

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for March 16, 2005 PLANNING COMMISSION MEETING

P.A.S.: Change of Zone #05014

PROPOSAL: To change the zoning on approximately 98 blocks within the Near South Neighborhood from R-7, R-6, R-5 and R-4 Residential and B-3 Commercial to R-2 Residential and P Public.

LOCATION: Generally between "A" and South Streets, 13th to 27th Streets; "F" to "A" Streets, 17th to 18th Streets; "F" to "A" Streets, 20th to 27th Streets.

LAND AREA: 333.65 acres, more or less.

CONCLUSION: This neighborhood appears to have reached a point where the mix of residential uses seems appropriate. The current mix is approaching a tipping point in some areas, at which additional two- and multiple-family dwellings would start to overload the carrying capacity of these areas. Other areas have increased in density significantly, almost reaching a point of no return. However, the prevalence of converted historically significant homes in the area suggests there is value in preserving the neighborhood as it is before additional modern slip-in apartments are constructed. Approval of this change of zone would preserve the current development pattern and limit the potential for increasing housing density in an area with a fixed amount of infrastructure.

RECOMMENDATION:

Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: The following additions and parts of additions:

Cahn's Subdivision, Lots 1-24

Lillibridge Subdivision, Lots 1-4, 6-9, 11-14, 15-18, 20-23, and 25-28

S.S. Chase's Subdivision, Lots 1-14, Block 1, Lots 3-8, Block 2

S.S. Chase's 2nd Subdivision, Lots 1-8, Block 1, Lots 1-8, Block 2

County Clerk's Subdivision, Lots F and G

A. Hurlburt's Subdivision, Lots 1-5 and the north ½ of the vacated alley adjacent thereto, Lots 6-8 and the south ½ of the vacated alley adjacent thereto, Block 1, Lots 1-5 and 8-10, Block 2

Newman's Subdivision, Lots A and B

Washington Place, Lots 1-18

William's Subdivision, Lots 1-8, Block 1, Lots 1-4 and 7-16, Block 4, Lots 1-8, Block 5

C. C. Burr's Subdivision, Lots 1-12, Block 2, Lots 1-18, Block 3, Lots 1-8, Block 4, Lots 1-6, Block 5, Lots 1-27, Block 6, Lots 1-2 and 9-16, Block 8, Lots 1-16, Block 9, Lots 1-8, Block 10

Miller and Winship Subdivision of Block 4, C.C. Burr's Subdivision, Lots A, B, and C
Roselyn Terrace, Lots 1-4

Yates and Thompson's Subdivision, Lots 1-24

O. Burlingame's Subdivision, Lots 1-22

Johnson's Subdivision, Lots 1-25

Electric Park Addition, Lots 11-17, Block 1, Lots 1-10, Block 2, Lots 4-8, Block 7

Maxwell Addition, Lots 13-15

W. W. Holmes Subdivision, Lots 3-6 and 17-26

Wallingford and Shamp Addition, Lots 1-10 and 15-24

Prospect Subdivision, Lots 1-19 and 24-42

Hazard Addition, Lots 6-26

Rathbone's Prescott Addition, Lots 1-11

E. T. Huff's Subdivision, Lots 1-23

Eldredge's Addition, Lots 1-10 and 13-24

Tucker Addition, Lots 1-13 and 15-26

Harwood's Addition, Lots 1-13, Block 1, Lots 1-9 and 13-16, Block 2, Lots 1-18, Block 3

Replat Lot 17-18, Block 2, Harwood's Addition, Lots A, B, C, and D

College Hill Subdivision, Lots 1-24

Pleasant Hill Subdivision, Lots 1 and 5-8, Block 1, Lots 1-2 and 7-12, Block 2, Lots 10-12, Block 3, Lots 1-6, Block 4, Lots 1-9, Block 5, Lots 1-18, Block 6, Lots 1-18, Block 7, Lots 1-11, Block 8, Lots 1-9, Block 9, Lots 1-14, Block 10, Lots 1-14, Block 11, Lots 1-14, Block 12

Replat of Prospect Place, Lots 1-5

Ames Subdivision of Lots 6-8 and 12-14 Replat of Prospect Place, Lots 6-11 and 13

Hardenburgh's Subdivision of S2 Lot 11 NE4 36-10-6, Lots 1-26

Beecher Heights, Lots 1-20

College Summit Addition, Lots 7-12, Block 1, Lots 1-12, Block 2, Lots 1-12 and the vacated alley adjacent thereto, Block 3, Lots 7-12, Block 4

Ames Subdivision of Lot 10 NE4 36-10-6, Lots 7-12, Block 1, Lots 1-12, Block 2, Lots 1-12, Block 3, Lots 7-12, Block 4

W. H. Irvine's Subdivision, Lots 10-18, Block 1, Lots 1-6, Block 2, Lots 1-6, Block 3, Lots 1-12, Block 4, Lots 1-6, Block 5

E. R. Bing's Subdivision, Lots A, B, C, D, and E

Faulkner's Subdivision, Lots A, B, C, and D

Hardenburgh's Subdivision of Lot 7 NE4 36-10-6, Lots 1-3, North ½ of Lot 7, 12-16, 20-27, and 32-36

Dobb's Subdivision of Lots 4-6 Hardenburgh's Subdivision of Lot 7 NE4 36-10-6, Lots A, B, C, and D and the vacated alley located therein

W. A. Hackney's Addition, Lots 1-20, Block 1, Lots 1-4, Block 2, Lots 1-8, Block 3, Lots 1-20, Block 4

Woods Bros. and Kelley's Park Addition, Lots 1-8, Block 1, Lots 1-8, Block 2, Lots 1-7, Block 3,
all located in Section 36-10-6, Lancaster County, Nebraska, and,

Capitol Addition, Lots 1-12, Block 3, Lots 1-12, Block 4, Lots 3-10, Block 6, Lots 1-12, Block 8, Lots 1-12, Block 9, Lots 7-10, Block 10, Lots 1-12, Block 12, Block 14

Delia Smith Subdivision, Lots 7-12

Jessie A. Smith Subdivision, Lots 7-10

W. G. Houtz Addition, Lots 1-10, Block 5, Lots 1-10, Block 6

McLaughlin Subdivision, Lots A, B, C, and D

W. G. Houtz 2nd Addition, Lots 1-10, Block 2

Houtz Place, Remaining portions of Lots 17-19, Lot 20, and the South ½ of the vacated alley adjacent to the remaining portion of Lot 19 and to Lot 20, Block 2, Lots 15-20, Block 3, those portions of Lots 11-12 and the east ½ of the vacated alley adjacent thereto all lying SE of Randolph Street Bypass, and Lots 13-27, Block 4, Lots 5-10, Block 5, Lots 1-16, Block 6, Lots 1-10, Block 7, Lots 1-12, Block 8, Lots 1-12, Block 9, Lot 9 and those portions of Lots 8 and 10 and the vacated alley lying SW of Capitol Parkway, Block 10

