

City Council Introduction: **Monday**, June 2, 2008
Public Hearing: **Monday**, June 9, 2008, at **1:30 p.m.**

Bill No. 08-65

FACTSHEET

TITLE: **CHANGE OF ZONE NO. 08018**, from O-2 Suburban Office District to R-7 Residential District and P Public Use District, requested by the Gamma Phi Beta Building Association and the Director of Planning, on property generally located at North 16th Street between R and S Streets.

STAFF RECOMMENDATION: Approval.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 05/21/08
Administrative Action: 05/21/08

RECOMMENDATION: Approval (8-0: Gaylor Baird, Carroll, Cornelius, Taylor, Larson, Esseks, Francis and Sunderman voting 'yes').

FINDINGS OF FACT:

1. The subject property is owned by the University. The sorority is considered a nonstandard use since sororities are not allowed in the existing O-2 zoning. Sororities are permitted in the R-7 district.
2. The staff recommendation of approval is based upon the "Analysis" as set forth on p.3, concluding that the approval of this change of zone will reflect the existing land use of the properties. Property owned by the University of Nebraska should be zoned P Public. The R-7 zoning for the sorority will change its status from a nonstandard use to a permitted use.
3. On May 21, 2008, 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 May 21, 2008, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend approval.

FACTSHEET PREPARED BY: Jean L. Preister

DATE: May 22, 2008

REVIEWED BY: _____

DATE: May 22, 2008

REFERENCE NUMBER: FS\CC\2008\CZ.08018

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for MAY 21,2008 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone No.08018

PROPOSAL: From O-2 Suburban Office District to R-7 Residential District and P Public

LOCATION: N. 16th St. between R and S Streets.

LAND AREA: Proposed R-7 area is approximately 11,600 sf.
Proposed "P" area is approximately 5,900 sf

EXISTING ZONING: O-2 Suburban Office District

CONCLUSION: The approval of this zoning application will reflect the existing land use of the properties. Property owned by the University of Nebraska should be zoned P- Public. The R-7 zoning for the sorority will change its status from a non-standard use to a permitted use.

RECOMMENDATION:	Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: from O-2 Suburban Office District to R-7 Residential District, on property legally described as the east 30' of the north 67' of the south 142' of Lot C, County Clerk's Subdivision of Lot 29, S.W. Little's Subdivision, and the north 75' of the south 150' of Lot 30, S.W. Little's Subdivision, and the north 15' of Lot 4, Raymond's Subdivision of Lot 10; and from O-2 Suburban Office District to P Public District, on property legally described as the east 30' of the north 8' of the south 75' of said Lot C, County Clerk's Subdivision of Lot 29, and the north 8' of the south 75' of said Lot 30, S. W. Little's Subdivision, and all of Lot 4, except the north 15' thereof of said Lot 4, Raymond's Subdivision of Lot 10; all located in the SW 1/4 of Section 24-10-6, Lancaster County, Nebraska, generally located at N. 16th Street and R Street.

EXISTING LAND USE: Sorority, parking lot and open space.

SURROUNDING LAND USE AND ZONING:

North:	R-7 Residential	Fraternities and sororities
South:	P Public	Wick Alumni Center and open space
East:	R-7 Residential	Fraternities and sororities
	P Public	Dormitories
West:	P Public	Wick Alumni center and open space

HISTORY:

December 3, 2007 Change of Zone #07054 to designate the Gamma Phi Beta Sorority House as a Landmark was approved by the City Council.

July 1979 Change of Zone #1699 from O-2 to R-7 for 2 sororities located at the northwest corner of 17th & R Streets was approved by the City Council.

This area was changed from "F" Restricted Commercial District to O-2 Suburban Office District with the 1979 zoning update.

ANALYSIS:

1. This application is for a change of zone from O-2 to R-7 for a sorority and from O-2 to "P" for property owned by the University.
2. The sorority is considered a non-standard use since sororities are not allowed in the O-2 district. Sororities are permitted in the R-7 district. With the R-7 district, the status of the sorority changes from non-standard use to permitted use.
3. This change of zone is to change the zoning map to reflect ownership and consistent zoning for similar uses.

Prepared by:

Tom Cajka
Planner

DATE: May 5, 2008

APPLICANT: Gamma Phi Beta Building Association
415 N. 16th St.
Lincoln, NE 68508
(402) 314-5731
and
Marvin Krout, Planning Director
Lincoln/Lancaster County Planning Department
(402) 441-7491

OWNER: Gamma Phi Beta, University of Nebraska Board of Regents, and Nebraska Beta Alumnae Association.

CONTACT: Joan Kopf (402) 314-5731
Marvin Krout (402) 441-7491

CHANGE OF ZONE NO. 08018

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

May 21, 2008

Members present: Gaylor Baird, Carroll, Cornelius, Esseks, Francis, Larson, Sunderman and Taylor.

