

City Council Introduction: **Monday**, June 6, 2005
Public Hearing: **Monday**, June 13, 2005, at **1:30 p.m.**

Bill No. 05-68

FACTSHEET

TITLE: **CHANGE OF ZONE NO. 05019**, requested by the Director of Planning, amending Section 27.83.010 of the Lincoln Municipal Code, to establish that the requirements of the Build-Through Acreage (BTA) Overlay District only apply to applications for development submitted after October 25, 2004.

STAFF RECOMMENDATION: Approval.

ASSOCIATED REQUESTS: Miscellaneous No. 05006 (05-71)

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 05/25/05
Administrative Action: 05/25/05

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

FINDINGS OF FACT:

1. This text amendment to Title 27 was heard at the same time as the associated text amendment to Title 26 before the Planning Commission.
2. This proposed amendment clarifies that the build-through requirements only apply to applications for development submitted after October 25, 2004.
3. The staff recommendation of approval is based upon the "Analysis" as set forth on p.2.
4. On May 25, 2005, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
5. On May 25, 2005, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend approval.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: May 31, 2005

REVIEWED BY: _____

DATE: May 31, 2005

REFERENCE NUMBER: FS\CC\2005\CZ.05019

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for May 25, 2005 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone No. 05019
PROPOSAL: To amend the text of Section 27.83.010 of the Lincoln Zoning Ordinance
CONCLUSION: In conformance with the Comprehensive Plan.

RECOMMENDATION:	Approval
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GENERAL INFORMATION:

HISTORY:

October 11, 2004 Change of Zone #04044 to amend the Lincoln Municipal Code, Chapters 27.07 and 27.65 and to add a new Chapter 27.83 to the Zoning Ordinance to adopt "Build-Through" acreage standards was adopted by City Council.

October 11, 2004 Miscellaneous #04008 to amend the Lincoln Municipal Code, Chapters 26.11, 26.15, 26.23, and 26.27 of the Land Subdivision Ordinance to reflect "Build-Through" acreage standards was adopted by City Council

ANALYSIS:

1. This amendment to Section 27.83.010 is to clarify that the build-through requirements only apply to applications for development submitted after October 25, 2004.
2. Following is the proposed text:

27.83.010 Scope of regulations.

The regulations set forth in this chapter, or set forth elsewhere in this title when referred to in this chapter, are regulations of the BTA Build Through Acreage Overlay District. The regulations set forth in this chapter shall only apply to applications for development submitted after October 25, 2004.

Prepared by:

Tom Cajka
Planner

DATE: May 9, 2005
APPLICANT: Director of Planning, Marvin S. Krout

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555 S. 10th St. Suite 213
Lincoln, NE 68508

CHANGE OF ZONE NO. 05019

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

May 25, 2005

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

The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 2382B, an amendment to the STONY RIDGE PLANNED UNIT DEVELOPMENT; CHANGE OF ZONE NO. 05037; *CHANGE OF ZONE NO. 05019*; MISCELLANEOUS NO. 05006; SPECIAL PERMIT NO. 05024; COUNTY SPECIAL PERMIT NO. 05025; COMPREHENSIVE PLAN CONFORMANCE NO. 05004; ANNEXATION NO. 05011; CHANGE OF ZONE NO. 05034; and PRELIMINARY PLAT NO. 05008, EAGLETON HEIGHTS.**

Ex Parte Communications: None.

Item No. 1.1, Change of Zone No. 2382B; Item No. 1.6, Comprehensive Plan Conformance No. 05004; Item No. 1.7a, Annexation No. 05011; Item No. 1.7b, Change of Zone No. 05034; and Item No. 1.7c, Preliminary Plat No. 05008 were removed from the Consent Agenda and scheduled for separate public hearing.

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

Note: This is final action on Comprehensive Plan Conformance No. 05004 and Eagleton Heights Preliminary Plat No. 05008, 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.