Orr Sang Subdivision, Those portions of Lots 11-12 and the west ½ of the vacated alley adjacent thereto all lying SE of Randolph Street Bypass

Gehrke's Re-Subdivision, Lots A, B, C, and D

Hillsdale, Lots 1-12, Block 1, Lots 1-12, Block 2, Lots 1-12, Block 3, Lots 1-3 and the east ½ of the vacated alley adjacent thereto, and Lots 17-18 and the west ½ of the vacated alley adjacent thereto, Block 6, Lots 1-18, Block 7, Lots 1-18, Block 8, Lots 1-12, Block 9, Lots 1-12, Block 10

Hillsdale 2nd Addition, Lots 9-15 and the south ½ of the vacated alley adjacent thereto, Block 1, Lots 1-12, Block 2, Lots 1-12, Block 3, Lots 1-18, Block 4, Lots 1-18, Block 5, Lots 1-18, Block 6, Lots 1-16 and the vacated alley therein, Block 7, Lots 1-6 and 11-12, Block 8, Lots 1-6, Block 9

all located in Section 25-10-6, Lancaster County, Nebraska, and,

Dawson's Addition, Lots 1-12, Block 43, Lots 1-12, Block 44, Lots 1-12, Block 45, Lots 1-12, Block 46, Lots 1-12, Block 47, Lots 1-12, Block 48
located in Section 35-10-6, Lancaster County, Nebraska.

EXISTING ZONING: R-4, R-5, R -6, and R-7 Residential, B-3 Commercial

EXISTING LAND USE: Single-, Two-, and Multiple-family, Commercial, Church, Park

SURROUNDING LAND USE AND ZONING:

North:	Lincoln High School	P Public
	Single, Two-, and Multiple-family dwellings	R-6 and R-7 Residential
South:	Single- and Two-family dwellings	R-2 Residential
East:	Folsom Children’s Zoo	P Public
	Single- and Two-family dwellings	R-2 Residential
West:	Single, Two-, and Multiple-family dwellings	R-2, R-6, and R-7 Residential

HISTORY:

Prior to the 1979 zoning update, this area was zoned B Two-Family Dwelling, C Multiple Dwelling, D Multiple Dwelling, E Multiple Dwelling, and G Local Business. As a result of the update, the zoning changed to R-4 Residential, R-5 Residential, R-6 Residential, R-7 Residential, and B-3 Commercial, which substantially reflected the previous zoning.

HISTORY OF OTHER RESIDENTIAL DOWNZONING:

- Jan 2004 Change of Zone #3424 from R-4, R-5, and R-6 Residential to R-2 Residential was approved for an area within the Everett Neighborhood.
- Sept 2003 Change of Zone #3416 from R-4 Residential to R-2 Residential was approved for an area within the Witherbee Neighborhood. The Planning Department recommended denial and suggested the issue of downzoning established neighborhoods should be further studied.
- Aug 2003 Change of Zone #3412 from R-4 Residential to R-2 Residential was approved for an area within the Antelope Park Neighborhood. The Planning Department recommended approval.
- Apr 2003 Change of Zone #3397 from R-4 Residential to R-2 residential was approved for an existing landmark district within the Near South Neighborhood. The Planning Department recommended approval.
- Oct 2002 Change of Zone #3378 from R-5 and R-6 Residential to R-2 Residential was approved within the existing Mount Emerald Neighborhood Landmark District. The Planning Department referred to new language in the recently adopted Comprehensive Plan on preserving the character of the existing neighborhoods.
- Feb 2002 Change of Zone #3354 from R-4 Residential to R-2 Residential was approved for an area within the Antelope Park Neighborhood. The Planning Department recommended denial.

Jun 1995 Change of Zone #2890 from R-4 Residential to R-2 Residential was approved for a small area of the Near South Neighborhood located at 27th and Washington Streets. The Planning Department recommended denial.

COMPREHENSIVE PLAN SPECIFICATIONS: The Comprehensive Plan shows the requested area as Urban Residential. (F 25)

Urban Residential: Multi-family and single-family residential areas with varying densities ranging from more than fifteen dwelling units per acre to less than one dwelling unit per acre. (F 27)

COMP PLAN SPECIFICATIONS THAT SUPPORT THIS CHANGE OF ZONE:

One *Quality of Life Asset* from the *Guiding Principles from the Comprehensive Plan Vision* states: The community continues its commitment to neighborhoods. Neighborhoods remain one of Lincoln's great strengths and their conservation is fundamental to this plan. (F 15)

Preservation and renewal of historic buildings, districts, and landscapes is encouraged. Development and redevelopment should respect historical patterns, precedents, and boundaries in towns, cities and existing neighborhoods. (F 17)

The *Overall Guiding Principles* for future residential planning include:

One of Lincoln's most valuable community assets is the supply of good, safe, and decent single family homes that are available at very affordable costs when compared to many other communities across the country. Preservation of these homes for use by future generations will protect residential neighborhoods and allow for many households to attain the dream of home ownership. (F 65)

The *Guiding Principles for Existing Neighborhoods* include:

Preserve, protect, and promote city and county historic resources. Preserve, protect and promote the character and unique features of rural and urban neighborhoods, including their historical and architectural elements. (F 68)

Preserve the mix of housing types in older neighborhoods. (F 68)

Promote the continued use of single-family dwellings and all types of buildings, to preserve the character of neighborhoods and to preserve portions of our past. (F 68)

Strategies for New & Existing Residential Areas

Single family homes, in particular, add opportunities for owner-occupants in older neighborhoods and should be preserved. The rich stock of existing, smaller homes found throughout established areas, provide an essential opportunity for many first-time home buyers. (F 72)

Strategies for Existing Residential Areas

In existing neighborhoods adjacent to the Downtown, retain existing predominately single family blocks in order to maintain the mix of housing types. The current mix within each neighborhood provides ample housing choices. These existing neighborhoods have significantly greater populations and residential densities than the rest of the community. Significant intensification could be detrimental to the neighborhoods and be beyond infrastructure capacities. Codes and regulations which encourage changes in the current balance of housing

types, should be revised to retain the existing character of the neighborhoods and to encourage maintenance of established older neighborhoods, not their extensive conversion to more intensive uses. (F 73)

Develop and promote building codes and regulations with incentives for the rehabilitation of existing buildings in order to make it easier to restore and reuse older buildings. Encourage reconversion of single family structures to less intensive (single family use) and/or more productive uses. (F 73)

COMP PLAN SPECIFICATIONS THAT ARE NEUTRAL TO THIS CHANGE OF ZONE:

The *Guiding Principles for the Urban Environment: Overall Form* include:

Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. (F 17)

The *Guiding Principles for the Urban Environment: Residential Neighborhoods* include:

Construction and renovation within the existing urban area should be compatible with the character of the surrounding neighborhood. (F 18)

Provision of the broadest range of housing options throughout the community improves the quality of life in the whole community. (F 65)

Evaluate the provisions for accessory dwelling units in residential areas. (F 72)

AESTHETIC CONSIDERATIONS: Many of the homes in the area appear to be of the same vintage, with similar architectural characteristics, and are historically important. The streetscapes appear consistent with older single-family areas; there is a rhythm to the size and shape of houses, there is some, but not a significant amount of parking on the streets, and many homes are still single-family.

