

City Council Introduction: **Monday**, June 4, 2007
Public Hearing: **Monday**, June 11, 2007, at **1:30 p.m.**

Bill No. 07-93

FACTSHEET

TITLE: Declaration of Surplus Property, requested by the Housing Rehab and Real Estate Division of the Urban Development Department, declaring approximately 2,490 sq. ft. (0.06 acre), more or less, generally located near 42nd Street and Cornhusker Highway, as surplus property.

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

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 05/23/07
Administrative Action: 05/23/07

RECOMMENDATION: A finding of conformance with the Comprehensive Plan (8-0: Strand, Taylor, Sunderman, Carroll, Esseks, Krieser, Cornelius and Carlson voting 'yes'; Larson absent).

FINDINGS OF FACT:

1. This is a request by the City of Lincoln, Housing Rehab and Real Estate Division, to declare the west 43 feet of the south 10 feet of Lot 7, Block 90, Atkinson's Addition to University Place, as surplus. The property has been in use as a parking lot for a privately owned multiple family complex, the owner of which is interested in purchasing the property upon which the parking lot is built.
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.2-3, concluding that the declaration of the property as surplus generally conforms to the Comprehensive Plan.
3. On May 23, 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 May 23, 2007, 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 2030 Comprehensive Plan, **Comprehensive Plan Conformance No. 07011** (Larson absent).

FACTSHEET PREPARED BY: Jean L. Walker

DATE: May 25, 2007

REVIEWED BY: _____

DATE: May 25, 2007

REFERENCE NUMBER: FS\CC\2007\CPC.07011 Surplus

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for MAY 23, 2007 PLANNING COMMISSION MEETING

- P.A.S.:** Comprehensive Plan Conformance No. 07011
- PROPOSAL:** Finding a declaration of surplus property for a tract of land in conformance with the Comprehensive Plan.
- LOCATION:** Near N. 42nd and Cornhusker Highway.
- LAND AREA:** Approximately 2,490 sq. ft. (0.06 ac.) more or less.
- CONCLUSION:** A declaration of surplus for this property generally conforms to the Comprehensive Plan.

RECOMMENDATION:	In conformance with the Comprehensive Plan.
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GENERAL INFORMATION:

LEGAL DESCRIPTION: The west 43 feet of Lot 8 and the west 43 feet of the south 10 feet of Lot 7, Block 90, Atkinson's Addition to University Place, Lancaster County, Nebraska.

EXISTING ZONING: R-5

EXISTING LAND USE: Parking lot

SURROUNDING LAND USE AND ZONING:

North:	Green Space and Multiple Family	R-5
South:	Parking lot for Multiple Family	R-5
East:	Multiple Family	R-5
West:	Mobile Home Park	H-3

HISTORY:

February 22, 1988: City Council approved Change of Zone #2301 on the adjacent multi-family property from R-1 to R-5.

COMPREHENSIVE PLAN SPECIFICATIONS: The Land Use Map of the 2030 Comprehensive Plan identifies the area as Residential-Urban Density.

ANALYSIS:

1. This is a request to surplus property that has been in use as a parking lot for a privately owned multiple family complex.

2. The owner of the multiple family complex would like to purchase the property on which he has built his parking lot.
3. The City will retain easements for utilities.
4. This surplus declaration is necessary for the City to sell the property to the private entity.

Prepared by:

Brandon M. Garrett, AICP
Planner

DATE: May 7, 2007

APPLICANT: Michelle Backemeyer
Urban Development Department
808 P Street, Ste. 400
Lincoln, NE 68508

