

FACTSHEET

TITLE: DECLARATION OF SURPLUS PROPERTY
(North 12th Street and Charleston Street)

BOARD/COMMITTEE: Planning Commission

APPLICANT: David Landis, Director of the
Urban Development Department

RECOMMENDATION: A finding of conformance
with the Comprehensive Plan (8-0: Corr, Hove,
Cornelius, Scheer, Harris, Beecham, Weber and
Lust voting 'yes'; Sunderman absent)

STAFF RECOMMENDATION: A finding of
conformance with the Comprehensive Plan

OTHER DEPARTMENTS AFFECTED: Urban
Development and Parks & Recreation

SPONSOR: Planning Department

OPPONENTS: None

REASON FOR LEGISLATION: To declare approximately 2,690 square feet generally located at North 12th Street
and Charleston Street as surplus property.

DISCUSSION / FINDINGS OF FACT:

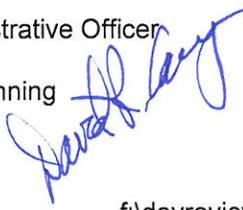
1. The staff recommendation to find the proposed declaration of surplus property to be in conformance with the 2040 Comprehensive Plan is based upon the "Analysis" as set forth on p.4-5, concluding that the land is within the Salt Creek floodplain, so a conservation easement will be retained with the deed for this property.
2. On January 21, 2015, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
3. The record consists of one letter in support (p.10).
4. On January 21, 2015, 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 2040 Comprehensive Plan **(Comprehensive Plan Conformance No. 14027)**.
5. This will be a land exchange so there will be no funds required to be paid (See Analysis #4, p.5).

FACTSHEET PREPARED BY: Jean Preister, Administrative Officer

DATE: January 26, 2015

REVIEWED BY: David R. Cary, Acting Director of Planning

DATE: January 26, 2015



LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for January 21, 2015 PLANNING COMMISSION MEETING

PROJECT #: Comprehensive Plan Conformance No. 14027

PROPOSAL: To review as to conformance with the 2040 Lincoln-Lancaster County Comprehensive Plan, a proposal to declare approximately 2,690 square feet as surplus property.

LOCATION: N. 12th Street and Charleston Street

LAND AREA: 2,690 square feet, more or less

CONCLUSION: The declaration of surplus generally conforms with the Comprehensive Plan. This land is within the Salt Creek floodplain, so a conservation easement will be retained with the deed for this property.

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

LEGAL DESCRIPTION: A portion of Lot 1, Block 14, Antelope Valley 1st Addition, located in the NE 1/4 of 23-10-6, Lincoln, Lancaster County, Nebraska, more particularly described on the attached legal description.

EXISTING ZONING: P, Public

EXISTING LAND USE: Vacant

SURROUNDING LAND USE AND ZONING:

North: Single Family Dwellings; R-4
South: Railroad Corridor; I-1
East: Railroad Corridor; P
West: Multi-Family Dwellings (under construction); R-8

HISTORY:

This site was rezoned from K Light Industrial District to I-1 Industrial District with the 1979 Zoning Update.

This property was acquired from the University in connection with the Antelope Valley Redevelopment Project in 2009.

May 2014 The Planning Commission approved a special permit for a Community Unit Plan to develop a 126 unit apartment building.

July 2014 The City Council approved a change of zone from B-3, R-4 and I-1 to R-8.

- July 2014 The City Council approved an amendment to the Antelope Valley Redevelopment Plan for the Eleven Hundred Y Street Project.
- October 2014 The City Council approved an ordinance vacating a portion of Y Street right-of-way adjacent to the multi-family development.

COMPREHENSIVE PLAN SPECIFICATIONS:

P. 1.9 - This site is shown as Urban Density Residential on the Future Land Use Map.

P. 2.5 - The City of Lincoln and the University of Nebraska have undertaken several major efforts in the West Haymarket, Antelope Valley and Innovation Campus areas over the past decade that include and encourage the development of residential infill and redevelopment projects.

P. 2.8 - Mixed use redevelopment, adaptive reuse and well-designed and appropriately-placed infill development, including residential, commercial and retail uses, are encouraged.

P. 2.9 - More compact, dense development clusters allow for savings in public infrastructure cost and improved accessibility to jobs, goods and services.

P. 4.4 - The community has also expressed its interest in good urban design through the Neighborhood Design Standards for infill development in older residential neighborhoods.

P. 4.8 - The project site is near the I-180 Primary Entryway Corridor.

P. 6.1 - The primary focus for new dwelling units is the “Greater Downtown” which includes Downtown proper, Antelope Valley, the Haymarket and Innovation Campus.

