

FACTSHEET

TITLE: **Declaration of Surplus Property**, requested by the City Law Department, declaring approximately 58,520 sq. ft., more or less, being a portion of the Cornhusker Convention Center, generally located at South 13th Street and M Street, as surplus property.

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

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 03/12/08
Administrative Action: 03/12/08

RECOMMENDATION: A finding of conformance with the Comprehensive Plan (8-0: Cornelius, Taylor, Larson, Gaylor-Baird, Esseks, Francis, Sunderman and Carroll voting 'yes').

FINDINGS OF FACT:

1. This is a request by the City Law Department to declare a portion of the Cornhusker Convention Center located at 13th & M Streets as surplus property.
2. The Cornhusker Convention Center is located between the Cornhusker Marriott and the office building. The space includes 58,520 square feet and was constructed in 1982 and expanded in 1993. The space was leased to the operator of the adjacent Cornhusker Marriott. The lease has a 50-year term that began after the 1993 expansion and will expire in 2044. The Marriott approached the City regarding the possible purchase of the property. It was determined that it would be advantageous for both parties to execute a sale and return the property to the tax rolls. After lengthy negotiations, this was achieved subject to the review and approval of the City Council.
3. The staff finds that the proposed declaration of surplus property is in conformance with the Comprehensive Plan.
4. On March 12, 2008, 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 March 12, 2008, 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. 08002**).

FACTSHEET PREPARED BY: Jean L. Walker

DATE: March 17, 2008

REVIEWED BY: _____

DATE: March 17, 2008

REFERENCE NUMBER: FS\CC\2008\CPC.08002 Surplus

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for March 12, 2008 PLANNING COMMISSION MEETING

P.A.S.: Comprehensive Plan Conformance No.08002

PROPOSAL: The City Law Department has requested a review to find that the declaration of surplus for a portion of the Cornhusker Convention Center is in conformance with the Comprehensive Plan.

LOCATION: S. 13th Street and M Street

LAND AREA: 58, 520 square feet

CONCLUSION: The declaration of surplus generally conforms with the Comprehensive Plan.

<u>RECOMMENDATION:</u>	In conformance with the Comprehensive Plan.
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 1 and 4, Cornhusker Square 1st Addition, and Lot 3, Cornhusker Square, except the east 29' thereof, all located in the NE 1/4 of Section 26-10-6, Lancaster County, Nebraska,

EXISTING ZONING: B-4 Lincoln Center Business District

EXISTING LAND USE: Convention Center

SURROUNDING LAND USE AND ZONING:

North: Commercial B-4 Commercial

South: Commercial B-4, Cornhusker Hotel

East: Commercial B-4, Commercial

West: Commercial B-4, Cornhusker Parking Garage

HISTORY:

August 9, 1993 Planning Director approved the administrative final plat for Cornhusker Square 1st Addition.

June 22, 1993 Cornhusker Square Redevelopment Project Phase two Agreement - Burnham Yates Conference Center, pursuant to this Agreement, the developer agreed to convey the Lower Level Space contained in Lot 6 and First Floor Space in Lot 2 to the City, to be finally depicted in a new subdivision or condominium regime. Further, ground tenant quitclaimed all of its right, title, and interest in and to the Lower Level Space and First Floor Space to the City. The City acquired sufficient property to construct

a 500-900 stall Parking Garage to be owned and operated by the City to facilitate the increased patron use of the Conference Center and surrounding land uses near the Parking Garage Site.

- April 2, 1992 The City adopted and approved Resolution No. A-74072 which supported the tentative siting of an expanded City convention and conference center on the Cornhusker parcel which includes the Cornhusker Square Block and Block 90, Original Plat, Lincoln, Lancaster County.
- February 8, 1982 City Council adopted Ordinance # 13304 approving the final plat for Cornhusker Square.
- 1982 Redeveloper and the City entered into phase one agreement which created, transferred, and redeveloped Lots 1 through 6, Cornhusker Square into a City owned parking facility, Lot 1, atrium and convention facility, Lot 3, a privately-owned office building Lots 2 and 6, and hotel Lots 4 and 5
- 1979 The 1979 zoning update changed the zone on this property from J Business District to B-4 Lincoln Center Business District.

COMPREHENSIVE PLAN SPECIFICATIONS:

The 2030 Lincoln/Lancaster County Comprehensive Plan designates this area as “Commercial.”

