

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT
for JANUARY 25, 2012 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone No.11047

PROPOSAL: From I-1, Industrial to R-4, Residential

LOCATION: N. 33rd Street and Apple Street.

LAND AREA: 1.75 acres, more or less

EXISTING ZONING: I-1, Industrial

CONCLUSION: The change of zone from industrial to residential is in conformance with the 2040 Comprehensive Plan.

RECOMMENDATION:	Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot "F" and a portion of Lot "E", Subdivision of Block One Pecks Grove Addition; and a portion of the vacated Missouri Pacific railroad corridor, located in the NW 1/4 of Section 19-10-07, Lancaster County, NE

EXISTING LAND USE: Outside storage

SURROUNDING LAND USE AND ZONING:

North:	I-1, Industrial	Commercial strip mall and residential
South:	R-4, Residential	Vacant warehouse building and residential
East:	I-1, Industrial	Warehouse
West:	I-1, Industrial	Outside storage yard

ASSOCIATED APPLICATIONS:

Special Permit No. 04023A Flat Iron Crossing Community Unit Plan
Special Permit #11033

HISTORY:

July 26, 2004 Change of Zone #04031 and Special Permit #04023 for Flat Iron Crossing Community Unit Plan was approved by the City Council.

May 17, 2005 Flat Iron Crossing final plat was approved by the Planning Director.

COMPREHENSIVE PLAN SPECIFICATIONS:

The community's present infrastructure investment should be maximized by planning for well-designed and appropriately-placed 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 existing neighborhoods. (p.2.7)

A full range of housing options should be available for rental or ownership: single family homes in new and older neighborhoods, single family homes on small lots, accessory dwelling units, duplexes, townhomes, rowhouses, and apartments. (p.2.9)

Target existing underdeveloped or redeveloping commercial and industrial areas in order to remove blighted conditions and more efficiently utilize existing infrastructure. (p.6.2)

Ensuring safe, adequate, and affordable housing is an important function in maintaining the vitality of neighborhoods and the city as a whole. (p.7.1)

Distribute and preserve affordable housing throughout the community to be near job opportunities and to provide housing choices within existing and developing neighborhoods. (p.7.2)

Provide safe and decent affordable and special need housing for low and moderate income households. (p.7.2)

Promote the preservation, maintenance and renovation of existing housing and neighborhoods throughout the city, with special emphasis on low and moderate income neighborhoods. (p.7.9)

Redevelopment and infill should strive for compatibility with the character of the neighborhood and adjacent land uses. (p.7.10)

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 to another is often gradual. (p.12.1)

The Future Land Use Plan in the 2040 Comprehensive Plan identifies this area as industrial. (p.12.3)

Individual proposals for land use changes should be evaluated using best available information. (p.12.4)

ANALYSIS:

1. City Impact is requesting a change of zone from I-1, Industrial to R-4, Residential in order to develop 9 dwelling units and a parking lot for a Neighborhood Support Services building.
2. This change of zone is associated with a special permit to revise the Flat Iron Crossing Community Unit Plan (CUP) to add ten lots and add a Neighborhood Support Services facility. The CUP includes a larger area zoned R-4.
3. The change of zone will enable additional units to be built on the land. The 2040 Comprehensive Plan supports maximizing the use of land in older neighborhoods and utilizing existing infrastructure. This is reflected in the goal below:

The community's present infrastructure investment should be maximized by planning for well-designed and appropriately-placed 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 existing neighborhoods. (p.2.7)

4. The area to the south zoned R-4 was previously zoned I-1. The proposed change of zone will continue to reduce the industrial uses next to residential.
5. Uses to the north in I-1 zoning are primarily commercial and residential. A rezoning to eliminate this I-1 as well may be appropriate in the future.
6. The area to the north of Overland Trail is currently used as outside storage and open space. The rezoning will allow this area to be redeveloped into a more productive use.
7. Converting the industrial to residential will have a positive impact on the neighborhood and remove blighted conditions.

Prepared by:

