

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

Bill No. 08-66

FACTSHEET

TITLE: **CHANGE OF ZONE NO. 08020**, from R-4 Residential District to I-1 Industrial District, requested by Veyance Technologies, Inc., on property generally located at North 56th Street and Ballard Avenue.

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. This is a request to change 7,001 square feet, more or less, from R-4 Residential to I-1 Industrial. A portion of the application lies in the railroad right-of-way and is also surrounded by I-1 zoned property. The City requested that the applicant include that portion in the railroad right-of-way in this change of zone so that this small area of R-4 would not be isolated in the railroad property and completely surrounded by I-1 zoning.
2. The staff recommendation of approval is based upon the "Analysis" as set forth on p.3, concluding that the change of zone to I-1 does not appear to adversely affect the surrounding land uses.
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.08020

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for MAY 21, 2008 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone No. 08020

PROPOSAL: From R-4 to I-1.

LOCATION: N. 56th Street and Ballard Avenue

LAND AREA: 7,001 square feet, more or less.

EXISTING ZONING: R-4 Residential District

CONCLUSION: The change of zone to I-1 does not appear to adversely affect the surrounding land uses.

RECOMMENDATION:	Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: See attached.

EXISTING LAND USE: Industrial storage and railroad.

SURROUNDING LAND USE AND ZONING:

North:	I-1 Industrial District	railroad
South:	I-1 Industrial District	industrial/manufacturing
East:	No zoning (right of way)	Ballard Avenue
West:	I-1 Industrial District	industrial/manufacturing

HISTORY:

The area was zoned R-4 with the 1979 zoning update.

The change of zone covers portions of vacated right of way for N. 56th Street and Ballard Avenue. The street vacation was approved by City Council on April 29th, 1974 by ordinance #11081.

COMPREHENSIVE PLAN SPECIFICATIONS:

Industrial: Areas where railroads, manufacturing, trucking, and transportation facilities are the dominant land use. Some commercial activities may also take place in predominately industrial districts, such as office, retail, or warehouses. (Page 16)

This area is designated as "Industrial" on the Comprehensive Plan Future Land Use Map. (Page 18)

This area is identified as "Moderate to Heavy Industrial" in the Comprehensive Plan. (Page 39)

TRAFFIC ANALYSIS: This area is vacated right of way and there is no through traffic.

ALTERNATIVE USES: Out of the approximately 7,001 square feet proposed in the change of zone, Veyance owns approximately 4,268 square feet and the remainder is railroad property. The minimum lot area requirements in the R-4 Residential district are 5,000 square feet for single family dwellings and other permitted uses and 2,500 square feet per family for two-family dwellings. It appears that there are limited opportunities to utilize this property as it is currently zoned.

ANALYSIS:

1. The change of zone does not appear that it would adversely affect existing land uses in the surrounding area. The property is adjacent to I-1 zoning on three sides. The fourth side is street right of way, which is not zoned.
2. The property is part of a larger premises and is of little value as a stand-alone piece of industrial-zoned land.
3. A portion of the application lies in the railroad right of way and is also surrounded by I-1 zoned property. The City requested that the applicant add this portion to the change of zone application so that this small area of R-4 would not be isolated in the railroad property and completely surrounded by I-1.

Prepared by:

Brandon M. Garrett, AICP
Planner

DATE: May 13, 2008

APPLICANT: Daniel Thomson
Olsson Associates
1111 Lincoln Mall, Ste. 111
Lincoln, NE 68508

