

## **FACTSHEET**

**TITLE:** Declaration of Surplus Property, requested by the Director of the Urban Development Department, declaring 12.56 acres, more or less, as surplus property, generally located at North 56<sup>th</sup> Street and Bluff Road.

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

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: Consent Agenda: 08/12/09  
Administrative Action: 08/12/09

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

### **FINDINGS OF FACT:**

1. The Urban Development Department is requesting to surplus this property at North 56<sup>th</sup> Street and Bluff Road with the intent to sell the property to the Nebraska Game and Parks Commission which intends to use it for a maintenance site.
2. City departments have evaluated this parcel and determined that it is not needed for City purposes. The County expressed interest in obtaining the south 27 feet of the property for expansion of right-of-way in Bluff Road. Based upon the "Analysis" set forth on p.3, the staff finds that the proposed declaration of surplus property is generally in conformance with the Comprehensive Plan, subject, however, to the relinquishment of access to US Highway 77 (North 56<sup>th</sup> Street), dedication of the south 27 feet of the property, deed restricting access to Bluff Road to the eastern property line and access rights granted to the properties adjacent to the north and east prior to sale of the property.
3. On August 12, 2009, this application appeared on the Consent Agenda of the Planning Commission. No one came forward to speak.
4. On August 12, 2009, 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 Comprehensive Plan, subject to the conditions set forth in paragraph #2 above.

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

**DATE:** August 17, 2009

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

**DATE:** August 17, 2009

**REFERENCE NUMBER:** FS\CC\2009\CPC.09008 Surplus

**LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT**

**for AUGUST 12, 2009 PLANNING COMMISSION MEETING**

**PROJECT #:** Comprehensive Plan Conformance No. 09008

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

**LOCATION:** N. 56<sup>th</sup> Street and Bluff Road

**LAND AREA:** 12.56 acres, more or less

**CONCLUSION:** City departments have evaluated this parcel and determined that it is not needed for City purposes. The County expressed interest in obtaining the south 27' of the property for expansion of right of way in Bluff Road.

**RECOMMENDATION:** In conformance with the Comprehensive Plan subject to the relinquishment of access to US Highway 77 (N. 56<sup>th</sup> Street), dedication of the south 27' of the property, deed restricting access to Bluff Road to eastern property line and grant access rights to the properties adjacent to the north and east prior to sale of the property.

**GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** Lot 32 Irregular Tract, except for the south 27' for future right of way of Bluff Road, located in the SW 1/4 of Section 16-11-7, Lancaster County, Nebraska.

**EXISTING ZONING:** AG Agriculture District

**EXISTING LAND USE:** Detached single-family dwelling and agriculture.

**SURROUNDING LAND USE AND ZONING:**

North: AG Nebraska Game and Parks maintenance yard.  
South: AG Landfill  
East: AG Agriculture  
West: AG Agriculture

**HISTORY:**

The City acquired the property from William and Mary Hahn in 1989.

## **COMPREHENSIVE PLAN SPECIFICATIONS:**

The Future Land Use Map of the 2030 Comprehensive Plan designates this land as Public and Semi-Public. (P. 19)

The property is designated as Urban Growth Tiers II and III. (P. 21)

Bluff Road is not shown to be a future collector or arterial. (P. 102)

Bluff Road is shown to have a 120' right of way standard in this area. (P. 114)

## **ANALYSIS:**

1. The intent is to sell the property to the Nebraska Game and Parks Commission who intends to use it for a maintenance site. The City declared the 19.37 acres to the north as surplus in 2008 and sold it to the Nebraska Game and Parks Commission in February 2009.
2. A total of one parcel and 12.56 acres, more or less are within this request. All 12.56 acres are within the City of Lincoln's jurisdiction.
3. Vehicular access to N. 56<sup>th</sup> Street (U.S. Highway 77) will be indirect; restricted to a driveway onto Bluff Road.
4. The Public Works and Utilities Department requested that no additional driveways be added to Bluff Road. The Nebraska Game and Parks Commission provided a proposed site plan/grading plan which shows a single driveway to Bluff Road aligning with a driveway to the landfill to the south (see site plan attached).
5. The Lancaster County Engineer requested the south 27' of Lot 32 I.T. be deeded for Bluff Road right of way. The existing right of way is 33' from centerline. While the Comprehensive Plan does not show Bluff Road to be a future collector or arterial, it does show this road to have a 120' right of way standard (see Page 114 of the Comprehensive Plan). The additional 27' will achieve that goal for this stretch of the north side of Bluff Road by totaling 60' from the north side of the centerline.

