

City Council Introduction: **Monday**, June 22, 2009
Public Hearing: **Monday**, July 13, 2009, at **1:30 p.m.**

Bill No. 09-87

FACTSHEET

TITLE: **Declaration of Surplus Property**, requested by the Director of the Urban Development Department, declaring 21,300 square feet, more or less, as surplus property, generally located at the northwest corner of North 23rd Street and "Q" Street.

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

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 06/17/09
Administrative Action: 06/17/09

RECOMMENDATION: A finding of conformance with the Comprehensive Plan (8-0: Gaylor Baird, Cornelius, Esseks, Francis, Taylor, Partington, Larson and Sunderman voting 'yes').

FINDINGS OF FACT:

1. The Urban Development Department is requesting to surplus this property at North 23rd Street and "Q" Street and to enter into a purchase option agreement with NeighborWorks-Lincoln for the purposes of a temporary office on the surplus property while the new office facility for NeighborWorks is being constructed. If NeighborWorks does not exercise the option, then Urban Development would intend to make the property available to other potential buyers.
2. Based upon the "Analysis" as set forth on p.3, the staff finds that the proposed declaration of surplus property is generally in conformance with the Comprehensive Plan.
3. On June 17, 2009, 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 June 17, 2009, 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.

FACTSHEET PREPARED BY: Jean L. Preister

DATE: June 22, 2009

REVIEWED BY: _____

DATE: June 22, 2009

REFERENCE NUMBER: FS\CC\2009\CPC.09006 Surplus

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for JUNE 17, 2009 PLANNING COMMISSION MEETING

PROJECT #: Comprehensive Plan Conformance No.09006

PROPOSAL: The City Urban Development Department has requested a review to find that the declaration of surplus for the property at the northwest corner of N. 23rd & "Q" St. is in conformance with the Comprehensive Plan.

LOCATION: Northwest corner of N. 23rd St. and "Q" St.

LAND AREA: 21,300 sq. ft., more or less.

CONCLUSION: The declaration of surplus generally conforms with the Comprehensive Plan and the Antelope Village Planned Unit development. The proposed project is an appropriate use of under used property in an older neighborhood.

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

LEGAL DESCRIPTION: Lots 10-12, Block 5, Kinney's "O" St. Addition, located in the SE 1/4 of Section 24-10-06, Lancaster County, Nebraska.

EXISTING ZONING: B-3, Commercial District

EXISTING LAND USE: Office building and vacant

SURROUNDING LAND USE AND ZONING:

North:	B-3 Commercial	Commercial and single-family residential
	R-6, Residential	Duplex
South:	B-3, Commercial	Auto sales
	R-6, Residential	Duplex
East:	B-3, Commercial	Auto repair
West:	B-3, Commercial	Parking lot and auto repair

HISTORY:

February 23, 2009 Change of Zone #08066, Antelope Village PUD, was approved by the City Council.

September 15, 2008 Comprehensive Plan Conformance #08021, to surplus property at the northeast corner of N. 23rd and "P" St. was approved by the City Council.

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 commercial 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)

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)

ANALYSIS:

1. The Urban Development Department is requesting to surplus property at N. 23rd and "Q" St. and enter into a purchase option agreement with NeighborWorks-Lincoln. NeighborWorks will need to vacate their current location at N. 27th St. and Center St. before their new office is constructed at N. 23rd and "P" St. NeighborWorks would like to set up a temporary office on the surplus property.
2. The area of this application is within the Antelope Village Planned Unit Development (PUD). Lots 11 & 12 are within the "Neighborhood Business Area" and Lot 10 is within the "Mixed Use Area". The regulations of the B-3 District apply to all three lots, except as modified by the PUD. Permitted uses on the lots include, but are not limited to single-family residential, office, retail, or multiple-family residential. The temporary use on City owned property is not subject to the PUD standards since the building will be removed after the new office building is constructed.
3. Currently, the County-City Property Management Maintenance Shop occupies the building at the west end of the property. They will continue to occupy the building after the property is surplus. NeighborWorks has indicated that they do not need the entire property for their temporary office.
4. Public Works and Utilities notes that water and sanitary sewer are available to serve this property. LES facilities are located in the abutting alley. The alley is not included in the proposed surplus property.
5. Public Works & Utilities Watershed Management reports that until FEMA has officially removed this area from the floodplain, any proposed construction or fill will need to comply with federal floodplain regulations. It is advised that the developer work closely with Building & Safety and Watershed Management on these issues.

