

FACTSHEET

TITLE: Resolution authorizing the acquisition of land for public use, requested by the Director of the Parks & Recreation Department, consisting of 7.52 acres, more or less, generally located south of the intersection of Sutherland Street and Yankee Hill Road.

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

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 02/11/09
Administrative Action: 02/11/09

RECOMMENDATION: A finding of conformance with the Comprehensive Plan (7-0: Gaylor Baird, Carroll, Esseks, Francis, Larson, Sunderman and Taylor voting 'yes'; Cornelius and Larson absent).

FINDINGS OF FACT:

1. This is a request by the Director of the Parks and Recreation Department to acquire 7.52 acres, more or less, for public use. This triangular tract was created with the planned realignment of Yankee Hill Road. Part of the cost to acquire this tract will come from the proceeds of the recent sale of park land to Talent Plus, to meet the requirement of the federal government's Land and Water Conservation Fund program to replace land purchased with those funds.
2. The staff recommendation to find the proposed acquisition of property to be in conformance with the Comprehensive Plan is based upon the "Analysis" as set forth on p.3-4, concluding that the Comprehensive Plan designates a future regional park just south of this tract known as Jensen Park. There are multiple potential future public uses that may be located in this area, including a park, a school, and YMCA. Acquisition of this tract now preserves the option of future use of this tract for multiple public uses. The staff presentation is found on p.5.
3. There was no testimony in opposition.
4. On February 11, 2009, the Planning Commission agreed with the staff recommendation and voted 7-0 to find the proposed acquisition of property to be in conformance with the 2030 Comprehensive Plan (**Comprehensive Plan Conformance No. 09001**).

FACTSHEET PREPARED BY: Jean L. Preister

DATE: February 13, 2009

REVIEWED BY: _____

DATE: February 13, 2009

REFERENCE NUMBER: FS\CC\2009\CPC.09001 Acquisition

**LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT
for February 11, 2009 PLANNING COMMISSION MEETING**

PROJECT #: Comprehensive Plan Conformance No. 09001

PROPOSAL: To find that the acquisition of approximately 7.52 acres of land for public use is in conformance with the Comprehensive Plan.

LOCATION: South of the intersection of Sutherland Street and Yankee Hill Road.

LAND AREA: 7.52 acres more or less.

CONCLUSION: The Comprehensive Plan designates a future regional park just south of this tract known as Jensen Park. There are multiple potential future public uses that may be located in this area including a park, a school, and YMCA. Acquisition of this tract now preserves the option of future use of this tract for multiple public uses.

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

LEGAL DESCRIPTION: Lot 119 I.T., located in the SW 1/4 of Section 23, T9N, R7E, of the 6th P.M., Lancaster County, Nebraska.

EXISTING ZONING: AG Agriculture

EXISTING LAND USE: Vacant

SURROUNDING LAND USE AND ZONING:

North & West:	Townhomes under construction, Vacant	R-3, R-4
South:	Vacant	P
East:	Vacant, Single-family Residential	AG, R-2

COMPREHENSIVE PLAN SPECIFICATIONS:

Pg 7 - Environmental Stewardship - Clean air, clean water, parks and open space, mature trees, signature habitats, and prime and productive farmlands are valuable assets. Conservation areas, floodplains, green spaces, and parks define, and help create linkages between, neighborhoods and surrounding population centers. The Comprehensive Plan takes into consideration the effects of natural events and characteristics not only upon localized development, but also upon the community as a whole, upon private ownership issues, and upon recreational opportunities. The Plan thus commits Lincoln and Lancaster County to preserve unique and sensitive habitats and endorses creative integration of natural systems into developments.

Pg 16 - Green Space - Areas predominantly used for active recreational use, such as parks, golf courses, soccer or ball fields, and trails. Green space areas may be either public or privately owned. While some isolated environmentally sensitive features may be within these areas, they are predominantly for active recreation, with some passive recreation uses also possible.

Environmental Resources - Land and water masses which are of particular importance for maintenance and preservation, such as saline wetlands, native prairie, and some floodway and riparian corridors. Such areas may be either publicly or privately owned.

