

City Council Introduction: **Monday**, April 23, 2007
Public Hearing: **Monday**, April 30, 2007, at **5:30 p.m.**

Bill No. 07-67

FACTSHEET

TITLE: **Declaration of Surplus Property**, requested by the Director of Parks & Recreation, to declare approximately 0.07 acres, more or less, as surplus, generally located near South 44th Street and Calvert Street.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 04/11/06
Administrative Action: 04/11/06

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

RECOMMENDATION: A finding of conformance with the Comprehensive Plan (9-0: Strand, Taylor, Sunderman, Carroll, Esseks, Krieser, Larson, Cornelius and Carlson voting 'yes').

FINDINGS OF FACT:

1. This is a request by the Director of the Parks & Recreation Department to declare property generally located near South 44th Street and Calvert Street as surplus. This property is a 55 x 55 ft. parcel that was previously used for a water tower. For the last 27 years, it has been in use by Lincoln Public Schools as part of the Calvert Elementary school playground. This small parcel is entirely used by LPS and is surrounded by land owned by LPS.
2. The staff recommendation to find the proposed declaration of surplus property to be in conformance with the Comprehensive Plan is based upon the "Analysis" as set forth on p.3.
3. On April 11, 2007, 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 April 11, 2007, the Planning Commission agreed with the staff recommendation and voted 9-0 to find the proposed declaration of surplus property to be in conformance with the 2030 Comprehensive Plan.
5. This property will be transferred to Lincoln Public Schools through the "City of Lincoln - Lincoln Public Schools Asset Bank" process previously established by Interlocal Agreement.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: April 16, 2007

REVIEWED BY: _____

DATE: April 16, 2007

REFERENCE NUMBER: FS\CC\2007\CPC.07003 Surplus

**LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT
for APRIL 11, 2007 PLANNING COMMISSION MEETING**

P.A.S.: Comprehensive Plan Conformance No. 07003

PROPOSAL: Finding a declaration of surplus property for a tract of land in conformance with the Comprehensive Plan

LOCATION: Near S. 44th and Calvert Street

LAND AREA: 0.07 acres, more or less

CONCLUSION: A declaration of surplus for this property generally conforms to the Comprehensive Plan.

RECOMMENDATION:	Conformance with the Comprehensive Plan
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Lot 106 Irregular Tract in SW 1/4 of Section 5- T9N-R7E

EXISTING ZONING: R-2 Residential

EXISTING LAND USE: Elementary school playground

SURROUNDING LAND USE AND ZONING:

North: Calvert Elementary School playground	P Public zoning
South: Calvert Elementary School playground	P Public
East: Calvert Elementary School playground	P Public
West: Generally single family	R-2 Residential

ASSOCIATED APPLICATIONS: Comprehensive Plan Conformance #07004

HISTORY: This small parcel was originally used in the 1920's by the Village of College View for a water tower on land owned by the College View School District #50 at the time. The village of College View was annexed by the City of Lincoln in 1929 and School district merged with LPS. Then in June 1931, LPS sold land under tower to the City of Lincoln which continued to operate the tower. LPS owned all the surrounding land and still does as of this date. Air photos show the water tower on the property in 1957, but it was removed by 1990. After the water tower was removed the land has been in use by LPS ever since.

COMPREHENSIVE PLAN SPECIFICATIONS: The Land Use Map of the 2030 Comprehensive Plan identifies the area as Public and Semi-Public.

ANALYSIS:

1. This is a request to surplus a small 55 by 55 foot parcel that was previously used as a water tower. For at least the last 27 years it has been in use by Lincoln Public Schools as part of the Calvert Elementary school playground.
2. The ownership of the parcel was discovered in a recent effort to clean up property boundaries between the City of Lincoln and Lincoln Public Schools on several properties where there is shared use of land.
3. The City and LPS have a long history of sharing facilities and land to benefit both parties. Calvert Elementary and Calvert Recreation Center is a good example of the cooperative effort between both groups to maximize the use of public property.
4. Lincoln Water System does not have a use for the property, other than retaining any easements if necessary. The Lincoln Parks and Recreation Department, which operates and owns Henry Park several hundred feet away, also does not have a use for this parcel.
5. In this case, the small parcel in question is entirely used by LPS and is surrounded by land owned by LPS. Subject to retaining appropriate utility easements, the City does not need to retain the land and it should remain in school use.
6. This surplus declaration is necessary for the City to transfer the property to Lincoln Public Schools.

