

City Council Introduction: **Monday**, March 28, 2005
Public Hearing: **Monday**, April 4, 2005, at **1:30 p.m.**

Bill No. 05-36

FACTSHEET

TITLE: CHANGE OF ZONE NO. 05013, from O-1 Office District to P Public Use District, requested by the State of Nebraska Department of Labor, on property generally located at 16th & K Streets.

STAFF RECOMMENDATION: Approval.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 03/16/05
Administrative Action: 03/16/05

RECOMMENDATION: Approval (9-0: Carlson, Carroll, Krieser, Larson, Marvin, Pearson, Bills-Strand, Sunderman and Taylor voting 'yes').

FINDINGS OF FACT:

1. This proposed change of zone is on property owned by the State of Nebraska. The purpose of this change of zone request is found on p.6. State-owned property adjacent to the south was changed to P Public Use in 1979. The Department of Labor has purchased the building on the subject property which is adjacent to the north and wishes to have both buildings in the same zoning district.
2. The staff recommendation of approval is based upon the "Analysis" as set forth on p.2-3, noting that the property will continue to be subject to the Capitol Environs District regulations, and concluding that the proposed change of zone conforms to the Comprehensive Plan and the Zoning Ordinance.
3. On March 16, 2005, 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 March 16, 2005, the Planning Commission agreed with the staff recommendation and voted 9-0 to recommend approval.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: March 21, 2005

REVIEWED BY: _____

DATE: March 21, 2005

REFERENCE NUMBER: FS\CC\2005\CZ.05013

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for May 12, 2004 PLANNING COMMISSION MEETING

P.A.S.: Change of Zone #05013

PROPOSAL: Change the zoning on property owned by the State from O-1 to P.

LOCATION: 16th and "K" Streets

LAND AREA: 20,100 square feet, more or less.

CONCLUSION: This change of zone conforms to the Comprehensive Plan and the Zoning Ordinance.

RECOMMENDATION:	Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 4, 5, and 6, and the West ½ of the vacated north/south alley adjacent thereto, Block 123, Original Plat, located in the NW1/4 of Section 25 T10N R6E, Lancaster County, Nebraska.

EXISTING LAND USE AND ZONING: State offices O-1 Office

SURROUNDING LAND USE AND ZONING:

North:	Church	O-1 Office
South:	State offices	P Public
East:	Parking lot	R-7 Residential
West:	State Capitol	P Public

HISTORY:

Oct 1979 Change of Zone #1766 changed the zoning on the property adjacent to the south from O-1 Office to P Public. The basis for this change was that the State owned the property. The property was overlooked in the May 1979 zoning update.

May 1979 The zoning update changed the zoning of this property, and the property adjacent to the south, from F Restricted Commercial to O-1 Office.

COMPREHENSIVE PLAN SPECIFICATIONS: The Land Use Plan identifies this area as Commercial. (F 25)

ANALYSIS:

1. This is a request to change the zoning on State-owned property from O-1 Office to P Public.
2. The P Public zoning ordinance states:

This district is intended to provide a district essentially for mapping purposes which will identify real property presently owned and used by any governmental entity, including local, state, or federal governmental units, and put to some form of public use.
3. Although the State has the authority to deviate from local land use controls, regardless of the property's zoning designation, they want to identify their property with the appropriate zoning designation.
4. State-owned property located adjacent to the south was changed to P Public zoning in 1979. That change was a function of the May, 1979 zoning update, but the property was overlooked during the actual update.
5. This property is located in the Capitol Environs District, and these regulations will continue to apply to this property, regardless of zoning or use.
6. Should this property be sold to a private owner, the zoning designation must be changed. The only uses permitted in this district are public uses on publically owned property.