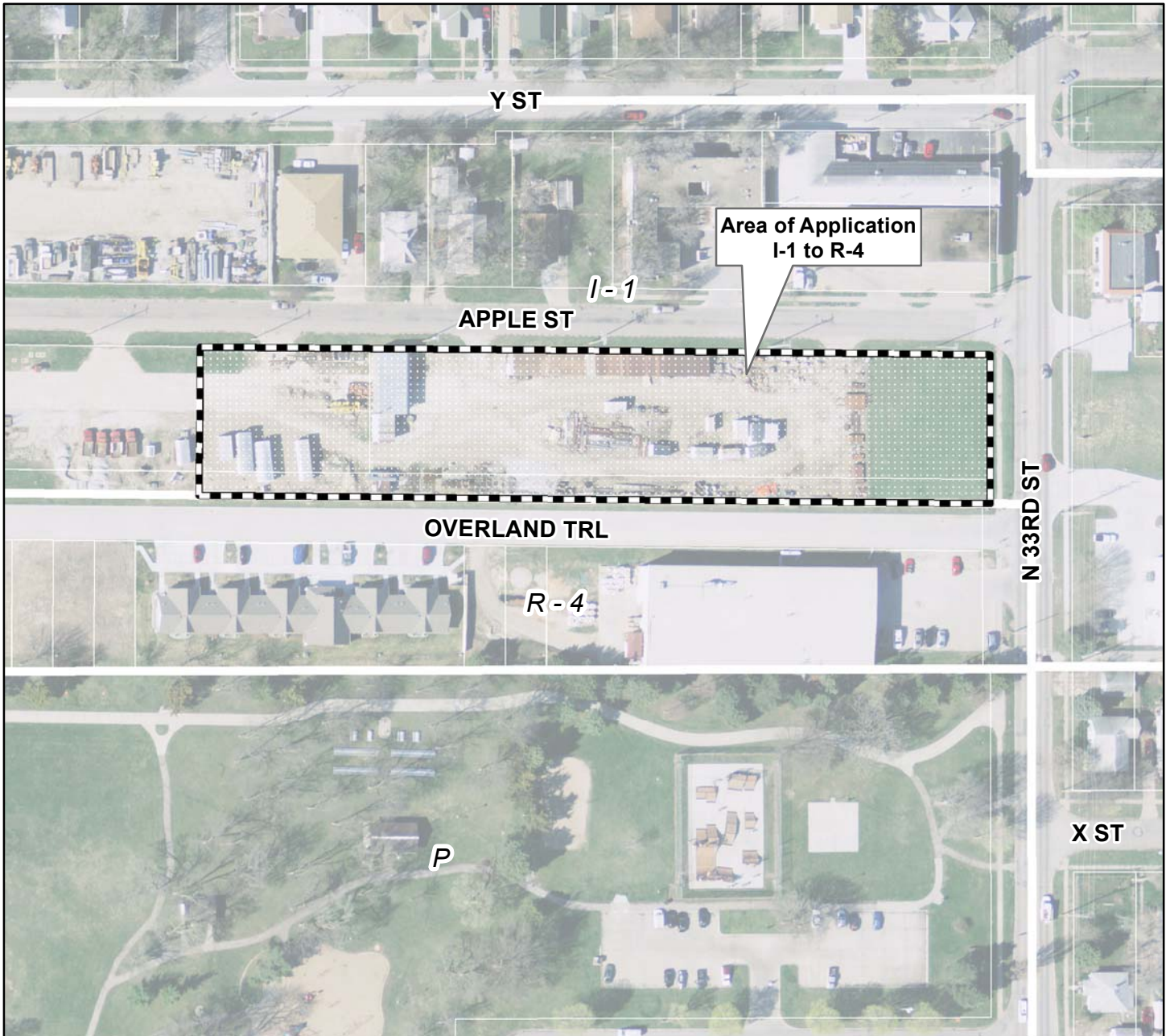
Tom Cajka
Planner

DATE: January 11, 2012

APPLICANT: City Impact
400 N. 27th St.
Lincoln, NE 68503
402-477-8080

OWNER: Same as applicant

CONTACT: Brad Bryan
City Impact
400 N. 27th St.
Lincoln, NE 68503



2010 aerial

Change of Zone #11047 N 33rd & Apple St

Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential 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. 19 T10N R07E

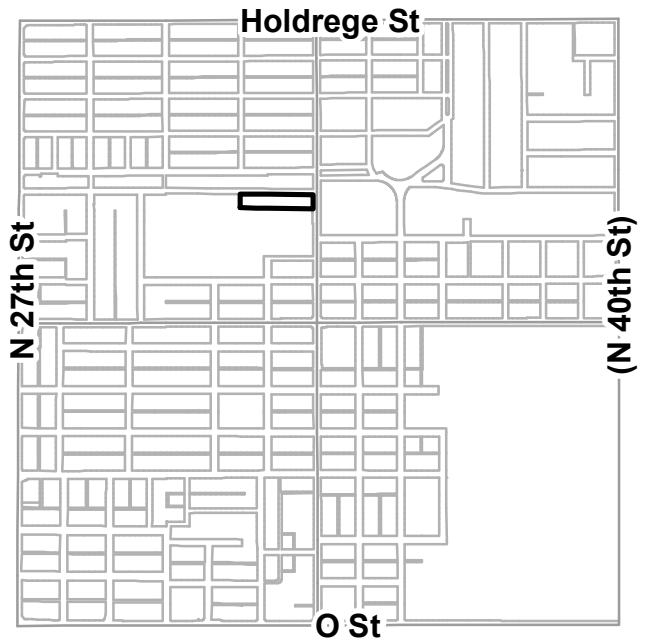
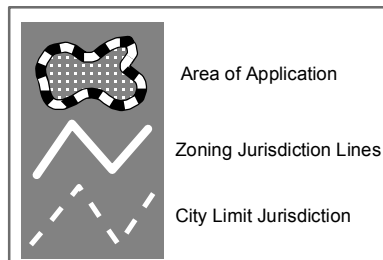