Pg 133 - Guiding Principles - It is recognized that parks and open space enhance of the quality of life of the community's residents and are central to the community's economic development strategy (i.e., the community's ability to attract and retain viable business and industry is directly linked to quality of life issues, including indoor and outdoor recreational opportunities).

Signature landscapes are defined as those areas and natural features that are unique to Lincoln and Lancaster County, and residents and visitors therefore directly associate these areas and features with the identity of the community. Acquisition and development of parks and open space areas should conserve and enhance these areas and features.

It is important that the community continue to acquire parkland and conserve open space areas commensurate with expanding development and population growth. The responsibilities for acquisition and development of parkland, and conservation of open space must be shared among many cooperating partner agencies and organizations.

Public and private partnerships are important in the development of recreational opportunities and the preservation of environmental resources that bring a high quality of life to the City and County.

Pg 134 - Future Parks - Designates Jensen Park as a Regional Park.

Pg 135 - Community Parks - Other Location and Design Criteria

-Locate community parks on a collector or arterial street to accommodate automobile access and parking. -Park sites shall also be readily accessible by pedestrians and bicyclists from a commuter/recreation trail.

-Locate community parks adjacent to middle schools where possible.

-Community parks shall be adjacent to greenway linkages.

-Provide buffering between community park activities and adjacent residential areas to minimize traffic and noise impacts.

-Design standards for field and parking lot lighting should seek to minimize glare, light spill-over onto adjacent properties, and impacts on the dark night sky.

-Select sites for community parks that allow for multiple functions, such as storm water management or habitat conservation.

-Establish Youth Baseball/Softball complexes as part of community parks throughout the city. Partnerships should be formed with the youth baseball organizations and Lincoln Public Schools for maintenance of utilization strategies.

ANALYSIS:

1. This request was initiated by the Director of the Parks and Recreation Department. The purpose is to determine whether acquisition of the subject 7.52-acre parcel is in conformance with the 2030 Comprehensive Plan.
2. Article IX-B, Section 6 of the City Charter requires the Planning Department to prepare a report on conformity with the Comprehensive Plan on all property acquisitions.
3. The subject tract was created with the planned realignment of Yankee Hill Road. Instead of extending east into Cheney, Yankee Hill Road will curve to the north and intersect with Highway 2 at South 91st Street, creating a 7.52 parcel between the old and new Yankee Hill Road rights-of-way.

4. Parks and Recreation notes the Federal Land and Water Conservation Fund Program requires them to replace the 1.32 acres of land recently surplused at the Holmes Lake Golf Course. It must be replaced on a value-to-value basis, and 5.75 acres of the subject tract would fulfill this requirement.
5. There are multiple future public facilities that may be located in this area. The City intends to develop Jensen Park as a regional city park. Also, Lincoln Public School District #1 (LPS) is considering locating a new school in this area in the future, one that potentially may collaborate with the YMCA and support shared facilities. With additional undeveloped land adjacent to Jensen Park, the possibility still exists for any of these entities to acquire additional land adjacent to the park. Additional acquisitions could facilitate all three entities locating here, but would require a different ownership pattern than exists today. If acquired, the subject parcel could be used to facilitate a reconfigured ownership pattern. In the event that joint use does not occur, the land can easily be assimilated into Jensen Park. All three entities are interested in and supportive of collaboration.
6. Acquisition of land for such public uses is consistent with the comprehensive Plan.
7. The minutes from the November 3, 2008 Parks and Recreation Advisory Board meeting, where the Board voted unanimously to approve the acquisition, are attached.

Prepared by:

Brian Will, 441-6362
bwill@lincoln.ne.gov
Planner
January 26, 2009

APPLICANT: Lynn Johnson
Director
City of Lincoln Parks and Recreation Department
2740 A Street
Lincoln, NE 68502
(402)441-7847

CONTACT: JJ Yost
Planning and Construction Manager
City of Lincoln Parks and Recreation Department
2740 A Street
Lincoln, NE 68502
(402)441-8255

COMPREHENSIVE PLAN CONFORMANCE NO. 09001

PUBLIC HEARING BEFORE PLANNING COMMISSION:

February 11, 2009

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

Ex Parte Communications: None.

This application was removed from Consent Agenda at the request of Commissioner Taylor and had separate public hearing.