Prepared by:

Tom Cajka
Planner

DATE: May 28, 2009

APPLICANT: David Landis, Director
Urban Development Department
808 "P" St. Suite 400
Lincoln, NE 68508

CONTACT: same as applicant

OWNER: City of Lincoln

COMPREHENSIVE PLAN CONFORMANCE NO. 09006

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

June 17, 2009

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

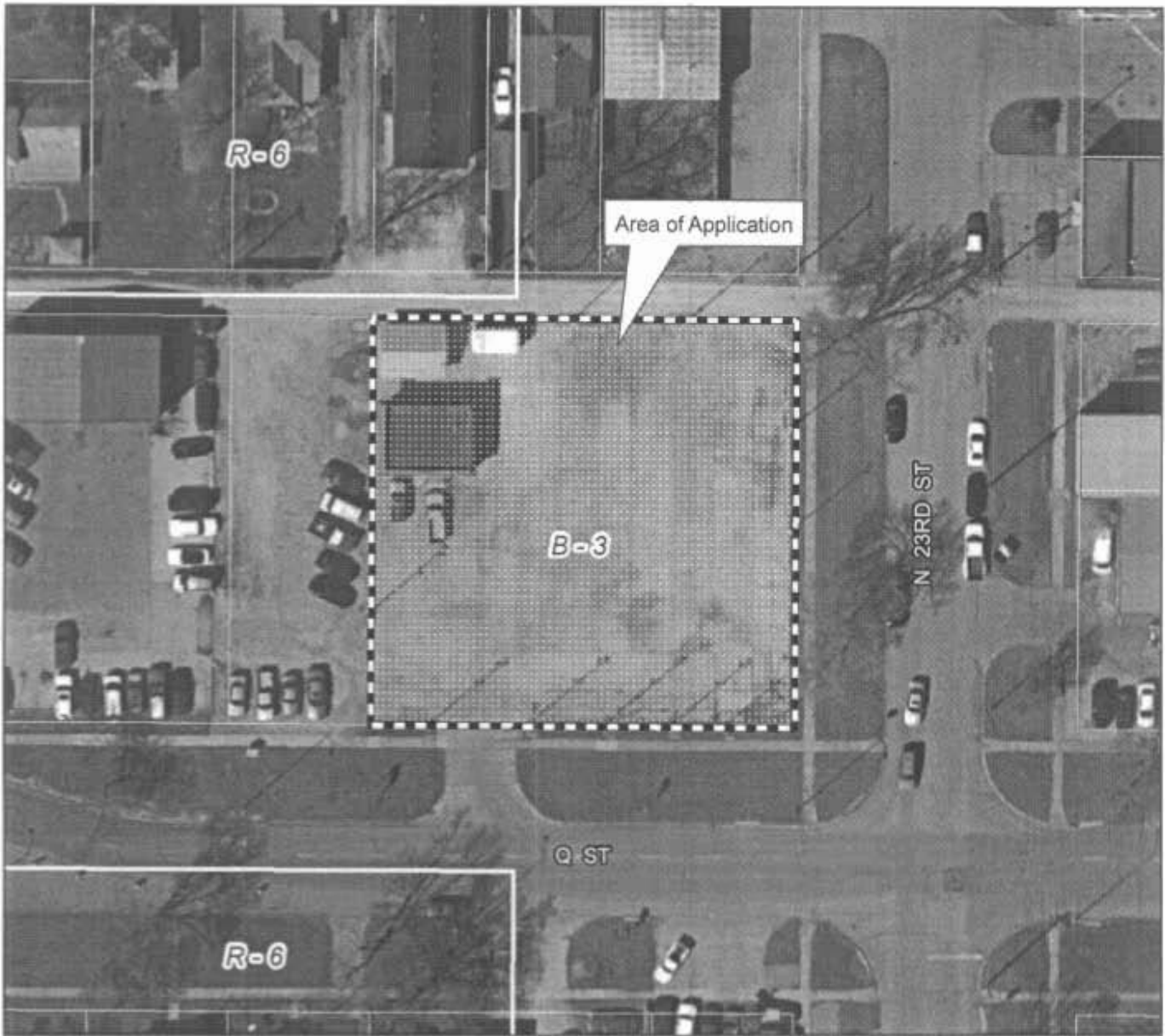
The Consent Agenda consisted of the following items: **COMPREHENSIVE PLAN CONFORMANCE NO. 09006, SPECIAL PERMIT NO. 04073A and WAIVER NO. 09005.**

