FACTSHEET

TITLE: COMPREHENSIVE PLAN CONFORMANCE
NO. 18001 - DECLARATION OF SURPLUS PROPERTY
(1233 Garden Valley Road)

APPLICANT: David Landis, Director of the Urban Development Department

RECOMMENDATION: A finding of conformance with the Comprehensive Plan (7-0: Hove, Edgerton, Finnegan, Harris, Joy, Washington, and Corr voting ‘yes’; Beckius and Scheer absent)

STAFF RECOMMENDATION: A finding of conformance with the Comprehensive Plan

OTHER DEPARTMENTS AFFECTED: Urban Development and Parks & Recreation

SPONSOR: Planning Department

OPPONENTS: None present at hearing.

REASON FOR LEGISLATION: The City is requesting the declaration of surplus property for the property at 1233 Garden Valley Road, which was previously acquired for use as a connection to a proposed park. The park is no longer planned to be on the adjacent land. Therefore, the lot is no longer needed and will be sold. This request seeks to find conformance with the Comprehensive Plan to declare the 0.15 acres of this property as surplus.

DISCUSSION / FINDINGS OF FACT:

1. On February 14, 2018, this request for the proposed declaration of surplus property appeared on the Consent Agenda of the Planning Commission.

2. The staff recommendation to find the proposed declaration of surplus property to be in conformance with the 2040 Comprehensive Plan is based upon the “Analysis” as set forth on p.2, concluding that the declaration of surplus generally conforms with the Comprehensive Plan. The City acquired the property proposed for surplus declaration in conjunction with a planned park. The park will be located elsewhere so the property is no longer needed. There has been no opposition to the sale of the property by any departments or public agencies subject to retaining the existing utility easements granted with the final plat.

3. There was one letter of support submitted, which is found on p.6.

4. On February 14, 2018, 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 (Comprehensive Plan Conformance No. 18001).
**RECOMMENDATION: IN CONFORMANCE WITH THE COMPREHENSIVE PLAN**

**BRIEF SUMMARY OF REQUEST**
The City is requesting the declaration of surplus property for the property at 1233 Garden Valley Road, which was previously acquired for use as a connection to a proposed park. The park is no longer planned to be on the adjacent land. Therefore, the lot is no longer needed and will be sold. This request seeks to find conformance with the Comprehensive Plan to declare the 0.15 acres of this property as surplus.

**JUSTIFICATION FOR RECOMMENDATION**
The City acquired the property proposed for surplus declaration in conjunction with a planned park. The park will be located elsewhere so the property is no longer needed. There has been no opposition to the sale of the property by any departments or public agencies subject to retaining the existing easements granted with the final plat.

**COMPATIBILITY WITH THE COMPREHENSIVE PLAN**
This declaration of surplus property conforms to the Comprehensive Plan.
ANALYSIS

1. This is a request to find in conformance with the Comprehensive Plan the surplus of approximately 0.15 acres at 1233 Garden Valley Road, described as Lot 9, Block 4, Hartland’s Garden Valley Addition. The property to be declared surplus is a buildable single family residential lot.

2. The City acquired this property for use as a future connection to a planned park in the adjacent outlot to the south (Outlot A, Hartland’s Garden Valley 4th Addition). The park is no longer planned to be located in the outlot as the conditions of the site are not feasible for use as a park based on topographical and hydrologic conditions. The park is instead planned to be located in conjunction with the Kooser Elementary School site approximately a quarter of a mile to the north. Therefore, the lot is no longer needed by the Parks and Recreation Department. The outlot will remain in city ownership as a minimum floodway corridor and conservancy area.

3. A pedestrian access on the property is not needed because Parks and Recreation has access to the outlot in other locations for maintenance purposes, and a pedestrian easement is not identified on the preliminary plat or final plat in this area. The existing utility easement shown on the final plat will be retained on the property.

4. This request is to declare a City-owned property that is unused as surplus. The request is consistent with the Comprehensive Plan and will allow the City to sell a property that is no longer needed.

EXISTING LAND USE & ZONING: Undeveloped; R-3 Residential

APPROXIMATE LAND AREA: 0.15 acres, more or less

LEGAL DESCRIPTION: Lot 9, Block 4, Hartland’s Garden Valley Addition, located in the SE quarter of Section 35-11-6, Lincoln, Lancaster County, Nebraska.