P. 7.2 - Guiding Principles.

Provide flexibility to the marketplace in siting future residential development locations.
 Strive for predictability for neighborhoods and developers for residential development and redevelopment.

P. 7.9 - Strategies for Redevelopment in Existing Neighborhoods.

- Promote the preservation, maintenance and renovation of existing housing and neighborhoods throughout the city, with special emphasis on low and moderate income neighborhoods.
- Maintain and enhance infrastructure and services in existing neighborhoods.
- Encourage increased density of existing apartment complexes and special needs housing where there is land available for additional buildings or expansions.
- Recognize that broad economic diversity within existing neighborhoods encourages reinvestment and improves quality of life for all residents while acknowledging the need for affordable housing.
- Preserve, protect and promote the character and unique features of urban neighborhoods, including their historical and architectural elements.

P. 7.10 - Detailed Strategies for Existing Neighborhoods.

- Similar uses on the same block face
- Similar housing types face each other: single family faces single family, change to different use at rear of lot
- Redevelopment and infill should strive for compatibility with the character of the neighborhood and adjacent uses (i.e., parking at rear, similar setback, height and land use).
- Encourage a mix of housing types all within one area
- Encourage retention of single-family uses where appropriate in order to maintain mix of housing
- Maintain existing pattern of streets for connectivity

Encourage alley access and shared driveways to parking areas in order to reduce interruptions to pedestrian traffic, to preserve on street parking capacity, and to reduce automobile conflict points

P. 10.18 - The BNSF railroad is shown near this site on the Existing Rail Lines Map.

ANTELOPE VALLEY REDEVELOPMENT PLAN SPECIFICATIONS:

P. 44 - **Antelope Valley Projects.** Enhancement of residential neighborhoods with proper balance of new residential housing products and reinvestment in quality housing stock.

P. 48 - **Future Market Potentials.** Development must be made possible but also guided through the adoption of targeted but flexible planning and zoning regulations and initiatives tailored to the area. Modifications in the zoning regulations should be adopted for Antelope Valley that includes flexible setback requirements, density maximums and other policies that encourage specific development types but also make the area attractive to developers.

P. 54 - This area is shown as Medium Density Neighborhood and Low Density Conservation District on the Future Land Use Map.

P. 55 - **Neighborhoods.** New construction will be invited and encouraged provided primary emphasis is given to the preservation of existing buildings. The design of such new space should enhance and contribute to the aesthetic character and function of the existing buildings and the surrounding neighborhood form.

P. 82 - North Bottoms University Parking Lot Area.

New medium density residential opportunities

Easy access to campus

Site will not be available until after the "X" Street Bridge and related roadways are complete

Need to address floodplain issue

P. 82 - North Bottoms South Edge.

New medium density residential opportunities

Need to address floodplain issue

Need to relocate existing business

Recreation area

Easy access to campus

Passive Park/Open Space buffer area from I-180

ANALYSIS:

1. This is a request to find the property at N. 12th Street and Charleston Street as surplus. This property was acquired in 2009 from the University of Nebraska in connection with the Antelope Valley Redevelopment Project. The proposed surplus property is vacant and does not contain structures. The developer of the adjacent apartment development would like to add this property to his development and use it for additional parking.
2. The property is currently zoned P Public Use. This is not appropriate zoning since the land will not be used for a governmental entity or for public use. It is common that a change of zone application is filed along with a surplus property. In this case a change of zone to Residential will be required of the buyer, after the surplus is approved.
3. The Urban Development Department routed this surplus to other City Departments. No departments had interest in utilizing this site.
4. The City Council approved a special permit for development of a 126-unit apartment building on the adjacent property. The special permit noted that Y Street and N. 12th Street would be

constructed adjacent to the apartment development. As design for the new streets was finalized, it was determined that additional right-of-way was needed where Y Street curves to the north. The proposal to the developer was to exchange City-owned land for the additional right-of-way. Since this is a land exchange, no funds will be paid to the City for the land.

5. This property is located within the Salt Creek floodplain. The City's policy when selling property in the floodplain is to retain conservation easements to protect flood storage volume. A conservation easement over the surplus property will be retained at the time of deed transfer.
6. The proposal to surplus the land is consistent with the Comprehensive Plan provided a conservation easement is retained and the property is rezoned from Public to Residential.

