

## **FACTSHEET**

**TITLE:** **Declaration of Surplus Property**, requested by the Director of the Urban Development Department, declaring approximately 12,200 square feet, more or less, generally located at North 23<sup>rd</sup> Street and P 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: 08/13/08  
Administrative Action: 08/13/08

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

### **FINDINGS OF FACT:**

1. This is a request by the City Urban Development Department to declare 12,200 square feet, more or less, located at the northeast corner of North 23<sup>rd</sup> Street and P Street, as surplus property. The intent is to sell the property to NeighborWorks to incorporate into a redevelopment plan for the block.
2. Public Works notes that the Antelope Creek Conduit runs through this property and a 15" sanitary sewer bisects Lot 8. A utility easement will be needed over the entire parcel.
3. The staff finds that the proposed declaration of surplus property is generally in conformance with the Comprehensive Plan, provided easements are retained for public utilities.
4. On August 13, 2008, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
6. On August 13, 2008, 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. 08021**).

**FACTSHEET PREPARED BY:** Jean L. Preister

**DATE:** August 18, 2008

**REVIEWED BY:** \_\_\_\_\_

**DATE:** August 18, 2008

**REFERENCE NUMBER:** FS\CC\2008\CPC.08021 Surplus

**LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT**

**for AUGUST 13, 2008 PLANNING COMMISSION MEETING**

- PROJECT:** Comprehensive Plan Conformance No.08021
- PROPOSAL:** The City Urban Development Department has requested a review to find that the declaration of surplus for the property at the northeast corner of N. 23<sup>rd</sup> St. and "P" St. is in conformance with the Comprehensive Plan.
- LOCATION:** N. 23<sup>rd</sup> St. and "P" St.
- LAND AREA:** 12,200 sq. ft., more or less
- CONCLUSION:** The declaration of surplus generally conforms with the Comprehensive Plan and the Antelope valley Redevelopment Plan, provided easements are retained for public utilities.

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

**LEGAL DESCRIPTION:** The south 102' of Lot 7 and all of Lot 8, Block 17, Kinney's O Street Addition, located in the SE 1/4 of Section 24, Township 10 North, Range 6 East, Lancaster County, Nebraska.

**EXISTING ZONING:** R-6, Residential

**EXISTING LAND USE:** Vacant

**SURROUNDING LAND USE AND ZONING:**

North:	B-3, Commercial District	Single family house
South:	B-4, Lincoln Center Business District	Auto repair and sales
East:	R-6, Residential District	Vacant
West:	R-6, Residential District	Auto sales

**COMPREHENSIVE PLAN SPECIFICATIONS:**

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. (p.9)

The Land Use Plan identifies this area a urban density residential. (p.19)

The City can play an important role in consolidating properties into larger and more desirable development parcels. (p.33)

**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 12,200 square feet in area located near the intersection of N. 23<sup>rd</sup> St. and "P" St.
2. The subject tract is located with the Malone/Hawley neighborhood. The Antelope valley Redevelopment Plan The Future Land Use map in the Antelope Valley Redevelopment Plan identifies this area as "M-Medium Density Neighborhood." The "M" category encourages new mixed-income housing, retaining quality housing stock and replacing lesser quality housing.
3. Proposed Redevelopment Concept "B" in the Antelope Valley Redevelopment Plan centers on a two block area in the Malone Neighborhood from 23<sup>rd</sup> to 24<sup>th</sup> Streets, "P" to "R" Streets. This area should provide a quality residential transition between the "O" St. mixed-use area and the traditional residential neighborhood of the Malone/Hawley neighborhood.
4. The surplus property is proposed to be sold to NeighborWorks to incorporate into a redevelopment plan for the block. NeighborWorks is expected to play a major role in the implementation of the Antelope Valley Redevelopment Plan. NeighborWorks is a non-profit, community based housing organization established in 1986 to revitalize Lincoln's original neighborhoods.
5. The Public Works and Utilities Department notes that the Antelope Creek Conduit runs through this property and a 15" sanitary sewer bisects Lot 8. A utility easement will be needed over the entire parcel. NeighborWorks is aware of the utilities and the required easement.

Prepared by:

Tom Cajka  
Planner

**DATE:** July 25, 2008

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

**CONTACT:** same as applicant

**OWNER:** City of Lincoln

# COMPREHENSIVE PLAN CONFORMANCE NO. 08021

## CONSENT AGENDA

### PUBLIC HEARING & ADMINISTRATIVE ACTION

#### BEFORE PLANNING COMMISSION:

August 13, 2008

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

The Consent Agenda consisted of the following items: **COMPREHENSIVE PLAN CONFORMANCE NO. 08019, COMPREHENSIVE PLAN CONFORMANCE NO. 08020, COMPREHENSIVE PLAN CONFORMANCE NO. 08021 and STREET AND ALLEY VACATION NO. 08005.**

Ex Parte Communications: None

Francis disclosed a meeting with NeighborWorks staff on Item No. 1.3, Comprehensive Plan Conformance No. 08021, when she reviewed some townhome plans for this parcel.

Larson moved to approve the Consent Agenda, seconded by Sunderman and carried 9-0: Gaylor Baird, Carroll, Cornelius, Esseks, Francis, Larson, Partington, Sunderman and Taylor voting 'yes'.



