

FACTSHEET

TITLE: **Declaration of Surplus Property**, requested by the Director of the Urban Development Department, declaring approximately 43,200 sq. ft., more or less, generally located near the intersection of N.W. 52nd Street and West Huntington Avenue, as surplus property.

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

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 12/19/07
Administrative Action: 12/19/07

RECOMMENDATION: A finding of conformance with the Comprehensive Plan, with conditions (9-0: Cornelius, Taylor, Larson, Gaylor-Baird, Esseks, Francis, Moline, Sunderman and Carroll voting 'yes').

FINDINGS OF FACT:

1. This is a request by the City of Lincoln Urban Development Department to declare a tract consisting of approximately 43,200 square feet in area located near the intersection of N.W. 52nd Street and W. Huntington Avenue as surplus property.
2. The Parks & Recreation Department has evaluated this parcel and determined that it is not needed for park purposes. The recreational facilities within Olympic Heights Park are located south of the subject tract.
3. 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. The conditions recommended by the staff are as follows:
 - A. That lots are graded to be above the potential 100 year culvert head water upstream of W. St. Paul Ave.
 - B. That minimum opening elevations are established for any houses built on these lots
 - C. That the existing 5' wide utility easement at the rear of Lots 1-6 is changed to a 10' wide utility easement.
4. On December 19, 2007, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
5. On December 19, 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, **Comprehensive Plan Conformance No. 07025**.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: December 31, 2007

REVIEWED BY: _____

DATE: December 31, 2007

REFERENCE NUMBER: FS\CC\2008\CPC.07025 Surplus

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT
for DECEMBER 19, 2007 PLANNING COMMISSION MEETING

P.A.S.: Comprehensive Plan Conformance No.07025

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

LOCATION: N.W. 52nd St. and West Huntington Ave.

LAND AREA: 43,200 square feet, more or less

CONCLUSION: The Parks and Recreation Department has evaluated this parcel and determined that it is not needed for park purposes. The recreational facilities within Olympic Heights Park are located south of the subject tract.

RECOMMENDATION: This project is in conformance with the Comprehensive Plan if the following conditions are met:

1. Lots are graded to be above the potential 100 year culvert head water upstream of W. St. Paul Ave.
2. Minimum opening elevations are established for any houses built on these lots
3. The existing 5' wide utility easement at the rear of Lots 1-6 is changed to a 10' wide utility easement.

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 1-6, Block 10, Olympic Heights First Addition; located in the NW 1/4 of Section 18, Township 10 North, Range 6 East, Lancaster County, NE.

EXISTING ZONING: R-3, Residential

EXISTING LAND USE: Olympic Heights Park

SURROUNDING LAND USE AND ZONING:

North:	R-3, Residential	Single-family
South:	R-3, Residential	Olympic Heights Park
East:	R-3, residential	Single-family
West:	R-3, Residential	Single-family

HISTORY:

The City purchased the lots at a tax foreclosure sale in 1989.

December 10, 1979 Olympic Heights First Addition final plat was approved by City Council.

COMPREHENSIVE PLAN SPECIFICATIONS:

The Future Land Use Map of the 2030 Comprehensive Plan designates this land as green space or urban residential.

ANALYSIS:

1. This is a request from the Director of the Urban Development Department for a finding of conformance with the Comprehensive Plan for a declaration of surplus property. The subject tract is approximately 43,200 square feet in area located near the intersection of NW 52nd St. and W. Huntington Ave.
2. The subject tract was final platted into six lots (Lots 1-6, Block 10) in 1979 as Olympic Heights First Addition. The Parks Department has determined this area is no longer needed for parks purposes.
3. The Urban Development Department held a neighborhood meeting on October 25, 2007. Notices were mailed to all residences within 500 feet of the subject property. Five neighbors attended the meeting. There was no opposition from the neighbors to surplus the property.
4. Public Works Department notes that the lots should be graded to be above the potential 100 year culvert head water upstream of West St. Paul Ave. and minimum opening elevations established for any homes built on these lots. A condition should be attached to the sale of these lots to meet the above conditions.
5. Lincoln Electric System is requiring a 10' easement at the rear of the lots. The lots currently have a 5' utility easement at the rear of the lots. An additional 5' easement should be granted to LES prior to the sale of these lots.
6. The remainder of the park has a dedicated street (NW 52nd) and platted lots through it. It is Planning and Public Works recommends that this portion of NW 52nd St. and the abutting lots be vacated.

