

FACTSHEET

TITLE: CHANGE OF ZONE NO. 08067, from I-1 Industrial District and R-6 Residential District to B-3 Commercial District, requested by the Director of the Urban Development Department, on property generally located between North 26th and North 27th Streets, north of W Street.

STAFF RECOMMENDATION: Approval

ASSOCIATES REQUESTS: Amendment to the North 27th Street Corridor and Environs Redevelopment Plan (09R-19)

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 01/14/09
Administrative Action: 01/14/09

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

FINDINGS:

1. This proposed change of zone and the associated amendment to the North 27th Street Corridor and Environs Redevelopment Plan and Street & Alley Vacation No. 08012 were heard at the same time before the Planning Commission.
2. The purpose of this change of zone from I-1 Industrial and R-6 Residential to B-3 Commercial is to facilitate the expansion of the existing retail on the abutting property to the south.
3. The staff recommendation or approval is based upon the "Analysis" as set forth on p.3-4, concluding that there is commercial or industrial property to the north, south and east of the subject property. There is both industrial and residential to the west. The proposed zoning is in character with the abutting property, the Comprehensive Plan and the North 27th Street Corridor and Environs Redevelopment Plan.
4. On January 14, 2009, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
5. On January 14, 2009, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend approval.
6. On January 14, 2009, the Planning Commission also voted 8-0 to find the proposed amendment to the North 27th Street Corridor and Environs Redevelopment Plan and the associated Street & Alley Vacation No. 08012 to be in conformance with the Comprehensive Plan. The amendment to the redevelopment plan is also being scheduled for Council introduction on February 2, 2009; however, the provisions of Chapter 14.20 of the Lincoln Municipal Code must be satisfied before the associated Street & Alley Vacation No. 08012 is scheduled on the Council agenda. City Council may take action on the amendment to the redevelopment plan and the change of zone independent of the street vacation.

FACTSHEET PREPARED BY: Jean L. Preister

DATE: January 26, 2009

REVIEWED BY: _____

DATE: January 26, 2009

REFERENCE NUMBER: FS\CC\2009\CZ.08067+

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for JANUARY 14, 2009 PLANNING COMMISSION MEETING

PROJECT #: Change of Zone No. 08067

PROPOSAL: From I-1 Industrial and R-6 Residential to B-3, Commercial

LOCATION: Between N. 26th and N. 27th Streets and north of "W" St.

LAND AREA: 34,771 sq ft; more or less

EXISTING ZONING: I-1 Industrial and R-6 Residential

CONCLUSION: There is commercial or industrial property to the north, south and east of the subject property. There is both industrial and residential to the west. The proposed zoning is in character with the abutting property, the Comprehensive Plan and The North 27th Street Corridor and Environs Redevelopment Plan.

RECOMMENDATION:	Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 3-7, Block 8, Trester's Addition and the east-west alley from the east line of N. 26th St. to the east line of Lot 7, Block 8 Trester's Addition; and the vacated north-south alley adjacent Lots 3 and 4, Block 8, Trester's Addition; all located in the NE 1/4 of Section 24-10-6, Lancaster County, NE

EXISTING LAND USE: Commercial/Retail and vacant ground

SURROUNDING LAND USE AND ZONING:

North:	I-1, Industrial	Vacated railroad corridor
South:	B-3, Commercial	Restaurant
East:	B-3, Commercial	Restaurant and parking lot
West:	I-1, Industrial	Manufacturing
	R-6, Residential	Housing

ASSOCIATED APPLICATIONS: SAV #08012 and CPC#08026

HISTORY:

October 28, 2002 The North 27th Street Corridor and Environs Redevelopment Plan was approved by the City Council.

June 19, 2000 The North 26th/27th Street Redevelopment Area, Lincoln, Nebraska, Blight and Substandard Determination Study was approved by the City.

COMPREHENSIVE PLAN SPECIFICATIONS:

Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. This can be accomplished in many ways including encouraging appropriate new development on unused land in older neighborhoods. (p.9)

The Future Land Use Map in the 2030 Comprehensive Plan identifies this area as industrial and urban residential (p17)

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. (p23)

Encourage renovation and reuse of existing commercial centers. Infill commercial development should be compatible with the character of the area and pedestrian oriented. As additional centers are built, the City and developers should be proactive in redevelopment of existing centers to make sure that redevelopment is sensitive to the surrounding neighborhood and happens quickly to reduce vacancies. (p. 36)