“During the time period covered by this Plan, there will likely be a need to construct, renovate, or abandon certain public buildings and facilities not already discussed in this document. At such time as these events may occur, care should be taken by those public officials making these decisions that the Vision of this Plan is recognized and respected. This may include the siting of a new facility, the abandonment of an existing one, the way renovations are undertaken, the manner of financing used to complete the work, the arrangements made for the facility’s operation, the process followed in making the decision, and the timing of the action.” (132)

ANALYSIS:

1. The property in question is the Cornhusker Convention Center which is located between the Cornhusker Marriott and the office building. The space includes 58,520 square feet and was constructed in 1982 and expanded in 1993. The entire subject was leased to the operator of the adjacent Cornhusker Marriott. The lease has a 50-year term that began after the 1993 expansion and will expire in 2044. The Marriott approached the City regarding the possible purchase of the property. It was determined that it would be advantageous for both parties to execute a sale and return the property to the tax rolls. After lengthy negotiations, this was achieved subject to the review and approval of the City Council.

Prepared by:

Christy Eichorn
Planner

DATE: February 28, 2008

COMPREHENSIVE PLAN CONFORMANCE NO. 08002

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

March 12, 2008

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

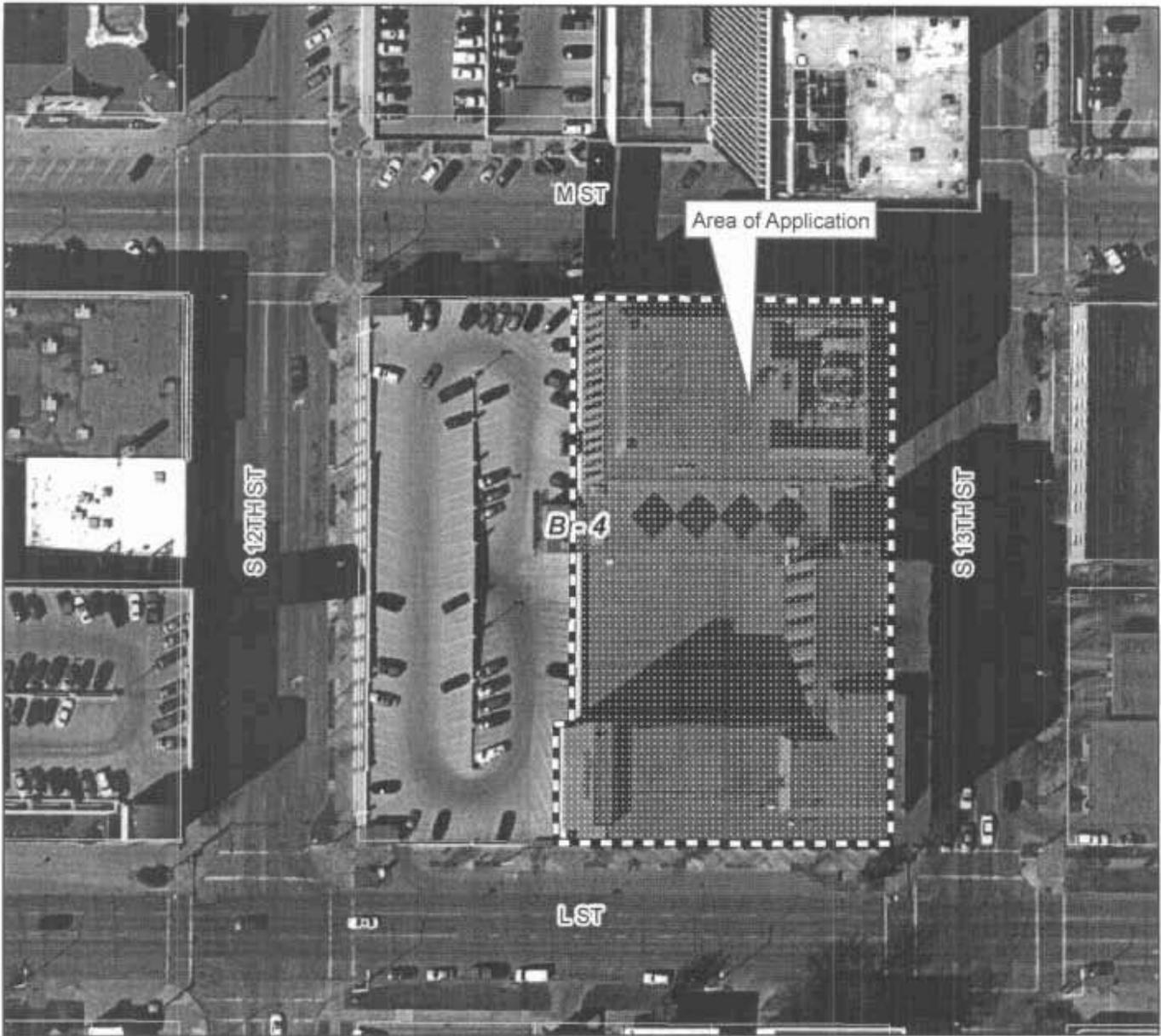
The Consent Agenda consisted of the following items: **COMPREHENSIVE PLAN CONFORMANCE NO. 08002, SPECIAL PERMIT NO. 08015 and WAIVER NO. 08002.**