OWNER: Veyance Technologies, Inc.
4021 N. 56th
Lincoln, NE 68504

CHANGE OF ZONE NO. 08020

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

May 21, 2008

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

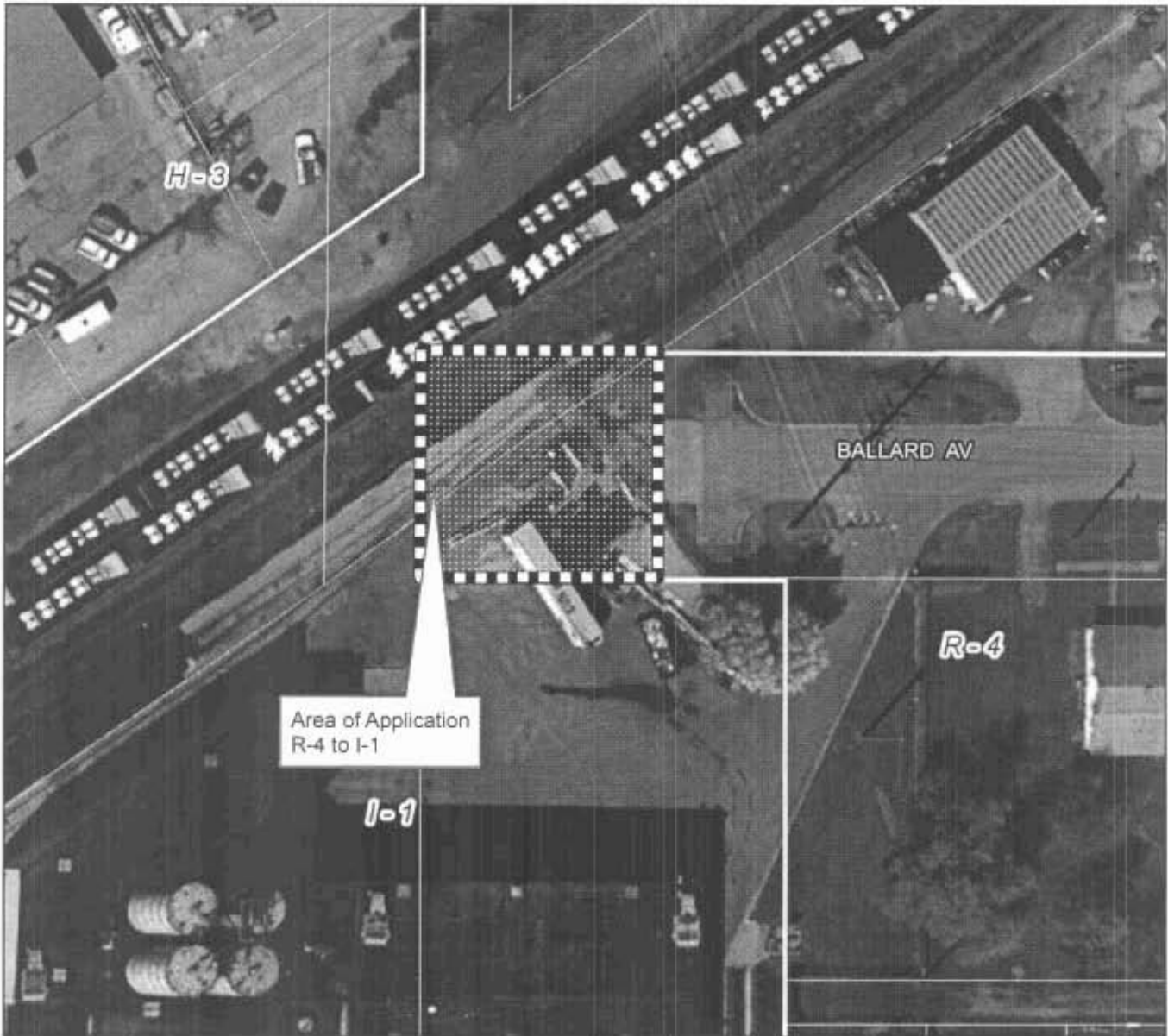
The Consent Agenda consisted of the following items: **COMPREHENSIVE PLAN CONFORMANCE NO. 08009; ANNEXATION NO. 08003; CHANGE OF ZONE NO. 08019; PRELIMINARY PLAT NO. 08004, SUPERIOR CRESCENT; CHANGE OF ZONE NO. 08018; CHANGE OF ZONE NO. 08020; and STREET AND ALLEY VACATION NO. 08001.**

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.



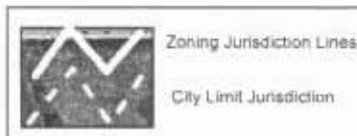
**Change of Zone #08020
N 56th & Ballard Ave**

2007 aerial

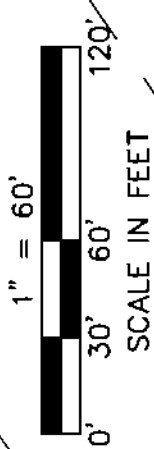
Zoning:

One Square Mile
Sec. 9 T10N R07E

- 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



900



BURLINGTON NORTHERN SANTA FE RAILROAD
 N00°01'23"E 79.60'
 S88°52'34"E 87.98'

(7,001 sq. ft. ±)

S00°03'29"W 79.60'
 P.O.B.

N89°52'34"W 87.93'

4.74'

5'

NORTH 56TH STREET
 (VACATED ORD. NO. 11081)

(VACATED ORD. NO. 11081)