OWNER: City of Lincoln

COMPREHENSIVE PLAN CONFORMANCE NO. 07011

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

May 23, 2007

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

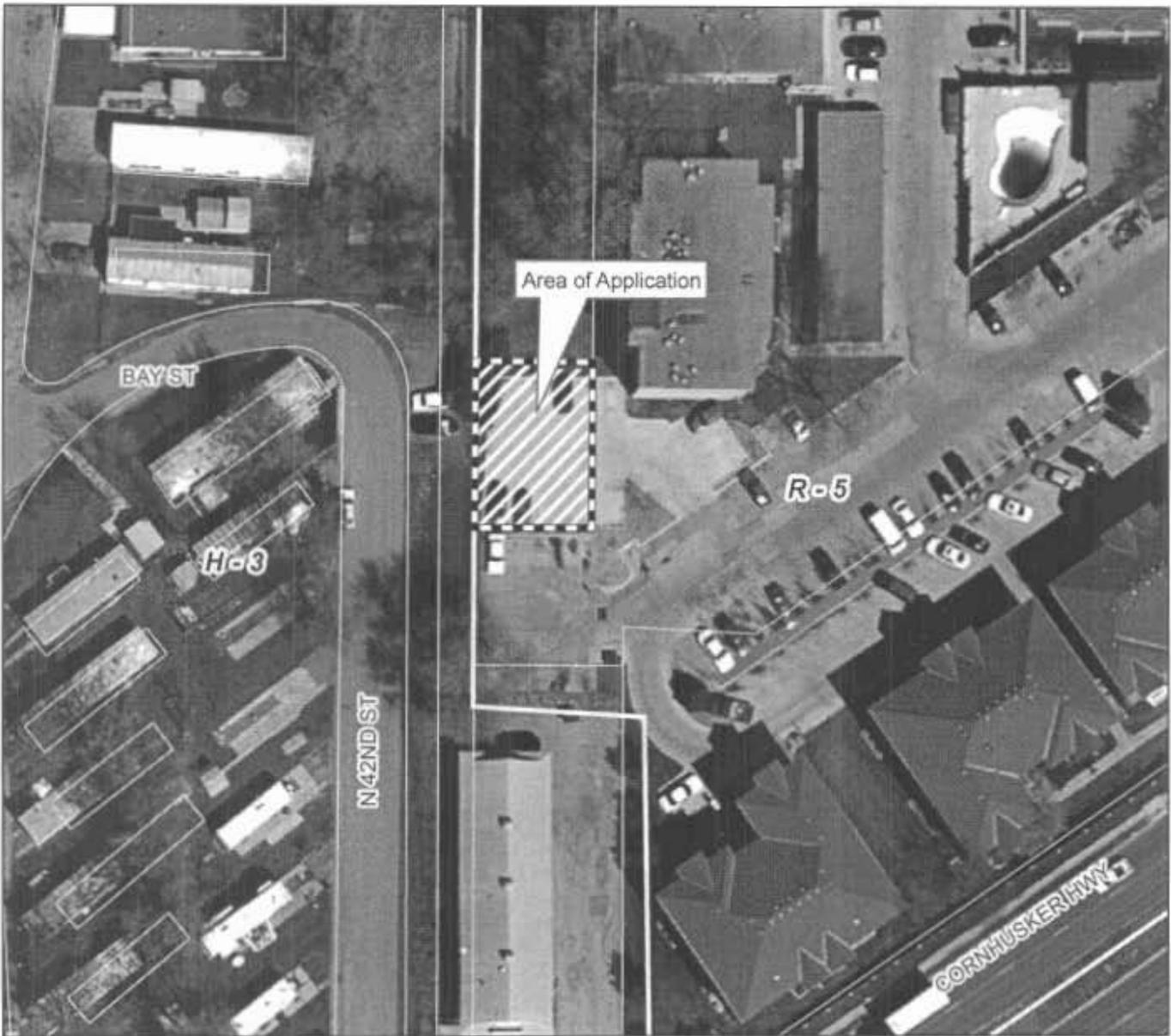
The Consent Agenda consisted of the following items: **COMPREHENSIVE PLAN CONFORMANCE NO. 07011; CHANGE OF ZONE NO. 07025; CHANGE OF ZONE NO. 07026; and SPECIAL PERMIT NO. 1692D.**

Ex Parte Communications: None.

Item No. 1.2, **Change of Zone No. 07025**, and Item No. 1.3, **Change of Zone No. 07026**, were removed from the Consent Agenda and scheduled for separate public hearing.

Carroll moved to approve the remaining Consent Agenda, seconded by Strand and carried 8-0: Carlson, Carroll, Cornelius, Esseks, Krieser, Strand, Sunderman and Taylor voting 'yes'; Larson absent.

