

City Council Introduction: **Monday**, November 14, 2011  
Public Hearing: **Monday**, November 21, 2011, at **5:30 p.m.**

Bill No. 11R-279

## **FACTSHEET**

**TITLE:** A Resolution of Intent to establish the **College View Business Improvement District**, requested by the Director of the Urban Development Department.

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

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: Consent Agenda, 11/02/11  
Administrative Action: 11/02/11

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

### **FINDINGS:**

1. The Urban Development Department has submitted a request to establish a Business Improvement District for the provision of maintenance, repair and reconstruction of certain public facilities and improvements in the area generally located along South 48<sup>th</sup> Street between Calvert Street and Pioneers Boulevard, to be known as the **College View Business Improvement District**.
2. The staff recommendation to find the proposed establishment of the **College View Business Improvement District** to be in conformance with the Comprehensive Plan is based upon the "Analysis" as set forth on p.3-4, concluding that a Business Improvement District in this area will serve to maintain and preserve South 48<sup>th</sup> Street streetscape improvements.
3. On November 2, 2011, 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 November 2, 2011, the Planning Commission agreed with the staff recommendation and voted 8-0 to find the proposed establishment of the **College View Business Improvement District** to be in conformance with the Comprehensive Plan (Comprehensive Plan Conformance No. 11012).

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

**DATE:** November 7, 2011

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

**DATE:** November 7, 2011

**REFERENCE NUMBER:** FS\CC\2011\CPC11012 BID

## LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for November 2, 2011 PLANNING COMMISSION MEETING

- PROJECT #:** Comprehensive Plan Conformance No.11012
- PROPOSAL:** Form a Business Improvement District (BID) for the College View area
- LOCATION:** South 48<sup>th</sup> Street from Calvert Street to Pioneers Blvd
- CONCLUSION:** A Business Improvement District in this area will serve to maintain and preserve South 48<sup>th</sup> Street streetscape improvements

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

**AREA OF BID:** The South 48<sup>th</sup> Street right-of-way from the south right-of-way line of Calvert Street to the north right-of-way line of Pioneers Blvd.

**PROPERTIES TO BE ASSESSED:** All properties fronting onto the South 48<sup>th</sup> Street right-of-way from the south right-of-way line of Calvert Street to the north right-of-way line of Pioneers Blvd.

**ZONING OF PROPERTIES TO BE ASSESSED:** R-6 Residential, B-3 Commercial

### **COMPREHENSIVE PLAN SPECIFICATIONS:**

**Pg. 9** - Preservation and renewal of historic buildings, districts, and landscapes is encouraged. Development and redevelopment should respect historical patterns, precedents, and boundaries in towns, cities and existing neighborhoods.

**Pg. 10** - Encourage mixed-use redevelopment, adaptive reuse, and in-fill development including residential, commercial and retail uses. These uses may develop along transit routes and provide residential opportunities for persons who do not want to or cannot drive an automobile. Promote residential development, economic development and employment opportunities throughout the City.

**Pg. 18** - The South 48<sup>th</sup> Street corridor in this area is designated for Commercial land uses on the 2030 Future Land Use map, except the area of Union College which is designated for Public and Semi-Public Uses.

**Pg. 36** - Encourage renovation and reuse of existing commercial centers. Infill commercial development should be compatible with the character of the area and pedestrian oriented. As additional centers are built, the City and developers should be proactive in redevelopment of existing centers to make sure that redevelopment is sensitive to the surrounding neighborhood and happens quickly to reduce vacancies.