Staff recommendation: A finding of conformance with the Comprehensive Plan.

Staff presentation: **Brian Will of Planning staff** explained that this is a request for finding of conformance for the acquisition of 7.5 acres located in the neighborhood of 84th and Yankee Hill Road. This triangular piece of property was created by the new alignment of Yankee Hill Road. Jensen Park is just to the south. It is a requirement of the Charter that the Planning Department prepare a report on this request. Given that there is other land here proposed to be used for public uses and this land could be acquired for public use as well, staff has found the proposal to be in conformance with the Comprehensive Plan.

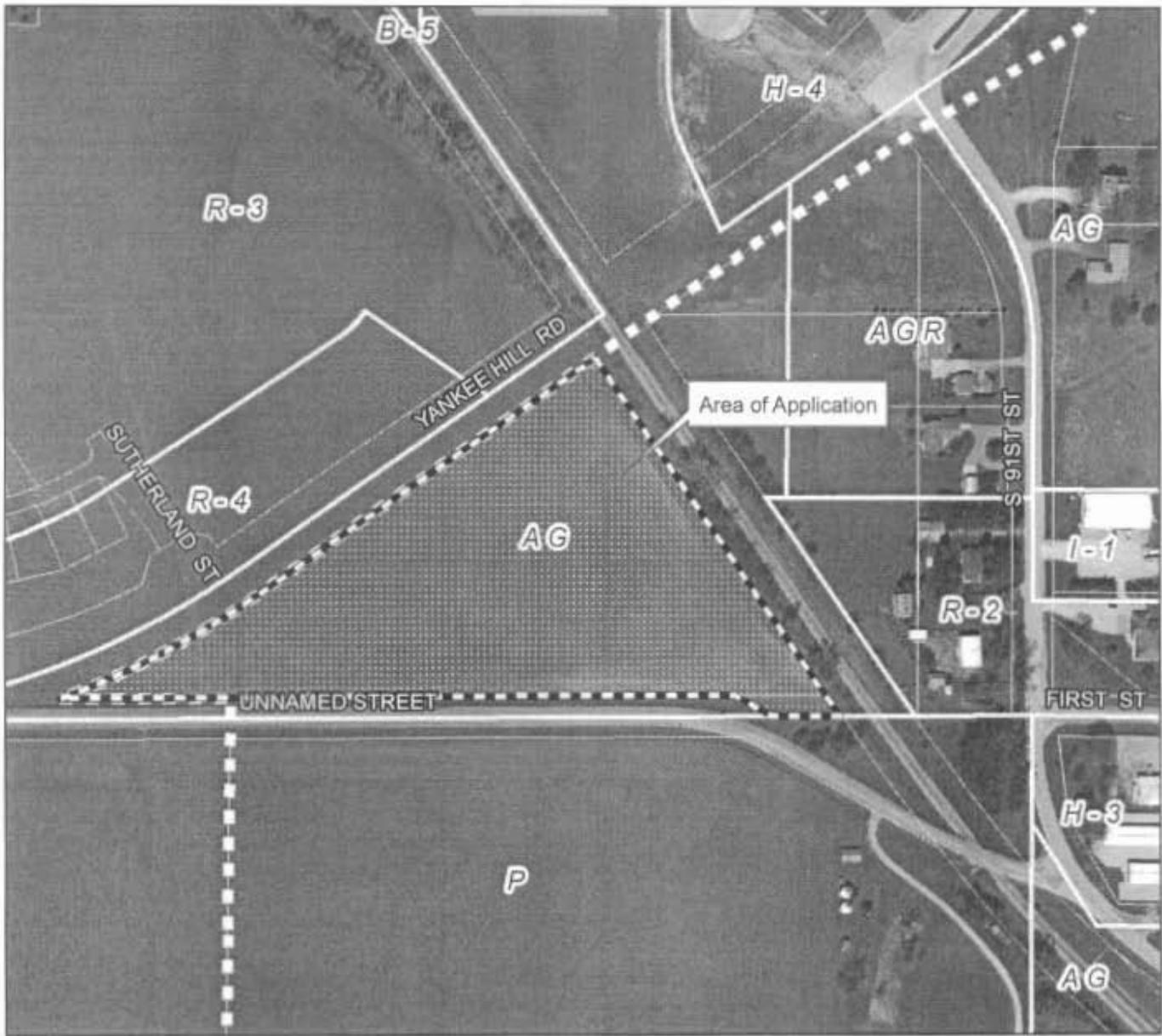
Taylor asked for clarification of #4 in the analysis which discusses the Federal Land and Water Conservation Fund Program. **JJ Yost of Parks and Recreation**, explained that in 2007, the City Council approved the sale of 1.32 acres adjacent to Pioneers Boulevard along Holmes Lake Golf Course. That land is under the Federal Land and Water Conservation Fund jurisdiction. That program requires that when we sell property under the Federal Land and Water Conservation Fund jurisdiction, we must replace it on a dollar-for-dollar value. An appraisal has been done on the 1.32 acre parcel at Holmes Lake and Parks is looking at expending those funds for the purchase of 5.75 acres of this 7.5 acre parcel at 84th & Yankee Hill Road. The remainder of the 7.5 acre parcel would be purchased with other funding sources. The Parks Department has been interested in this property for public purposes since the realignment of Yankee Hill Road and its proximity to Jensen Park.