The most intensive commercial uses, such as restaurants, car washes, grocery stores, gasoline/ convenience stores and drive thru facilities should be located nearer to the major street or roadway and furthest from the residential area. Citizens of the community have become increasingly concerned about "light pollution" and its affects upon neighborhoods and the environment. Lighting, dumpsters, loading docks and other service areas should be shielded from the residential area. (p. 48)

Maintain and encourage retail establishments and businesses that are convenient to, and serve, neighborhood residents, yet are compatible with, but not intrusive upon residential neighborhoods. (p. 48)

Expansion of existing commercial and industrial uses should not encroach on existing neighborhoods and must be screened from residential areas. (p.48)

From The North 27th Street Corridor and Environs Redevelopment Plan:

The N. 27th St corridor should be a mixed use corridor. The corridor should be a community that accommodates a variety of appropriately located uses, and should not be just an expanded linear commercial district. (p21)

Establish defensible edges between residential and non residential uses. Use streets or green ways to provide boundaries thus realizing the benefits of mixed use while screening the negative effects of commercial growth on residential environments. (p21)

UTILITIES: Existing

TRAFFIC ANALYSIS: N. 27th St. is a minor arterial. N. 26th and "W" Streets are local streets.

ANALYSIS:

1. The proposal is to change the existing R-6 Residential and I-1, Industrial districts to B-3 Commercial district to facilitate the expansion of the existing retail on the abutting property to the south.
2. All of the property, with the exception of one lot, is owned by the same property owner. The one lot is currently owned by the City.
3. The Future Land Use Plan in The North 27th Street Corridor and Environs Redevelopment Plan identifies this area as commercial.

4. The area to be rezoned abuts B-3 zoning to the east and south. There is I-1 zoning to the north. The zoning from Vine St. to "W" St. between N. 26th and N. 27th is B-3. This change of zone is in character with the abutting properties. N. 26th St. make a definitive boundary between the commercial and residential to the west.
5. This application is associated with Comprehensive Plan Conformance #08026 for conformance to the N. 27th Corridor and Environs Redevelopment Plan and Street and Alley Vacation #08012 to vacate a portion of the alley.

Prepared by:

Tom Cajka
Planner

DATE: December 29, 2008

APPLICANT: David Landis, Director
Urban Development Department
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Lincoln, NE 68508

OWNER: T Nguyen Hung
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Lincoln, NE 68503

CONTACT: Ernie Castillo, Urban Development Department
808 "P" St. Suite 400
Lincoln, NE 68508

**COMPREHENSIVE PLAN CONFORMANCE NO. 08026,
AMENDMENT TO THE NORTH 27TH STREET CORRIDOR AND
ENVIRONS REDEVELOPMENT PLAN
and
CHANGE OF ZONE NO. 08067
and
STREET & ALLEY VACATION NO. 08012**

**CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:**

January 14, 2009

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

The Consent Agenda consisted of the following items: **COMPREHENSIVE PLAN CONFORMANCE NO. 08027, COMPREHENSIVE PLAN CONFORMANCE NO. 08026, CHANGE OF ZONE NO. 08067, STREET AND ALLEY VACATION NO. 08012, ANNEXATION NO. 08024, ANNEXATION NO. 08026, CHANGE OF ZONE NO. 08064, COUNTY CHANGE OF ZONE NO. 08065, CHANGE OF ZONE NO. 08068, CHANGE OF ZONE NO. 08069, CHANGE OF ZONE NO. 05026B, SPECIAL PERMIT NO. 08050 and STREET AND ALLEY VACATION NO. 08011.**