Prepared by:

Paul Barnes, Planner
402-441-6372
pbarnes@lincoln.ne.gov

DATE:

January 6, 2015

APPLICANT: Dallas McGee
555 S. 10th Street, Suite 205
Lincoln, NE 68508

CONTACT: Wynn Hjermstad
555 S. 10th Street, Suite 205
Lincoln, NE 68508

OWNER: City of Lincoln
555 S. 10th Street, Suite 205
Lincoln, NE 68508

COMPREHENSIVE PLAN CONFORMANCE NO. 14027

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

January 21, 2015

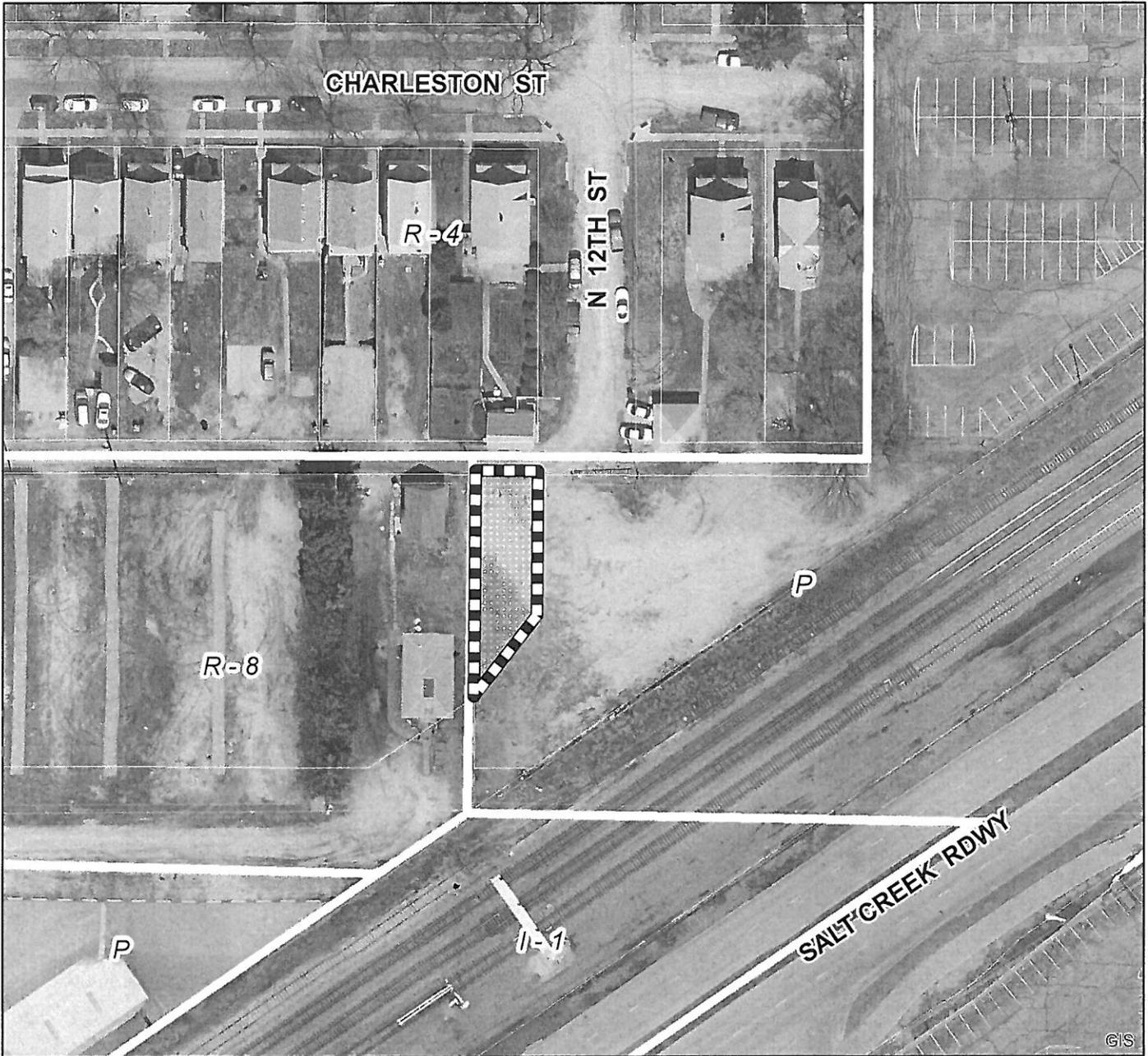
Members present: Weber, Corr, Cornelius, Beecham, Harris, Scheer, Hove and Lust;
Sunderman absent.