ANALYSIS:

1. This is a request by the Near South Neighborhood Association to change the zoning for approximately 98 blocks within the Near South Neighborhood from R-4, R-5, R-6, and R-7 Residential and B-3 Commercial to R-2 Residential. The reason for the downzoning of this area is to preserve and enhance the single-family atmosphere of the area, prevent the overtaxing of the neighborhood's infrastructure, rectify residential zoning inconsistent with the traditional and current property uses. The Applicant also wishes to protect the numerous historically important homes in the area from transition to multiple-family units through conversion of demolition.
2. A review process for change of zone proposals is not defined within the Zoning Ordinance. However, Neb. Rev. Stat. §15-902 provides a list of considerations that has traditionally been utilized for such reviews.
 - a. **Safety from fire, flood and other dangers.**
No apparent impact.

b. Promotion of the public health, safety, and general welfare.

This proposal appears to fulfill several of the policies and guidelines enumerated in the Comprehensive Plan. However, there are also several Comprehensive Plan policies and strategies that are neutral to this application or would suggest this downzoning is not appropriate.

c. Consideration of the character of the various parts of the area, and their particular suitability for particular uses, and types of development.

The housing within this proposed change of zone is primarily single-family, with some two-family and multiple-family units, and there are several blocks that have developed into predominantly multiple-family blocks. The majority of the approximately 1,545 primary residential structures appear to have been constructed as single-family homes and are still in that use today. There appears to be 245 two-family dwellings (490 units) and 242 multiple-family dwellings (1,256 units). Some of these have been converted from single-family dwellings, while others were constructed for their current use.

d. Conservation of property values.

It is difficult to determine the effect a change of zoning will have on property values. On one hand, property values could diminish if houses could no longer be converted into duplexes, due to increased lot area requirements, or redevelopment for apartments. On the other hand, this may have the effect of encouraging home ownership, which could stabilize or increase property values.

e. Encouraging the most appropriate use of land throughout the area zoned, in accordance with a comprehensive plan.

The Comprehensive Plan encourages efficient use of existing infrastructure and diversity of housing choices. At the same time, the Comp Plan identifies Lincoln's commitment to its neighborhoods, as well as an encouragement to preserve existing single-family homes for single-family uses. This area has developed over time as a predominantly single-family neighborhood, but now has approximately 29% (445 out of 1,540) of the parcels devoted to more than 1 family. However, these parcels provide almost 59% of all dwelling units (1,498 out of 2,552). This neighborhood is likely using its existing infrastructure as efficiently as it can with its current mix of development. This overall area appears to have reached a density comparable to other neighborhoods downzoned in recent years.

2. There are several differences between the R-2 district and the R-4, R-5, R-6, and R-7 district lot and area requirements. The table at the end of this report shows the requirements for residential uses in each district.

3. The uses allowed in these districts are quite similar. The permitted uses in the R-2 district do not include multiple-family or townhouse dwellings, as found in the R-5, R-6, and R-7 districts. The R-2 district conditional uses require a greater separation between group homes, and a less dense domestic shelter than the other districts. The R-2 district special uses add garden centers, clubs, and mobile home courts and subdivisions to the special uses typically found in the other districts.
4. All new construction of principal buildings in residential districts are required to meet the City of Lincoln Neighborhood Design Standards. These standards are designed to recognize that certain areas of Lincoln “retain much of the traditional physical character of their original lower density development,” even though they may have experienced recent higher density development. Since these standards have recently been applied to the R-2 district, these protections will not be lost if this application is approved.
5. LMC §27.61.040 provides that a nonconforming use “shall not be enlarged, extended, converted, reconstructed, or structurally altered unless such use is changed to a use permitted in the district in which the building or premises is located” or a special permit is obtained. Additionally, §27.61.050 provides nonconforming uses damaged to an extent of more than 60% of their value “shall not be restored except in conformity with the regulations of the district in which the building is located, or in conformance with the provisions of Chapter 27.75 [variance], or Section 27.63.280 [special permit].” There are 8 commercial uses that are now and will continue to be nonconforming, whether or not this change is approved.
6. LMC §27.03.460 defines nonstandard lots as those that fail to meet the minimum lot requirements for the district, such as lot area, lot width, density, setbacks, height, unobstructed open space, or parking.
7. LMC §27.61.090 provides that nonstandard uses, whether existent prior to the ordinance or due to changes in the zoning, may be enlarged, extended, or reconstructed as required by law for safety, or “if such changes comply with the minimum requirements as to front yard, side yard, rear yard, height, and unobstructed open space...”
8. LMC §27.13.080(g) of the R-2 district regulations provides that “multiple family dwellings existing in this district on the effective date of this title shall be considered nonstandard uses in conformance with the provisions of Chapter 27.61 [nonconforming and nonstandard uses].” This rule allows multiple-family dwellings built prior to May 8, 1979 to be reconstructed, altered, and restored after damage by treating such uses as nonstandard rather than nonconforming.

9. Therefore, any nonstandard residential use within this area, whether single-, two-, or multiple-family, may be altered or rebuilt provided it meets the setback and height requirements of the R-2 district. This may result in a slightly different building footprint, but there is no need under the current zoning ordinance for a variance or special permit if these requirements are met.
10. Should the owner of a nonstandard single- or two-family structure want to extend into one of the required yards, a special permit is available provided the structure does not extend further into the setback than it currently does. This special permit is available in any residential zoning district. The owner of a standard use, by comparison, would need to seek a variance from the Board of Zoning Appeals to occupy a required yard.
11. There are several adjacent R-2 districts, most notably located within the Mount Emerald and Franklin Heights Historic Districts, and the recently downzoned Everett Neighborhood adjacent to the west.
12. The Near South Neighborhood represents the outer edge of the Downtown residential areas. Surrounding this area are predominantly R-4, 5, 6, and 7 residential districts. The less dense residential areas do not begin to dominate until east of 27th Street and south of Van Dorn Street. This change will connect the R-2 zoning of the Mount Emerald and Franklin Heights historic districts with blocks of substantially similar character.
13. This area as a whole appears to be fully built. There appears to be no more than 6 vacant lots available, nor are there any large lots that could be accumulated and combined to produce an area large enough for multiple-family development. Therefore, the primary opportunity for additional two- or multiple-family residences appears to be converting existing single-family dwellings.
14. An argument can be made that reducing the density in the city effectively increases the need for more units in another location, namely the edge of the city, which increases the burden for all taxpayers by creating the need to fund new infrastructure. By retaining the existing zoning districts in this location, a greater number of housing units may be supplied through infill development and reuse of existing structures.