Prepared by

___________________________
Rachel Jones, Planner

Date: February 8, 2018

Applicant/Owner: City of Lincoln
c/o David Landis
555 South 10th Street, Suite 205
Lincoln, NE  68508

Contact: Michelle Backemeyer
City of Lincoln Urban Development Department
555 South 10th Street, Suite 205
Lincoln, NE 68508
(402) 441-8617 or mbackemeyer@lincoln.ne.gov
BEFORE THE DEED TRANSFER THE FOLLOWING MUST BE COMPLETED:

1.1 Include retention of existing easements with deed transfer.
Comp Plan Conformance #: CPC18001
Petunia La & Garden Valley Rd

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.35 T11N R06E

Area of Application
Zoning Jurisdiction Lines
Lancaster County Jurisdiction

2016 aerial
January 17, 2018

David Cary, Director
Lincoln-Lancaster County
Planning Department
555 S. 10th Street
Lincoln, NE 68508

Dear David:

Enclosed is an application to declare surplus the residential lot located at 1233 Garden Valley Road and legally described as Lot 9, Block 4, Hartland’s Garden Valley Addition in NW Lincoln. The City acquired this property for use as a future connection to a proposed adjacent park. The park is no longer planned to be in the vicinity; therefore, the lot is no longer needed by the Parks Department. There has been no opposition to the sale of the property by any other departments or public agencies and easements noted on the plat would be retained.

Please forward the request to the Planning Commission for their earliest consideration for Comprehensive Plan conformance. My understanding is that the request should be on the February 14, 2018, agenda.

If you have questions or need additional information, please contact me at 441-8617 or at mbackemeyer@lincoln.ne.gov. Thank you.

Sincerely,

Michelle R. Backemeyer
Real Estate and Relocation Assistance Agent

cc: Dave Landis, Director, Urban Development Dept.

attachments
Planning Commission:

I would like to speak about Conformance No. 18001 which will be presented on Wednesday, February 14, 2018.

I live in the Harland Garden Valley neighborhood, just a few lots away from 1233 Garden Valley Road. It would be in the best interest of our neighborhood for this lot to be declared as surplus, sold, and eventually have a house built on it. Such a home would be required to have a sidewalk and this would make the area more suitable for walkers, dog-walkers, kids riding bikes, etc. Currently this lot is the only area in a 3-4 block length without sidewalk.

The lot has been vacant for some time and there have been issues. The weeds are not kept down and spread to neighboring lawns. The weeds are often higher than the city's regulations allow. With tall weeds, walkers are forced to walk in the street.

Please consider my comments when making a decision about said lot.

DiAnn White
6616 N 13th Street
Lincoln, NE 68521
COMPREHENSIVE PLAN CONFORMANCE NO. 18001

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION: February 14, 2018

Members present: Beckius, Corr, Edgerton, Finnegan, Harris, Hove, Joy, and Washington; Scheer absent.

The Consent Agenda consisted of the following items: COMPREHENSIVE PLAN CONFORMANCE NO. 18001, COMPREHENSIVE PLAN CONFORMANCE NO. 18002, CHANGE OF ZONE NO. 18002, COMPREHENSIVE PLAN NO. 18003, COMPREHENSIVE PLAN CONFORMANCE NO. 18004, and SPECIAL PERMIT NO. 18001.

For the sake of transparency, Harris declared she has a child currently enrolled at Dimensions and her older daughter also attended there.

Commissioner Beckius declared a Conflict of Interest on Comprehensive Plan Conformance No. 18004 and recused himself from the vote.

Edgerton moved approval of the Consent Agenda, seconded by Finnegan, and carried, 7-0: Edgerton, Finnegan, Harris, Hove, Joy, Washington and Corr voting 'yes'; Beckius and Scheer absent.

Note: This is a recommendation to City Council on COMPREHENSIVE PLAN CONFORMANCE NO. 18001, COMPREHENSIVE PLAN CONFORMANCE NO. 18002, CHANGE OF ZONE NO. 18002, COMPREHENSIVE PLAN NO. 18003, and COMPREHENSIVE PLAN CONFORMANCE NO. 18004. This is FINAL ACTION on SPECIAL PERMIT NO. 18001 unless appealed to the Office of the City Clerk within 14 days.