Ex Parte Communications: None

Item No. 1.2, Special Permit No. 08015, was removed from the Consent Agenda at the request of Mark Hunzeker on behalf of the applicant and scheduled for separate public hearing.

Taylor moved to approve the remaining Consent Agenda, seconded by Francis and carried 8-0: Gaylor-Baird, Carroll, Cornelius, Esseks, Francis, Larson, Sunderman and Taylor voting 'yes'.

Note: This is final action on Waiver No. 08002, 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.



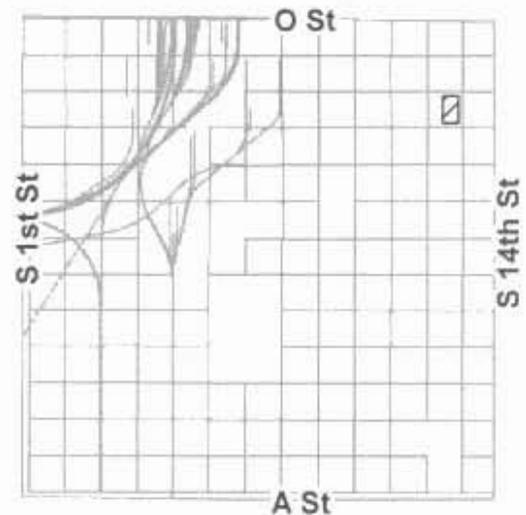
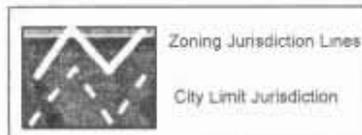
2007 aerial

Comp Plan Conformance #08002 S 13th & M Streets

Zoning:

One Square Mile
Sec. 26 T10N R06E

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential 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



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Mayor's Office****2008 Media Releases**

Date:

January 17, 2008

For More Information Contact:

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Don Herz, City Finance Director, 441-7412

Dana Roper, City Attorney, 441-7281

CITY SELLS CORNHUSKER CONFERENCE CENTER*Proceeds to help fund City share of new Ice Center*

Mayor Chris Beutler announced today that the City has sold the BumhamYates Conference Center to the owners of the adjoining Cornhusker Marriott Hotel. The transaction will put the property back on the tax rolls, and the City will use the proceeds to fund its share of the new Ice Center in the West Haymarket sports triangle.

"The sale provides several main benefits to the City," said Beutler. "We'll now be collecting property tax on the facility. The proceeds from the sale exceed the value of future cash rent. At the same time, the sale provides us with most of the funds for our share of the new Ice Center, a project that will have a major long-term economic impact on the entire community and is of major recreational value."

The 40,000-square-foot Conference Center is connected to the hotel on the north. It includes the ballroom and meeting rooms on the main and lower floors as well as the pre-event and atrium areas. The Cornhusker Square Parking Garage is not part of the sale and will continue to be owned by the City.

Shubh Hotels LLC bought the property for \$580,000. The sale is pending approval by the Lincoln-Lancaster County Planning Commission, which will determine if designating the property as surplus is in compliance with the Comprehensive Plan. The sale is also subject to approval of the City Council.

The City has owned the Conference Center since it was built in conjunction with the hotel in 1983. The Cornhusker Marriot has managed the property. The City will retain the right to use the Conference Center for six days per year through 2017.

The Ice Center project announced in December is a joint project of the City and the University of Nebraska. Former Lincoln resident and Nebraska State Auditor John Breslow provided a major donation to make the project possible, and it is expected that at least 80 percent of Ice Center's \$11 to \$12 million cost will be privately funded.

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