There was no testimony in opposition.

ACTION BY PLANNING COMMISSION:

February 11, 2009

Gaylor Baird moved to approve a finding of conformance with the Comprehensive Plan, seconded by Francis and carried 7-0: Sunderman, Taylor, Partington, Esseks, Gaylor Baird, Francis and Carroll voting 'yes'; Cornelius and Larson absent. This is a recommendation to the City Council.



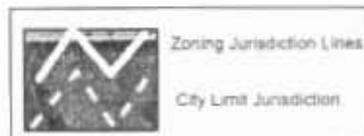
2007 aerial

**Comp Plan Conformance #09001
Sutherland St & Yankee Hill Rd**

Zoning:

One Square Mile
Sec. 23 T09N 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-8 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



Memo



To: Brian Will, Planning Department

From: J.J. Yost

Date: January 23, 2009

Re: Comprehensive Plan Conformance for Public Land Acquisition at South 91st and Yankee Hill Road

In On behalf of the Parks & Recreation Department, I am requesting that a 7.52-acre parcel of land located near South 91st Street and Yankee Hill Road be presented to the Planning Commission with a recommendation that its acquisition by the City of Lincoln for public purposes be found to be in conformance with the Lincoln-Lancaster County Comprehensive Plan. The subject property is located approximately one-half mile east of South 84th Street along the north side of Yankee Hill Road in Lincoln, Lancaster County, Nebraska. According to the City of Lincoln/Lancaster County plat map, the legal description of the subject property is ***Lot 119, Irregular Tract, located in the Southwest Quarter of Section 23, Township 9 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska.***

The subject property is located immediately adjacent to the northern boundary of land owned by the City of Lincoln and identified in the Comprehensive Plan for future development of a regional park - Jensen Park. The Jensen Park site currently consists of approximately 190 acres that consists of both flat land areas well suited for the development of active recreational/sports fields and sloping hill sides and drainage ways that could be preserved and enhanced to provide for more passive park uses. The subject property is contiguous to the flat land along the northern portion of the Jensen Park and is envisioned to be included in the future development of this area for public purposes.

In 2007, the City Council authorized sale of 1.32 acres of land at Holmes Park Golf Course. The former Holmes Park Golf Course land is subject to provisions of the Federal Land and Water Conservation Fund Program and as a result, must be replaced on a value-to-value basis. Based on the estimated market value of the fee simple estate in the subject property (Great Plans Appraisal, inc., November 25th, 2008), the City desires to purchase 5.75 acres of the subject property for the future conversion and replacement of

the 1.32-acre parcel at the Holmes Park Golf Course. The desired acres represent the value-to-value conversion based on the estimated market value of the fee simple estate of the Holmes Park Golf Course parcel (Great Plains Appraisal, Inc., August 1, 2007).

The current land owner has expressed a desire to sell the subject property in its entirety in the near future and has indicated that commercial development that could include a storage unit facility is being evaluated. The sale of this property to a private developer would eliminate the opportunity for public purchase. The City believes this property the property is better served for public purposes and thus the desire to take action.

