

FACTSHEET

TITLE: COMPREHENSIVE PLAN AMENDMENT NO. 06004, by the Director of Planning, at the request of the Directors of the Urban Development Department and the Parks & Recreation Department, to amend the ***North 48th Street/University Place Plan*** to show a redevelopment project southwest of the intersection of 51st Street and Garland Street.

STAFF RECOMMENDATION: Approval.

ASSOCIATED REQUEST: Change of Zone No. 06035 (06-123)

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 07/05/06
Administrative Action: 07/05/06

RECOMMENDATION: Approval (6-0: Carlson, Carroll, Esseks, Krieser, Larson and Sunderman voting 'yes'; Strand declaring a conflict of interest; Cornelius and Taylor absent).

FINDINGS:

1. This proposed Comprehensive Plan Amendment was heard before the Planning Commission in conjunction with the associated change of zone request to O-2 Suburban Office Park.
2. The proposal requests amendments to the Comprehensive Plan as follows:
 - A. Amend the "North 48th Street/University Place Plan" Linkage Strategies map by changing the land use designation of property southwest of the intersection of 51st and Garland Streets from residential to office, as shown on the attached map (p.8).
 - B. Amend the "North 48th Street/University Place Plan" Proposed Zoning map by changing the zoning designation of property southwest of the intersection of 51st and Garland Streets from R-2 Residential to O-2 Suburban Office, as shown on the attached map (p.9).
 - C. Amend the "North 48th Street/University Place Plan" by changing text references of development of property southwest of the intersection of 51st and Garland Streets from residential/open space to office, as shown in the attached plan pages (p.10-11).
3. The approval of this proposed amendment will facilitate an agreement between the City and the Child Advocacy Center for use of publicly owned land for the development of a new facility for this nonprofit organization.
4. The staff recommendation of approval is based upon the "*Comprehensive Plan Implications*" and "*Conclusion*" as set forth on p.3
5. The minutes of the public hearing before the Planning Commission are found on p.4-5. There was testimony in support on behalf of the Parks and Recreation Department, the County Sheriff and the Child Advocacy Center. The record also consists of letters in support from the University Place Community Organization and the University Place Business Association (p.12-13).
6. Testimony in opposition by Guy Farr is found on p.4.
7. On July 5, 2006, the Planning Commission agreed with the staff recommendation and voted 6-0 to recommend approval (Strand declaring a conflict of interest; Cornelius and Taylor absent).

FACTSHEET PREPARED BY: Jean L. Walker

DATE: September 18, 2006

REVIEWED BY: _____

DATE: September 18, 2006

REFERENCE NUMBER: FS\CC\2006\CPA.06004+

Comprehensive Plan Amendment No. 06004
 51st & Garland Streets
 Amendment to North 48th Street/University Place Plan

Applicants	Location	Proposal
Marc Wullschleger for Urban Development Lynn Johnson for Parks and Recreation	51 st & Garland Streets	Amend the North 48 th Street/University Place Plan to show a redevelopment project southwest of the intersection of 51 st and Garland Streets.
Recommendation: Approval		

Status/Description

The applicants propose the following for the land southwest of 51st and Garland Streets:

1. Change the land use map designation from “Potential Residential Development” to Potential Office Development.”
2. Change the proposed zoning map designation from P Public to O-2 Suburban Office.
3. Change text descriptions within the plan consistent with the map changes.
4. The 2025 Lincoln/Lancaster County Comprehensive Plan will not be amended as part of this proposal.

This application is associated with Change of Zone #06035 – Child Advocacy Center. Specifically, this amendment is needed to facilitate an agreement between the City and the Child Advocacy Center for use of publicly owned land for the development of a new facility for this nonprofit organization.

Analysis

The Child Advocacy Center has operated out of a publically owned facility located in Antelope Park. However, they have outgrown this facility, and need to find a suitable location where they can build a new, larger facility. The Child Advocacy Center and the Parks and Recreation Department have worked together over the years in each providing their own beneficial community service concurrently with one another - a park and a child abuse service. This arrangement has worked well for both parties, and they seek to continue this relationship at another location.

The current North 48th Street/University Place Plan shows this particular site with future residential uses. The proposed zoning map shows this area as R-2 Residential in the future. This application seeks to change these designations to future office use, and O-2 Suburban Office District, respectively. The proposed Linkage Strategies map, which shows contemplated future land uses, shows the area designated for future office is larger than the area being changed to office zoning at this time. The intent is to show that should the Child Advocacy Center need to expand again, they could do it at this site. The zoning for a future expansion would not be in place yet, and changing it would require another public process.

