

FACTSHEET

TITLE: **CHANGE OF ZONE NO. 05075**, from R-2 Residential District to O-2 Suburban Office District, requested by MDB, Inc., on property generally located at 42nd and Vine Streets.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 02/01/06
Administrative Action: 02/01/06

STAFF RECOMMENDATION: Approval.

RECOMMENDATION: Approval (6-0: Carlson, Carroll, Esseks, Pearson, Sunderman and Taylor voting 'yes'; Krieser, Larson and Strand absent).

FINDINGS OF FACT:

1. This request seeks to change the zoning on a parcel containing a vacant commercial building from R-2 Residential to O-2 Suburban Office.
2. The staff recommendation of approval is based upon the "Analysis" as set forth on p.3, concluding that the site presents a unique challenge due to a long-standing special permit and the pattern of development around the site. Although not shown as commercial, this change is generally consistent with the Comprehensive Plan. The access issues have been agreed upon between the applicant and Public Works.
3. On February 1, 2006, this application appeared on the Planning Commission Consent Agenda and was opened for public hearing. No one came forward to speak.
4. On February 1, 2006, the Planning Commission agreed with the staff recommendation and voted 6-0 to recommend approval (Krieser, Larson and Strand absent).

FACTSHEET PREPARED BY: Jean L. Walker

DATE: February 6, 2006

REVIEWED BY: _____

DATE: February 6, 2006

REFERENCE NUMBER: FS\CC\2006\CZ.05075

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for February 1, 2006 PLANNING COMMISSION MEETING

- PROJECT #:** Change of Zone No. 05075
- PROPOSAL:** From R-2 Residential to O-2 Suburban Office
- LOCATION:** 42nd and Vine Streets
- LAND AREA:** 12,000 square feet, more or less.
- CONCLUSION:** This site presents a unique challenge due to a long standing special permit and the pattern of development around the site. Although not shown as commercial, this change is generally consistent with the Comprehensive Plan.

RECOMMENDATION:	Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: South 100' of Lot 10, Block 3, Paradise Addition, located in the NW1/4 of Section 20 T10N R7E, Lancaster County, Nebraska.

EXISTING LAND USE AND ZONING: Vacant building R-2 Residential

SURROUNDING LAND USE AND ZONING:

North:	Single-family dwellings	R-2 Residential
South:	Cemetery	P Public
East:	Church	R-2 Residential
West:	Television station	R-2 Residential

HISTORY:

- May 1978 Zoning was changed from A-2 Single Family to R-2 Residential.
- Mar 1968 Special Permit #437 approved an ambulance service facility on this property.

COMPREHENSIVE PLAN SPECIFICATIONS: The Land Use Plan identifies this property as Urban Residential. (F 25)

TRAFFIC ANALYSIS: Vine Street is classified as a Minor Arterial and 42nd Street is classified as a Local Street, both now and in the future. (E 49, F 103) This site currently has access to both Vine Street and 42nd Street. Public Works' concerns over access to Vine Street have been addressed with the applicant, though an acceptable site plan has not been agreed upon. The final review and approval of this issue will take place during the building permit review process.

ALTERNATIVE USES: This property could be used for any use allowed in the R-2 zoning district; specifically, it could be subdivided for 2 single-family dwellings, or used for 1 duplex.

ANALYSIS:

1. This is a request to change the zoning on a piece of property containing a vacant commercial building from R-2 to O-2.
2. This property was home to an ambulance service for nearly the past 4 decades. It was then, and still is located on the edge of a residential neighborhood. Nearby, a television station, church, daycare, and shopping center have all located along this section of Vine Street.
3. Ideally, the use of this property would return to residential and the zoning would not change. However, given its location on the edge of residential on an arterial street, neighborhood disruption and impact should be minimal.
4. The O-2 zoning district requires a screen that covers at least 60% of the height from ground level to 10', located along the property line adjacent to a residential use. This requirement is most often met with a 6' tall privacy fence.
5. This proposal was initially submitted in October, 2005, but was held at the applicant's request while they developed a site plan and access provisions that Public Works could accept. The applicant and Public Works have agreed to a site plan.
6. LES has requested a utility easement over the south 10' of the property.
7. A final plat will not be required prior to construction on this lot. Therefore, additional steps should be taken by the applicant to provide a site plan acceptable to Public Works addressing access and dedicating the utility and public access easements..

Prepared by:

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

Date: January 23, 2006

**Applicant
and
Owner:** MDB, Inc.
633 South 112th Street
Lincoln, NE 68526

Contact: Mike Rierden
645 "M" Street, Suite 200
Lincoln, NE 68508
476.2413

CHANGE OF ZONE NO. 05075

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

February 1, 2006

Members present: Carlson, Carroll, Esseks, Pearson, Sunderman and Taylor (Krieser, Larson and Strand absent).

The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 05075, SPECIAL PERMIT NO. 1866A and COMPREHENSIVE PLAN CONFORMANCE NO. 05017.**

Ex Parte Communications: None.

Taylor moved to approve the Consent Agenda, seconded by Esseks and carried 6-0: Carlson, Carroll, Esseks, Pearson, Sunderman and Taylor voting 'yes'; Krieser, Larson and Strand absent.

Note: This is final action on Special Permit No. 1866A and Comprehensive Plan Conformance No. 05017, 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.



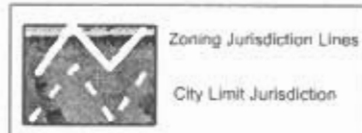
**Change of Zone #05075
N. 42nd & Vine St.**

2005 aerial

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. 20 T10N R7E



Holdrege St.



O St.

N. 56th St.