If you have questions, concerns or need for additional information, please contact me at (402) 441-8255 or by email at jvost@lincoln.ne.gov. Thank you for your consideration.

Parks & Recreation Advisory Board Action Item Fact Sheet

Meeting Date: November 13, 2008

Request:

Recommendation regarding acquisition of 7.5 acre parcel of land located immediately north of Jensen Park and realigned Yankee Hill Rd. easterly of South 84th Street (Parcel ID #16-23-300-035-000).

Discussion:

Jensen Park is a 190-acre future regional park located southeasterly of So. 84th Street and Yankee Hill Road. In 2007, the City Council authorized sale of 1.3 acres of land at Holmes Golf Course. The former Holmes Golf Course land is subject to provisions of the Federal Land and Water Conservation Fund program. The 1.3 acre site must be replaced on a value-to-value basis.

Jensen Park may be developed as a joint park/school site in the future. Acquisition of the subject 7.5 acre parcel is being proposed to expand the site and to maintain visibility and access to the site from realigned Yankee Hill Road, in anticipation of future development of the park site.

Conformance with Adopted Plans and Guidelines:

Jensen Park is identified as a future regional park in the Lincoln-Lancaster County Comprehensive Plan. Acquisition of the subject parcel enhances opportunities for future development of the park site.

Staff Recommendation: Approve

Committee Discussion and Recommendation: Approve

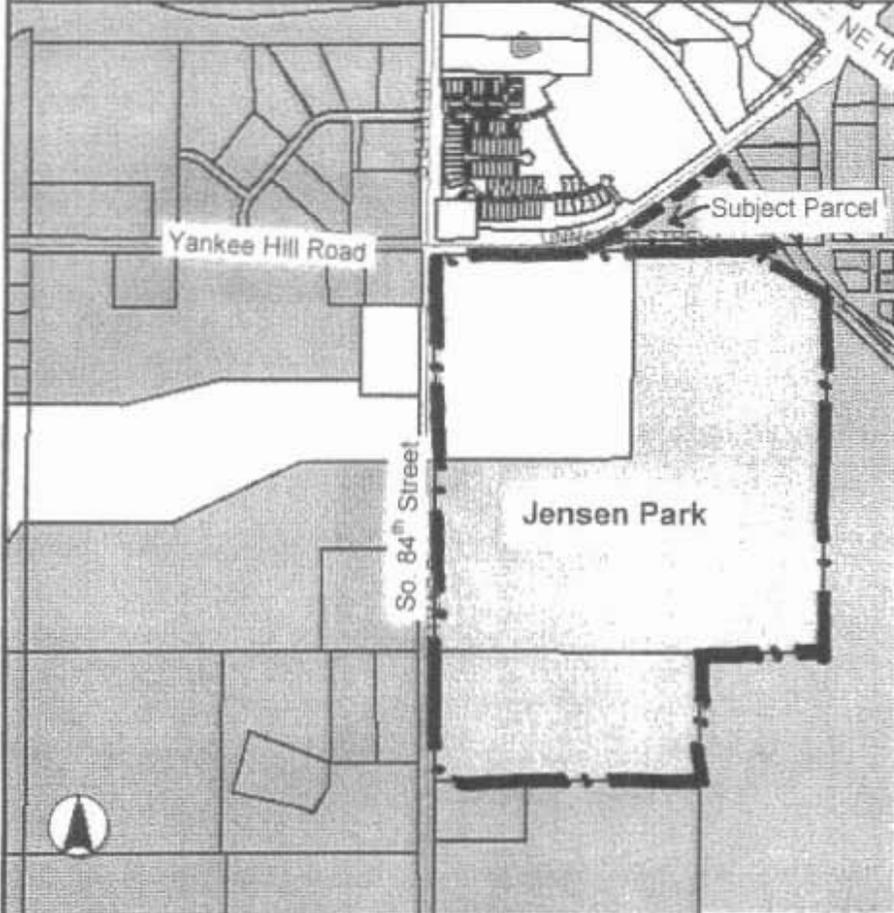
Committee: Fees & Facilities

Chair: Jolanda Junge-Kuzma, 441-8258

Date: _____

Parks & Recreation Advisory Board Action:

Lancaster County Parcel Map



Legend

-  Lakes/Streams
-  Parcels
-  Major Streets
-  Schools
-  Parks
-  City Limit
-  County



This map is intended to show as accurately as possible the relationship of parcels, but it is not intended to be construed as survey accurate in any manner.