Comprehensive Plan Implications

The Comprehensive Plan designates the area generally bound by Garland, Colby, 51st, and 50th Streets as Public, with the rest of University Place Park designated Green Spaces. (F 25)

Guiding Principles for the Urban Environment:

Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. This can be accomplished in many ways including encouraging appropriate new development on unused land in older neighborhoods, and encouraging a greater amount of commercial space per acre and more dwellings units per acre in new neighborhoods. (F 17)

Natural and environmentally sensitive areas should be preserved within neighborhoods. Conservation areas and open lands should be used to define and connect different neighborhoods. (F 17)

Conclusion

The changes to the North 48th Street/University Place Plan proposed here will allow underutilized public space to be occupied by a nonprofit agency providing a community service. The land will continue to be owned by the City, so any use can be controlled by the City. If, at some point in the future the Child Advocacy Center should vacate the proposed new facility, the City could use the facility for additional government offices.

Amend the Comprehensive Plan as follows:

1. Amend the "North 48th Street/University Place Plan" Linkage Strategies map by changing the land use designation of property southwest of the intersection of 51st and Garland Streets from residential to office, as shown on the attached map.
2. Amend the "North 48th Street/University Place Plan" Proposed Zoning map by changing the zoning designation of property southwest of the intersection of 51st and Garland Streets from R-2 Residential to O-2 Suburban Office, as shown on the attached map.
3. Amend the "North 48th Street/University Place Plan" by changing text references of development of property southwest of the intersection of 51st and Garland Streets from residential/open space to office, as shown in the attached plan pages.

Prepared by

Greg Czaplowski
441-7620, gczaplowski@lincoln.ne.gov

Prepared June 23, 2006

**COMPREHENSIVE PLAN AMENDMENT NO. 06004
AND
CHANGE OF ZONE NO. 06035**

PUBLIC HEARING BEFORE PLANNING COMMISSION:

July 5, 2006

Members present: Carlson, Carroll, Esseks, Krieser, Larson and Sunderman; Strand declaring a conflict of interest; Cornelius and Taylor absent.

Ex Parte Communications: None

Staff presentation: Greg Czaplewski of Planning staff stated that these two items come forward from Urban Development in connection with the Child Advocacy Center. There is the potential for some more public service facilities. If you read through the letter from Lynn Johnson, a much bigger area is reflected than is included in the staff report. After city staff talked with the applicant, they decided the change of zone should be limited to the area indicated on the map included with the staff report. The plan will show the area as potential office development. The Child Advocacy Center has some immediate needs; a portion will stay park land for the time being. An indication is given of an area where they intend to expand.

Proponents

1. **JJ Yost from Parks and Recreation** appeared. This property is not currently Parks land but is city-owned land. The Parks Department has been working on a master plan along with the University Place Community Organization. Dead Man's Run cuts diagonal through the park. The proposed center is on the north piece of the property. Some of the elements of the master plan are already in place. They believe they have a good plan. Some additional parking would be associated with the center immediately west of the center.
2. **Sheriff Terry Wagner** appeared. He wants the Commission to understand what this organization provides. It is a unique nonprofit agency. It receives both government and private funding. It provides a child friendly place to conduct investigations of child assault. Unfortunately, the number of children seen over the years has increased. They are currently in a building at Antelope Park. Seeing 40-50 children a week, they have outgrown their current space. This is not an overnight facility. He believes they have been a good neighbor to the Auld Recreation Center and the neighborhood association.
3. **Lynn Ayers**, Executive Director of the Child Advocacy Center, testified in support. She has met with the University Place Community Organization board and Parks officials. UPCO is strongly supportive of this project. She met with University Place Business Association and they voted to support this project. She visited personally with Mr. Butler to hear his concerns. He was strongly supportive of this project. Letters to the community were sent out for an UPCO board meeting where attendees could see the plan.

Opposition

1. **Guy Farr**, 5119 Colby, lives across the street from Mr. Butler. He understands that the Advocacy Center is greatly needed. But, this is one of the few parks in town that has shelters and established trees. On 48th St. alone, there are two businesses that sit vacant. There are vacant store fronts in University Place. He sees people daily using the park. It is one of the jewels of the city. To see that destroyed, he finds that hard to believe. A good portion of the neighbors who border the park have never been contacted. He does not see the point of tearing up park land when there are other spots available.