Prepared by:
Tom Cajka
Planner

DATE: December 4, 2007

APPLICANT: David Landis/Steve Werthmann
Urban Development Department
808 "P" St. Suite 400
Lincoln, NE 68508
(402) 441-8621

CONTACT: same as applicant

OWNER: City of Lincoln, NE

COMPREHENSIVE PLAN CONFORMANCE NO. 07025

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

December 19, 2007

Members present: Gaylor-Baird, Carroll, Cornelius, Esseks, Francis, Larson, Moline, Sunderman and Taylor.

The Consent Agenda consisted of the following items: **COMPREHENSIVE PLAN CONFORMANCE NO. 07025, SPECIAL PERMIT NO. 07052, ANNEXATION NO. 07004, CHANGE OF ZONE NO. 07062 and PRELIMINARY PLAT NO. 07005, PARROTT ADDITION.**

Ex Parte Communications: None.

Item No. 1.2, Special Permit No. 07052, was removed from the Consent Agenda and scheduled for separate public hearing. **Item No. 1.3a, Annexation No. 07004; Item 1.3b, Change of Zone No. 07062; and Item No. 1.3c, Preliminary Plat No. 07005, Parrott Addition**, were removed from Consent Agenda and called under Requests for Deferral.

Sunderman moved to approve the remaining Consent Agenda (Comprehensive Plan Conformance No. 07025), seconded by Gaylor-Baird and carried 9-0: Gaylor-Baird, Carroll, Cornelius, Esseks, Francis, Larson, Moline, Sunderman and Taylor voting 'yes'.



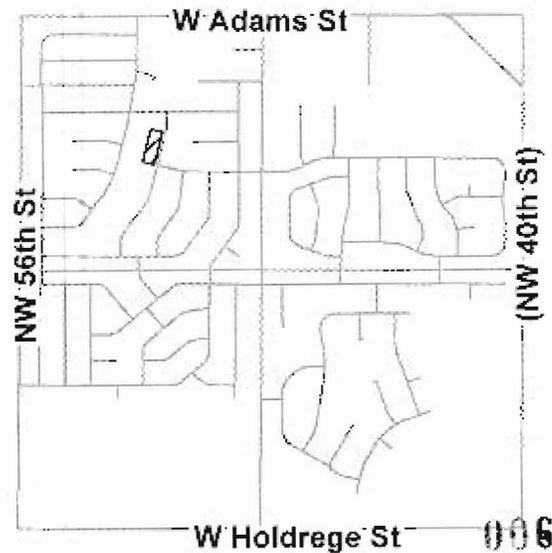
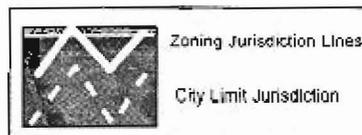
2005 aerial

