

FACTSHEET

TITLE: **DECLARATION OF SURPLUS PROPERTY**, requested by the Directors of the Parks & Recreation Department and the Urban Development Department, declaring property generally located west of South 21st Street between O Street and M Street as surplus property.

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

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 10/31/12
Administrative Action: 10/31/12

RECOMMENDATION: A finding of conformance with the Comprehensive Plan (7-0: Hove, Lust, Francis, Gaylor Baird, Sunderman, Weber and Cornelius voting 'yes'; Butcher absent).

FINDINGS OF FACT:

1. The Director of Parks & Recreation is requesting to surplus the following:

Area A) - 0.15 acre southeast of N. 20th and O Street
Area C) - 0.23 acre northwest of S. 21st and M Street

The Director of Urban Development is requesting to surplus the following:

Area B) - 0.59 acre northeast of S. 20th and N Street

These properties include land that was associated with the former Rock Island Railroad and later the Rock Island Trail. The Antelope Valley Project includes a new trail (Billy Wolff Trail) roughly parallel and one block to the east, making the above referenced Rock Island Trail segments no longer needed for trail connections.

2. Based upon the "Analysis" set forth on p.4, the staff finds that the proposed declaration of surplus property is in conformance with the 2040 Comprehensive Plan. This declaration of surplus property advances revitalization of Antelope Valley by making city-owned property available for purchase. The staff presentation is found on p.6-7.
3. There was no testimony in opposition.
4. On October 31, 2012, the Planning Commission agreed with the staff recommendation and voted 7-0 to find the proposed declaration of surplus property to be in conformance with the 2040 Comprehensive Plan; however, Commissioner Gaylor Baird sought assurance that the provisions for the protected bikeway and landscape improvements as called for in the updated Downtown Master Plan would be retained (**Comprehensive Plan Conformance No. 12012**).

FACTSHEET PREPARED BY: Jean L. Preister

DATE: November 9, 2012

REVIEWED BY: Marvin Krout, Director of Planning

DATE: November 9, 2012

REFERENCE NUMBER: FS\CC\2012\CPC120012 Surplus

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for OCTOBER 31, 2012 PLANNING COMMISSION MEETING

- PROJECT #:** Comprehensive Plan Conformance No. 12012
- PROPOSAL:** To find that the declaration of surplus for the properties:
Area A) southeast of N. 20th and O Street;
Area B) northeast of S. 20th and N Street; and
Area C) northwest of S. 21st and M Street is in conformance with the Comprehensive Plan.
- LOCATION:** Three parcels generally located west of S. 21st Street between O Street and M Street within the northeast quarter of Section 25-10-06 including the former Rock Island Trail and some adjacent property.
- LAND AREA:**
- | | |
|------------------------------------|------------|
| Area A) N. 20 th and O: | 0.15 acres |
| Area B) S. 20 th and N: | 0.59 acres |
| Area C) S. 21 st and M: | 0.23 acres |
- CONCLUSION:** The declaration of surplus property advances revitalization of Antelope Valley by making city-owned property available for purchase. This surplus declaration is in conformance with the Comprehensive Plan.

RECOMMENDATION: In conformance with the Comprehensive Plan.

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 3, Block 6, Antelope Valley 2nd Addition, a portion of irregular tract 62; portions of Lots 4-6, Block 3, Spencers Addition and adjacent vacated Monroe Street right-of-way; portions of Lots O-R, Spencers Subdivision; and portions of Lots 1-2, Block 2, Avondale Addition and adjacent vacated east-west alley all located in the NE ¼ of Section 25-10-6, Lincoln, Lancaster County, Nebraska.