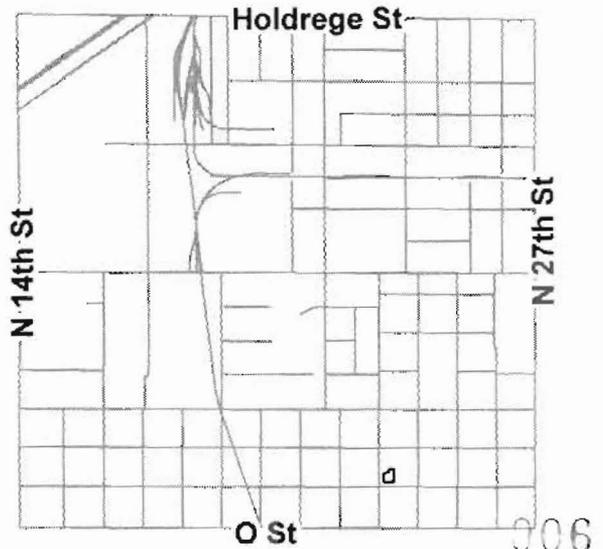
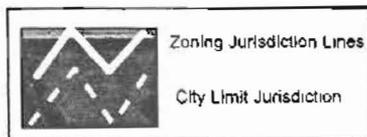
2007 aerial

**Comp Plan Conformance #08021  
N 23rd & P St**

**Zoning:**

- 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

One Square Mile  
Sec. 24 T10N R06E



# M e m o r a n d u m

**To:** Greg MacLean, Public Works and Utilities  
**From:** Dennis Bartels, Engineering Services  
**Subject:** Declaration of Surplus Properties  
**Date:** June 18, 2008  
**cc:** Michelle Baekemeyer  
Brian Kramer  
Steve Owen  
Nicole Fleck-Tooze  
Roger Figard  
Randy Hoskins  
Buff Baker

Development Services has reviewed the following potential declaration of surplus properties and has the following comments:

1. E 1/2 of Lot 1, Block 166, Lincoln Original (5th and G) - There is a curve in the roadway connecting 5th Street and G Street. Some right-of-way will need to be retained from this parcel, since this is a gravel road, there are not accurate records. It appears looking at aerial photography that retaining a triangle of right-of-way at the northeast corner of this lot with legs of the triangle extending 25' west along G and 25' south along 5th will be sufficient. If this right-of-way is retained, I would have no objections to surplusing the remainder except for the concerns of Watershed Management concerning the flood plain.
2. South 90' of Lot 7, Block 78, Lincoln Original (1st and L) - I have no objections to surplusing this parcel except for the concerns about the flood plain raised by Watershed Management.
3. South 102' of Lot 7 and Lot 8, Block 17, Kinney's O Street Addition (23rd and P) - The Antelope Creek Conduit runs through both parcels and a 15" sanitary sewer bisects Lot 8. If this parcel is surplused, I recommend that a storm sewer and sanitary sewer easement be retained over all of the City's ownership



Steve R Owen/Notes

06/19/2008 07:22 AM

To: Michelle Backemeyer/Notes@Notes

cc: Jerry Obrist/Notes@Notes, Nick W McElvain/Notes@Notes

bcc:

Subject: Surplus properties, Memo dated 6/4/08

Michelle,

All water utilities that abut the properties in the following areas appear to be located within the ROW and should not be in conflict with the proposed sale:

NE corner of S1st & L  
SW corner of S5th & G  
NE corner of N23rd & P

Call if questions,

Steve R. Owen  
Supt. of Water Distribution  
Lincoln Water System  
Dept. of Public Works and Utilities  
Voice: 402.441.5925  
Fax: 402.441.8493  
email: [sowen@lincoln.ne.gov](mailto:sowen@lincoln.ne.gov)

**interoffice**  
**MEMORANDUM**

*Michelle Backmeyer*

**to:** Steve Hanks, Lincoln Electric System  
**from:** Michelle Backmeyer, Housing Rehab and Real Estate Division  
**subject:** Declaration of Surplus Properties -  
348 S. 1st Street - S90' of Lot 7, Block 78, Original Plat  
447 "G" Street - E1/2 of Lot 1, Block 166, Original Plat  
23rd & P Street - S102' of Lot 7 & all of Lot 8, Block 17, Kinney's O Street Addition  
**date:** June 4, 2008

The City's Urban Development Department plans to surplus the above three properties. The first two properties are of limited use as stand alone parcels and are both located in the 100 year floodplain. The properties were originally purchased in 1996 and 1998 by Urban Development. At the time of purchase, there were residential structures on the lots but they were in very poor condition. The City relocated the owners and/or tenants and eventually the structures were demolished. If the properties are declared surplus, we will attempt to sell the properties to the adjacent property owners.

The lots located at the Northeast corner of 23rd and "P" Streets will be sold to NeighborWorks to incorporate into a redevelopment plan they are proposing for that block. Maps provided to our office from Public Works (also attached) indicate the current Antelope Valley conduit runs underneath the corner of Lot 7. We would like to get all of these properties back on the tax rolls and recoup some of the City's holding costs in maintenance and infrastructure.

Please respond in 30 days or less as to any comments or objections your department may have in declaring these properties 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