Prepared by:

Greg Czaplewski
441-7620, gczaplewski@lincoln.ne.gov

Date: March 1, 2005

**Applicant
and
Owner:** State of Nebraska Department of Labor
550 South 16th Street
Lincoln, NE 68508
471.2492

Contact: Rob Olson
The Clark Enersen Partners
1010 Lincoln Mall
Lincoln, NE 68508
477.9291

CHANGE OF ZONE NO. 05013

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

March 16, 2005

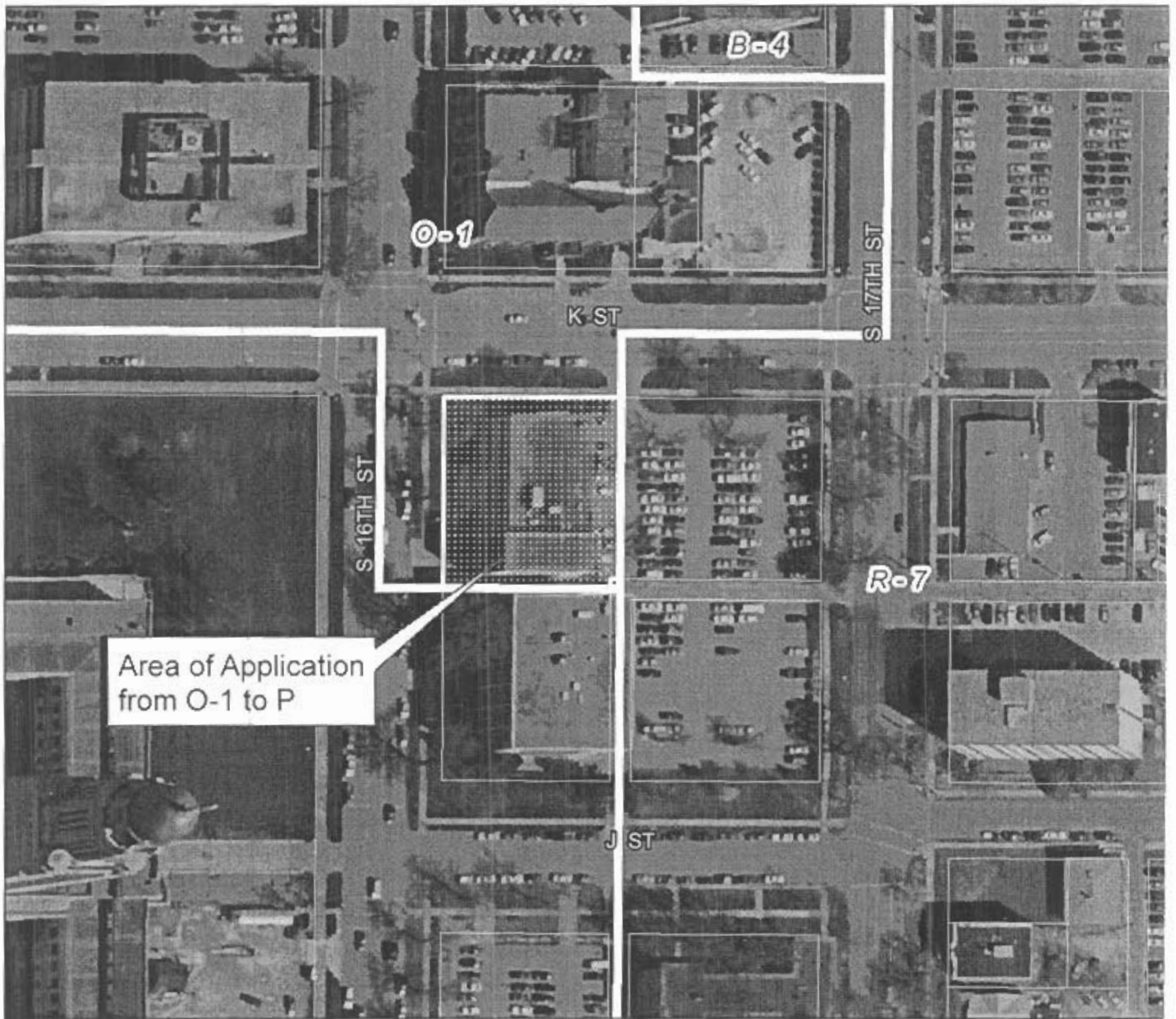
Members present: Carlson, Carroll, Krieser, Larson, Marvin, Pearson, Bills-Strand, Sunderman and Taylor.