Staff Questions

Esseks questioned if this property is now part of the park. Czaplewski stated that this property is adjacent to the park, but not part of the park itself. It is city-owned and will continue to be city-owned.

COMPREHENSIVE PLAN AMENDMENT NO. 06004

ACTION BY PLANNING COMMISSION:

July 5, 2006

Carroll moved approval, seconded by Esseks and carried 6-0: Carlson, Carroll, Esseks, Krieser, Larson and Sunderman voting 'yes'; Strand declaring a conflict of interest; Cornelius and Taylor absent. This is a recommendation to the City Council.

CHANGE OF ZONE NO. 06035

ACTION BY PLANNING COMMISSION:

July 5, 2006

Carroll moved approval, seconded by Esseks and carried 6-0: Carlson, Carroll, Esseks, Krieser, Larson and Sunderman voting 'yes'; Strand declaring a conflict of interest; Cornelius and Taylor absent. This is a recommendation to the City Council.



**CITY OF LINCOLN
NEBRASKA**

MAYOR COLEEN J. SENG

lincoln.ne.gov

Urban Development Department

Marc Wulischleger, Director

Haymarket Square

808 "P" Street

Suite 400

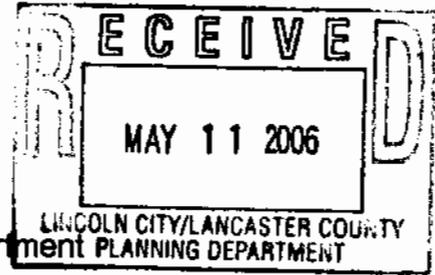
Lincoln, Nebraska 68508

402-441-7606

fax: 402-441-8711

May 10, 2006

Marvin Krout, Director
Lincoln-Lancaster County Planning Department
555 S. 10th St., STE 213
Lincoln, NE 68508



re: Comprehensive Plan Amendment

Dear Marvin:

I am requesting an amendment to *The North 48th Street/University Place Plan*, a sub-area plan of the Comprehensive Plan. The amendment changes the use of city owned land in the vicinity of 50th to 51st, Garland to Colby. The existing plan shows the use of this site as potential new single family housing. The amendment changes the site to office use.

The reason for the change is an opportunity for the City to partner with the Child Advocacy Center (CAC). CAC has outgrown its current facility in Antelope Park and needs to find a new location. They are looking for a discreet location where they can build a new, larger facility to continue the important work they do: working with abused children. This site meets their needs and is a good location for them. They intend to build a facility that fits in with the character of the neighborhood and has a residential appearance. We believe this is consistent with the intent of *The North 48th Street/University Place Plan*. Not only will CAC continue to provide a valuable service to the community, but its facility will continue the revitalization of the University Place neighborhood.

The CAC has contacted the University Place Community Organization, University Place Business Association, residents surrounding the site, and the University Place Implementation Committee, to discuss this proposed project. All these groups/individuals have supported this new use.

Enclosed are 14 copies of the pages that need to be amended in *The North 48th Street/University Place Plan*. Two maps have been changed and the text on two pages. Please forward this request to amend *The North 48th Street/University Place Plan* subarea plan of the Comprehensive Plan to the Planning Commission for their earliest consideration. My understanding is that this request will be considered at the June 7th Planning Commission meeting.

Marvin Krout
May 10, 2006
page 2

If you have questions or need additional information, please contact Wynn Hjemstad at 441-7606 or whjemstad@lincoln.ne.gov.

Thank you.

