

City Council Introduction: **Monday**, April 10, 2006
Public Hearing: **Monday**, April 17, 2006, at **1:30 p.m.**

Bill No. 06-57

FACTSHEET

TITLE: Declaration of Surplus Property, requested by the Director of the Urban Development Department, to declare Lots 3-8, Block 3, Cottage Homes Addition, as surplus property, generally located at N. 15th and Claremont Streets.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 03/29/06
Administrative Action: 03/29/06

STAFF RECOMMENDATION: A finding of conformance with the Comprehensive Plan.

RECOMMENDATION: A finding of conformance with the Comprehensive Plan (8-0: Carlson, Carroll, Cornelius, Esseks, Krieser, Larson, Sunderman and Strand voting 'yes'; Taylor absent).

FINDINGS OF FACT:

1. These lots were purchased by the City of Lincoln as part of the Northeast Radial Project in 1961, 1970 and 1972. This is a request to declare these lots as surplus property to provide a relocation site for the "Triplets", the three homes located in the Antelope Valley Project area which have been identified as historically significant structures, currently located at 125, 135 and 145 North 22nd Street.
2. The staff recommendation to find the proposed declaration of surplus property to be in conformance with the Comprehensive Plan is based upon the "Analysis" as set forth on p.3-5.
3. On March 29, 2006, 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 March 29, 2006, the Planning Commission agreed with the staff recommendation and voted 8-0 to find the proposed declaration of surplus property to be in conformance with the Comprehensive Plan (Taylor absent at time of vote).

FACTSHEET PREPARED BY: Jean L. Walker

DATE: April 3, 2006

REVIEWED BY: _____

DATE: April 3, 2006

REFERENCE NUMBER: FS\CC\2006\CPC.06004

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for March 29th, 2006 PLANNING COMMISSION MEETING

P.A.S.: Comprehensive Plan Conformance No. **CPC06004**

PROPOSAL: Review request to declare as surplus property legally described as Lots 3-8, Block 3, Cottage Homes Addition, generally located at N 15th Street and Claremont Street, for conformance to the Comprehensive Plan.

CONCLUSION: The proposed declaration of surplus property is in conformance with the goals and policies of the Comprehensive Plan.

<u>RECOMMENDATION:</u> Find that the proposed declaration of surplus property is in conformance with the Comprehensive Plan.

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 3-8, Block 3, Cottage Home Addition, located in the NW 1/4 of Section 24-10-06, Lancaster County, NE, generally located at N 15th Street and Claremont Street.

PURPOSE: This property is to be used as the relocation site for three homes, known as the "Triplets", currently located at 125, 135, and 145 N 22nd Street. The three homes will be sold as single family residences after they have been relocated and refurbished.

EXISTING ZONING: R-4 Residential

EXISTING LAND USE: The lots are currently vacant and are surrounded by single family residences.

HISTORY: These lots were purchased by the City of Lincoln as part of the Northeast Radial Project. Lots 5&6 were purchased in 1961 and were vacant at the time of purchase. Lots 3&4 (purchased in 1970) and lots 7,8 &9 (purchased in 1972) had houses on them that were razed, the southernmost being demolished sometime between 1972 and 1980, the northernmost being demolished in 2002.

As part of the Antelope Valley Project, an Environmental Impact Statement was conducted in 1999. During this study the three homes at 125, 135, and 145 N. 22nd Street were identified as historically significant structures. These homes were determined to be eligible for listing on the National Register of Historic Places. In 2001 it was determined that these homes would need to be relocated in order to proceed with bridge, channel, and traffic improvements. A memorandum of agreement was signed June 1st, 2001 that stated "The City shall make a good faith effort to move all three buildings onto three side-by-side sites that reflects the buildings' current streetscape, siting, setback and relationship to each other."

In 2005 it was determined that lots 3-8, Block 3, Cottage Home Addition, was the most suitable site for the relocation of the three homes.

COMPREHENSIVE PLAN SPECIFICATIONS:

The Comprehensive Plan Future Land Use Map shows this area as Urban Residential development.

The Antelope Valley Redevelopment Plan shows this area as Medium Density Neighborhood.

“Maximize the community’s present infrastructure investment by planning for residential and commercial development in areas with available capacity.” (P. F17)

“Encourage mixed-use redevelopment, adaptive reuse, and in-fill development including residential, commercial and retail uses. These uses may develop along transit routes and provide residential opportunities for persons who do not want or cannot drive an automobile.” (P. F18)

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. (P. F-17)

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

Encourage a variety of housing types in the Downtown and Antelope Valley area. (P. F-73)

Retain City or County property in the floodplain in public ownership, and consider the purchase of easements or land when other publicly-owned property in the floodplain is proposed for surplus. Retain conservation easements to protect floodplain functions where unusual circumstances merit the consideration of surplus floodplain property. (P. F-80)

Give special consideration to the Salt Creek floodplain from Van Dorn Street to Superior Street where the FEMA Flood Insurance Study recommends preserving flood storage so as not to increase flood heights greater than one foot. (P. F-80)

ANALYSIS:

1. This is a request to review a declaration of surplus for property legally described as Lots 3-8, Block 3, Cottages Homes Addition, for a determination of conformity with the Lincoln and

Lancaster County 2025 Comprehensive Plan. These lots located generally at N 15th and Claremont Streets and are within the Antelope Valley Redevelopment area.