EXISTING ZONING: B-4 Lincoln Center Business District and P Public Use District

EXISTING LAND USE: Former bike trail, surface parking, and undeveloped land

SURROUNDING LAND USE AND ZONING:

Area A)

- North: N. 20th Street right-of-way and commercial (B-4)
South: Vacant land (Area B) (B-4)
East: Surface parking lot (B-4)
West: Surface parking lot and commercial uses (B-4)

Area B)

North: Commercial uses, surface parking lots, and Area A (B-4)
South: Commercial uses (B-4)
East: Future LES substation (B-4)
West: Commercial uses (B-4)

Area C)

North: Future LES substation and Area B (B-4)
South: Commercial uses and surface parking lot (B-4)
East: Car wash and surface parking lots (B-4)
West: Commercial uses and surface parking lot (B-4)

HISTORY:

August 28, 1998: "Draft Single Package" for Antelope Valley approved.

November 24, 2004: Antelope Valley Redevelopment Plan approved; most recent amendment dated April 21, 2011.

September 26, 2005: The Downtown Master Plan approved.

August 18, 2011: Final Plat #10049 approved for Antelope Valley 2nd Addition

December 6, 2011: Miscellaneous #11006 approved for an Affidavit of Correction to Antelope Valley 2nd Addition.

COMPREHENSIVE PLAN SPECIFICATIONS:

Greater Downtown: A major focus for new residential reuse, infill, and redevelopment is in the Greater Downtown area. The Plan envisions an additional 3,000 dwelling units in this core area by 2040. This area is the main hub of employment, entertainment, and higher education. Over the years, there have been significant public and private investments in new building construction, renovations, and infrastructure. In order to capitalize on these collective investments, further development in the Greater Downtown should be realized. Page 6.3

ANTELOPE VALLEY REDEVELOPMENT PLAN SPECIFICATIONS:

The downtown master plan suggests that higher residential densities may occur between R and M Streets. Along O and P Streets, residences might occupy upper floors above commercial uses at street-level. Page 37

These areas are designated as MU. Page 54

MU - Mixed-Use: The Mixed Use (MU) area east of traditional downtown is intended to accommodate a wide variety of land uses compatible with adjacent residential areas and supportive of downtown as the community's center. Within this wider area, certain subdistricts should be encouraged through incentives and regulations. Residential uses are encouraged throughout the MU area to capitalize on public investment and to provide a variety of housing options near the downtown core. In particular, high-density, high-amenity urban residential uses are very desirable between 17th St. and the new Antelope Creek and park.

Improvements in the "triangle" bounded by 19th St., the Creek, and O Street should be strongly encouraged to foster development of an "urban village"-Haymarket without the history. South of O St. and east of 17th St. there is an opportunity to strengthen housing in proximity to the Capitol and other employment centers. Page 57

Another noteworthy Mixed-Use area is along the west side of the waterway south of "O" Street. This land benefits by proximity to open space and the Creek and from the possibility of assembling some larger tracts than in traditional downtown. This area offers opportunities for high-quality office, residential, or mixed-use development. The Mixed-Use

designation along "O" Street is intended to provide an attractive entry corridor to and from downtown as well as a central neighborhood amenity within the Antelope Valley Area. Due to the amount of traffic within the corridor, auto oriented land uses are predominant and will likely continue. Public streetscape improvements can upgrade the appearance of the area and should be matched by higher design standards for private improvements, including building materials, locations, and landscaping. Emphasis should be given to maintain an attractive "edge" to the corridor of building and/or landscaping. Residential projects that front on P, N, or the north-south streets should be encouraged. Non-auto-oriented retailing more appropriate to the heart of downtown should not be encouraged. Page 58

DOWNTOWN MASTER PLAN SPECIFICATIONS:

These areas were included in the Downtown Master Plan, but have fewer details than the core areas of downtown.

