

FACTSHEET

TITLE: CHANGE OF ZONE NO. 06007, from AG Agricultural District to AGR Agricultural Residential District, requested by William A. Peterson, on property generally located at the northeast corner of the intersection of 84th Street and Waverly Road.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 03/01/06
Administrative Action: 03/01/06

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

STAFF RECOMMENDATION: Approval.

FINDINGS OF FACT:

1. This is a request for change of zone from AG to AGR on a 7.66-acre parcel of land. It is a pre-existing buildable lot located in split jurisdiction. The stated intent is to split the parcel into two three-plus acre parcels.
2. The staff recommendation of approval is based upon the "Analysis" as set forth on p.3, concluding that the change of zone is in conformance with the Comprehensive Plan and abutting acreage development pattern.
3. On March 1, 2006, this application and the associated county application appeared on the Planning Commission Consent Agenda and were opened for public hearing. No one came forward to speak.
4. On March 1, 2006, the Planning Commission agreed with the staff recommendation and voted 6-0 to recommend approval.

FACTSHEET PREPARED BY: Jean L. Walker

REVIEWED BY: 

DATE: March 6, 2006

DATE: March 6, 2006

REFERENCE NUMBER: FS\CC\2006\CZ.06007

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for March 1, 2006 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone #06007 and County Change of Zone #06008 - AG to AGR

NOTE: This is a combined staff report for related items. This report contains a single background and analysis section for all items.

PROPOSAL: A change of zone from AG Agricultural to AGR Agricultural Residential

LOCATION: Northeast corner of the intersection of 84th Street and Waverly Road.

LAND AREA: 7.66 acres, more or less.

CONCLUSION: This is in conformance with the Comprehensive Plan and abutting acreage development pattern.

RECOMMENDATION:	Approval for both applications
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LEGAL DESCRIPTION: Lot 34 located in the SW 1/4 of Section 11, Township 11 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska.

EXISTING LAND USE AND ZONING: Acreage residence zoned AG.

SURROUNDING LAND USE AND ZONING: Acreages to the north, south, east and west, Zoned AG Agriculture to the north, south and west, AGR and AG to the east.

ASSOCIATED APPLICATIONS: City Change of Zone # 06007 and County Change of Zone #06008 are for the same district change on the same property.

HISTORY: Changed from AA Rural and Public Use to AG Agricultural with the adoption of the 1979 Zoning Update. This is adjacent to the original Finigans Subdivision of small acreage lots. This lot was created in 1975 and is a pre-existing "grandfathered" lot.

COMPREHENSIVE PLAN SPECIFICATIONS: In conformance. The 2025 Comprehensive Plan shows this area as Residential Low Density. This is in the Lincoln Growth Tier III.

SPECIFIC INFORMATION:

UTILITIES: There are no utilities or water districts in the area.

TOPOGRAPHY: Gently rolling, draining to the south.

TRAFFIC ANALYSIS: 84th Street is a gravel county road. Waverly Road is a paved county road.

PUBLIC SERVICE: This is in the Waverly Rural Fire District. This is in the Waverly School District. Electric service is by LES.

REGIONAL ISSUES: Acreage development and city growth.

ENVIRONMENTAL CONCERNS: None

AESTHETIC CONSIDERATIONS: NA

ALTERNATIVE USES: Continue as one lot with one dwelling.

ANALYSIS:

1. This request is for a change from AG Agriculture to AGR Agricultural Residential on a 7.66 acre (net) parcel of land.
2. This is a pre-existing buildable lot.
3. The stated intent is a split of the parcel into two three plus acre parcels
4. This is in conformance with the Comprehensive Plan Land Use Maps.
5. The abutting land to the north, east and south is currently platted and developed with three to five acre acreages that are either "grandfathered" or zoned AGR. The land to the west is an AG "cluster". This is compatible with the existing development of the surrounding area.

Prepared by:

Mike DeKalb, AICP
441-6370, mdekalb@ci.lincoln.ne.us
Planner
February 9, 2006

APPLICANT: William A Peterson
12334 N. 84th Street
Lincoln, NE 68517
(402) 467-2917

CONTACT: William A Peterson

OWNERS: William A Peterson

CHANGE OF ZONE NO. 06007

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

March 1, 2006

Members present: Carlson, Carroll, Esseks, Sunderman, Krieser and Taylor; Larson and Strand absent.

