

FACTSHEET

TITLE: **CHANGE OF ZONE NO. 06073**, from H-3 Highway Commercial District to I-1 Industrial District, requested by Ridge Development Company, on property generally located at South 10th Street and Robbers Cave Road.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 11/22/06
Administrative Action: 11/22/06

STAFF RECOMMENDATION: Approval

RECOMMENDATION: Approval (8-0: Cornelius, Esseks, Strand, Larson, Carroll, Sunderman, Krieser and Carlson voting 'yes'; Taylor absent).

FINDINGS OF FACT:

1. The purpose of this change of zone request is to place the entire parcel under one zoning district. Currently, the parcel is split by two zoning districts, I-1 and H-3.
2. The staff recommendation of approval is based upon the "*Analysis*" as set forth on p.3, concluding that the proposed change of zone is in conformance with the Comprehensive Plan. In most circumstances, zoning districts should follow lot lines to avoid potential administrative problems due to two sets of standards.
3. On November 22, 2006, this application appeared on the Planning Commission Consent Agenda and was opened for public hearing. No one came forward to speak.
4. On November 22, 2006, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend approval (Taylor absent).

FACTSHEET PREPARED BY: Jean L. Walker

DATE: November 27, 2006

REVIEWED BY: _____

DATE: November 27, 2006

REFERENCE NUMBER: FS\CC\2006\CZ.06073

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for NOVEMBER 22, 2006 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone No. 06073

PROPOSAL: From H-3, Highway Commercial District to I-1 Industrial District

LOCATION: S. 10th St. & Robbers Cave Rd.

LAND AREA: 1.42 acres, more or less

EXISTING ZONING: H-3, Highway Commercial District

CONCLUSION: The applicant has indicated that the purpose for this change of zone is to place the parcel all under one zoning jurisdiction. Currently the parcel is split by two zoning districts I-1 and H-3. In most circumstances, zoning districts should follow lot lines to avoid potential administrative problems due to two sets of standards. This application is in conformance with the Comprehensive Plan.

RECOMMENDATION:

APPROVAL

GENERAL INFORMATION:

LEGAL DESCRIPTION: ROBBERS CAVE SUBDIVISION, LOT 3, located in the NE 1/4 of Section 2-9-6, Lancaster County , Nebraska

EXISTING LAND USE: Undeveloped

SURROUNDING LAND USE AND ZONING:

North:	I-1 Industrial and H-3 Highway Commercial,	Grain Elevators & Driveway
South:	I-1 Industrial and H-3 Highway Commercial,	Vehicle Repair Shop
East:	H-3 Highway Commercial,	2 Fast Food Restaurants
West:	I-1 Industrial,	Grain Elevators

HISTORY:

March 1971 Administrative Subdivision was approved by the Planning Director

Prior to 1979 this area was zoned K - Light Industrial

1979 zoned I-1 Industrial Park District and H-3 Highway Commercial

COMPREHENSIVE PLAN SPECIFICATIONS:

The Comprehensive Plan is the basis for zoning and land development decisions. It guides decisions that will maintain the quality and character of the community's established neighborhoods. (F-15)

The land use map shows this area as both Industrial and commercial. (F -23)

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 is often gradual. The Comprehensive Plan also encourages the integration of compatible land uses, rather than a strict segregation of different land uses. (F-27)

TOPOGRAPHY: There is a significant drop off slope to the west and north side of the parcel that separates the grain elevators from the H-3 zoning district.

ANALYSIS:

1. The existing parcel is split by two zoning districts I-1 to the west and H-3 to the east with the larger part of the parcel in I-1.
2. The I-1 district is intended for developing area representing light and heavy industrial uses and having a relatively high intensity of use and land coverage. In contrast the H-3 district is for a redeveloping area intended to provide for low-density commercial uses requiring high visibility and/or access from major highways.
3. The parcel is not visible from and does not front on to a major highway. It sits behind parcels abutting 10th Street. The only access to this parcel is from Robbers Cave Road, a private roadway. The two fast food restaurants to the east of the parcel also take access from Robbers Cave Road.
4. The change of zone should have no negative impact on adjacent properties.
5. There were no objections from other City departments.