Note: This is final action on Special Permit No. 1692D, 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.



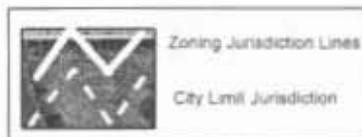
2005 aerial

**Comp Plan Conformance #07011
N 42nd St & Cornhusker Hwy**

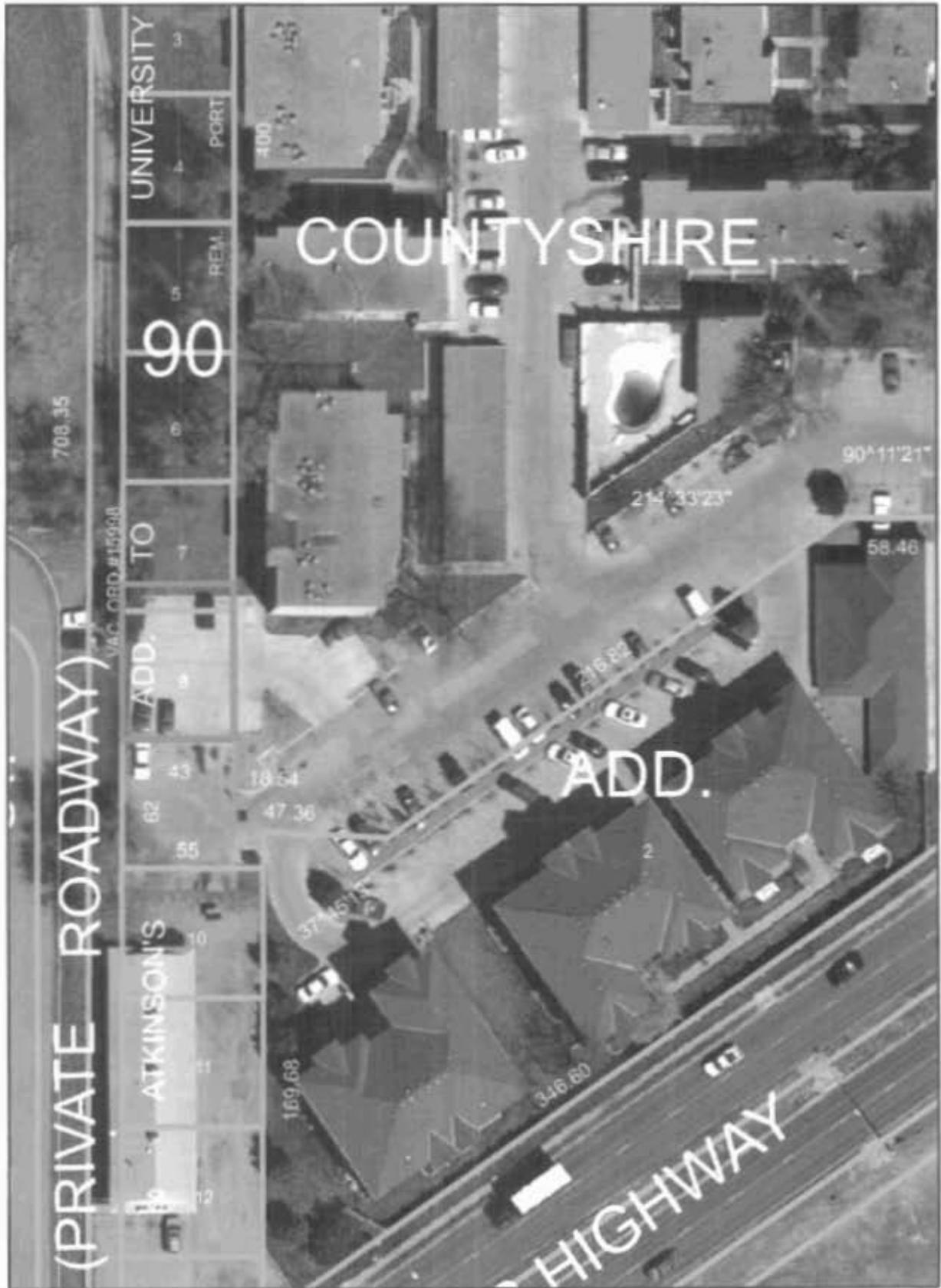
Zoning:

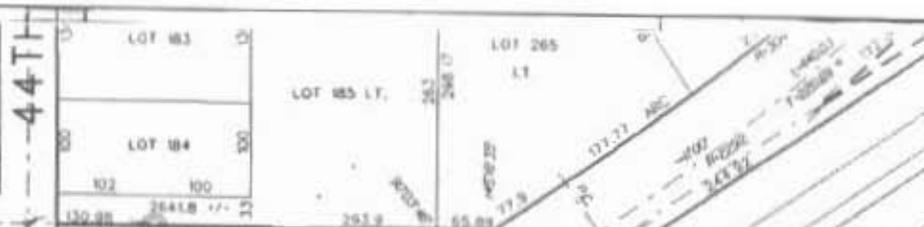
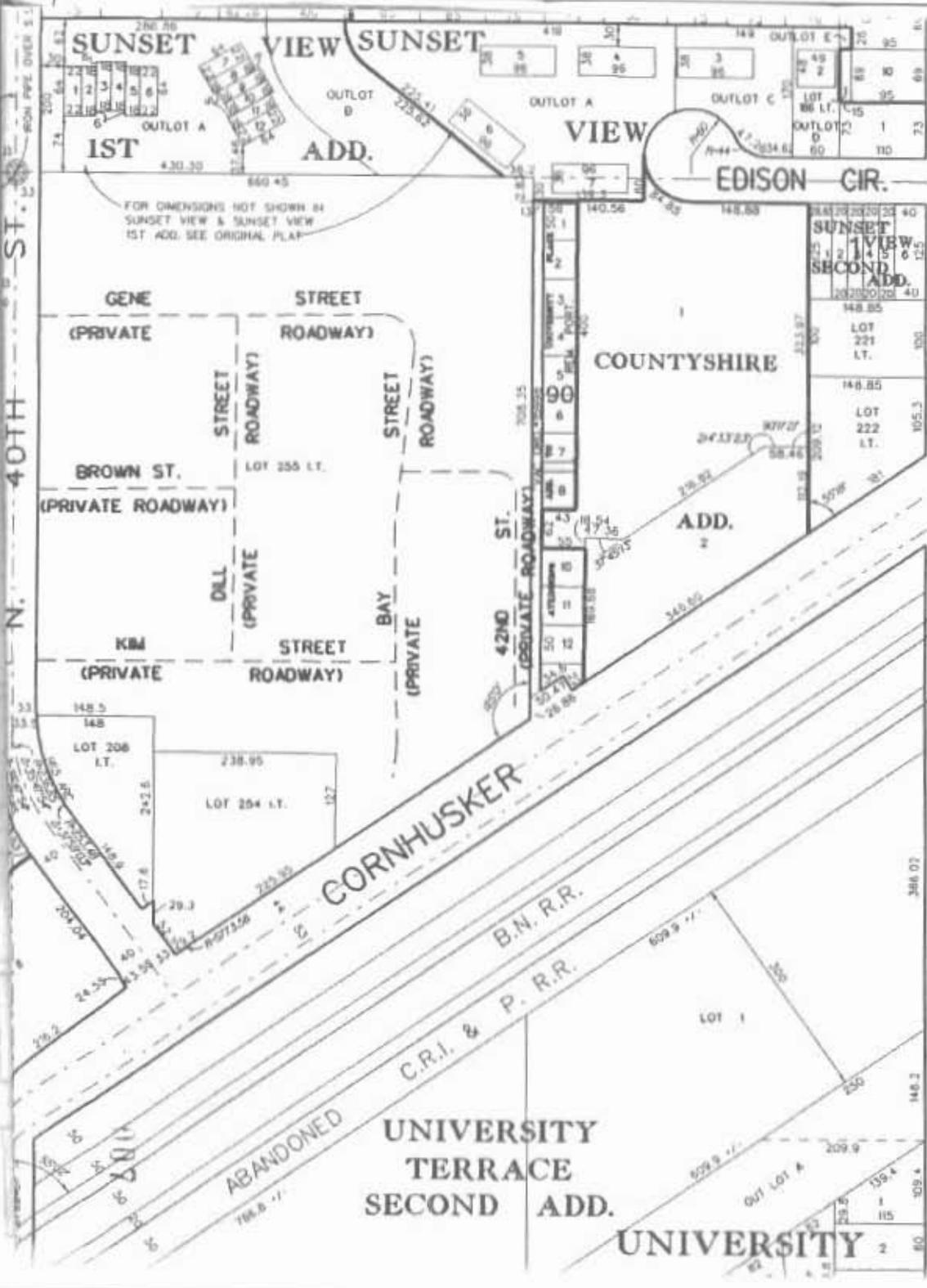
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-7 Residential Transition District
- B-1 Local Business District
- B-2 Planned 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. 08 T10N R07E