Ex Parte Communications: None

Item No. 1.2, Special Permit No. 04073A, was removed from the Consent Agenda and scheduled for separate public hearing.

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

Note: This is final action on Waiver No. 09005, 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.



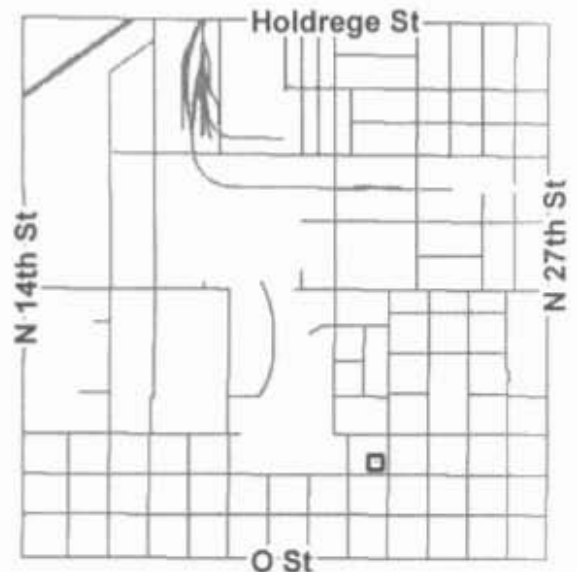
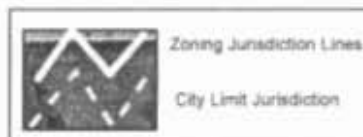
2007 aerial

**Comp Plan Conformance #09006
N 23rd & Q St**

Zoning:

- 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

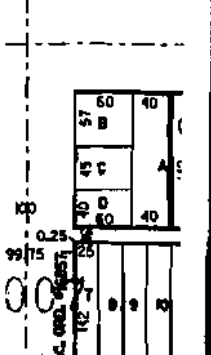
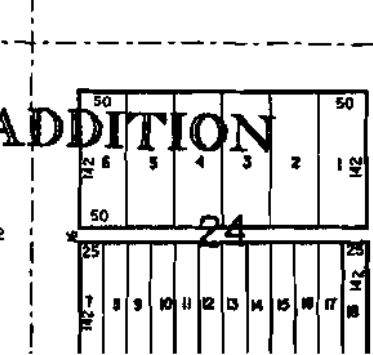
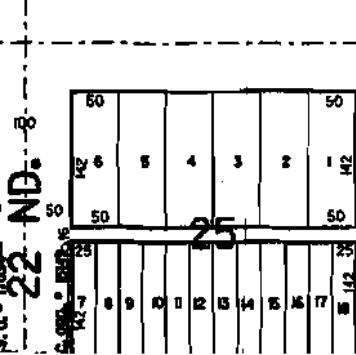
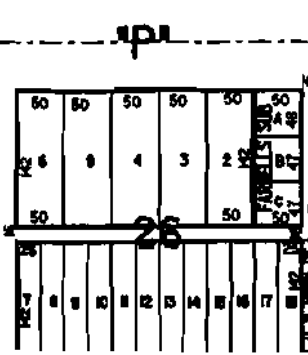
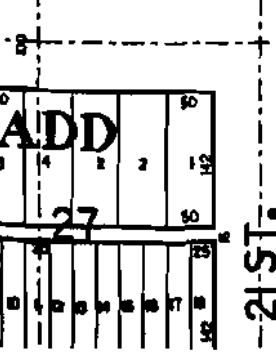
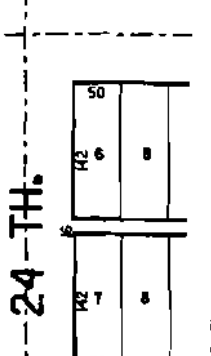
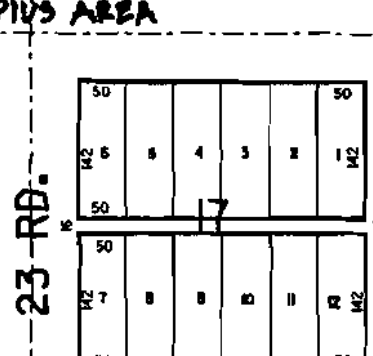
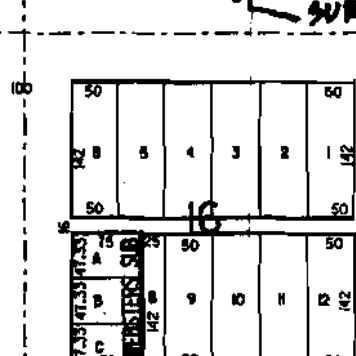
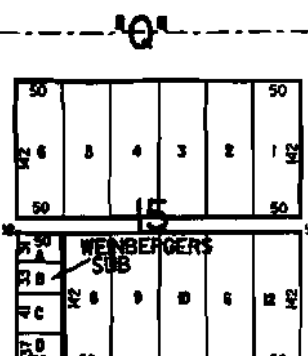