However, the Comp Plan also advises us to “preserve, protect and promote the character and unique features of rural and urban neighborhoods, including their historical and architectural elements.” One way to do that in areas such as Near South would be to “retain existing predominately single family blocks in order to maintain the mix of housing types.” The Comp Plan recognizes the current mix within neighborhoods near Downtown provides ample housing choices. “These existing

neighborhoods have significantly greater populations and residential densities than the rest of the community. Significant intensification could be detrimental to the neighborhoods and be beyond infrastructure capacities.”

15. The Planning Department has used the terms “tipping point” and “carrying capacity” in recent discussions involving downzoning, although these terms are not explicitly defined. These terms are used to identify the concept of a point at which a neighborhood will have a certain mix of single-, two-, and even multiple-family dwellings that works well for the existing infrastructure and for encouraging reinvestment. The occurrence of this point will depend on infrastructure factors such as water and sewer capacities, traffic capacities, and availability of off-street parking, as well as character and compatibility with the surrounding neighborhood, and a recognition of the historic development pattern and the expectations of current residents. Each neighborhood not only has its own tipping point, but that point may change as the contributing factors change.
16. The Planning Department recommends the balance between an appropriate mix of single-, two-, and multiple-family residences currently exists within this neighborhood. The existing density of this area is 7.6 units per acre, which compares to densities of 3.8 to 6.5 units per acre in the neighborhoods where R-2 zoning was approved under the current Comp Plan. Additional two-, and multiple-family dwellings would impact the availability of off-street parking, may cause increased congestion on narrow streets, and could disrupt the character of the neighborhood. Certainly, it is possible to design dwellings that respect and address these types of concerns. But the reality is the City cannot impose regulations on future dwellings holding them to a higher standard based upon the characteristics of a specific neighborhood.
17. Although the overall density is higher than other recently downzoned areas, there is a wide variety of densities between smaller subareas of the Near South Neighborhood. While the density of an area can be manipulated by changing the boundary of an area, Applicant does not request to rezone all high density uses. Pockets of R-5, R-6, and R-7 zoning will remain on particular blocks that have reached a “point of no return” where the existing number of units and types of structures make it unlikely they will be replaced with single-family dwellings.
18. The only boundary change Planning Staff recommends is to remove those lots between 22nd and 24th Streets, on the south side of “A” Street. These lots are developed as single-family, but located between multiple-family uses. It would be appropriate to eliminate the sawtooth appearance of the boundary, and reflect the predominant use of these blocks.

19. There are still existing opportunities for multiple-family development near Downtown and in older neighborhoods, including:

Downtown: 7th to 17th, G to UNL campus, is predominantly B-4 and R-8 zoning. This area continues to see conversion to apartments and proposals for multi-story new construction.

Antelope Valley: Multi-story apartment development is encouraged in several areas, including the land immediately east of Downtown. There are opportunities for more “urban” apartments, higher than typical three-story apartment buildings.

University Place: North 33rd to North 56th, north of Leighton Avenue. The recent “North 48th Street/University Place” subarea plan identified areas for downzoning, but also areas to retain multiple-family zoning to permit further apartment development.

Near South: Even with this proposed downzoning to R-2, there are a substantial number of blocks remaining R-5, R-6, and R-7 where there are redevelopment opportunities.

20. At the time of this report, the Applicant has stated they are working on a petition drive to demonstrate neighborhood support.

	R-2	R-4	R-5	R-6	R-7
Lot area , single family	6,000 sq. ft.	5,000 sq. ft.	5,000 sq. ft.	4,000 sq. ft.	4,000 sq. ft.
Lot area, two family	5,000 sq. ft. / family	2,500 sq. ft. / family	2,500 sq. ft. / family	2,500 sq. ft. / family	2,000 sq. ft. / family
Lot area, townhouse	N/A	N/A	2,500 sq. ft. / family	2,500 sq. ft. / family	2,000 sq. ft. / family
Lot area, multiple-family	N/A	N/A	1,500 sq. ft. / unit	1,100 sq. ft. / unit	700 sq. ft. / unit
Avg. lot width , single family	50 feet	50 feet	50 feet	50 feet	50 feet
Avg. lot width, two family	40 feet / family	25 feet / family	25 feet / family	25 feet / family	25 feet / family
Avg. lot width, townhouse	N/A	N/A	20 feet / family	20 feet / family	20 feet / family
Avg. lot width, multiple-family	N/A	N/A	50 feet	50 feet	50 feet
Front yard , single-family	25 feet	25 feet	25 feet	20 feet	20 feet
Front yard, two family	25 feet	25 feet	25 feet	20 feet	20 feet
Front yard, townhouse	N/A	N/A	20 feet	20 feet	20 feet
Front yard, multiple-family	N/A	N/A	20 feet	20 feet	20 feet
Side yard , single family	5 feet	5 feet	5 feet	5 feet	5 feet
Side yard, two family	10 feet, 0 at common wall	5 feet, 0 at common wall	5 feet, 0 at common wall	5 feet, 0 at common wall	5 feet, 0 at common wall
Side yard, townhouse	N/A	N/A	10 feet, 0 at common wall	5 feet, 0 at common wall	5 feet, 0 at common wall
Side yard, multiple-family	N/A	N/A	7 feet, 10 if over 20 feet in height	7 feet, 10 if over 20 feet in height	Total of 15 feet, min. 7 / side
Rear yard	Smaller of 30 feet or 20% of depth	Smaller of 30 feet or 20% of depth	Smaller of 30 feet or 20% of depth	Smaller of 30 feet or 20% of depth	Smaller of 30 feet or 20% of depth