Parking Lot in Lot 8 and part of Lot 7 , 8-10-07





FOR DIMENSIONS NOT SHOWN IN
SUNSET VIEW & SUNSET VIEW
1ST ADD. SEE ORIGINAL PLAN

GENE STREET (PRIVATE ROADWAY)
BROWN ST. (PRIVATE ROADWAY)
KIM STREET (PRIVATE ROADWAY)
DILL (PRIVATE ROADWAY)
BAY STREET (PRIVATE ROADWAY)
42ND ST. (PRIVATE ROADWAY)

LOT 183
LOT 184
LOT 185 LT.
LOT 185 RT.
LOT 186 LT.
LOT 186 RT.

CORNHUSKER
COUNTYSHIRE
UNIVERSITY
UNIVERSITY TERRACE
B.N. R.R.
C.R.I. & P. R.R.
ABANDONED

NORTHEAST ST
DIAGONAL
HARTLE
IMHOFFS
GLADSTONE
LOT 14
LOT 15
LOT 16
LOT 20
LOT 21

Richard J Furasek /Notes
03/29/2007 04:48 PM

To Michelle Backemeyer/Notes@Notes
cc
bcc
Subject Interoffice Memorandum

We have reviewed the interoffice memorandums that you had sent Chief Wright concerning surplus property on the north side of 43rd and Cornhusker and the SW corner of 27th and Randolph street. We have no issues with any of this property being declared surplus. If you need any other information, feel free to call me at 441-8354.

Richard J. Furasek
Assistant Chief Operations
Lincoln Fire & Rescue
1801 Q Street
Lincoln Ne. 68508
Office 402-441-8354
Fax 402-441-8292

interoffice
MEMORANDUM

to: Steve Hanks, Lincoln Electric System
from: Michelle Backemeyer, Housing Rehab and Real Estate Division
subject: Declaration of Surplus Property - north side of 43rd and Cornhusker
date: March 21, 2007

Michelle Backemeyer

The City of Lincoln has received a request by the adjacent property owner to declare surplus and sell the West 43 feet of Lot 8 and the West 43 feet of the South 10 feet of Lot 7, Block 90, Atkinson's Addition to University Place located on the north side of Cornhusker Highway, near what would be 43rd Street. The owner has built a surface parking lot for his adjacent apartment complex on the City's property. He would like to own the property where the parking lot is located to avoid future title problems when the property is sold. Currently, there are storm and sanitary sewer easements across the property which the City will retain at closing.

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 disposition of this property.

Attachments

*NOTING REQUIRED BY LES
FOR EASEMENTS
B 3-23-07*

interoffice
MEMORANDUM



Michelle Backemeyer

to: Jean Walker, Planning Department
from: Michelle Backemeyer, Housing Rehab and Real Estate Division
subject: Declaration of Surplus Properties - north side of 43rd and Cornhusker
date: April 20, 2007

Please place on the next Planning Commission agenda a request to declare surplus the West 43 feet of Lot 8 and the West 43 feet of the South 10 feet of Lot 7, Block 90, Atkinson's Addition to University Place located on the north side of Cornhusker Highway, near what would be 43rd Street.

We have requested responses from other City Departments and public agencies in accordance with the surplus property disposition procedures. Copies of the returned responses and the original request are attached. If you have any questions, please feel free to call me at 441-8617.

Attachments