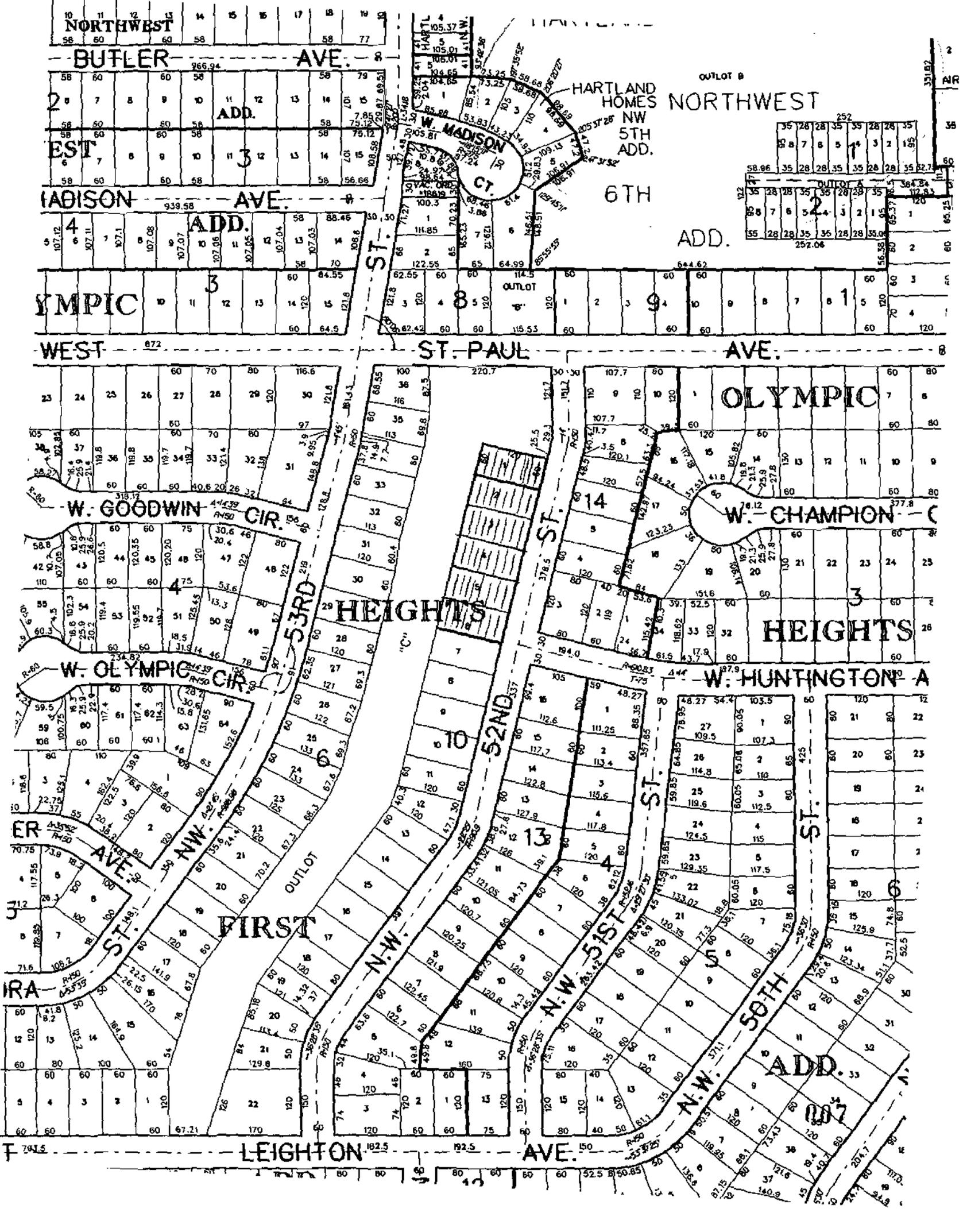
Comp Plan Conformance #07025 NW 52nd St & W Huntington Ave

Zoning:

One Square Mile
Sec. 18 T10N R06E

- R-1 to R-8 Residential District
- AC Agricultural District
- AGR Agricultural Residential District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- A-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





NORTHWEST

BUTLER AVE.

2 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

EST 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

MADISON AVE.

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WEST ST.

ST. PAUL AVE.

23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

W. GOODWIN CIR.

4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

W. OLYMPIC CIR.

4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

W. HUNTINGTON A.

ER AVE.

ST. AVE.

OLYMPIC 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

W. CHAMPION C.

14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

HEIGHTS 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

W. HUNTINGTON A.

10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

52ND ST.

13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

ST. AVE.

HARTLAND HOMES NW 5TH ADD.

6TH ADD.