Sincerely,

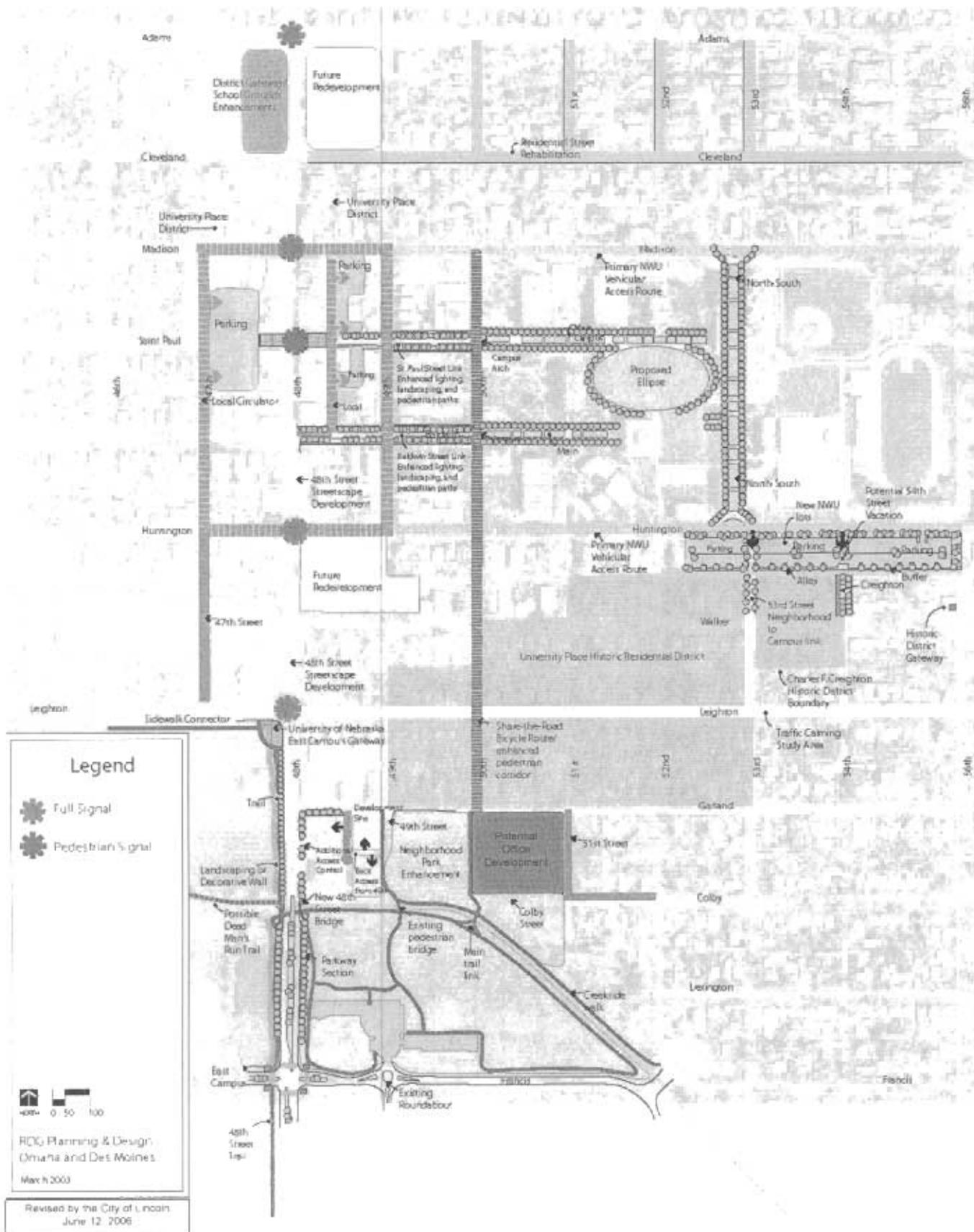
A handwritten signature in cursive script, appearing to read "Marc Wullschleger".

Marc Wullschleger, Director
Urban Development Department

enc.