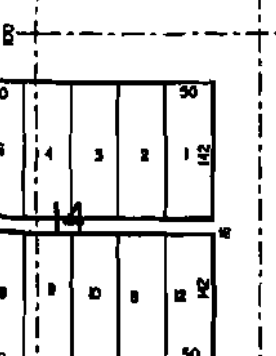
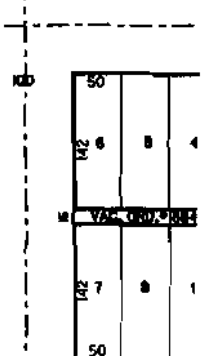
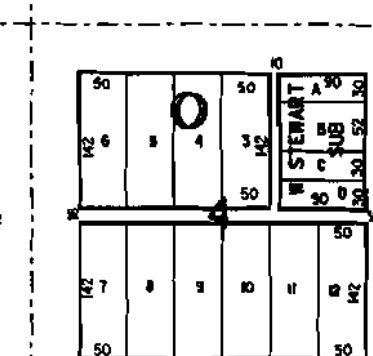
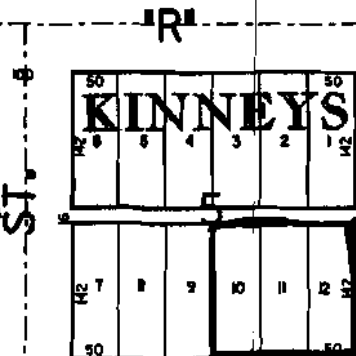
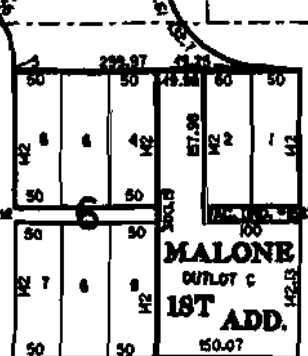
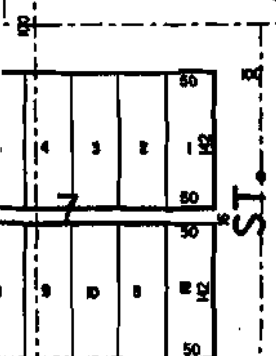
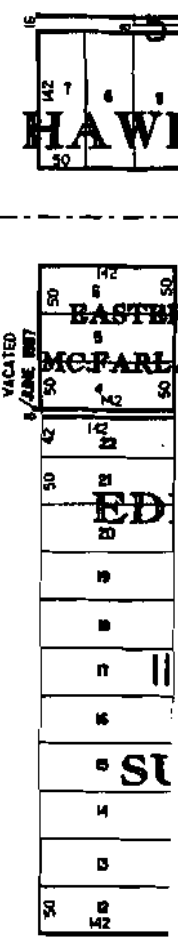
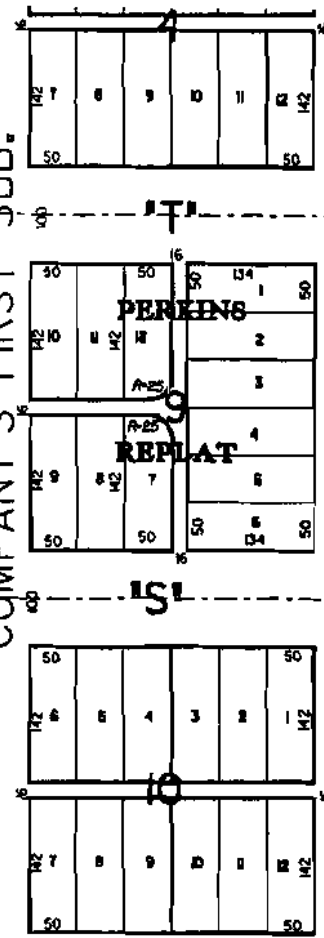
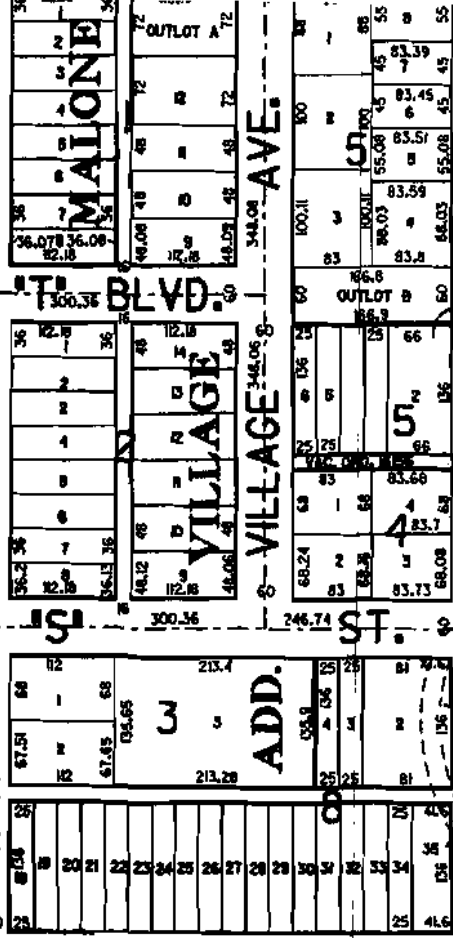
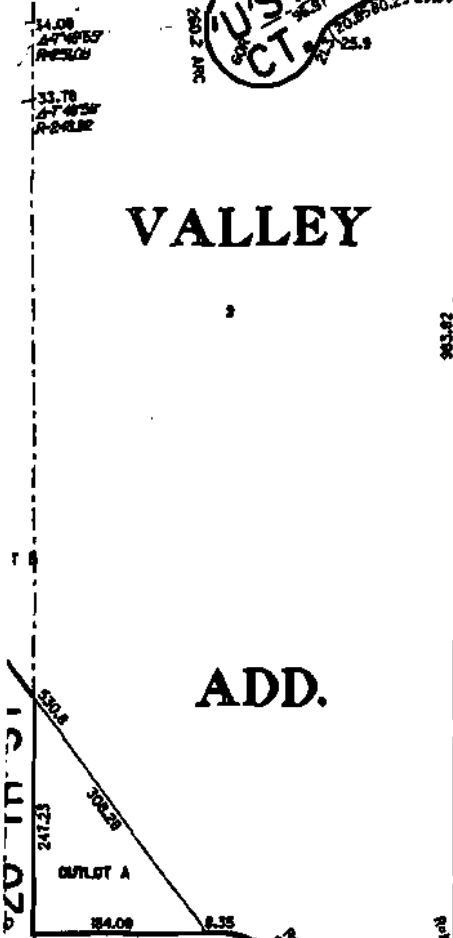
One Square Mile
Sec. 24 T10N R06E