Prepared by:

Brandon M. Garrett, AICP  
Planner

**DATE:** August 4, 2009

**APPLICANT:** David Landis, Director  
Urban Development Department  
808 P Street, Ste. 400  
Lincoln, NE 68508

**CONTACT:** Michelle Backemeyer  
Urban Development Department  
808 P Street, Ste. 400  
Lincoln, NE 68508  
441-8617

# COMPREHENSIVE PLAN CONFORMANCE NO. 09008

## CONSENT AGENDA

### PUBLIC HEARING & ADMINISTRATIVE ACTION

#### BEFORE PLANNING COMMISSION:

August 12, 2009

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

The Consent Agenda consisted of the following items: **COMPREHENSIVE PLAN CONFORMANCE NO. 09008, CHANGE OF ZONE NO. 09020HP and STREET AND ALLEY VACATION NO. 09005.**

Ex Parte Communications: None

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



2007 aerial

## Comp Plan Conformance #09008 N 56th St & Bluff Rd

### Zoning:

One Square Mile  
Sec. 16 T11N R07E

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

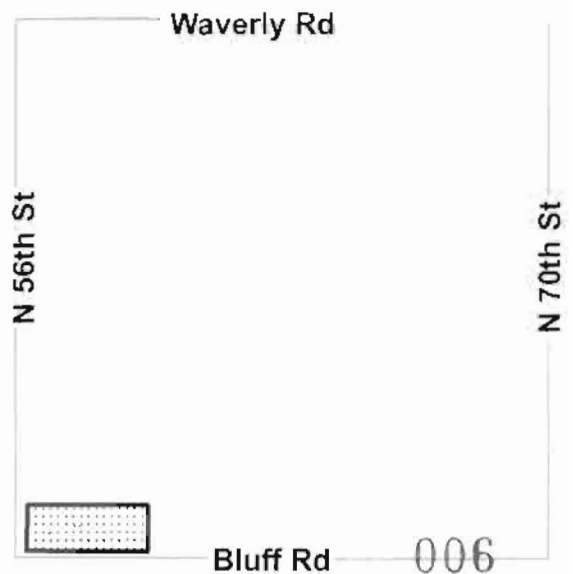
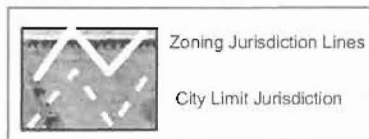
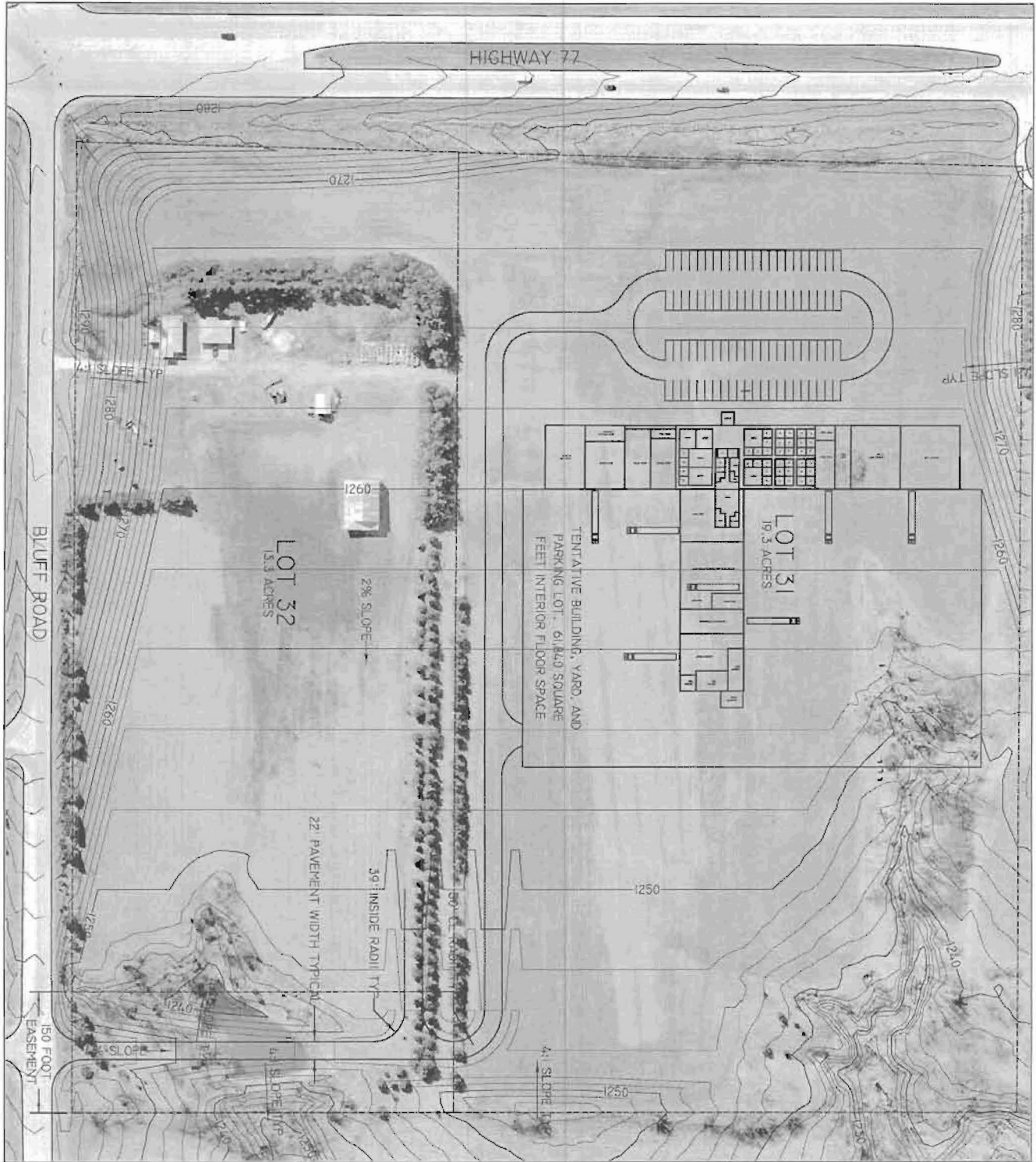
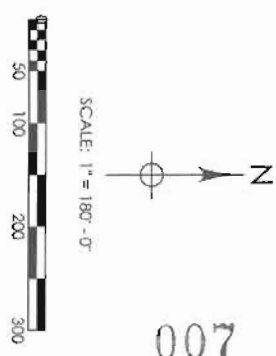