## **ANALYSIS:**

1. A Business Improvement District (BID) is a special assessment district which provides a mechanism that allows funds to be raised for the purpose of special benefit to that district. Benefits could include improvements such as benches, ornamental lighting, landscaping, litter removal, and snow removal, but can also include the provision for ongoing maintenance of improvements.
2. This request seeks a finding of conformance with the Comprehensive Plan for approval of a resolution to authorize the BID to use funds to provide for the ongoing maintenance of certain improvements. The covered improvements were paid for and installed by the City as part of the recently completed South 48<sup>th</sup> Street improvement project in this area. A copy of the draft resolution is attached.
3. This request will authorize the BID to use funds for the following purposes:
  - A. Maintenance of the irrigation system.
  - B. Litter removal from sidewalks, and planting and beautification areas.
  - C. Emptying trash cans along South 48<sup>th</sup> Street.
  - D. Replacement as needed of street furniture, planters, ornamental lights and trash cans.
4. There are four separate steps in creating a BID:
  - A. A BID board must be approved by the City Council, which in this case that was done on February 22, 2010.
  - B. The BID boundary must be approved by the City Council, which in this case was done on February 22, 2010.
  - C. The purpose and responsibilities of the improvements and services to be paid for are defined in a resolution which must be considered by the Planning Commission and approved by the City Council.
  - D. An ordinance which defines the terms and amounts of the assessment, along with a description of the properties to be assessed must be approved by the City Council.
5. In this case, Steps A and B above have been completed. This request (Step C) is asking the Planning Commission to make a finding of conformance with the Comprehensive Plan for the adoption of the resolution which spells-out the work/improvements/maintenance to be covered by the BID.
6. The method of assessment which must be approved by a separate ordinance (Step D) will likely be levied on a front-foot basis for those properties fronting along South 48<sup>th</sup> Street.
7. All the properties fronting onto the boundary of the BID are zoned B-3 with two exceptions, both located on the east side. The Union College campus where it fronts onto South 48<sup>th</sup> Street is zoned R-6), and the 7<sup>th</sup> Day Adventist Church is zoned R-6 and B-3. Typically, tax-exempt properties such as the College and Church would be exempt, however they are voluntarily participating in the BID and will share in the assessment as well.

8. The BID Board and Urban Development Department held four open house events between April 20<sup>th</sup> and 22<sup>nd</sup>, 2010, to present the BID and address associated questions or concerns.
9. The College View BID Board supports the draft resolution and the responsibilities contained therein.
10. The City of Lincoln and the stakeholders in the College View neighborhood undertook a joint planning effort resulting in a Mobility Audit, completed in November, 2007. That report identified initiatives and strategies to make the neighborhood more walker/biker/driver friendly. The audit was endorsed by a diverse group of neighborhood stakeholders, businesses and institutions. This request is consistent with the findings and recommendations of that study.
11. Staff find this request seeking approval of a resolution to provide for the ongoing maintenance and preservation of the stated improvements along South 48<sup>th</sup> Street in conformance with the goals and policies of the Comprehensive Plan.
12. §19-4024 Nebraska State Statutes requires Planning Commission's review and recommendation to the City Council.

Prepared by:

Brian Will  
Planner  
October 18, 2011

**APPLICANT:** David Landis, Director  
City of Lincoln Urban Development Department  
555 South 10<sup>th</sup> St. Suite 205  
Lincoln, NE 68502  
402-441-7606

**CONTACT:** Ernie Castillo  
City of Lincoln Urban Development Department  
555 South 10<sup>th</sup> St. Suite 205  
Lincoln, NE 68502  
402-441-7855