Prepared by:

Stephen Henrichsen
Principal Planner

DATE: March 26, 2007

APPLICANT: Lynn Johnson, Director
Parks & Recreation Department
2740 "A" St.
Lincoln, NE 68502
(402) 441-8265

OWNER: City of Lincoln

COMPREHENSIVE PLAN CONFORMANCE NO. 07003

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

April 11, 2007

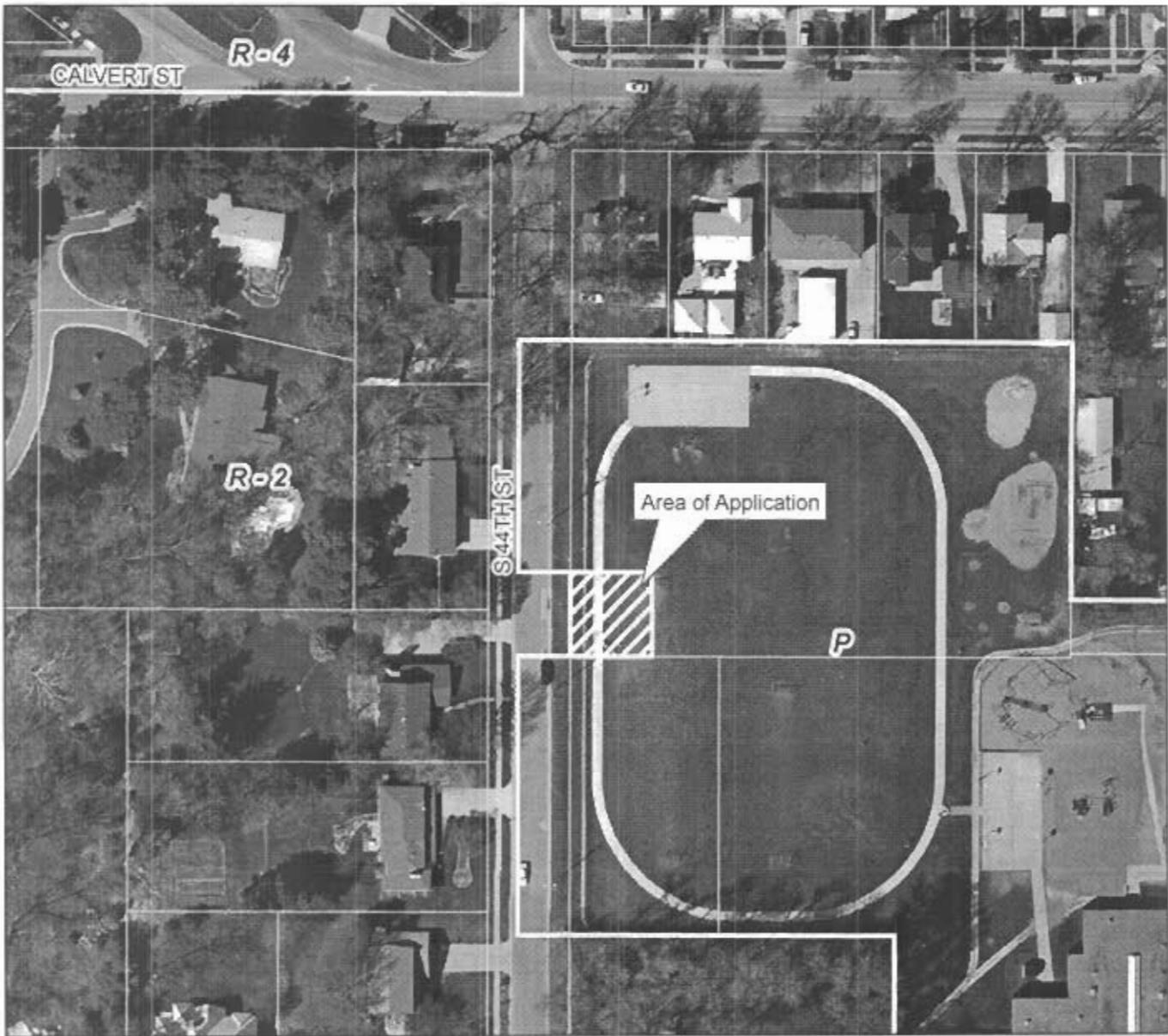
Members present: Carlson, Carroll, Cornelius, Esseks, Krieser, Larson, Strand, Sunderman and Taylor.

The Consent Agenda consisted of the following items: **COMPREHENSIVE PLAN CONFORMANCE NO. 07002; COMPREHENSIVE PLAN CONFORMANCE NO. 07003; COMPREHENSIVE PLAN CONFORMANCE NO. 07004; COUNTY CHANGE OF ZONE NO. 07012; CHANGE OF ZONE NO. 07013; COUNTY CHANGE OF ZONE NO. 07014; CHANGE OF ZONE NO. 07016; CHANGE OF ZONE NO. 07017; and SPECIAL PERMIT NO. 07007.**

Ex Parte Communications: None.

Carroll moved to approve the Consent Agenda, seconded by Cornelius and carried 9-0: Carlson, Carroll, Cornelius, Esseks, Krieser, Larson, Strand, Sunderman and Taylor voting 'yes'.

Note: This is final action on Comprehensive Plan Conformance No. 07002 and Special Permit No. 07007, 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.



2005 aerial

**Comp Plan Conformance #07003
S 44th & Calvert St**

Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation 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. 5 T9N R7E