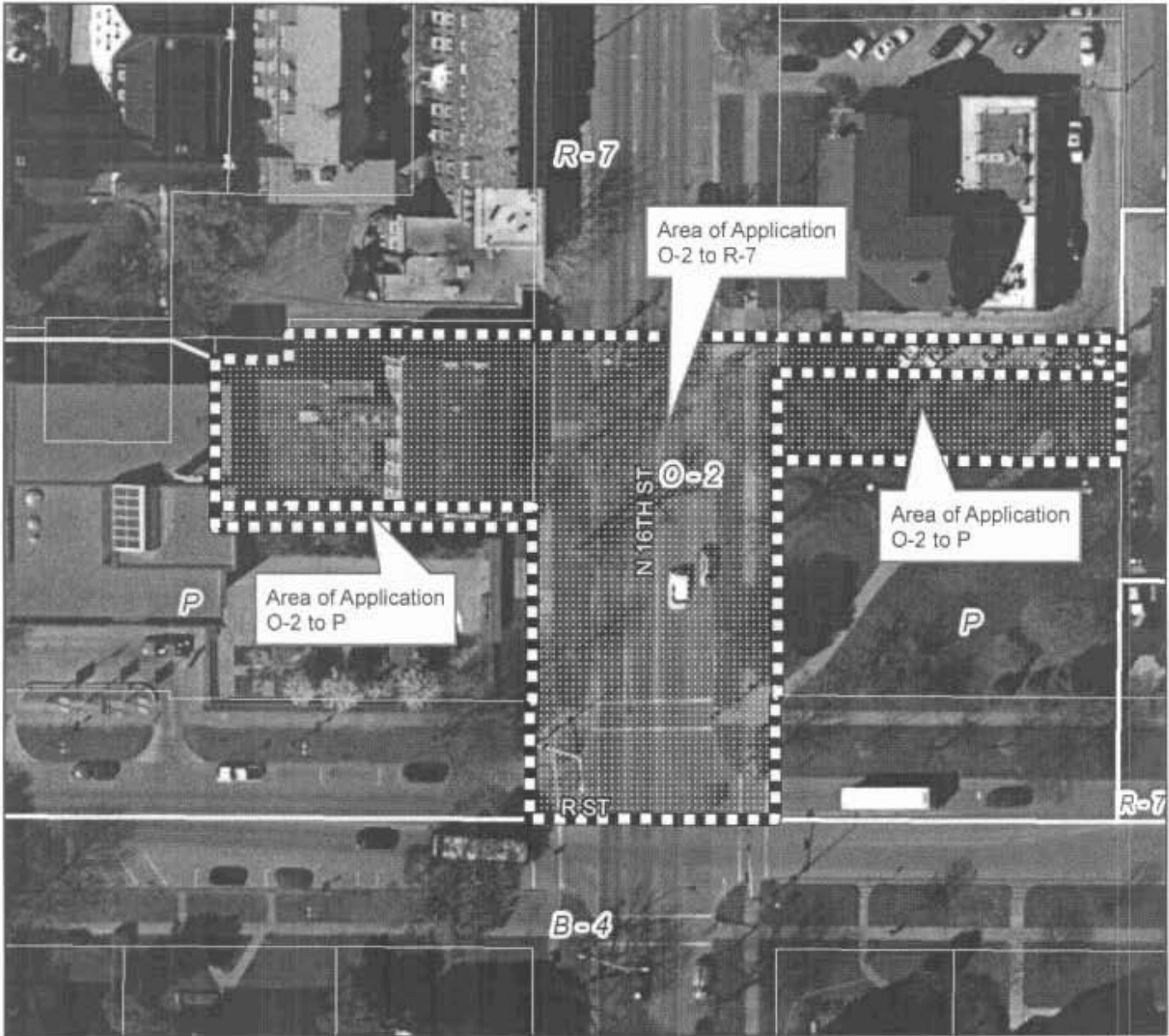
The Consent Agenda consisted of the following items: **COMPREHENSIVE PLAN CONFORMANCE NO. 08009; ANNEXATION NO. 08003; CHANGE OF ZONE NO. 08019; PRELIMINARY PLAT NO. 08004, SUPERIOR CRESCENT; CHANGE OF ZONE NO. 08018; CHANGE OF ZONE NO. 08020; and STREET AND ALLEY VACATION NO. 08001.**

Ex Parte Communications: None

Item No. 1.2a, Annexation No. 08003; Item No. 1.2b, Change of Zone No. 08019; and Item No. 1.2c, Preliminary Plat No. 08004, were removed from the Consent Agenda and scheduled for separate public hearing.

Taylor moved to approve the remaining Consent Agenda, seconded by Francis and carried 8-0: Gaylor Baird, Carroll, Cornelius, Esseks, Francis, Larson, Sunderman and Taylor voting 'yes'.

Note: This is final action on Comprehensive Plan Conformance No. 08009, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days from the action by the Planning Commission.



**Change of Zone #08018
N 16th & R St**

2007 aerial

Zoning:

One Square Mile
Sec. 24 T10N R06E

- 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

