

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 39th Street and Van Dorn 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 39th Street and Van Dorn Street as surplus. This property has been in use by Lincoln Public Schools as part of the Lincoln Southeast High School for the last 51 years. This parcel is entirely used by LPS, is surrounded by land owned by LPS and should have been transferred to LPS in the 1950's.
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.07004 Surplus

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

P.A.S.: Comprehensive Plan Conformance No. 07004

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

LOCATION: Near S. 39th and Van Dorn Street

LAND AREA: 0.7 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 141 Irregular Tract in NE 1/4 of Section 6- T9N-R7E

EXISTING ZONING: 'P' Public

EXISTING LAND USE: Lincoln Southeast High School use, fields, parking, one communication tower and equipment buildings

SURROUNDING LAND USE AND ZONING:

North: Single family	R-2 Residential zoning
South: Southeast High School fields	P Public
East: Southeast High School fields	P Public
West: Southeast High School parking	P Public

ASSOCIATED APPLICATIONS: Comprehensive Plan Conformance #07003

HISTORY: This narrow diagonal property was deeded to the Village of College View in August 1927. The property is 60 feet wide and in the margin of the deed was written the word "boulevard" apparently showing an intent that the parcel be used for a road in the future. However, the property was never dedicated as public right-of-way.

College View was annexed in 1929 and the ownership of this parcel transferred to the City of Lincoln. Land to the west of this lot was platted into residential lots, but then purchased by Lincoln Public Schools. Eventually, all the surrounding land was bought by LPS. According to the LPS website, from 1892 to 1955 the southeast Lincoln area was served by the College View High School building. However, in September 1955, Lincoln Southeast Junior - Senior High school opened on all the land purchased over the years, including this lot. Based on air photos it appears this lot has been in use by LPS ever since 1955.

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 property that for the last 51 years it has been in use by Lincoln Public Schools as part of Lincoln Southeast High school.
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.
3. The City and LPS have a long history of sharing facilities and land to benefit both parties. However, this property has been solely in use by LPS since Southeast opened in 1955. This land should have been transferred to LPS in the 1950's since it was not needed by the City.
4. This property is already in use by LPS. The City does not need additional right-of-way on Van Dorn Street.
5. In this case, the parcel in question is entirely used by LPS and is surrounded by land owned by LPS. Subject to retaining appropriate utility easements, if any, the City does not need 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. 07004

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 #07004
S 39th & Van Dorn 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-6 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. 6 T9N R7E