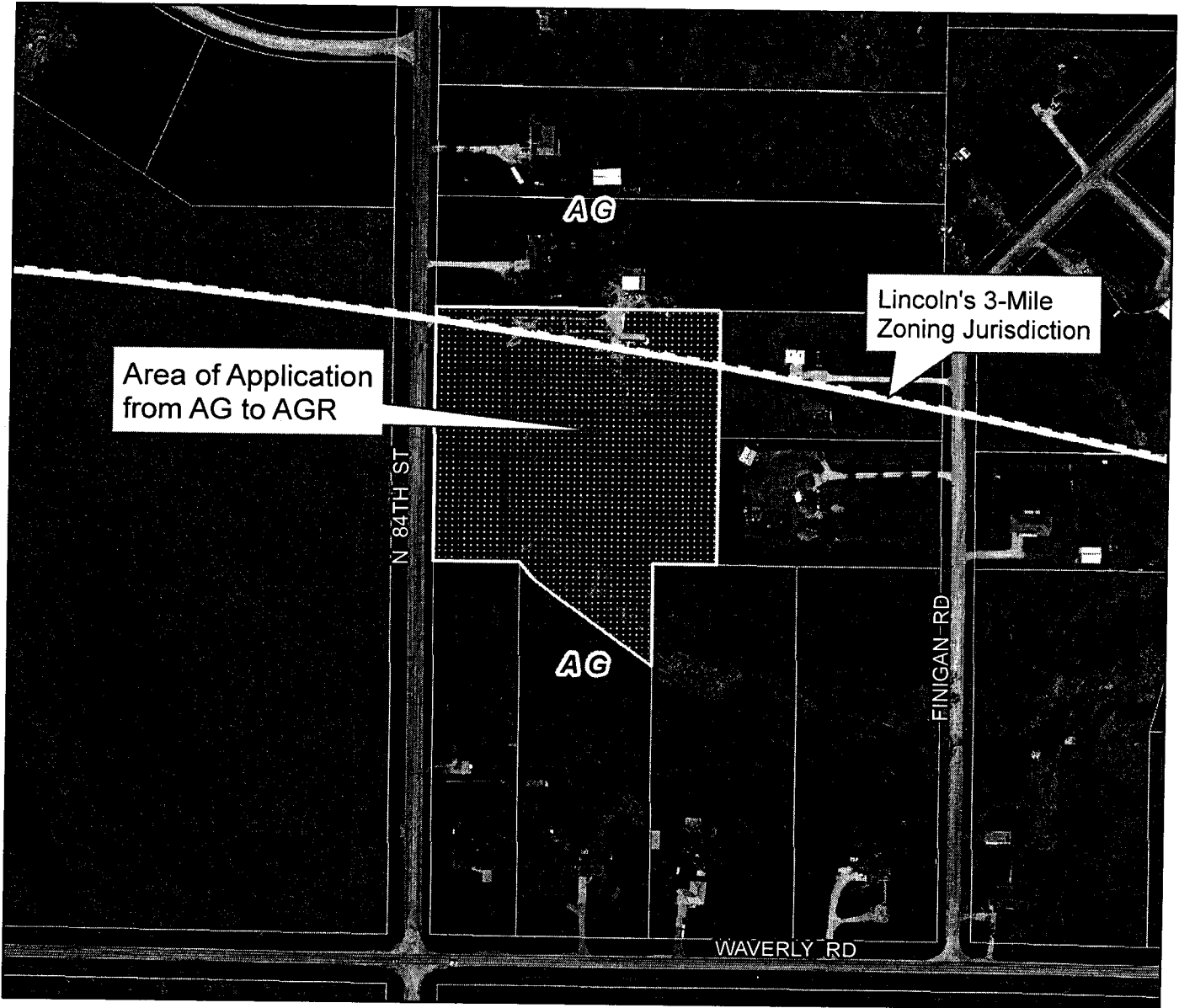
The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 06007; COUNTY CHANGE OF ZONE NO. 06008; CHANGE OF ZONE NO. 06011; USE PERMIT NO. 84B; ANNEXATION NO. 05019; CHANGE OF ZONE NO. 05085, FALLBROOK PLANNED UNIT DEVELOPMENT; ANNEXATION NO. 05016; CHANGE OF ZONE NO. 06009; and SPECIAL PERMIT NO. 06006.**

Ex Parte Communications: None.