OUTLOT B

OUTLOT A

OUTLOT C

OUTLOT D

OUTLOT E

OUTLOT F

OUTLOT G

OUTLOT H

OUTLOT I

OUTLOT J

OUTLOT K

OUTLOT L

OUTLOT M

OUTLOT N

OUTLOT O

OUTLOT P

OUTLOT Q

OUTLOT R

OUTLOT S

OUTLOT T

OUTLOT U

OUTLOT V

M e m o r a n d u m

To: Tom Cajka, Planning Department
From: Dennis Bartels, Engineering Services
Subject: Surplus Property Lots in Olympic Heights
Date: November 30, 2007
cc: Randy Hoskins

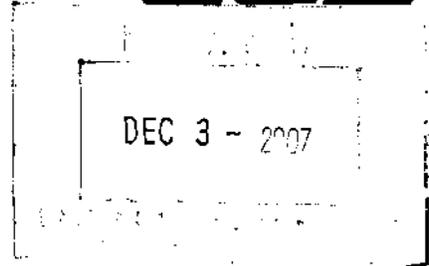
Engineering Services recommends that Lots 1 - 6 Olympic Heights be declared surplus provided that the lots are graded to be above the potential 100 year culvert head water upstream of West Saint Paul Avenue and minimum opening elevations are established for any homes built on these lots. As noted in the memo from Michele Backemeyer, Lot 7 should not be included in the surplus property because it does not have street frontage.

It is noted that Northwest 52nd south of West Huntington is still a platted street through the park. I recommend that it be vacated.

INTER-DEPARTMENT COMMUNICATION



DATE December 3, 2007
TO: Tom Cajka, City Planning
FROM: Sharon Theobald (Ext. 7640) *ST*
SUBJECT: Application **CPC07025**
DN #26N-52W



This is in response to the memo concerning the request to declare surplus Lots 1-6, Block 10, Olympic Heights 1st Addition.

Windstream, Time Warner Cable, and the Lincoln Electric System will require a 10' easement along the back Lot Line on Lots 1-6.

ST/nh
Attachment
c: Terry Wiebke
Easement File

Public meeting on the surplus of vacant lots in Olympic Heights.

The City's Urban Development Department plans to declare surplus seven vacant lots north of Olympic Heights Park near NW 52nd Street and West Huntington Avenue, legally described as Lots 1-7, Block 10, Olympic Heights First Addition.

The Parks Department has determined this area is no longer needed for parks purposes. It has been decided the lots should be sold in order to place the properties back on the tax rolls and recoup some of the City's holding costs in maintenance and infrastructure.

The meeting will take place at Air Park West, 3720 NW 46th on October 25, 2007 at 5:30.

Results of the Public Meeting:

Flyers were mailed the week prior to all residences within 500 feet of the subject property. Seven people attended the meeting; five neighborhood people, David Landis and Steve Werthmann.

There was a safety concern about Lot 6 because Mr and Mrs Hotovy, 2441 NW 51st reported that in the winter several vehicles have ended up sliding deep into Lot 6. David Landis proposed that Lots 5 & 6 could be sold together for one house thus offsetting the structure to avoid a vehicle moving directly west on W. Huntington Av from hitting the property.

Jeff Schwebke, 4230 NW 54th, suggested the lots could be sold to different builders to add variety and avoid assembling for a multi-plex. All present wanted to see owner-occupied single-family houses built.

The location of Lot 7 was considered not suitable for a house and should remain part of the park.

interoffice
MEMORANDUM

to: Jean Walker, Planning Department
from: Michelle Backemeyer, Housing Rehab and Real Estate Division
subject: Declaration of Surplus Properties - Lots 1-6, Block 10, Olympic Heights First Addition
date: November 20, 2007

Please place on the next Planning Commission agenda a request to declare surplus Lots 1-6, Block 10, Olympic Heights First Addition as noted on the attached map. Previously, we had included Lot 7 for surplus but after further research it has been determined that Lot 7 is not suitable to be built on without extending the street so it will remain as the park.

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

Attachments