N Street is identified as a "Protected Bikeway." Pages 2-3 of the 2012 Update

These areas are designated as High Density Residential and Antelope Valley Housing. Pages 20, 31, and 37 of 2005 Downtown Master Plan

ANALYSIS:

1. This is a request to find the declaration of surplus property in areas described above as A, B, and C in conformance with the Comprehensive Plan. These properties include land that was associated with the former Rock Island Railroad and later the Rock Island Trail. The Antelope Valley Project includes a new trail (Billy Wolff Trail) roughly parallel just a block to the east and therefore the Rock Island Trail segments described in this application are no longer needed for trail connections.
2. There are no structures on the proposed surplus properties.
3. Easements shall be retained for existing and future electrical, storm, and sanitary sewer.
4. Area A includes a segment of the former Rock Island Trail (total of 6,560 sq. ft.) at the southeast corner of N. 20th Street and O Street. The Parks and Recreation Department has received some interest in this property.
5. Area B (Lot 3, Block 6, Antelope Valley 2nd Addition) is a buildable lot (25,865 sq. ft.) at the northeast corner of S. 20th and N Street. The City obtained this property for Antelope Valley and it is currently being used to temporarily store construction equipment.
6. Area C includes a segment of the former Rock Island Trail (total of 10,094 sq. ft.) from N Street to S. 21st Street.
7. Prior to the sale of Area B, study and consideration should be given to the need to retain some of the right of way along N Street for an on-street or off-street bike facility that would make an east/west connection from the Jamaica North Trail through Downtown to the north/south Billy Wolff trail in Antelope Valley. This bikeway is shown in the 2012 Downtown Master Plan update, and the design for this connection should be initiated later this year.
8. The proposal to surplus the land is consistent with the Comprehensive Plan, the Downtown Master Plan and the Antelope Valley Redevelopment Plan.

Prepared by:

Brandon M. Garrett, AICP
Planner

DATE: October 16, 2012

APPLICANT: Parks and Recreation Department
2740 A Street
Lincoln, NE 68502

CONTACTS: For Area B:
Wynn Hjermstad
Urban Development Department
555 S. 10th Street, Ste. 205
Lincoln, NE 68508
402-441-7606
whjermstad@lincoln.ne.gov

For Areas A and C:
Terry Genrich
Parks and Recreation Department
2740 A Street
Lincoln, NE 68502
402-441-7939
tgenrich@lincoln.ne.gov

COMPREHENSIVE PLAN CONFORMANCE NO. 12012

PUBLIC HEARING BEFORE PLANNING COMMISSION:

October 31, 2012

Members present: Lust, Francis, Gaylor Baird, Sunderman, Weber, Hove and Cornelius; Butcher absent.

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

There were no ex parte communications disclosed.

Staff presentation: **Brandon Garrett of Planning staff** explained that this is a request by Parks and Urban Development. The purpose of declaring this property as surplus is for a potential sale in the future. This is the first step in that process. The main reason for the declaration of surplus is the former Rock Island trail is no longer a needed link due to the Billy Wolff Trail being parallel. This property could be used for redevelopment in the future.

Garrett further explain Analysis #7 in the staff report:

Prior to the sale of Area B, study and consideration should be given to the need to retain some of the right of way along N Street for an on-street or off-street bike facility that would make an east/west connection from the Jamaica North Trail through Downtown to the north/south Billy Wolff trail in Antelope Valley. This bikeway is shown in the 2012 Downtown Master Plan update, and the design for this connection should be initiated later this year.

Area B is the larger parcel on the north side of N Street. It is recommended that prior to the sale of Area B, the staff should study and consider whether there is a need to retain any additional right-of-way for any possible future bicycle connection from the Billy Wolff Trail to a possible future M Street bikeway.

Gaylor Baird confirmed that staff believes there will be enough right-of-way as it is today. Garrett stated that in talking with people as part of the initial study, it appears they will not need any additional right-of-way but we wanted to include this statement to put people on notice should the additional right-of-way be determined necessary. The Antelope Valley trail runs just parallel to this property about 1.5 blocks to the east, so we no longer need the Rock Island trail. The right-of-way would be along the north side of N Street for Area B. If we were to need any additional right-of-way for any reason to make that connection to the trail (i.e. perhaps an on-street bike facility may cause a shift of street curbs or right-of-way), we want to be sure to consider that before selling the property. There are utility easements that may be in the area that should also be retained.

