

City Council Introduction: **Monday**, May 5, 2008
Public Hearing: **Monday**, May 12, 2008, at **5:30 p.m.**

Bill No. 08-55

FACTSHEET

TITLE: **Declaration of Surplus Property**, requested by the Director of the Urban Development Department, declaring approximately 19.37 acres, more or less, generally located at North 56th Street and Bluff Road, as surplus property.

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

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 03/12/08
Administrative Action: 03/12/08

RECOMMENDATION: A finding of conformance with the Comprehensive Plan (6-0: Gaylor Baird, Carroll, Cornelius, Esseks, Francis and Taylor voting 'yes'; Larson and Sunderman absent).

FINDINGS OF FACT:

1. This is a request by the City Urban Development Department to declare 19.37 acres, more or less, located north of the landfill, generally located at North 56th Street and Bluff Road, as surplus property. The intent is to sell the property to the Nebraska Game and Parks Commission for use as a maintenance site.
2. Vehicular access to N. 56th Street (Highway 77) will be indirect; restricted to a drive out to Bluff Road on the east edge of the property to the south, which is owned by the City.
3. The staff finds that the proposed declaration of surplus property is in conformance with the Comprehensive Plan.
4. On April 23, 2008, 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 April 23, 2008, the Planning Commission agreed with the staff recommendation and voted 6-0 to find the proposed declaration of surplus property to be in conformance with the 2030 Comprehensive Plan (**Comprehensive Plan Conformance No. 08005**).

FACTSHEET PREPARED BY: Jean L. Preister

DATE: April 28, 2008

REVIEWED BY: _____

DATE: April 28, 2008

REFERENCE NUMBER: FS\CC\2008\CPC.08005 Surplus

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for APRIL 23, 2008 PLANNING COMMISSION MEETING

- P.A.S.:** Comprehensive Plan Conformance No. 08005
- PROPOSAL:** Finding a declaration of surplus property for a tract of land in conformance with the Comprehensive Plan.
- LOCATION:** N. 56th Street and Bluff Road
- LAND AREA:** 19.37 acres, more or less
- CONCLUSION:** City departments have evaluated this parcel and determined that it is not needed for City purposes.

<u>RECOMMENDATION:</u>	In conformance with the Comprehensive Plan.
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GENERAL INFORMATION:

- LEGAL DESCRIPTION:** Lot 31 I.T., located in the SW 1/4 of 16-11-7, Lancaster County, Nebraska.
- EXISTING ZONING:** AG
- EXISTING LAND USE:** Agriculture, undeveloped.

SURROUNDING LAND USE AND ZONING:

- | | | |
|--------|----|-----------------------------|
| North: | AG | Residential and Agriculture |
| South: | AG | Residential and Landfill |
| East: | AG | Agriculture |
| West: | AG | Agriculture |

HISTORY:

The City acquired the property on September 20, 1990.

COMPREHENSIVE PLAN SPECIFICATIONS:

The Future Land Use Map of the 2030 Comprehensive Plan designates this land as Public and Semi-Public.

ANALYSIS:

1. The intent is to sell the property to the Nebraska Game and Parks Commission who intends to use it for a maintenance site.

2. A total of one parcel and 19.37 acres are within this request. All 19.37 acres are within the City of Lincoln's jurisdiction.
3. Vehicular access to N. 56th Street (U.S. Highway 77) will be indirect; restricted to a drive out to Bluff Road on the east edge of the property to the south, which is owned by the City.

Prepared by:

Brandon M. Garrett, AICP
Planner

DATE: April 11, 2008

APPLICANT: David Landis, Director
Urban Development Department
808 P Street, Ste. 400
Lincoln, NE 68508

CONTACT: Michelle Backemeyer
Urban Development Department
808 P Street, Ste. 400
Lincoln, NE 68508
441-8617

COMPREHENSIVE PLAN CONFORMANCE NO. 08005

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

April 23, 2008

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

The Consent Agenda consisted of the following items: **COMPREHENSIVE PLAN CONFORMANCE NO. 08005**; **COMPREHENSIVE PLAN CONFORMANCE NO. 08006**; **COMPREHENSIVE PLAN CONFORMANCE NO. 08007**; **CHANGE OF ZONE NO. 2938C**; **CHANGE OF ZONE NO. 08015**; **USE PERMIT NO. 80A**; **USE PERMIT NO. 05005A**; **SPECIAL PERMIT NO. 08019**; **ANNEXATION NO. 07003**, **CHANGE OF ZONE NO. 07060**, **WILDERNESS HEIGHTS PLANNED UNIT DEVELOPMENT**; and **PRELIMINARY PLAT NO. 07004**, **WILDERNESS HEIGHTS**.

Ex Parte Communications: None

Taylor moved to approve the Consent Agenda, seconded by Cornelius and carried 6-0: Gaylor Baird, Carroll, Cornelius, Esseks, Francis and Taylor voting 'yes'; Larson and Sunderman absent.

Note: This is final action on Comprehensive Plan Conformance No. 08007, Use Permit No. 80A, Special Permit No. 08019, and Preliminary Plat No. 07004, 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.