The Consent Agenda consisted of the following items: **COMPREHENSIVE PLAN**
CONFORMANCE NO. 14027 and **SPECIAL PERMIT NO. 08002A.**

There were no ex parte communications disclosed.

Cornelius moved to approve the Consent Agenda, seconded by Beecham and carried 8-0;
Sunderman absent.

Note: This is final action on Special Permit No. 08002A, unless appealed to the City Council
within 14 days.



GIS

2013 aerial

**Comp Plan Conformance #: CPC14027
N 12th & Charleston St**



**One Square Mile:
Sec.23 T10N R06E**

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

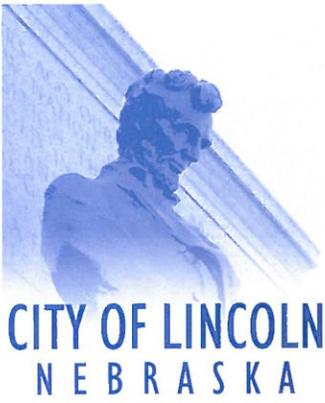
Area of Application

Zoning Jurisdiction Lines

Lancaster County Jurisdiction



0007



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

December 22, 2014

David Cary, Director
City of Lincoln-Lancaster County Planning Department
555 S. 10th
Lincoln, NE 68508

Dear David:

Enclosed is an application to declare surplus a small portion of City property located at approximately 12th and Charleston Streets. The City acquired this property from the University in connection with the Antelope Valley Redevelopment Project as they no longer needed the property for their campus operations. This request is the result of the adjacent property owner expressing interest in purchasing the small parcel to be included with the 1100 Y Street Redevelopment project. There has been no opposition to the sale of the property by any other departments or public agencies other than a request to retain easements as noted in the attached responses.

Please forward the request to the Planning Commission for their earliest consideration for Comprehensive Plan conformance. My understanding is that the request should be on the January 21, 2015, agenda.

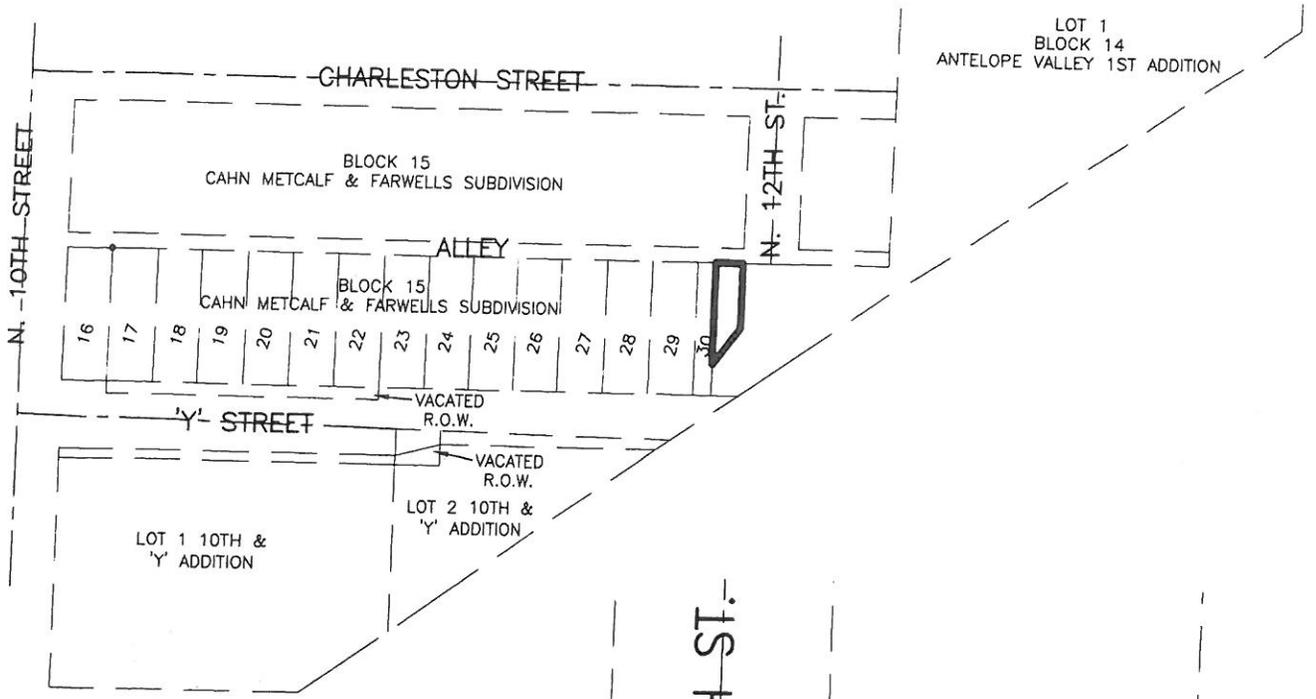
If you have questions or need additional information, please contact me at 441-7569 or at mbackemeyer@lincoln.ne.gov. Thank you.