# COMPREHENSIVE PLAN CONFORMANCE NO. 11012

**CONSENT AGENDA**  
**PUBLIC HEARING & ADMINISTRATIVE ACTION**  
**BEFORE PLANNING COMMISSION:**

November 2, 2011

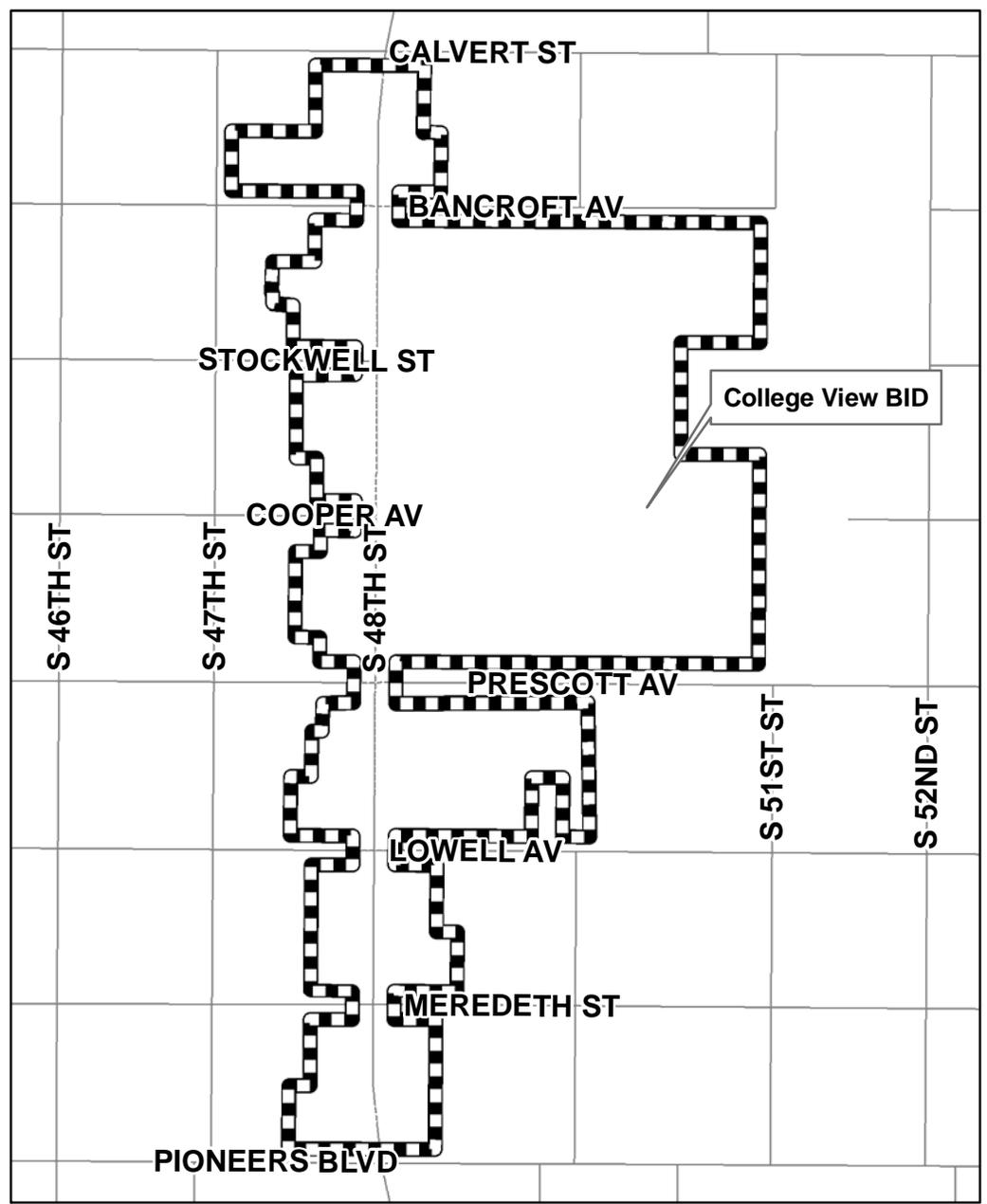
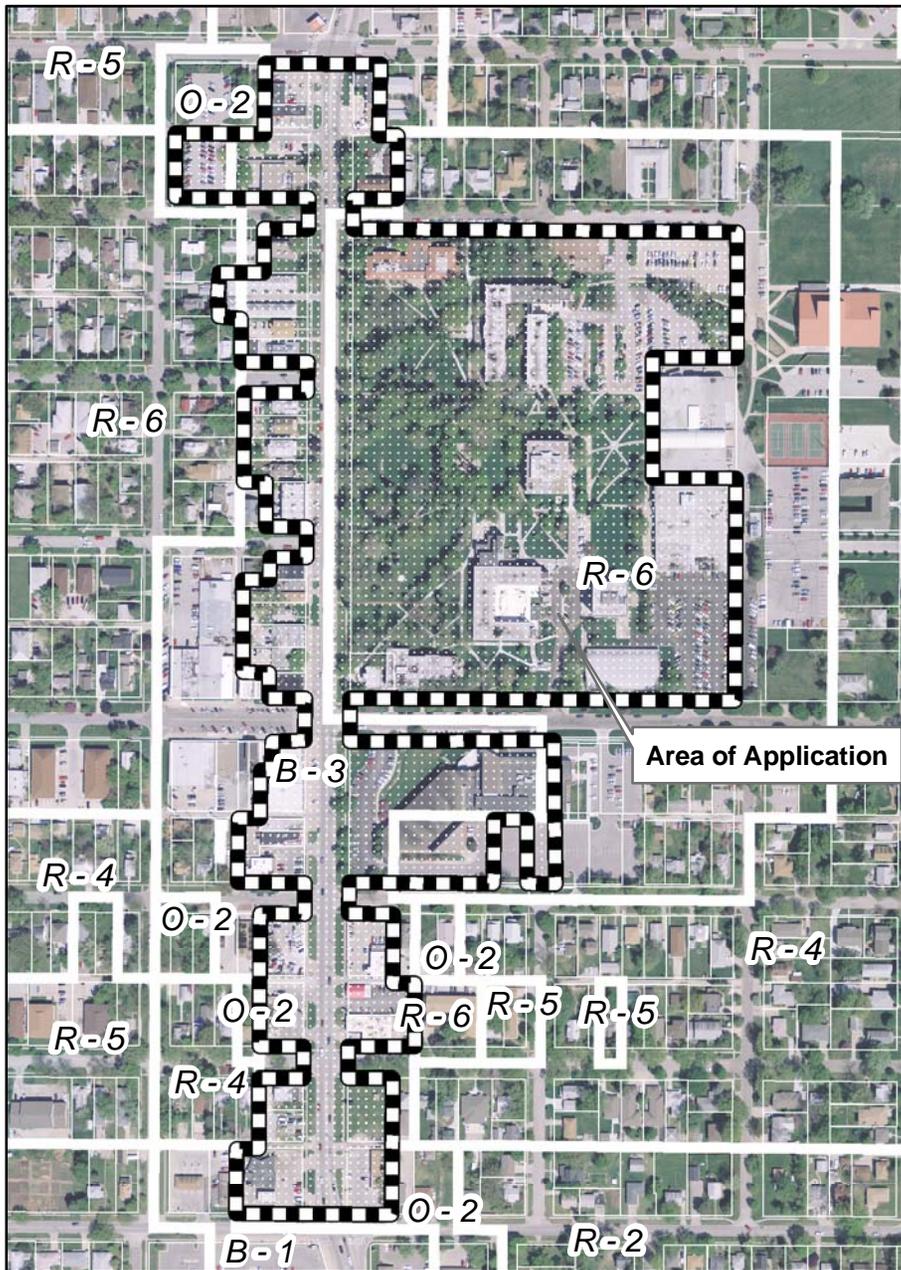
Members present: Gaylor Baird, Cornelius, Esseks, Francis, Larson, Lust, Partington and Sunderman; Taylor absent.