16' ALLEY

39

BLOCK

HAVELOCK

ARMSTRONG SUB 2

1

BALLARD AVENUE

ZONING EXHIBIT



LEGAL DESCRIPTION

CHANGE OF ZONE

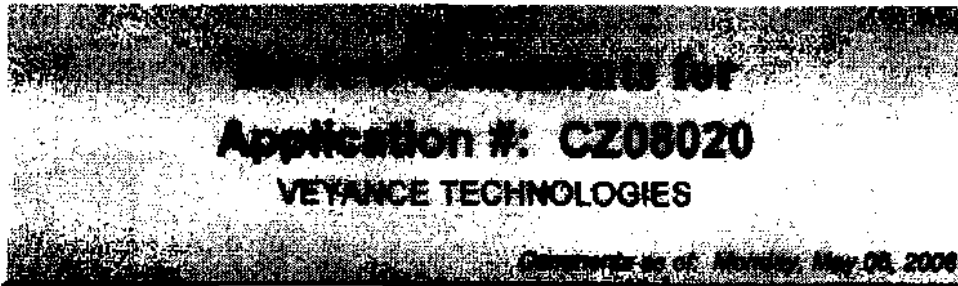
A LEGAL DESCRIPTION FOR CHANGE OF ZONE PURPOSES FOR A TRACT OF LAND COMPOSED OF A PORTION OF NORTH 56TH STREET RIGHT-OF-WAY AND A PORTION OF BALLARD AVENUE RIGHT-OF-WAY AS VACATED BY ORDINANCE NO. 11081, AND A PORTION OF BURLINGTON NORTHERN SANTA FE RAILROAD RIGHT-OF-WAY, ALL LOCATED IN THE NORTHWEST QUARTER OF SECTION 9, TOWNSHIP 10 NORTH, RANGE 7 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT THAT IS 4.74 FEET EAST OF THE NORTHWEST CORNER OF LOT 5, BLOCK 39, HAVELOCK, NOW LINCOLN, LANCASTER COUNTY, NEBRASKA, AS REFERRED TO IN INST. NO. 74-8468, RECORDS OF LANCASTER COUNTY, SAID POINT BEING ON THE NORTH LINE OF SAID BLOCK 39; THENCE, WEST, ALONG SAID NORTH LINE AND ITS EXTENSION, ON AN ASSUMED BEARING OF NORTH 89 DEGREES 52 MINUTES 34 SECONDS WEST A DISTANCE OF 87.93 FEET TO AN INTERSECTION WITH THE CENTERLINE OF NORTH 56TH STREET; THENCE NORTH 00 DEGREES 01 MINUTES 23 SECONDS EAST, ALONG SAID CENTERLINE, AND ITS EXTENSION, A DISTANCE OF 79.60 FEET TO AN INTERSECTION WITH THE NORTH RIGHT-OF-WAY LINE OF BALLARD AVENUE EXTENDED; THENCE SOUTH 89 DEGREES 52 MINUTES 34 SECONDS EAST, ALONG THE EXTENSION OF SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 87.98 FEET TO AN INTERSECTION WITH THE EAST LINE OF A PARCEL OF LAND AS DESCRIBED IN SAID INST. NO. 74-8468; THENCE SOUTH 00 DEGREES 03 MINUTES 29 SECONDS WEST, ALONG SAID EAST LINE A DISTANCE OF 79.60 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS A CALCULATED AREA OF 7,001 SQ. FT., OR 0.16 ACRES, MORE OR LESS.

23 April 2008

F:\Projects\007-2192\SVYO\Doc\Change of Zone Ballard.doc



Status of Review: Active

Reviewed By ANY

Comments:

Status of Review: Complete

Reviewed By Building & Safety Terry Kathe

Comments:

Status of Review: Approved

04/29/2008 12:10:10 PM

Reviewed By Health Department ANY

Comments: LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT
INTER-OFFICE COMMUNICATION

TO: Brandon Garrett DATE: April 29, 2008

DEPARTMENT: Planning FROM: Chris Schroeder
ATTENTION: DEPARTMENT: Health

CARBONS TO: EH File SUBJECT: Veyance Technologies
EH Administration CZ #08020

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

Status of Review: Complete

Reviewed By Planning Department RAY HILL

Comments:

Status of Review: Active

Reviewed By Planning Department BRANDON GARRETT

Comments:

Status of Review: Routed

Reviewed By Planning Department

COUNTER

Comments:

Status of Review: Complete

05/05/2008 9:10:49 AM

Reviewed By Public Works - Development Services

SIETDQ

Comments: Memorandum: I
I

To: Brandon Garrett, Planning Department
From: Charles W. Baker, Public Works and Utilities
Subject: Veyance Technologies Change of Zone #08020
Date: May 5, 2008
cc: Randy Hoskins

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the Veyance Technologies Change of Zone #08020. Public Works has no objections.

Status of Review: Active

Reviewed By School District

ANY

Comments:

009



April 23, 2008

Mr. Marvin Krout
Planning Department, City of Lincoln
County-City Building
555 South 10th Street
Lincoln, NE 68508

Re: Goodyear/Veyance Technologies
Change of Zone
OA Project No. 2007-2192

Dear Mr. Krout:

Enclosed please find the following for the above mentioned project:

1. Exhibit and legal descriptions.
2. City of Lincoln Zoning Application.
3. Application fee in the amount of \$370.00.

The purpose of this Change of Zone Application request from R-4 zoning to I-1 zoning for the above referenced project is to include the described area (see attached exhibit and application), within the I-1 Zoning designation so that the entirety of the property owned by Veyance Techolongies, Inc., has the same zoning designation.

Please contact me if you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink that reads 'Daniel A. Thomson'.

Daniel A. Thomson, LS

Encls

cc: Larry Williams

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