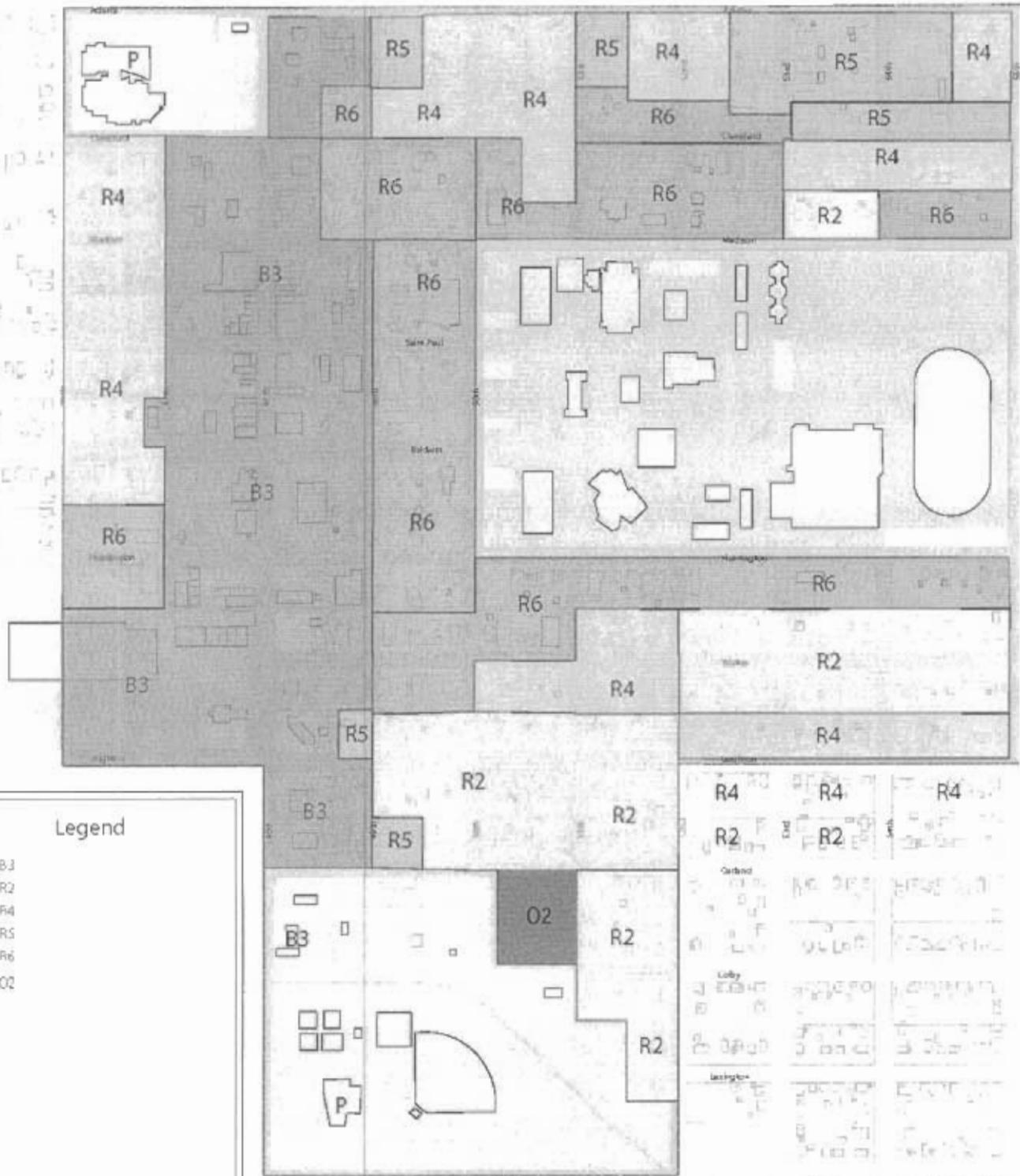
Linkage Strategies

PROPOSED



PROPOSED

Proposed Zoning Map



Legend

- B3
- R2
- R4
- R5
- R6
- O2

RDG Planning & Design
Omaha and Des Moines January 2007

Revised by the City of Lincoln
June 12, 2008

Red = Text to be deleted (stricken)
Blue = Text to be added (underlined)

- A trail should be developed through the UNL East Campus, either along Dead Man's Run or the south side of Leighton Avenue, connecting to the John Dietrich Trail at 33rd Street and Fleming Fields Recreational Sports Park. This trail should cross under 48th Street through a redesigned system in University Place Park. In addition, a sidewalk connector trail should be developed along the south side of Leighton/Huntington Avenue to provide a secondary connection to the Dietrich Trail and new sports park.
- 50th Street should be evaluated and adapted as a share-the-road bicycle route between University Place Park and the NWU campus. This route may continue north to connect with the John Dietrich/Murdock Trail system near 49th and Benton.
- St. Paul and Baldwin Avenues should be reinforced as promenades between 48th and 50th Streets, forming a strong functional and visual connection between the NWU campus and the University Place business district.
- A north-south connection, linking NWU and the neighborhood, should be considered along the approximate alignment of 53rd Street.
- University Place Park north of Dead Man's Run should be master-planned as a neighborhood park.

Neighborhood Development and Land Use Recommendations

- Lincoln should implement a neighborhood development strategy in University Place, with strategies designed to help bring about desirable outcomes on each block face.
- The City and neighborhood should implement a surgical rezoning strategy, based on the character and preferred occupancy outcome of each blockface.
- Redevelopment of selected sites can create new housing resources for prospective homeowners, including members of the university community. ~~One opportunity could be the east side of an improved 51st Street.~~
- The improvement of the residential quality of the University Place neighborhoods is a widely shared goal. One important step in achieving that goal is to provide the neighborhood residents, particularly those in the blocks surrounding the Nebraska Wesleyan University campus, with a plan that helps them feel confident that future University expansion will not have a detrimental impact on their property values and overall quality of life. This plan should also include provisions, which facilitate collaborative efforts by the University, the neighborhood, and the City to invest in the revitalization of these neighborhoods.