The Consent Agenda consisted of the following items: ***CHANGE OF ZONE NO. 05013; SPECIAL PERMIT NO. 1006F; SPECIAL PERMIT NO. 05007; SPECIAL PERMIT NO. 05008, WEST VAN DORN HEIGHTS COMMUNITY UNIT PLAN; SPECIAL PERMIT NO. 04069, WHITETAIL RUN COMMUNITY UNIT PLAN; PRELIMINARY PLAT NO. 04031, WHITETAIL RUN; COUNTY SPECIAL PERMIT NO. 04070, WHITETAIL RUN COMMUNITY UNIT PLAN; COUNTY PRELIMINARY PLAT NO. 04032; WHITETAIL RUN; and COUNTY FINAL PLAT NO. 05011, BEAVER CREEK ADDITION.***

Item No. 1.2, Special Permit No. 1006F; Item No. 1.4, Special Permit No. 05008; Item No. 1.5a, Special Permit No. 04069; Item No. 1.5b, Preliminary Plat No. 04031; Item No. 1.5c, County Special Permit No. 04070; and Item No. 1.5d, County Preliminary Plat No. 04032 were removed from the Consent Agenda and scheduled for separate public hearing.

Taylor moved to approve the remaining Consent Agenda, seconded by Larson and carried 9-0: Carlson, Carroll, Krieser, Larson, Marvin, Pearson, Bills-Strand, Sunderman and Taylor voting 'yes'.

Note: This is final action on Special Permit No. 05007, unless appealed to the City Council within 14 days.



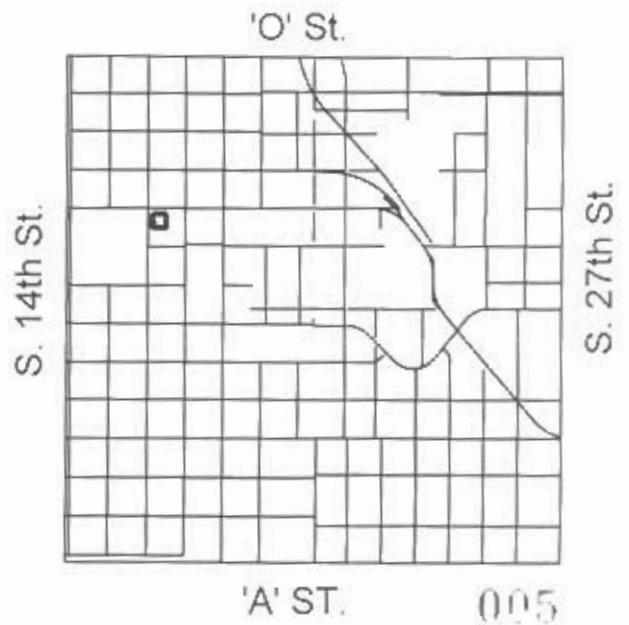
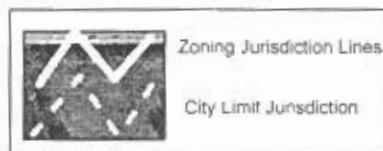
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Change of Zone #05013 S. 16th & K St.

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-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. 25 T10N R6E





MEMORANDUM

Project: Change of Zoning Application
Project Number: 155-22-05
To:
Address:
Attention:
From: The Clark Enersen Partners
Subject: Purpose Statement
Date:
CC:

To Whom It May Concern:

The Nebraska Department of Labor, currently owns and is located in the building at 550 South 16th Street, has purchased the building adjacent to the north at 500 south 16th Street. They request the zoning change from O1 to P to place both buildings in the same zone which would allow the buildings the same latitudes for future modifications to suit the requirements of the Department of Labor.