Terry Genrich of Parks & Recreation clarified that the Parks Department is making this application. As far as right-of-way through this corridor, the Antelope Valley trail is replacing this as the connection for those that are trying to get into the Downtown area. The trail basically

stops at O Street now. Genrich believes that the protected bikeway will be on the south side of N Street.

Gaylor Baird wanted some assurances from Urban Development about that piece. There was no staff available from Urban Development. Garrett explained that Urban Development does not have any intention to sell that right away. There is a large cleared parcel just to the east that will be a new LES substation, and the thought is that during that construction, this property would be used for staging and equipment and they would not plan to sell it immediately. The purpose of this application is that it is land that the city owns which the city does not plan to own long term and there is a desire to declare it as surplus so that it can be marketed at the time when it is appropriate. These applications were combined by the Planning Department.

Gaylor Baird stated that she really would like to hear from Urban Development before voting on this surplus. **Marvin Krout, Director of Planning**, suggested that because the Parks Department owns the land today, Urban Development is really just going to be their broker in this case and be responsible for administering the sale of the land in the future. Parks has an interest in trying to protect the right-of-way for what is shown as bikeway according to the Downtown Master Plan, and also a green landscaped corridor to connect Antelope Creek through the Downtown area.

There was no testimony in opposition.

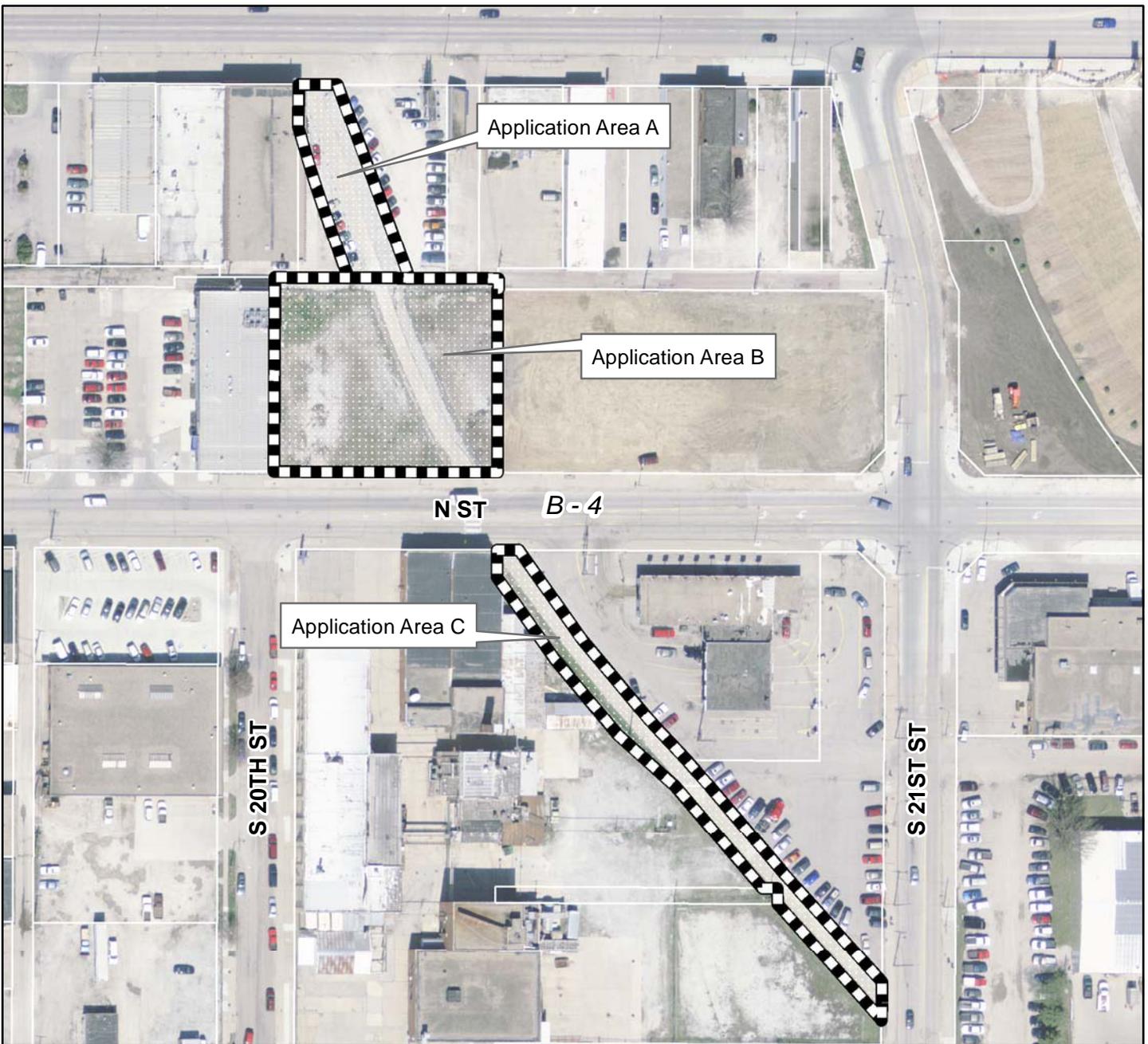
ACTION BY PLANNING COMMISSION:

October 31, 2012

Lust moved to approve a finding of conformance with the Comprehensive Plan, seconded by Francis.

Gaylor Baird pointed out that the intention is to make sure we protect the space for the protected bikeway, which was a huge focus of the multi-modal transportation discussion during the 2040 Comprehensive Plan process. This particular bikeway is recognized as important in linking Antelope Valley to the West Haymarket, so she is glad to see that that consideration is mentioned in #7 of the Analysis in the staff report. She was hoping to have Urban Development reassure that there would be sincere and forthright efforts to make sure that that bikeway remains protected because it is an essential part of the Downtown Master Plan. This street was chosen for this bikeway. There will be landscaping and pedestrian improvements, but she wants to make sure that as we move forward that we don't miss something from our Downtown Master Plan in the process. She will support the motion in good faith.

Motion for a finding of conformance with the Comprehensive Plan carried 7-0: Hove, Lust, Francis, Gaylor Baird, Sunderman, Weber and Cornelius voting 'yes'; Butcher absent. This is a recommendation to the City Council.



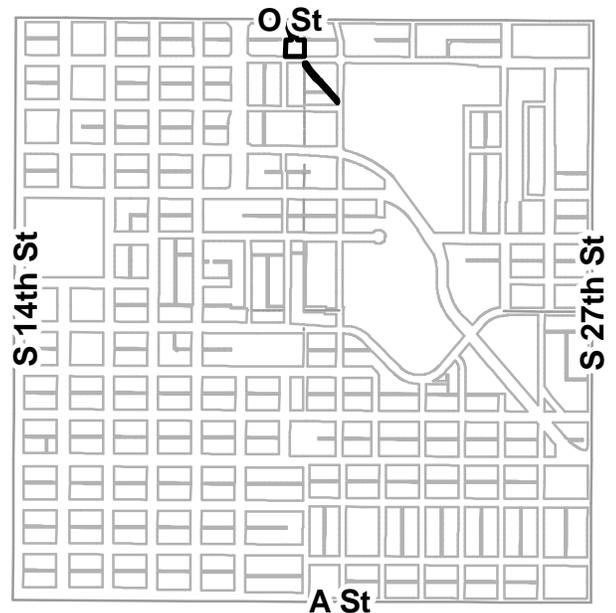
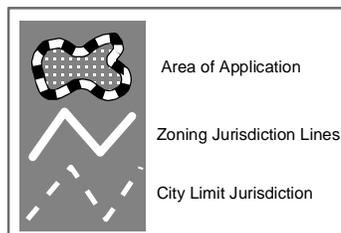
2010 aerial