Items No. 1.2a and 1.2b, Change of Zone No. 06011 and Use Permit No. 84B; and Items No. 1.3a and 1.3b, Annexation No. 05019 and Change of Zone No. 05085, Fallbrook Planned Unit Development, were removed from the Consent Agenda and had separate public hearing.

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

Note: This is final action on Special Permit No. 06006, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days following the action by the Planning Commission.



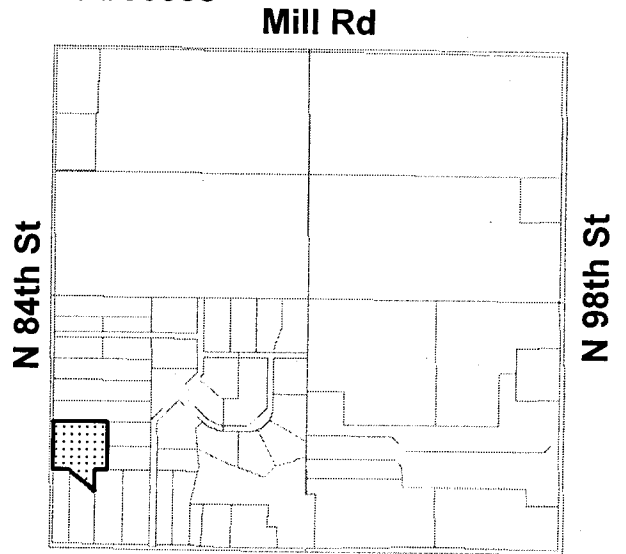
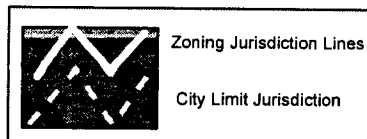
**Change of Zone #06007 & County Change of Zone #06008
84th St & Waverly Rd**

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. 11 T11N R07E



Waverly Rd

005

Official Survey Record

County, Nebraska

Phone (402) 434-2686
Fax (402) 434-2687

ALLIED SURVEYING AND MAPPING, INC.

6120 South 58th Street - Suite "A" - Lincoln, Nebraska 68516

Survey _____

Section ____ T. ____ N., R. ____ of the 6th P.M.

