. 04005; SPECIAL PERMIT NO. 04010; SPECIAL PERMIT AMENDMENT NO. 04002; and COMPREHENSIVE PLAN CONFORMANCE NO. 03013.**

Item No. 1.3a, Annexation No. 03008; Item No. 1.3b, Change of Zone No. 04013, Item No. 1.3c, Special Permit No. 2045 and Item No. 1.5, Special Permit No. 04010, were removed from the Consent Agenda and scheduled for separate public hearing.

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

Note: This is final action on Special Permit Amendment No. 04002, 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.



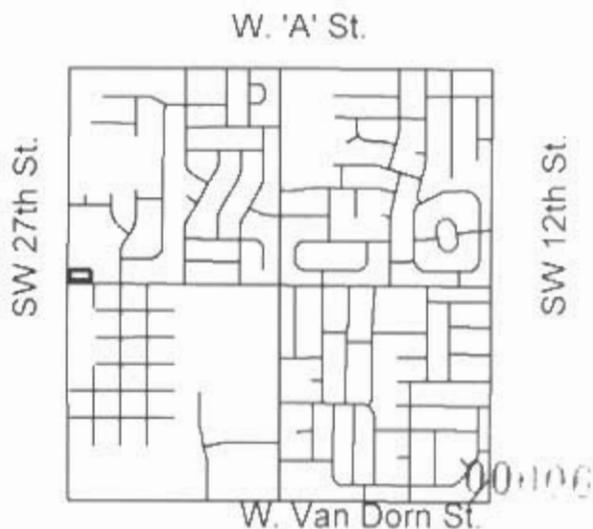
2002 aerial

Change of Zone #04012 SW 27th & W. South St.

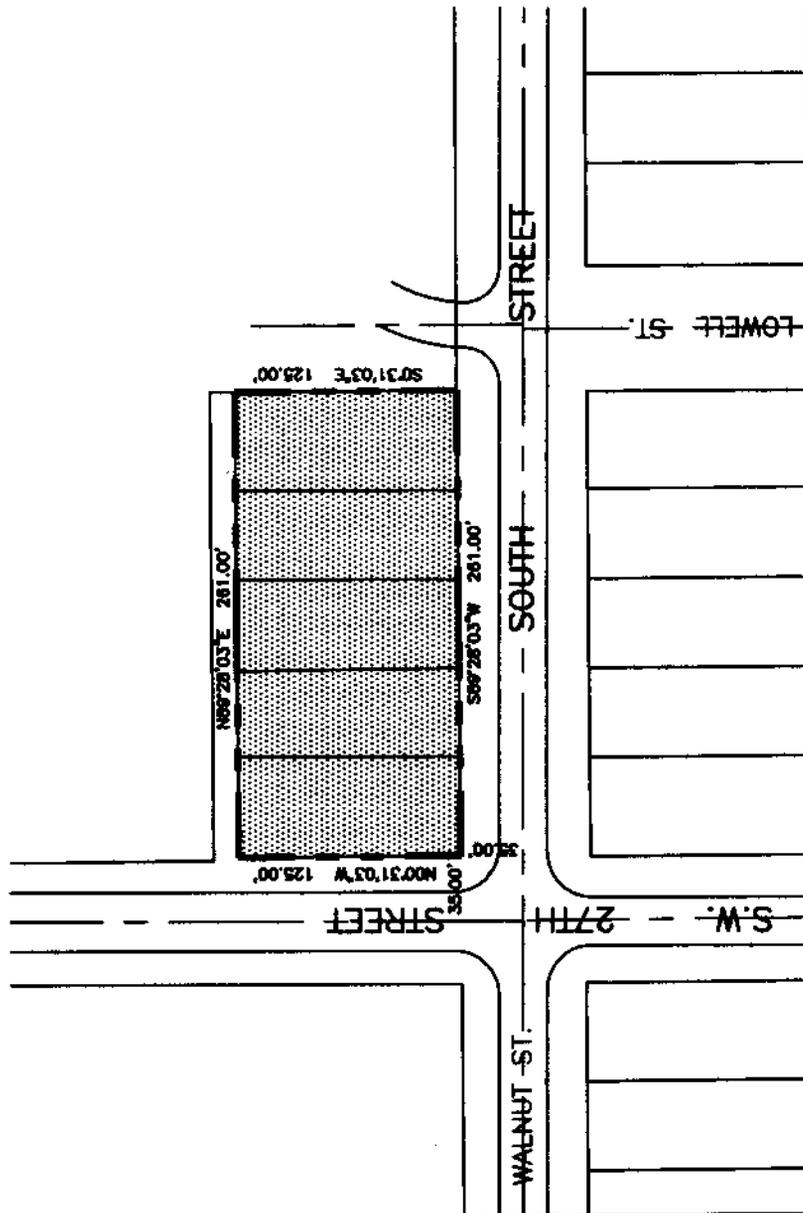
Zoning:

- 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-1 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. 33 T10N R6E



CHANGE OF ZONE FROM 'AGR' TO 'R-3'



SCALE: 1" = 100'

FEB 19 2004
00007

CHANGE OF ZONE FROM 'AGR' TO 'R-3'

LEGAL DESCRIPTION

Lots 6, 7, 8, 9 & 10, Block 37, Hawthorn Addition, all located in the West 1/2 of the Northwest 1/4 of Section 33, Township 10 North, Range 6 East, of the 6th P.M., Lincoln, Lancaster County, Nebraska and more particularly described as follows:

Beginning at the Southwest corner of said Lot 6, said Point being 35.00 feet north and 35.00 feet east of the Southwest corner of said Northwest 1/4 of Section 33, and extending thence N. 0°31'03" W., a distance of 125.00 feet;

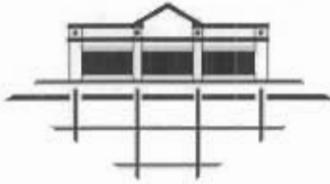
Thence N. 89°28'03" E., a distance of 261.00 feet;

Thence S. 0°31'03" E., a distance of 125.00 feet;

Thence S. 89°28'03" W., a distance 261.00 feet to the Point of Beginning, containing a calculated area of 0.75 acres, more or less.

FEB 19 2004

00008



BRIAN D. CARSTENS AND ASSOCIATES
LAND USE PLANNING RESIDENTIAL & COMMERCIAL DESIGN
601 Old Cheney Road, Suite C Lincoln, NE 68512 Phone: 402.434.2424

February 19, 2004

Marvin Krout
Director of Planning
City of Lincoln/ Lancaster County
555 South 10th Street
Lincoln, NE 68508

RE: CHANGE OF ZONE From 'AGR' to 'R-3'
S.W. 27th Street & South Street

Dear Mr. Krout,

On behalf of Hartland Homes, Inc., we are submitting a revised Change of Zone as shown on the attached exhibit. The Change of Zone consists of 5 existing lots, currently zoned 'AGR', which we are requesting to be changed to 'R-3' zoning. The property to the north and east of the 5 lots has been recently changed to 'R-3' zoning. The existing lots are planned to remain single family residential lots

Please feel free to contact me if you have any further questions.

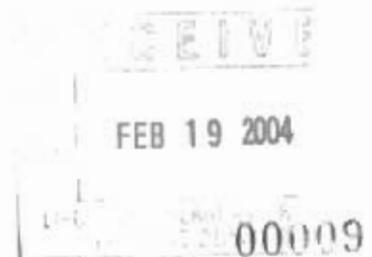
Sincerely,

Brian D. Carstens

cc: Hartland Homes, Inc. / Duane Hartman

ENCLOSURES:

Application for a Change of Zone
Change of Zone Exhibit
Application Fees of \$250.00
Legal Description



Memorandum

To:	Tom Cajka, Planning Dept.
From:	Dennis Bartels, Engineering Services
Subject:	Change of Zone AGR to R3
Date:	February 27, 2004
cc:	Randy Hoskins

The proposed change of zone from AGR to R3 at the northeast corner of Southwest 27th and West South Streets is satisfactory to Engineering Services.