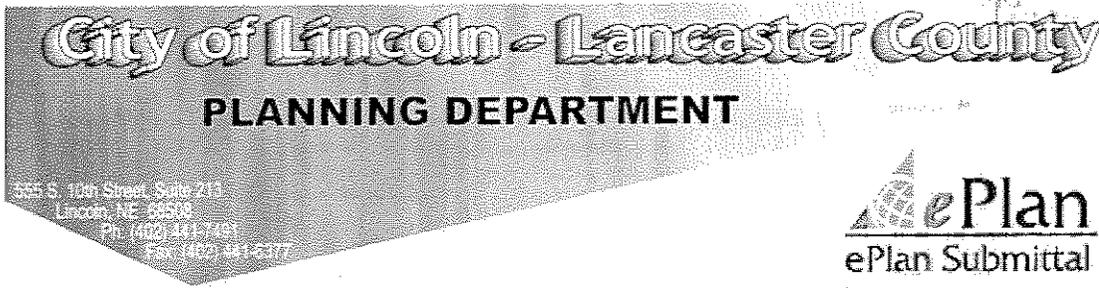
Comprehensive Plan Conformance #12012 21st & N St

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. 25 T10N R06E





Application Information	
Application #	CPC12012
Title	ROCK ISLAND TRAIL SURPLUS
Associated Requests	

Planning Department Use Only	
Submission Date	8/10/2012
Review Due	8/20/2012
Project Planner	Brandon Garrett

Review Comments	
Planning	<input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input checked="" type="radio"/> Recommend Approval with Conditions <input checked="" type="radio"/> Recommend Approval <input type="radio"/> No Review Required Review 1: In conformance with Comp Plan.
County Health (Chris Schroeder)	<input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input type="radio"/> Recommend Approval with Conditions <input checked="" type="radio"/> Recommend Approval <input type="radio"/> No Review Required Review 1: The Lincoln-Lancaster County Health Department supports the approval of this application.
Development Review Manager (Steve Henrichsen)	<input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input type="radio"/> Recommend Approval with Conditions <input type="radio"/> Recommend Approval <input type="radio"/> No Review Required Review 1:
Law Department (Rick Peo)	<input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input type="radio"/> Recommend Approval with Conditions <input type="radio"/> Recommend Approval <input type="radio"/> No Review Required Review 1: No comment.
	<input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input checked="" type="radio"/> Recommend Approval with Conditions <input type="radio"/> Recommend Approval

<p>LES (Mike Petersen)</p>	<p>Approval <input type="radio"/> No Review Required</p> <p>Review 1: 8-15-2012; LES will require an easement area, 10 foot in width along the M-N Alley area, in Parcel 2. This easement area is for existing and future electrical facilities. Mike P.</p>	
<p>Long Range Manager (Nicole Fleck-Tooze)</p>	<p><input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input type="radio"/> Recommend Approval with Conditions <input type="radio"/> Recommend Approval <input type="radio"/> No Review Required</p> <p>Review 1:</p>	
<p>Public Works (Buff Baker)</p>	<p><input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input checked="" type="radio"/> Recommend Approval with Conditions <input type="radio"/> Recommend Approval <input type="radio"/> No Review Required</p> <p>Review 1: Parcel 1 retain easement for the Storm Sewer on the south end between the Green Pick-up and Gray Pick-up. Parcel 4 retain easement for the San. Sewer on the north end between the Blue Pick-up and Red Van.</p>	
<p>Public Works (Dennis Bartels)</p>	<p><input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input checked="" type="radio"/> Recommend Approval with Conditions <input type="radio"/> Recommend Approval <input type="radio"/> No Review Required</p> <p>Review 1: Retain easements for existing or proposed utilities.</p>	
<p>Windstream (Ken Adams)</p>	<p><input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input type="radio"/> Recommend Approval with Conditions <input type="radio"/> Recommend Approval <input type="radio"/> No Review Required</p> <p>Review 1:</p>	