2. The purpose of this request is to provide a relocation site for the three homes known as the “Triplets”. These three homes are being relocated as part of the Antelope Valley Redevelopment Plan in order to make room for a bridge project. These homes, because of their historic significance as a group, are required to be kept as a group of three, located on adjoining lots, and in a neighborhood that is similar to the one in which they were originally built. After an exhaustive search for a site that could meet these requirements, the Urban Development Department has identified Lots 3-8 of Block 3, Cottage Home Addition as the best relocation site.
3. This property lies within the limits of the draft 100 year floodplain that is being revised as part of the on-going Salt Creek floodplain map update. The Comprehensive Plan, in the *Utilities; Watershed Management* section, states that one strategy for floodplain management should be retention of City or County property in the floodplain in public ownership. If there are unusual circumstances that merit the consideration of surplussing floodplain property, the City or County should retain conservation easements to protect floodplain functions.
4. Watershed Management recommends: The placement of homes on these properties should be subject to compliance with the updated 100-year flood elevations determined by the Salt Creek floodplain mapping study as well as any allowable fill limitation requirements identified by the study. Also, applicable construction requirements for new buildings in the floodplain as given in Lincoln Municipal Code 27.52 will need to be met.
5. The developer has agreed to proceed in a manner that would acknowledge the draft 100 year Salt Creek floodplain and meet or exceed the floodplain development requirements for the existing urban area. Specifically, the foundations of the homes shall be constructed so flood waters can move through openings in the foundation and fill material used on site will be excavated from the site in an attempt to meet the higher no-rise standard. While this does not specifically meet the Comprehensive Plan policy of a conservation easement to protect flood storage, it does meet the spirit of the policy in that it shows a much higher level of protection than would be required of a private development.
6. The Historical Preservation Office of the Nebraska State Historical Society reviewed the project and made some recommendations to which the developer agreed; 1) the porches on the front of the houses will be built approximately 7 inches (one step) below the level of the front entrances in order to minimize the visual effect of the homes being elevated one foot above the base flood elevation, and 2) the front yards will be graded to slope gently to the front of the homes, further minimizing the visual effect of elevation. This grading will constitute less than a two foot rise in elevation, from the sidewalk to the front of the house, and will be done using fill from the site.

7. The Building and Safety Department has been consulted on this project and is in agreement with the proposed plans.
8. The developer will continue to work with the Building and Safety Department, Public Works and Utilities - Watershed Management, and the Historical Society to insure that all concerns are addressed and all requirements for building in the floodplain are met.

Prepared by:

Sara S. Hartzell
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Planner

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COMPREHENSIVE PLAN CONFORMANCE NO. 06004

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

March 29, 2006

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

The Consent Agenda consisted of the following items: **SPECIAL PERMIT NO. 06011; COUNTY SPECIAL PERMIT NO. 06016; COUNTY SPECIAL PERMIT NO. 06017, Meadowlark Hills Community Unit Plan; SPECIAL PERMIT NO. 06015, COMPREHENSIVE PLAN CONFORMANCE NO. 06003, amendment to the Lincoln Center Redevelopment Plan; and COMPREHENSIVE PLAN CONFORMANCE NO. 06004, Declaration of Surplus Property.**

Ex Parte Communications: None.

Item No. 1.1, Special Permit No. 06011, and Item No. 1.3, County Special Permit No. 06017, Meadowlark Hills Community Unit Plan, were removed from the Consent Agenda and scheduled for separate public hearing.

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

Note: This is final action on Special Permit No. 06015, 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.



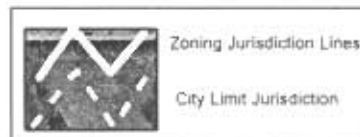
**Comp. Plan Conformance #06004
N 15th & Claremont St.**

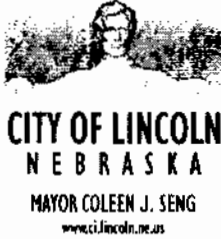
2005 aerial

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. 24 T10N R06E





**PUBLIC WORKS AND
UTILITIES DEPARTMENT**

MEMORANDUM

Date: 03/13/2006

To: Sara Hartzell, Planning Department

From: *John Callen, Watershed Management*

Subject: *Cottage Home Addition review comments, CPC06004*

cc: *Dennis Bartels, Wayne Teten, Lana Tolbert*

Sara,

Below are Watershed Management's comments regarding Cottage Home Addition, CPC06004:

1. The site of the potentially re-located homes is in the draft 100-year floodplain that is being revised as part of the ongoing Salt Creek floodplain map update. The placement of homes on these properties should be subject to compliance with the updated 100-year flood elevations determined by the Salt Creek floodplain mapping study as well as any allowable fill limitation requirements identified by the study. Also, applicable construction requirements for new buildings in the floodplain as given in Lincoln Municipal Code 27.52 will need to be met.

Recommendations and Notes:

- The Salt Creek floodplain map update information is still currently in draft status. It is still subject to technical review and approval by the Federal Emergency Management Agency (FEMA) and the information for this area may change due to incorporation of FEMA review comments into the study.

Memorandum

To: Sara Hartzell, Planning Department
From: Dennis Bartels, Engineering Services
Subject: Comprehensive Plan Conformance #06004
Date: March 8, 2006
cc: Randy Hoskins
Ben Higgins
Wayne Teten
Roger Figard

Engineering Services has reviewed the declaration of surplus of property at 15th at Claremont and has the following comments:

1. The area is in the proposed updated Salt Creek flood plain. The sale and reuse of the property should be conditioned upon meeting the proposed new flood plain 100 year elevations and be subject to fill limitations for this area.
2. Existing public sewer and water are available to serve these lots.