Norman H. Agena
County Assessor/Register of Deeds
555 South 10th Street
Lincoln, NE 68508
402-441-7463
assessor@co.lancaster.ne.us

MINUTES

Parks & Recreation Advisory Board Meeting

Room 113 - County City Building

Thursday, November 13, 2008

Members Present:

Rod Confer	Susan Deitchler	Curt Donaldson	Karen Hand
Jolanda Junge-Kuzma		Anne Pagel	Alex Paine
Bob Ripley	Susan Rodenburg	Ray Stevens	Jeff Schwebke
Joe Tidball	Barb Walkowiak		

Members Absent:

Jonathan Cook	Georgia Glass	Dennis Scheer
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Recognition of 'Open Meetings Act': As per law, Chairperson Karen Hand announced that the Board follows the regulations of this Act, as posted in the City Council Offices.

Introduction of new member: Lynn Johnson introduced Alex Paine as the newly appointed second student member of the Parks & Recreation Advisory Board. Alex is a junior at East High School where he is involved in student council as well as numerous community functions.

* **APPROVAL OF MINUTES October 9, 2008 meeting:** *It was moved (Stevens) and seconded (Junge-Kuzma) to approve the minutes of the October 9, 2008, Parks & Recreation Advisory Board meeting as mailed. Motion carried by majority vote of members present, with Hand abstaining.*

PUBLIC COMMENTS FOR ITEMS (other than those listed on the current Agenda): None

COMMITTEE REPORTS

Fees & Facilities Committee - Jolanda Junge-Kuzma (Chair) 488-4032

* **Recommendation re: sale of an 8,000 sq. ft. parcel of land located in the 3100 block of No. 41st:**
Lynn Johnson reported that a request has been submitted by an individual to acquire the subject parcel. The parcel currently has I-1 Industrial zoning classification. The Dietrich Trail runs diagonally across the northwest corner of the parcel. A public access easement would be retained for the trail corridor. The property primarily serves as open space and has virtually no outdoor recreation use. UPCO Park is located about two blocks south of this parcel and provides opportunities for outdoor recreation activities to residents living in the surrounding area. The committee recommended this piece of land be declared surplus and offered for sale. *After discussion among Board members it was moved (by the Committee) to recommend declaring the 8,000 sq. ft. parcel of land located in the 3100 block of No. 41st St. as surplus and available for sale. Motion carried by 8-4 vote of members present with Deitchler, Pagel, Ripley and Walkowiak voting 'No'.* The Board would like to see a recommendation made by the Board (to the developer) that use of the land be limited to nothing larger than a duplex.

2001
→ * **Recommendation re: acquisition of a 7.5 acre parcel of land located immediately north of Jensen Park and south of realigned Yankee Hill Rd. (easterly of So. 84th & Yankee Hill Rd.):** Lynn Johnson reported that Jensen Park is a 190-acre future regional park located southeast of So. 84th & Yankee Hill Road. In 1987, the City Council authorized sale of 1.3 acres of land at Holmes Golf Course which was subject to provisions of the Federal Land & Water Conservation Fund Program so that 1.3-acre site must be replaced on a value-to-value basis. Jensen Park may be developed as a joint park/school site in the future. Acquisition of the subject 7.5 acre parcel is being proposed to expand the site and to maintain visibility and access to the site from realigned Yankee Hill Road, in anticipation of future development of the

park site which may also include working with Lincoln Public Schools for a possible site for a future middle school. *After brief discussion, it was moved (Committee) to recommend acquisition of 7.5 acre parcel of land located immediately north of Jansen Park and realigned Yankee Hill Rd., easterly of So. 84th St. Motion carried by unanimous vote of members present.*