Prepared by:

Christy Eichorn
Planner

DATE: November 7, 2006

APPLICANT: Ridge Development Company
2001 Pine Lake Road, Suite 100
Lincoln, NE 68516
(402-421-1627)

OWNER: Ridge Development Company
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Lincoln, NE 68516
(402-421-1627)

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Lincoln, NE 68508
(402-435-6000)

CHANGE OF ZONE NO. 06073

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

November 22, 2006

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

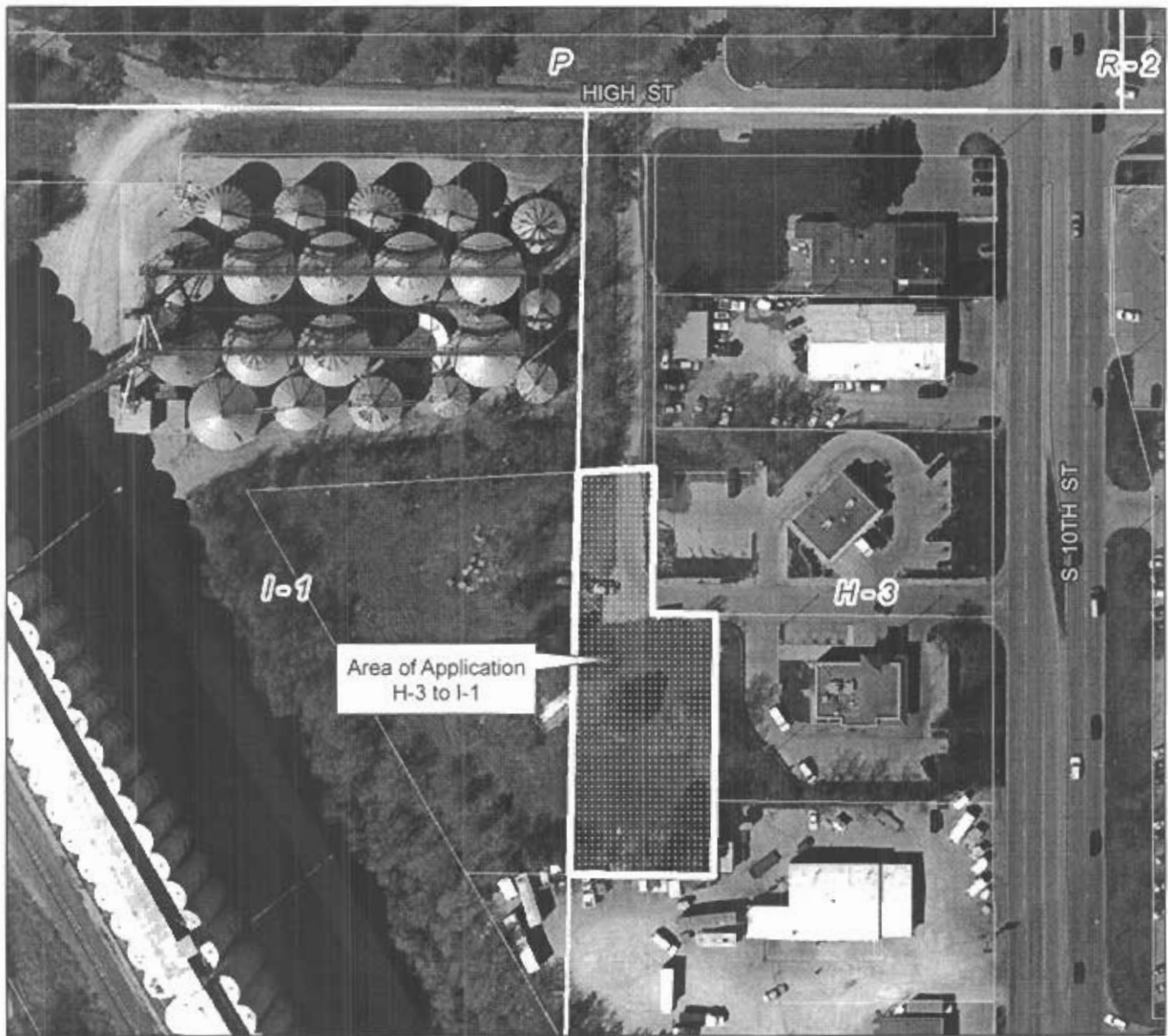
The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 06073; CHANGE OF ZONE NO. 06074; SPECIAL PERMIT NO. 531F, SALT VALLEY VIEW COMMUNITY UNIT PLAN; ANNEXATION NO. 06018; ANNEXATION NO. 06019; and CHANGE OF ZONE NO. 06075, WILDERNESS COMMONS PLANNED UNIT DEVELOPMENT; COMPREHENSIVE PLAN CONFORMANCE NO. 06016; and STREET & ALLEY VACATION NO. 06008.**

Ex Parte Communications: None.

Item No. 1.4a, Annexation No. 06019, and Item No. 1.4b, Change of Zone No. 06075, were removed from the Consent Agenda and scheduled for separate public hearing due to additional information from staff.

Carroll moved approval of the remaining Consent Agenda, seconded by Larson and carried 8-0: Carlson, Carroll, Cornelius, Esseks, Krieser, Larson, Strand and Sunderman voting 'yes'; Taylor absent.

Note: This is final action on Special Permit No. 531F and Comprehensive Plan Conformance No. 06016, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days of the action of the Planning Commission.



**Change of Zone #06073
S 10th & High Streets**

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. 02 T09N R06E