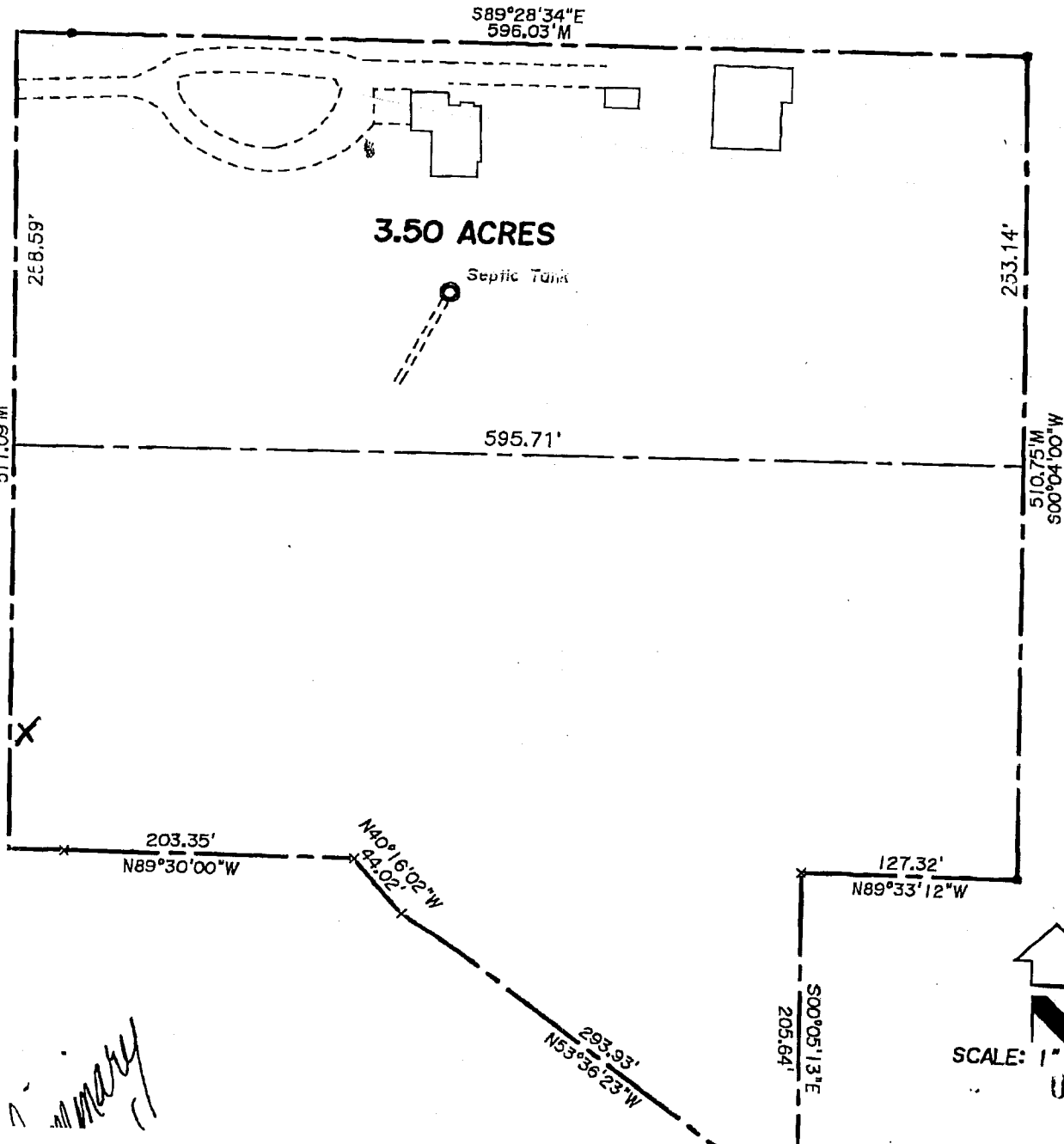
Change of Zone #06007 & County Change of Zone #06008
84th St & Waverly Rd