Exhibit B

Change of Zone from I-1 to R-4

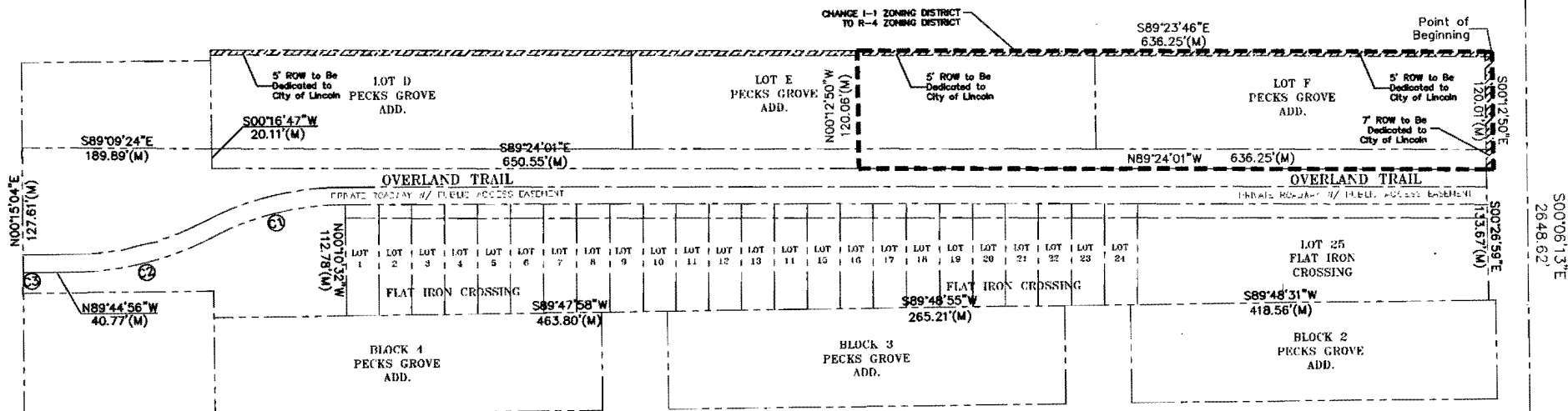
LEGAL DESCRIPTION

A LEGAL DESCRIPTION TO INCLUDE A PORTION OF LOT E AND ALL OF LOT F OF PECKS GROVE ADDITION, AND A PORTION OF THE VACATED MISSOURI PACIFIC RAILROAD, SAID TRACT LOCATED IN THE NW 1/4 OF SECTION 19, TOWNSHIP 10 NORTH RANGE 7 EAST OF THE 6TH P.M., MORE PARTICULARLY DESCRIBED AS FOLLOWS;

BEGINNING AT THE NORTHEAST CORNER OF LOT F OF SAID PECKS GROVE ADD., THENCE ON THE WEST RIGHT OF WAY OF NORTH 33RD STREET FOR THE NEXT 2 COURSES, S00°12'50"E A DISTANCE OF 120.01 FEET; THENCE N89°24'01"W A DISTANCE OF 7.00 FEET; THENCE CONTINUING, N89°24'01"W A DISTANCE OF 629.25 FEET; THENCE N00°12'50"W A DISTANCE OF 120.06 FEET TO THE NORTH LINE OF LOT E OF SAID PECKS GROVE ADD.; THENCE ON THE NORTH LINE OF LOT E AND F OF SAID PECKS GROVE ADD., S89°23'46"E A DISTANCE OF 636.25 FEET TO THE WEST RIGHT OF WAY OF NORTH 33RD STREET AND THE POINT OF BEGINNING. SAID TRACT CONTAINS 76,365.38 SQ. FT., OR 1.75 ACRES MORE OR LESS.

CHANGE OF ZONE EXHIBIT

North 1/4 Sec 19
T10N R7E
33rd and Holdrege
Found Alum. Cop



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	286.50'	137.48'	136.16'	N 76°38'11" E	27°29'35"
C2	313.50'	149.71'	148.29'	S 76°34'14" W	27°21'39"
C3	20.00'	5.81'	5.79'	N 81°55'37" E	16°38'44"

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Gen. 1/4 Sec 19
T10N R7E
33rd and Vine
Found Alum. Cop