Sincerely,

Michelle R. Backemeyer
Real Estate and Relocation
Assistance Agent

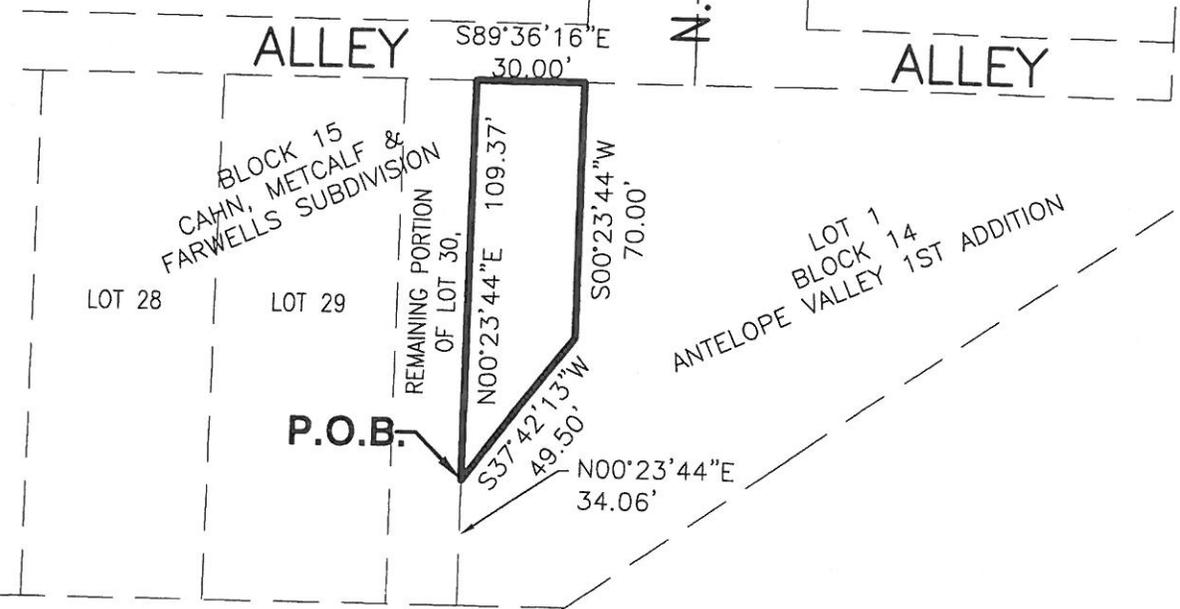
cc: Dave Landis, Director, Urban Development Dept.

attachments



KEY EXHIBIT

Scale: 1" = 200'



ENLARGED EXHIBIT

Scale: 1" = 50'

LEGAL DESCRIPTION

A PORTION OF LOT 1, BLOCK 14, ANTELOPE VALLEY 1ST ADDITION, LOCATED IN THE NORTHEAST QUARTER OF SECTION 23, TOWNSHIP 10 NORTH, RANGE 6 EAST, OF THE 6TH P.M., LINCOLN, LANCASTER COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

- COMMENCING AT THE SOUTHWEST CORNER OF SAID LOT 1; THENCE N00°23'44"E, A DISTANCE OF 34.06 FEET TO THE POINT OF BEGINNING;
- THENCE CONTINUING ON THE WEST LINE OF SAID LOT 1, N00°23'44"E, A DISTANCE OF 109.37 FEET;
- THENCE S89°36'16"E, A DISTANCE OF 30.00 FEET;
- THENCE S00°23'44"W, A DISTANCE OF 70.00 FEET;
- THENCE S37°42'13"W, A DISTANCE OF 49.50 FEET TO THE POINT OF BEGINNING AND CONTAINING A CALCULATED AREA OF 2,690.54 SQUARE FEET.

From: STEVE <s.lefeber@cox.net>
Sent: Thursday, January 15, 2015 3:55 PM
To: Jean Preister
Subject: north 12th street and charleston street project

I am the owner of the home located at 1201 Charleston street and am in full support of the application for Comprehensive Plan Conformance No. 14027.
thank you and let me know if you have any questions.
Steve Lefeber--owner