Red = Text to be deleted (stricken)
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Spot Redevelopment

Redevelopment of selected sites can create new housing resources for prospective homeowners, including members of the university community. ~~One opportunity could be the east side of an improved 51st Street.~~

Part of the residential strategy should be assembly and spot residential redevelopment of selected sites. ~~The improved 51st Street between Garland and Colby Avenues could provide a venue for new housing adjacent to an expanded and upgraded University Place Park. This street frontage is out of the Dead Man's Run floodplain, and could be done in such a way as to permit expansion of the park. The design of a project should include neighborhood park exposure to 51st Street. Any new residential development should be in keeping with the character of surrounding housing.~~

Nebraska Wesleyan University Campus Surroundings

The improvement of the residential quality of the University Place neighborhoods is a widely shared goal. One important step in achieving that goal is to provide the neighborhood residents, particularly those in the blocks surrounding the Nebraska Wesleyan University campus, with a plan that helps them feel confident that future University expansion will not have a detrimental impact on their property values and overall quality of life. This plan should also include provisions, which facilitate collaborative efforts by the University, the neighborhood, and the City to invest in the revitalization of these neighborhoods.

A major institution like NWU is a great boon to an established neighborhood, increasing both its marketability and quality. Yet, it can also be a source of uncertainty, especially if it tends to acquire property when opportunities arise. Uncertainty is the enemy of residential investment, and an important objective of these residential policies is to provide homeowners with greater predictability about the future of the neighborhood. Therefore, this plan recommends the following:

- The main academic uses be focused between the one-half block north of Madison and south of Huntington, between 48th and 56th Streets.
- NWU is encouraged to regard the blocks to the West of the current core campus, between 50th and 48th Streets and Madison and Huntington as an area suitable for campus expansion. Campus-related commercial and residential activities should be increasingly integrated into the 48th Street business district, and could be accommodated in this transitional area.
- NWU should not expand its campus domain more than one half block South of Huntington between 56th and 48th Streets. The purpose of this limit is to preserve the integrity of the Creighton Historic District.
- In the area North of Madison Avenue to Adams Street, NWU and the neighborhood will work with the City to develop a plan for improving housing in this area. This plan will address additional strategies for improving housing and how NWU could help by investing in housing and renovation.



University Place Community Organization, Inc.

2723 North 50th Street
Lincoln, Nebraska 68504
(402) 466-1906

April 24, 2006

Child Advocacy Center
3200 Sumner Street
Lincoln, Nebraska 68502

To Whom It May Concern:

The University Place Community Organization Board is in support of the Child Advocacy Center constructing a new facility at 51st & Garland Streets, which is City land adjacent to University Place Park.

The Child Advocacy Center meets a growing need in the Lincoln community which is becoming harder to meet because of lack of space. A larger facility would eliminate that need.

The 51st & Garland location is conducive to such a center, and, architecturally the facility would blend in with the neighborhood.

The UPKO Board feels this is an opportunity for the University Place community to reach out and enable the Child Advocacy Center to maintain its goals.

Sincerely,

University Place Community Organization

Gail J. Anderson
President



UNIVERSITY PLACE
BUSINESS ASSOCIATION

March 24, 2006

To Whom It May Concern:

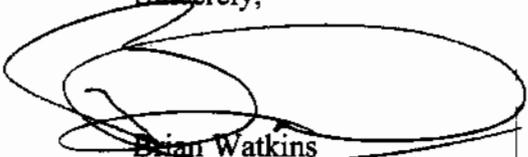
On February 22, 2006, at the regularly scheduled meeting of the UPBA, Ms. Lynn Ayers, the Executive Director of the Child Advocacy Center, 3200 Sumner Street, Lincoln, NE 68502, made a presentation in which she explained and described the plan to build a new Child Advocacy Center on the parcel of City land that is adjacent to University Place Park at North 50th Street and Garland Street.

After Ms. Ayers presentation, the UPBA discussed the proposed building and its uses, and upon a motion, second, and unanimous vote from the membership present, it was agreed that the project should receive our support and encouragement.

We believe that the proposed use of the property, and the proposed facility, will be a beneficial addition to the University Place neighborhood. In addition, we believe that the proposed facility will be an excellent facility to address the needs of the Child Advocacy Center.

It is our hope and desire that this project occurs, and we support and encourage the mission of the Child Advocacy Center.

Sincerely,



Brian Watkins
President 2005-2006



Steve Guittar
President 2006-2007