*** Approval of a Guidance Statement for a possible future performance structure in Antelope Park:** (Jolanda Junge-Kuzma asked for correction on Fact Sheet be made to reflect this agenda item was heard by the Fees & Facilities Committee rather than Futures Committee). As recommended by the Parks & Recreation Advisory Board during the monthly meeting on Oct. 9, 2008, the Futures Committee met with representatives of the Lincoln Municipal Band to discuss possible revisions to the draft guidance statement for a new performance structure in Antelope Park. The following revisions were made to the guidance statement

- Paragraph 1 - correct spelling of Shildnek Band Shell
- Paragraph 2 - replace the wording 'reflective of' with 'respectful of'
- Paragraph 3 and 5 - replace the wording "band shell" with "performance structure"
- Paragraph 4 - delete the wording "band shell" from the first sentence.

It was moved (Committee) to recommend approval of the above revisions to the Guidance Statement for Future Performance Structure In Antelope Park. Motion carried by unanimous vote of members present. A copy of this guidance statement (with revisions) will be attached to the file copy of these minutes.

Futures Committee

- *** Proposed new golf fees:** Lynn Johnson said the Futures Committee has been discussing a long-term strategic plan for the City's municipal golf program. During the Committee meeting on October 20, 2008, members discussed a proposed fee structure for the upcoming season. The Committee also discussed implementation of a fuel surcharge because of the impact of fuel costs on the operation of golf carts and maintenance equipment. The Committee recommends approving a new golf fee schedule with an anticipated implementation date of December 1, 2008. They are also recommending approval of a fuel surcharge of 25 cents per 9-hole green fee and 50 cents per 18-hole green fee for each 50 cent increase in Lincoln area gas prices beginning when gas prices exceed \$3.00 per gallon. Dale Hardy and Steve Hiller responded to questions asked by Board members. *After discussion it was moved (Committee) to accept the proposed golf fee structure and fuel surcharge fee schedules. Motion carried by unanimous vote of members present. A copy of the fee and fuel surcharge schedules will be attached to the file copy of these minutes.*

Golf Committee -

- No report

Executive Committee - Karen Hand (Chair) - 423-1244

- **City Council Report** - no report.
- **County Commissioners Report** - Ray Stevens reported that the Administrator of Lancaster Manor resigned from that position on Nov. 13th. Gwen Thorpe will serve as the interim Administrator until a new one can be appointed. Stevens also reported that the Lincoln Convention & Visitors Bureau will be discussing a proposal (on 11/17/08) from the Mayor to contribute \$25,000 per year for two years for the Union Plaza project. This money would come from the City lodging fees and not from property tax dollars. County Board also recently contributed \$750,000 (from the lodging tax) to the City for the West Haymarket development project. Stevens said if the Convention Bureau approved the \$25,000 donation, Board members could send an e-mail to County Board members stating their support.
- **Lincoln Parks Foundation Report** - Jolanda Junge-Kuzma said the Foundation will be working on their 2009 budget and their annual meeting will be in December. Officers and trustees have been nominated and new members are being interviewed and will be nominated at the Dec. meeting.
- Karen Hand said Jolanda Junge-Kuzma has been a Park Board member for several years and is also currently serving as Executive Director of the Parks Foundation. The Mayor asked Hand to poll Board members to see if any of them felt having Jolanda remain on the Parks Board would be

a conflict of interest with her Executive Director position. No Board member voiced any concern.

Staff Reports:

Master Plan Committee for renovation of Hazel Abel Park: Lynn Johnson reported that the Department is initiating a master planning process for renovation of Hazel Abel Park at 18th & E Street. He asked if any Park Board members would be willing to serve on this committee along with 3-4 members of the Near South neighborhood. He said it will be a challenging process since the existing playground can't be replicated due to safety standards. This committee will be charged with deciding how to master plan the park to keep its current identify and yet still serve the families in the neighborhood. Jolanda Junge-Kuzma and Joe Tidball volunteered to sit on the committee.

Staff reports on the FY-2008-09 Budget Summary for Natural Resources/Greenways Divisions including PPNC and additional access to the Prairie Bowman property were put on 'hold' until the December Board meeting.

Announcements:

Meeting adjourned at 5:00 p.m.

Respectfully Submitted:

Jeanne Bowling, Secretary to the Director
Parks & Recreation Dept.