The Consent Agenda consisted of the following items: **COMPREHENSIVE PLAN CONFORMANCE NO. 11011, COMPREHENSIVE PLAN CONFORMANCE NO. 11012, CHANGE OF ZONE NO. 11037 and USE PERMIT NO. 11003.**

Ex Parte Communications: None

Francis moved approval of the Consent Agenda, seconded by Lust and carried 8-0: Gaylor Baird, Cornelius, Esseks, Francis, Larson, Lust, Partington and Sunderman voting 'yes'; Taylor absent at time of vote.

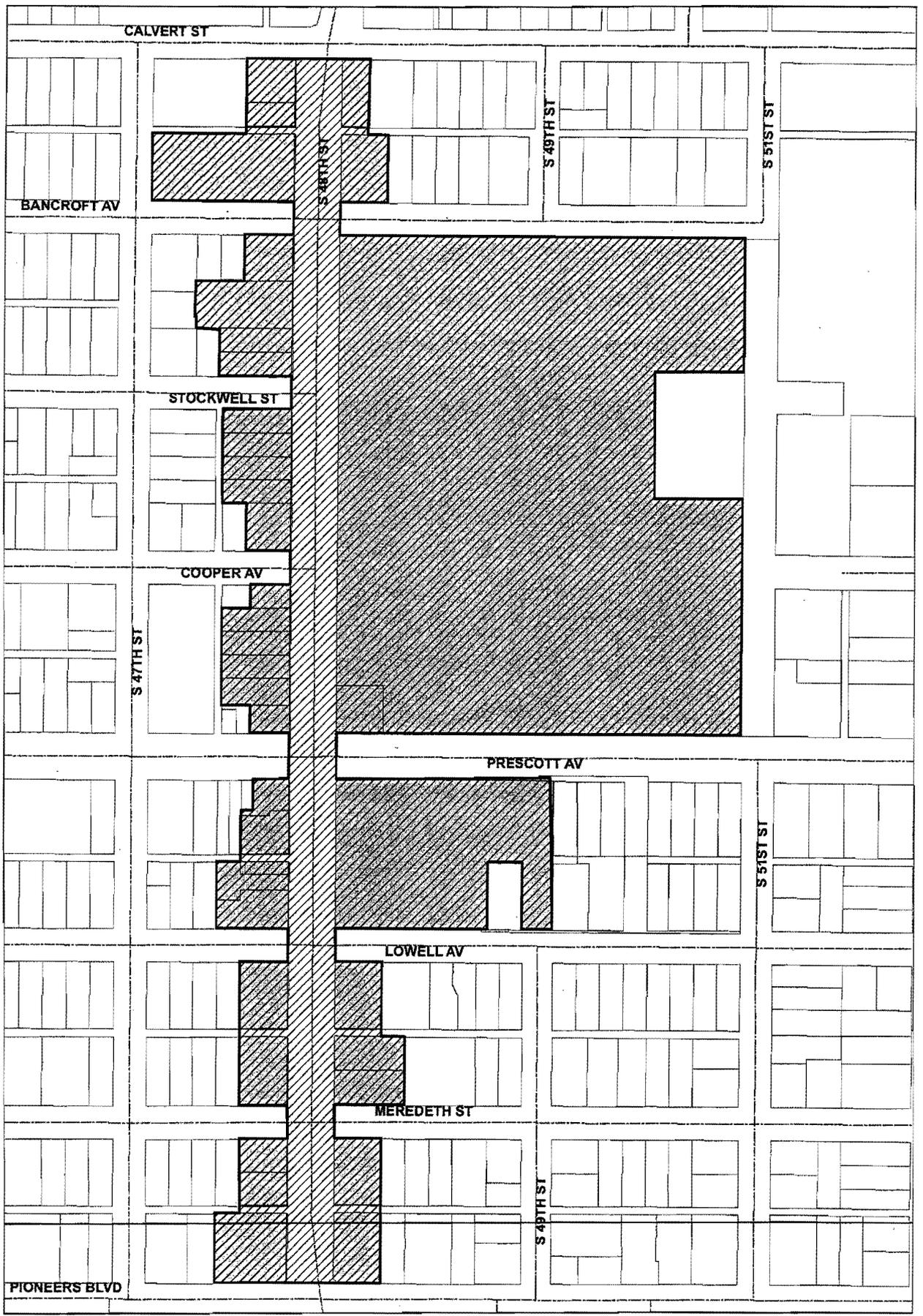
Note: This is final action on Use Permit No. 11003, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days of the action by the Planning Commission.



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**Comp Plan Conformance #11012  
College View BID**





# College View BID

 BID - College View 
  College BID Parcels 
  Streets

007

Created by:  
 City of Lincoln Urban Development Dept.  
 Created on 01/25/2010





**CITY OF LINCOLN**  
**NEBRASKA**

**MAYOR CHRIS BEUTLER**

lincoln.ne.gov

Urban Development Department  
David Landis, Director  
555 S. 10th Street  
Suite 205  
Lincoln, Nebraska 68508  
402-441-7606  
fax: 402-441-8711

September 23, 2011

Marvin Krout, Director  
City of Lincoln-Lancaster County Planning Department  
555 S 10<sup>th</sup> Street  
Lincoln, NE 68508

Dear Marvin:

Enclosed is a letter from the College View Business Improvement District Board, a map of the College View Business Improvement District (BID), ownership and legal description of all the properties within the district, and the draft resolution of the intent to create the BID. The proposed BID will provide maintenance of the streetscape project amenities.

Please forward the attached information to the Planning Commission for their earliest consideration. I understand this item should be on the October 19, 2011 agenda.

Please call me at 402-441-7855 if you have any questions.

Sincerely,

Ernie Castillo

Community Development Program Specialist  
Urban Development Department

Enc.

CC: Dave Landis, Urban Development Department  
Wynn Hjermsstad, Urban Development Department

**RECEIVED**

SEP 26 2011

Lincoln/Lancaster Co.  
Planning Department

September 23, 2011

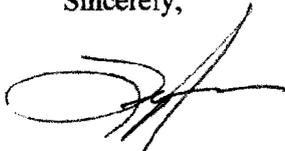
College View Business Improvement District Board  
Lincoln, Nebraska

To: City of Lincoln-Lancaster County Planning Department

Dear Planning Department,

On behalf of the board and by unanimous consent we ask for your support for the formation of the College View Business Improvement District.

Sincerely,

A handwritten signature in black ink, appearing to read 'Lynn Fisher', with a large, stylized flourish extending to the left.

Lynn Fisher  
President