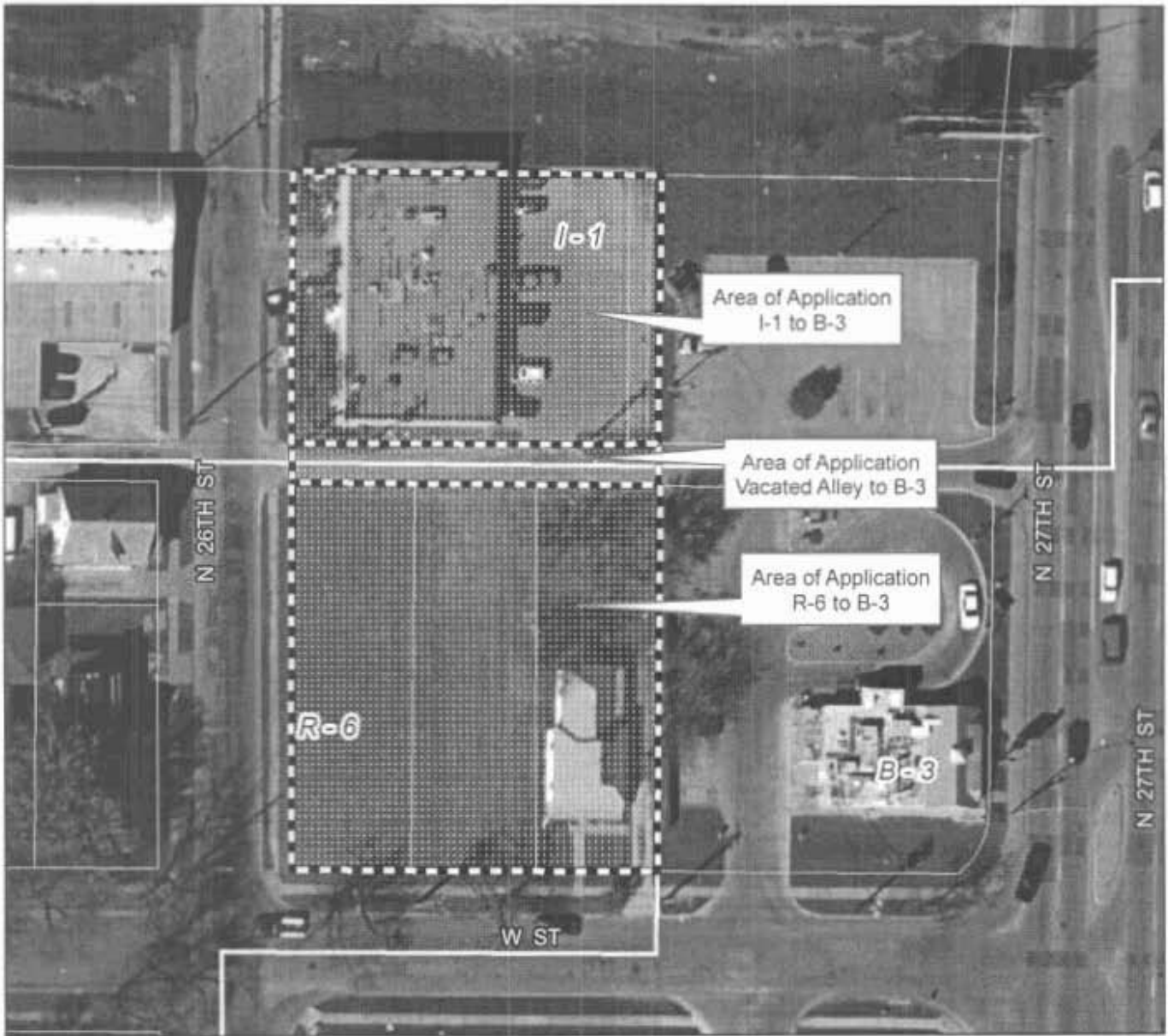
Ex Parte Communications: None

Item No. 1.1, Comprehensive Plan Conformance No. 08027, was removed from the Consent Agenda and scheduled for separate public hearing.

Item No. 1.7, Change of Zone No. 08068, was withdrawn.

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

Note: This is final action on Special Permit No. 08050, 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.

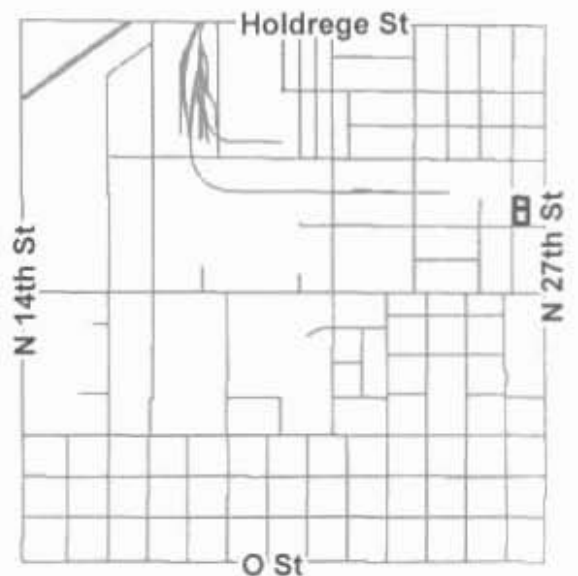
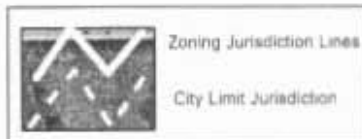


2007 aerial

**Change of Zone #08067 and
Comp Plan Conformance #08026
N 26th & W St
Zoning:**

One Square Mile
Sec. 24 T10N R06E

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential 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





Change of Zone Request: I1 and R6 to B3

 Area of Interest — Landbase



City of Lincoln
Urban Development GIS
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