2005

Dave Livoz

N. 84th

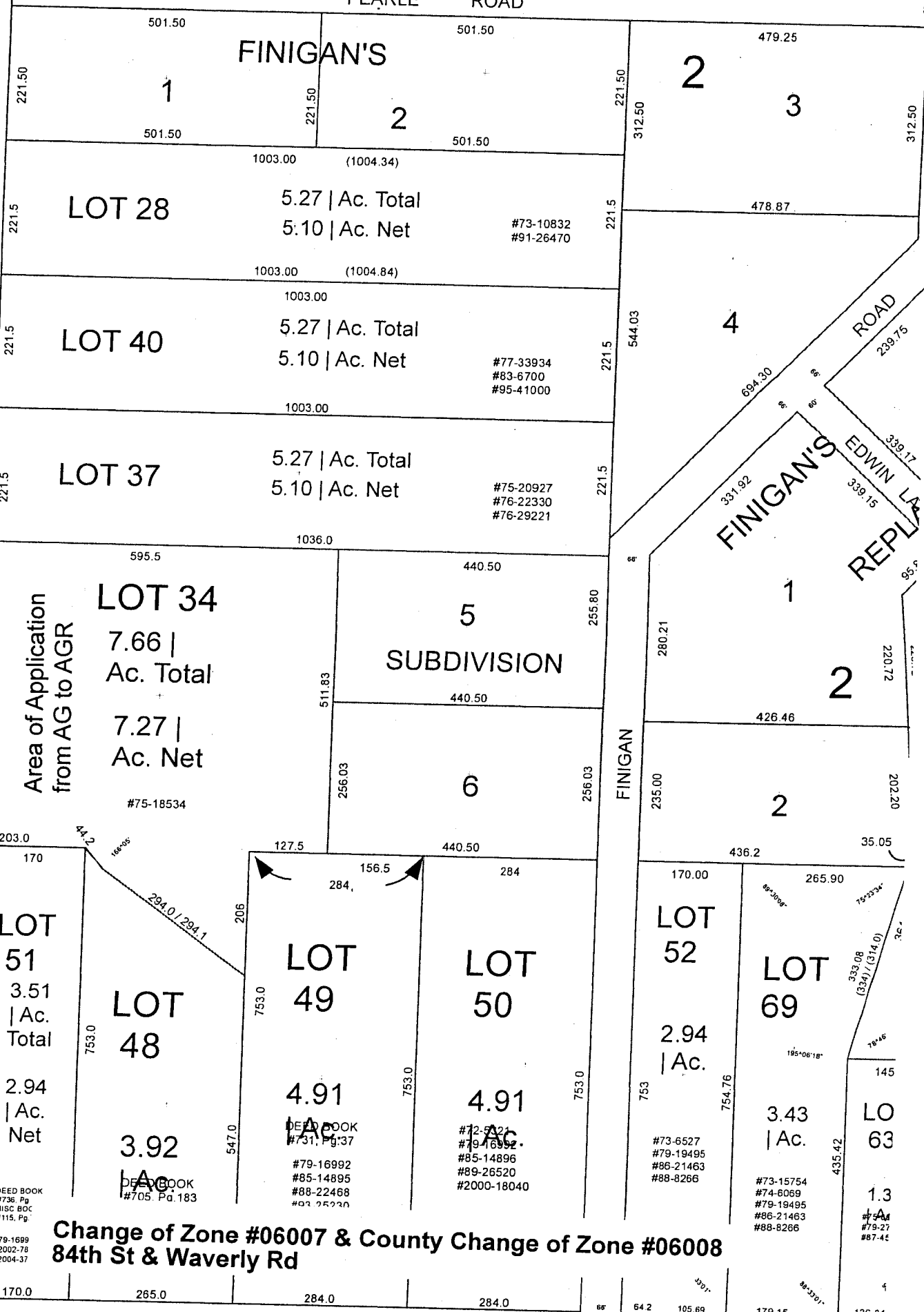
477-4041



SCALE: 1" = 100'
006

[*]

Mary



N 84th St

Area of Application from AG to AGR

Change of Zone #06007 & County Change of Zone #06008
84th St & Waverly Rd

Waverly Rd

Lancaster

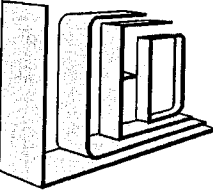
DON R. THOMAS - COUNTY ENGINEER


County

Engineering

Department

DEPUTY- LARRY V. WORRELL
COUNTY SURVEYOR




DATE: February 1, 2006
TO: Mike DeKalb
Planning Department
FROM: Larry V. Worrell 
County Surveyor
SUBJECT: CHANGE OF ZONE NO. 06007
CHANGE OF ZONE NO. 06008
NORTH 84TH STREET AND WAVERLY ROAD

Upon review, this office has no direct objections to this submittal, but would caution that multiple access locations for this property will have to be redefined.

Applicant will have to dedicate 50' right-of-way.

INTER-DEPARTMENT COMMUNICATION



DATE: January 30, 2006
TO: Mike Dekalb, City Planning
FROM: Sharon Theobald 
Ext 7640
SUBJECT: DEDICATED EASEMENTS
DN# 123N-84E

CZ#06007

Attached is the Change of Zone Application for NE of 84th & Waverly, (City Jurisdiction).

In reviewing the dedicated transmission line or other electrical easements shown on this plat, LES does not warrant, nor accept responsibility for the accuracy of any such dedicated easements.

008

ALLTEL, Time Warner Cable, and the Lincoln Electric System will want to retain the existing 8 ft. utility easement along the west line, as marked in red.

**LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION**

TO: Mike DeKalb **DATE:** February 6, 2006
DEPARTMENT: Planning **FROM:** Chris Schroeder
ATTENTION: **DEPARTMENT:** Health
CARBONS TO: EH File **SUBJECT:** NE of 84th & Waverly
EH Administration CZ #06007

The Lincoln-Lancaster County Health Department has reviewed the change of zone application and does not object to the proposed change of zone from AG to AGR.

Memorandum

To: Mike Dekalb, Planning Department
From: Dennis Bartels, Engineering Services
Subject: Change of Zone, AG to AGR, 84th and Waverly Road
Date: January 26, 2006
cc: Randy Hoskins

Public Works has no objections to the change of zone but notes the following:

1. The zone change is in the Tier III area of the comprehensive plan. Smaller lots allowed by AGR are more difficult to develop. Any subdivision should be designed to build thru standards.
2. 60' of right-of-way east of the 84th Street centerline will be requested with any subdivision.