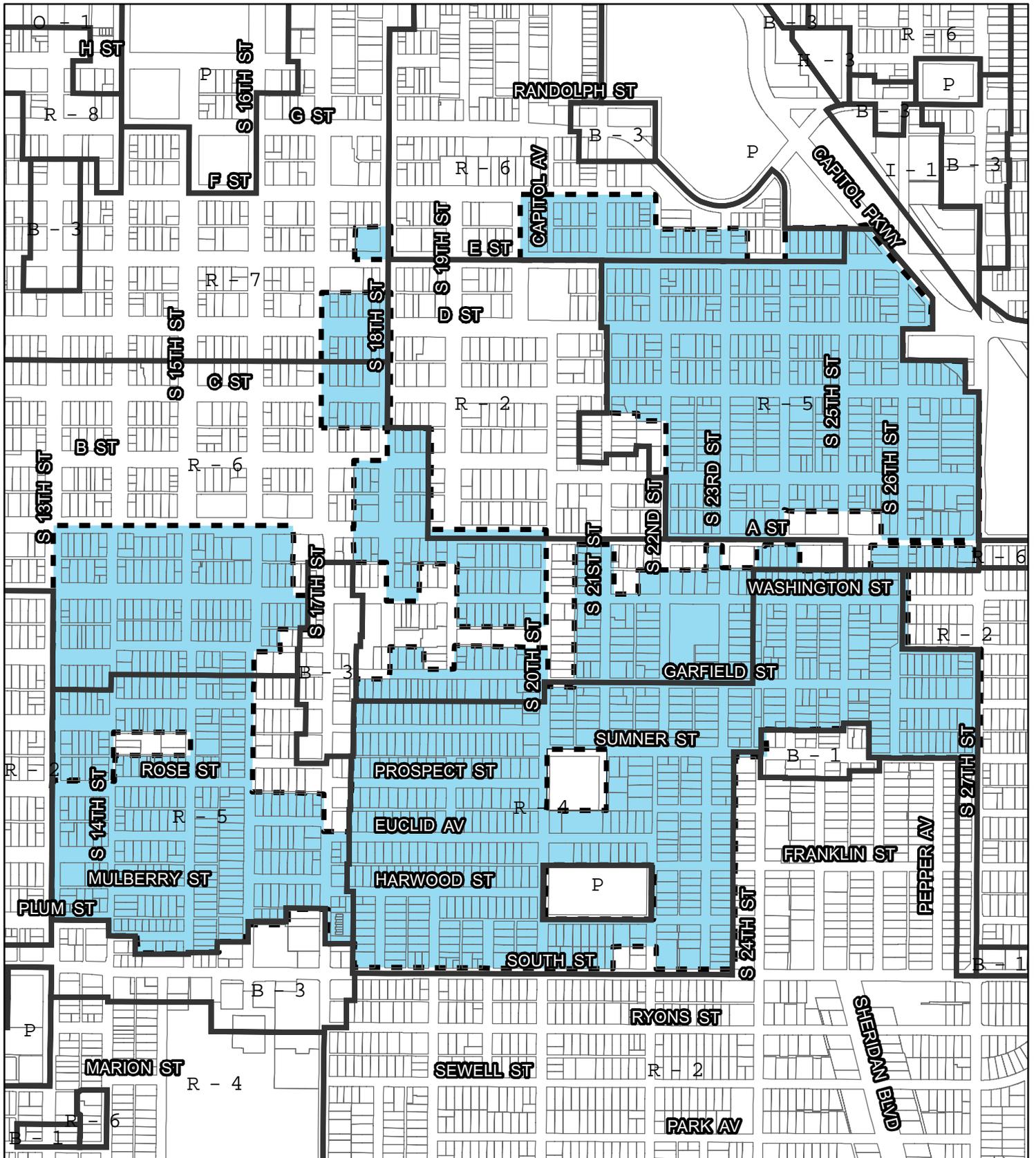
Prepared by:

Greg Czaplewski, 441-7620, gczaplewski@lincoln.ne.gov

Date: March 3, 2005

Applicant: Near South Neighborhood Association
PO Box 80143
Lincoln, NE 68501

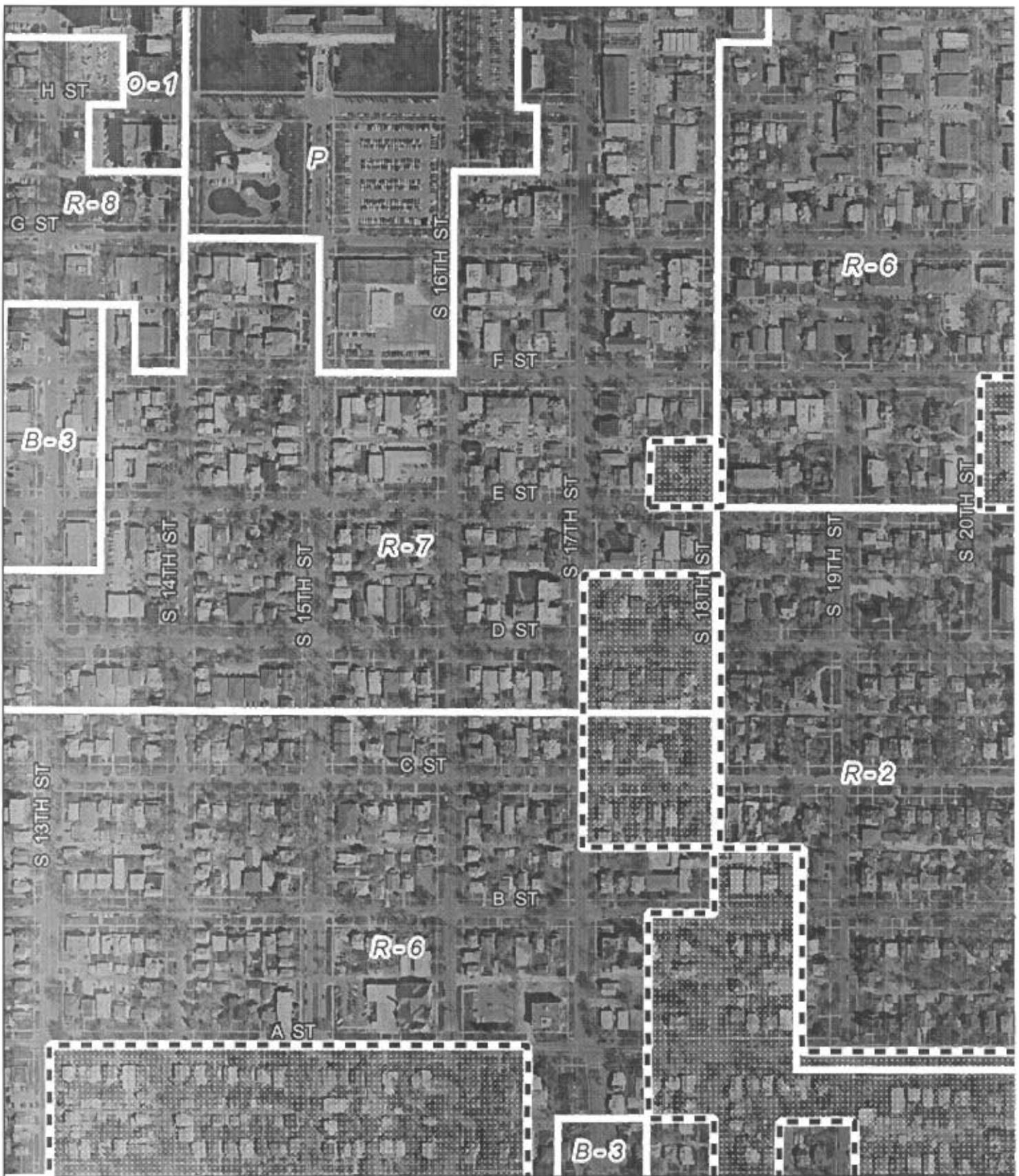
Contact: David Witters
1908 "C" Street
Lincoln, NE 68502