U.S. CT. 2602 AVE. 2602 AVE. 2602 AVE.

VALLEY

ADD.



SURPLUS AREA

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interoffice
MEMORANDUM

to: FIELD(1)
from: Michelle Backemeyer, Housing Rehab and Real Estate Division
subject: Declaration of Surplus Property - 2240 Q Street, legally described as Kinney's "O"
Street Addition, Block 5, Lots 10, 11 and 12
date: April 3, 2009

The City's Urban Development Department would like to surplus the above property and enter into a purchase option agreement with NeighborWorks-Lincoln. NeighborWorks will need to vacate their current site on North 27th Street before their new offices will be constructed at 23rd and P Streets. In the interim, they will set up temporary offices on the City's property and buy the property at the end of the option period. If they don't exercise their option, the City will then make the property available for sale to other potential buyers for redevelopment purposes.

Currently, the County-City Property Management Maintenance Shop employees occupy the building near the west end of the property. They will continue to occupy the building located on Lot 10, and NeighborWorks will use Lots 11 and 12 for their temporary offices. The Urban Development Department would like to surplus the property at this time so that it is ready to be sold at the end of the option period.

Please respond in 30 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 surplus process.

Attachments

Tom J. Cajka

From: Michelle R. Backemeyer
Sent: Monday, May 04, 2009 8:54 AM
To: Tom J. Cajka
Cc: Steve J. Werthmann
Subject: FW: Declaration of Surplus Property - 2240 Q Street
Attachments: SKMBT_C25309040709500.pdf

Tom, I did receive this response from Watershed Management. Thanks.

From: Ben J. Higgins
Sent: Friday, May 01, 2009 4:21 PM
To: Greg S. MacLean
Cc: Karen K. Sieckmeyer; Michelle R. Backemeyer; Nicole F. Tooze; Devin L. Biesecker; Fred A. Hoke
Subject: FW: Declaration of Surplus Property - 2240 Q Street

Greg

Watershed comments on the declaration of the surplus property at 2240 Q street are as follows:

- As this area is proposed to come out of the FEMA floodplain due to the Antelope Creek project it is not proposed that a conservation easement be retained over this area as is typical per city policy
- However until FEMA formally recognize this area as being removed, any proposed construction or fill will need to comply with federal floodplain regulations. This includes regulations pertaining to minimum floor elevations and the cumulative effect of any construction or fill. it is advised that NeighborWorks - Lincoln, work closely with Building & Safety and Watershed Management on this issue. This is similar to the issues being currently discussed with others (UNL, Assurity) in the area.

Thanks
Ben

From: Karen K. Sieckmeyer
Sent: Tuesday, April 07, 2009 10:10 AM
To: Ben J. Higgins; Dennis D. Bartels; Fran A. Mejer; Gary C. Brandt; Greg S. MacLean; Jerry G. Obrist; Karen K. Sieckmeyer; Larry D. Worth; Nicole F. Tooze; Randy W. Hoskins; Roger A. Figard; Scott A. Opfer; Steve Masters; Thomas S. Shafer; Tim H. Pratt; Virendra A. Singh
Subject: Declaration of Surplus Property - 2240 Q Street

Please review attachment and return your comments back to Greg.

Thanks

Karen Sieckmeyer
Executive Secretary
Public Works
555 So. 10th, Suite 203
Lincoln, NE 68508
402-441-7566
sieckmeyer@lincoln.ne.gov

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