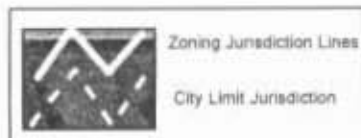
Comp Plan Conformance #08005
N 56th St & Bluff Rd

2007 aerial

Zoning:

One Square Mile
 Sec. 16 T11N R07E

- 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-7 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



Clinton Thomas/Notes
03/20/2008 02:17 PM

To Brandon M Garrett/Notes@Notes
cc Dennis D Bertels/Notes@Notes, Michelle
Backemeyer/Notes@Notes
bcc

Subject Re: Surplus property at N. 56th and Bluff Road 

History:  This message has been forwarded.

It was the intent during the discussions with G&P that the City would grant them an easement across the remaining property adjacent to Bluff Road for unlimited access into and out of the property. The exact location is subject to discussion/approval of PW and/or G&P however it is my understanding that it would be near or adjacent to the east property line.

It is also my understanding that G&P would build and maintain the access road unless the City builds it to facilitate the removal of borrow. In any event, I believe G&P will be responsible for maintainance. The agreement will be muta on the issue of the drive on Hwy 77 other than it is there, it is a restricted access according to Control of Access and could be used until NDOR thinks it is getting too much traffic. Since it is a joint drive with the abutting property I don't think it will every be entirely closed unless someone wants to buy that property under inverse condemnation, AGAIN. However, they know that the median break is programmed to disappear at some point in the future. ct

Brandon M Garrett/Notes



Brandon M Garrett/Notes
03/20/2008 01:33 PM

To Clinton Thomas/Notes@Notes, Michelle
Backemeyer/Notes@Notes, Dennis D Bartels/Notes@Notes
cc

Subject Surplus property at N. 56th and Bluff Road

Will this property continue to take access to Hwy 77, or will the City grant the lot an easement across its property to the south to take access to Bluff Road? If our intention is to limit the number of vehicles taking access to the highway, then the City should relinquish access to it at this time. Also--if the City does provide an easement, who will maintain that access across City property? See attached.

Thanks,
Brandon



SKM8T_42008032012390.pdf

Brandon M. Garrett, AICP
Planner
Lincoln/Lancaster County Planning Department
555 South 10th Street, Ste. 213
Lincoln, NE 68508
ph: (402)441-6373
fax: (402)441-6377

interoffice
MEMORANDUM

to: Jean Walker, Planning Department
from: Michelle Backemeyer, Housing Rehab and Real Estate Division
subject: Declaration of Surplus Property - Lot 31, Irregular Tract located in the SW1/4 of Section 16, Township 11 North, Range 7 East of the 6th P.M., Lancaster County, NE
date: March 17, 2008

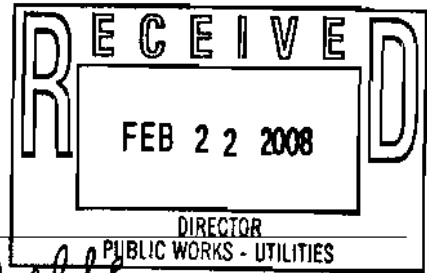
Michelle Backemeyer

Please place on the next Planning Commission agenda a request to declare surplus a 19.37 acre site north of the landfill legally described as Lot 31, I.T., SW 1/4 of Section 16-11-7.

We have requested responses from other City Departments and public agencies in accordance with the surplus property disposition procedures. Copies of the returned responses and the original request are attached. If you have any questions, please feel free to call me at 441-8617.

Attachments

interoffice
MEMORANDUM



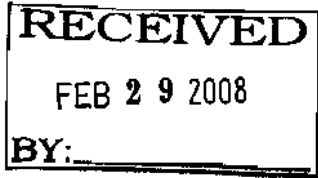
GM
Michelle Backemeyer

to: Greg MacLean, Public Works and Utilities
from: Michelle Backemeyer, Housing Rehab and Real Estate Division
subject: Declaration of Surplus Property - Lot 31, Irregular Tract located in the SW1/4 of Section 16, Township 11 North, Range 7 East of the 6th P.M., Lancaster County, NE
date: February 21, 2008

We have been asked to start the surplus process for a 19.37 acre site north of the landfill legally described as Lot 31, I.T., SW 1/4 of Section 16-11-7. The intent is to sell the property to the Nebraska Game and Parks Commission who intends to use it for a maintenance site.

Please respond in 20 days or less as to any comments or objections your department may have in declaring this property surplus. If we have not received a response during this time period, we will assume you have no objections and will proceed with the disposition of this property.

Attachments





Dave Heineman
Governor

STATE OF NEBRASKA

DEPARTMENT OF ROADS

John L. Craig, Director

1500 Highway 2 • PO Box 94759 • Lincoln NE 68509-4759
Phone (402)471-4567 • FAX (402)479-4325 • www.dor.state.ne.us

February 22, 2008

Michelle Backemeyer
City of Lincoln
Housing Rehab and Real Estate Division
555 So. 10th Street
Lincoln, NE 68508

Re: Surplus Property
Lot 31, Irreg. Tract, SW ¼ Sec. 16-11N-7E
Lancaster County, NE

We have no objections to the sale of this property. You will note that the only access to this property is through a joint restricted drive on the North end of the property.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Britton".

Gary Britton
Right of Way Manager
Right of Way Division
Department of Roads