Zoning:

**Change of Zone #05014
Near South Neighborhood**

R-1 to R-8	Residential District	B-3	Commercial District
AG	Agricultural District	B-4	Lincoln Center Business District
AGR	Agricultural Residential District	B-5	Planned Regional Business District
R-C	Residential Conservation District	H-1	Interstate Commercial District
O-1	Office District	H-2	Highway Business District
O-2	Suburban Office District	H-3	Highway Commercial District
O-3	Office Park District	H-4	General Commercial District
R-T	Residential Transition District	I-1	Industrial District
B-1	Local Business District	I-2	Industrial Park District
B-2	Planned Neighborhood Business District	I-3	Employment Center District
		P	Public Use District



Zoning:

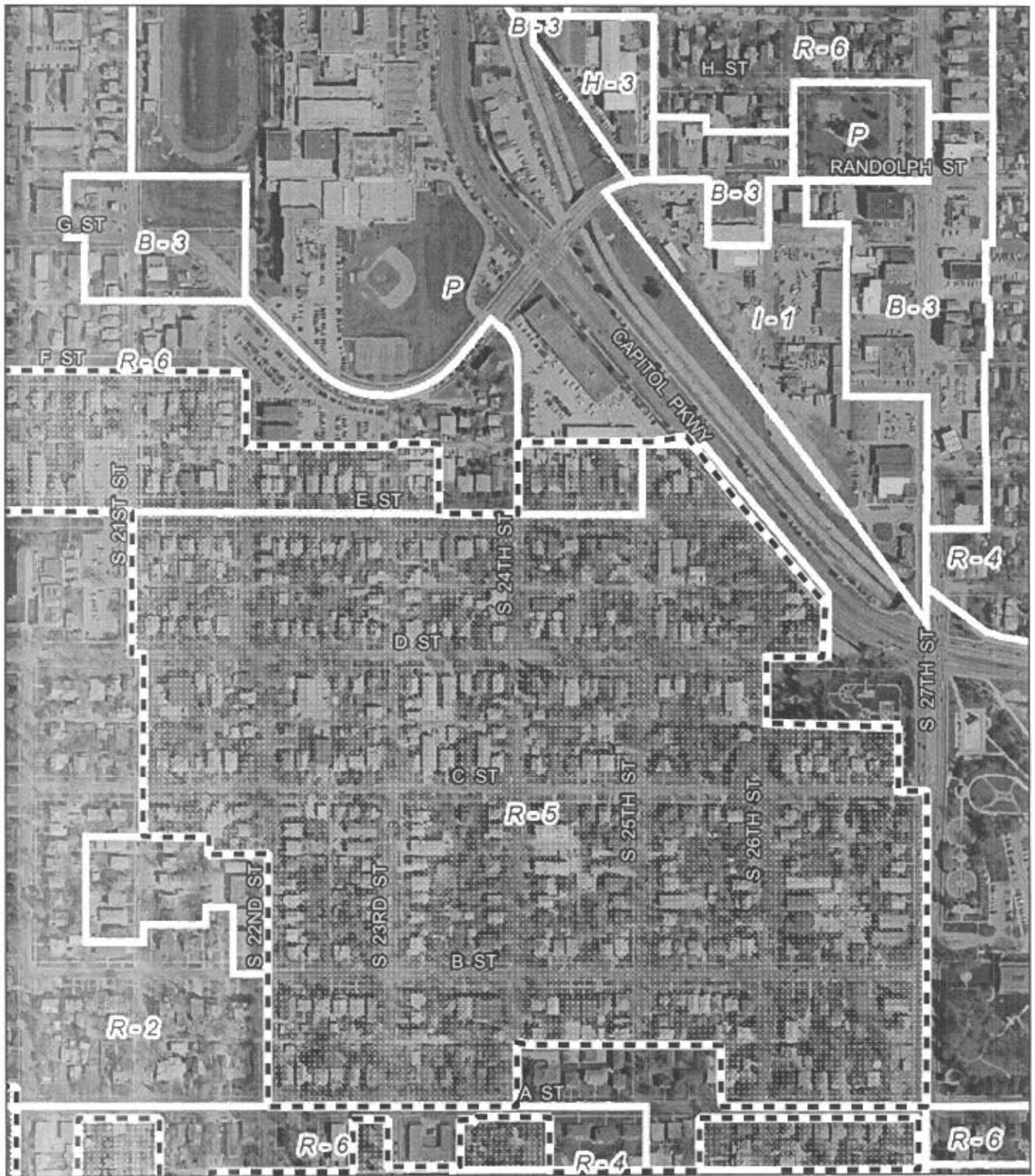
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Change of Zone #05014 Near South Neighborhood

Sheet 1

R-1 to R-8	Residential District	B-3	Commercial District
AG	Agricultural District	B-4	Lincoln Center Business District
AGR	Agricultural Residential District	B-5	Planned Regional Business District
R-C	Residential Conservation District	H-1	Interstate Commercial District
O-1	Office District	H-2	Highway Business District
O-2	Suburban Office District	H-3	Highway Commercial District
O-3	Office Park District	H-4	General Commercial District
R-T	Residential Transition District	I-1	Industrial District
B-1	Local Business District	I-2	Industrial Park District
B-2	Planned Neighborhood Business District	I-3	Employment Center District
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Zoning:

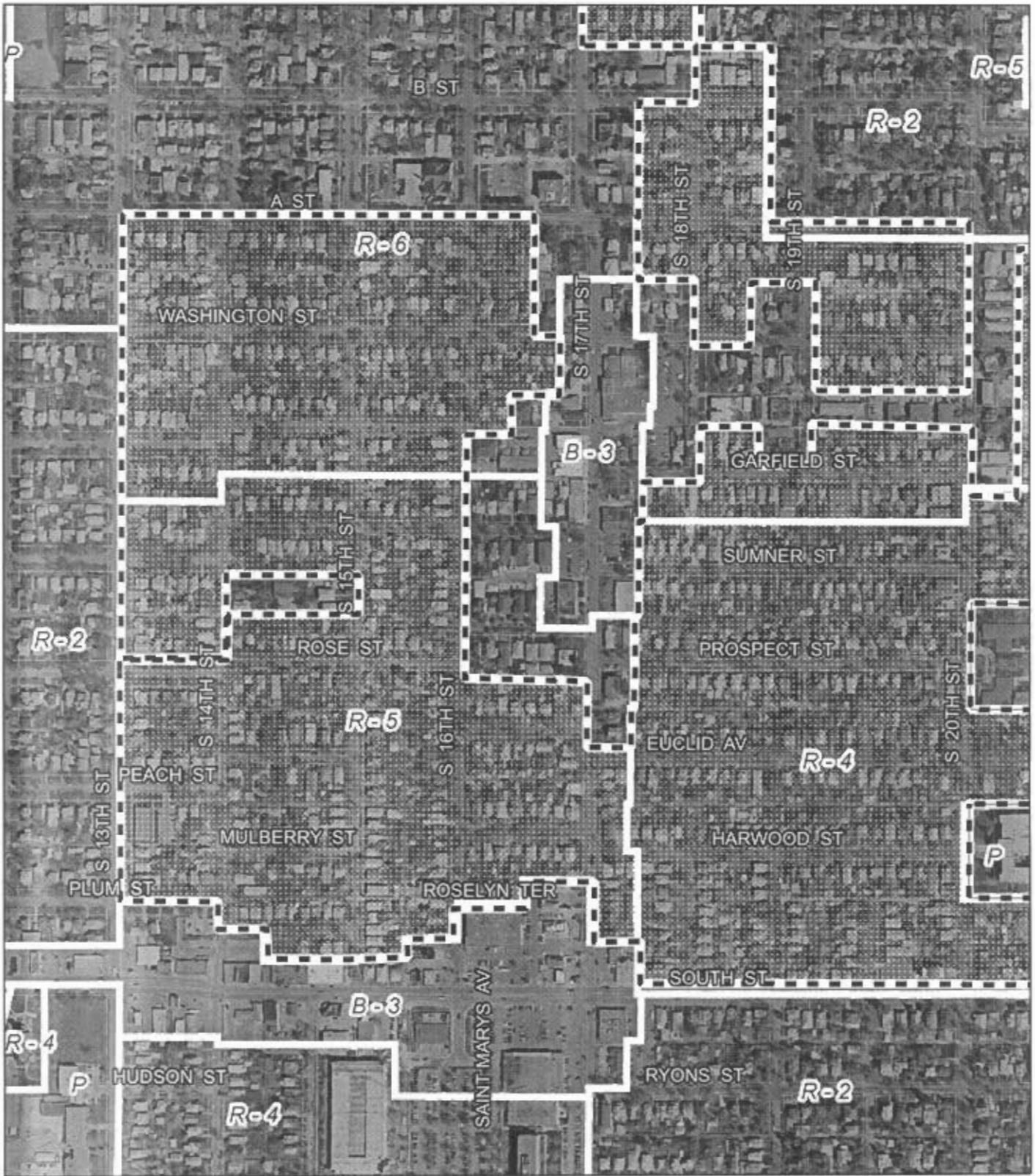
2002 aerial

Change of Zone #05014 Near South Neighborhood

Sheet 2

R-1 to R-8	Residential District	B-3	Commercial District
AG	Agricultural District	B-4	Lincoln Center Business District
AGR	Agricultural Residential District	B-6	Planned Regional Business District
R-C	Residential Conservation District	H-1	Interstate Commercial District
O-1	Office District	H-2	Highway Business District
O-2	Suburban Office District	H-3	Highway Commercial District
O-3	Office Park District	H-4	General Commercial District
R-T	Residential Transition District	I-1	Industrial District
B-1	Local Business District	I-2	Industrial Park District
B-2	Planned Neighborhood Business District	I-3	Employment Center District
		P	Public Use District





Zoning:

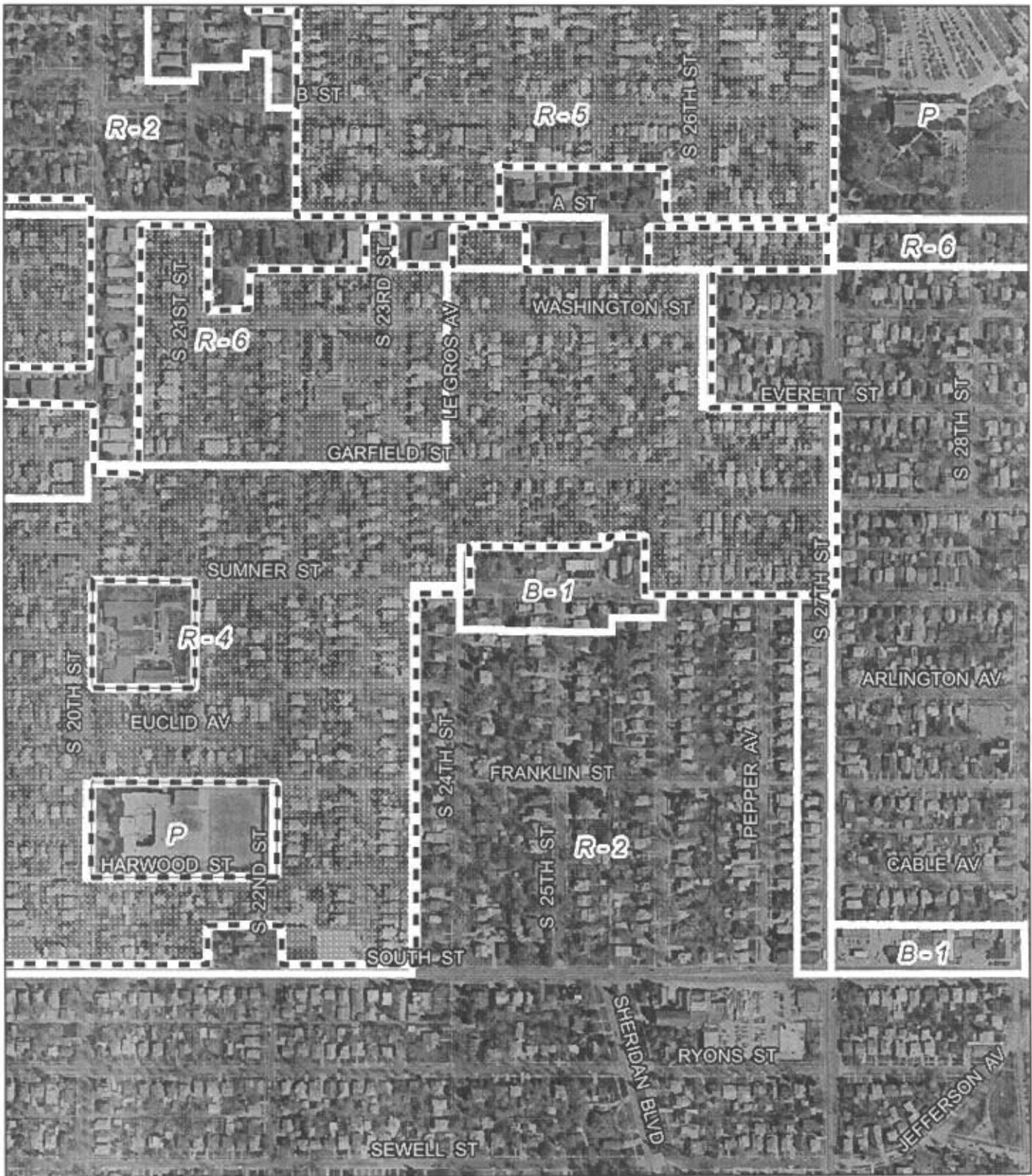
2002 aerial

Change of Zone #05014 Near South Neighborhood

Sheet 3

R-1 to R-8	Residential District	B-3	Commercial District
AG	Agricultural District	B-4	Lincoln Center Business District
AGR	Agricultural Residential District	B-5	Planned Regional Business District
R-C	Residential Conservation District	H-1	Interstate Commercial District
O-1	Office District	H-2	Highway Business District
O-2	Suburban Office District	H-3	Highway Commercial District
O-3	Office Park District	H-4	General Commercial District
R-T	Residential Transition District	I-1	Industrial District
B-1	Local Business District	I-2	Industrial Park District
B-2	Planned Neighborhood Business District	I-3	Employment Center District
		P	Public Use District





Zoning:

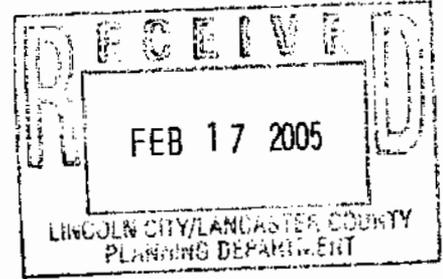
2002 aerial

Change of Zone #05014 Near South Neighborhood

Sheet 4

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Planning Department
February 17, 2005

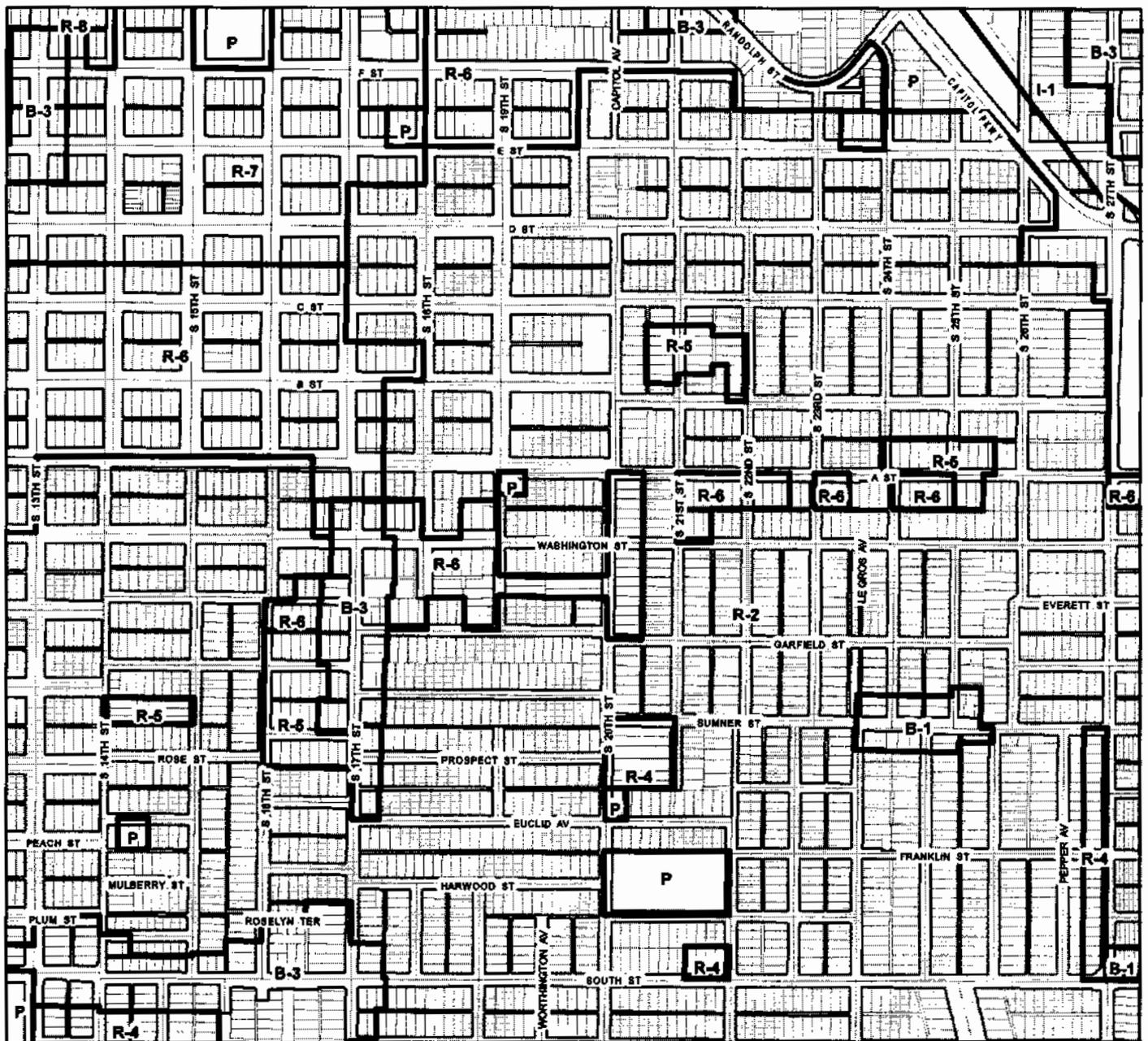
Please find attached our application to rezone portions of the Near South Neighborhood. Our NSNA zoning committee has been working on this project following the successful rezonings of our Historic Landmark districts of Mount Emerald and Franklin Heights. It is our belief that these changes have resulted in stabilization of the neighborhood, promoted reinvestment, and increased property values.

It is our desire, therefore, to pursue another rezoning of additional sections of our neighborhood (see attached legal descriptions and map). We have attempted to also include changes to P for our neighborhood parks and public spaces. The area of Near South bounded by 13th to 17th, A to G Streets is specifically not included because it represents our Urban Development Focus Area. This area will be the subject of a specific focus plan to be addressed separately in the near future.

We thank you in advance for your help and consideration in this matter. Please feel free to contact us with any questions or requests for additional information.

Sincerely,

David Witters NSNA Board and Zoning Committee Chair



**CHANGE OF ZONE 05014:
ZONING PATTERN AFTER APPROVAL**