Parks and Recreation Department
Lynn Johnson, Director
2740 "A" Street
Lincoln, Nebraska 68502

402-441-7847
fax: 402-441-8706
"Making Lincoln a Better Place to Live"



MAYOR CHRIS BEUTLER

lincoln.ne.gov

Brandon Garrett
Lincoln-Lancaster County Planning Dept.
555 So. 10th St., Suite 213
Lincoln, NE 68508

Dear Brandon,

The City of Lincoln, Parks and Recreation Dept. would like to declare as surplus several parcels of property referred to as the Rock Island Trail corridor between 21st Street and "O" Street. These parcels include three sections with separate legal descriptions, between 21st Street and "N" Street and then a section from "O" Street south to the alley. This property at one time was used for the Rock Island Trail, however with completion of the Antelope Valley (Billy Wolff) Trail one block to the east and redevelopment occurring in the area, it is possible these parcels can be incorporated with neighboring parcels for future development.

The parcels we are declaring surplus are identified on the attached map and have the following Legal Descriptions:

Parcel 1: S25, T10, R6, 6th Principal Meridian, THAT PART OF IRREGULAR TRACT LOT 62 NW DEEDED AS EXISTING RAILROAD RIGHT-OF-WAY

Parcel 2: SPENCERS ADD, BLOCK 3, Lot 4-6, PART LYING WITHIN LINES DRAWN 10' EAST OF & 16' WEST OF THE CENTERLINE OF C RI & P RR & VAC MONROE ST ADJ

Parcel 3: SPENCERS SUB, Lot O - R, PTS LYING WITHIN LINES 10' EAST OF & 10' WEST OF CENTERLINE OF VAC RR

Parcel 4: AVONDALE ADDITION, BLOCK 2, ALL THAT PT OF VAC C RI & P RR ROW LYING WITHIN 10' E & W OF CENTERLINE OF RR & THAT PART VAC E-W ALLEY ADJ TO NORTH

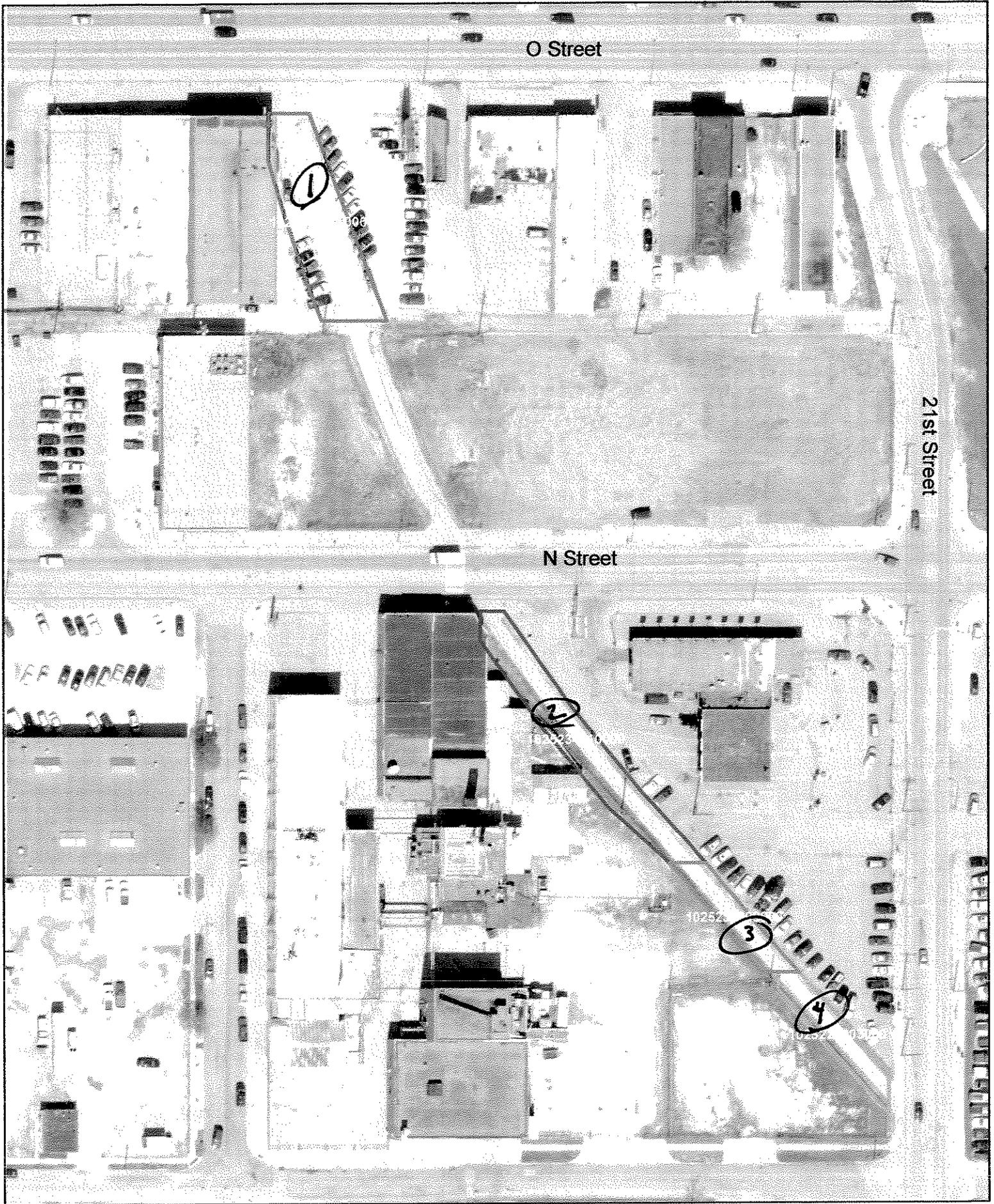
We have attached the City of Lincoln Zoning Application as well as a map identifying the parcels. We are planning on having our Advisory Board take action on this at their September 13, 2012 Board meeting. I am assuming it will then go to Planning Commission and then City Council after that.

We do have an interested buyer in Parcel 1 and once approved, will proceed to sell following the approval. We do not have plans for the other parcels at this time.

Please let me know if you need anything else.

Thank-you!

Terry Genrich
Natural Resources and Greenways Manager



interoffice
MEMORANDUM

Michelle Backemeyer

to: Miki Esposito, Public Works and Utilities
from: Michelle Backemeyer, Housing Rehab and Real Estate Division
subject: Declaration of Surplus Property - Lot 3, Block 6, Antelope Valley 2nd Addition;
vicinity of 2000 N Street
date: September 27, 2012

The Urban Development Department along with the Parks and Recreation Department is requesting that Lot 3, Block 6, Antelope Valley 2nd Addition be declared surplus. The property includes the former Chicago, Rock Island & Pacific Railroad bike trail that is no longer needed because of the new trail that was built with the Antelope Valley Project. The area located on the west side of the former bike trail is currently being used for parking and storage of construction equipment by the contractor for the Antelope Valley roadway project. Upon completion of the roadway project, the property will become surplus to the City's needs. The subject area is depicted on the attached map.

This notification is a requirement of the surplus process. Please respond via mail or email to mbackemeyer@lincoln.ne.gov in 10 days or less as to any comments or objections your department or agency may have in declaring this parcel surplus. If we have not received a response during this time period, we will assume you have no objections.

Attachments