EXHIBIT B



	QUANTITIES		NET
	CUT	FILL	
LOT 31:	270,000	2,000	268,000
LOT 32:	266,000	7,000	259,000
TOTAL:	536,000	9,000	527,000
			CU YD
			CU YD



<b>NEBRASKA GAME AND PARKS COMMISSION</b>		ENGINEERING DIVISION
PROJECT: NGPC CONSOLIDATED O & M COMPLEX		PR: NONE
LOCATION: HIGHWAY 77 & BLUFF ROAD		DESIGN/DRAWN BY: C.J.C. DATE: 18 JUN 2008
DRAWING CONTAINS: - PROPOSED GRADING PLAN SCALE: 1" = 180'		

SHEET NUMBER  
|  
OF |



007



Application Information	
Application #	0209008 Title N 56TH AND BLUFF ROAD
Associated Requests	

Planning Department Use Only	
Submission Date	7/8/2009 Review Due 7/18/2009
Project Planner	Brandon Garrett

Review Comments	
Planning	<input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input checked="" type="radio"/> Recommend Approval with Conditions <input type="radio"/> Recommend Approval <input type="radio"/> No Review Required Appears to be in conformance with the Comprehensive Plan. Address additional ROW request from County Engineer.
County Engineer (Ken Schroeder)	Corrections Needed for Review   Insufficient Information for Review   Recommend Denial Recommend Approval with Conditions   Recommend Approval   No Review Required 1. Would request the City deed the south 27' of lot 32 I.T. in the SW1/4 of Section 16 (11-7) to Lancaster County. The additional right-of-way will make a total ROW width of 60' from section line and will be in compliance with the ROW consideration section of the current approved Comprehensive Plan future growth area right-of-way standards. 2. Our office is in agreement with previous comments with this submittal to require a deed restriction allowing no access to Bluff Road except on the eastern property line. This would require the removal of the existing field and farm drives located approximately 100' and 280' east of the SW corner of Lot 32 and the construction of a new access drive.
County Health (Chris Schroeder)	<input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input checked="" type="radio"/> Recommend Approval with Conditions <input type="radio"/> Recommend Approval <input type="radio"/> No Review Required
Development Review Manager (Steve Henrichsen)	<input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input checked="" type="radio"/> Recommend Approval with Conditions <input type="radio"/> Recommend Approval <input type="radio"/> No Review Required Request information on reason for surplus and background on how property was acquired for staff report.
LES (Mike Petersen)	<input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input checked="" type="radio"/> Recommend Approval with Conditions <input type="radio"/> Recommend Approval <input type="radio"/> No Review Required
Public Works (Dennis Bartels)	<input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input checked="" type="radio"/> Recommend Approval with Conditions <input type="radio"/> Recommend Approval <input type="radio"/> No Review Required Approval provided access limited to east end generally aligning with landfill drive
Windstream (Todd Williams)	<input type="radio"/> Corrections Needed for Review <input type="radio"/> Insufficient Information for Review <input type="radio"/> Recommend Denial <input checked="" type="radio"/> Recommend Approval with Conditions <input type="radio"/> Recommend Approval <input type="radio"/> No Review Required



**Michelle R. Backemeyer**

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**From:** Marvin S. Krout  
**Sent:** Tuesday, May 19, 2009 9:14 AM  
**To:** Michelle R. Backemeyer  
**Subject:** Surplus property at Bluff Rd and Hwy 77

The proposed sale and use of this property by Game and Parks, adjoining the lot to the north that the City previously sold to them, is acceptable. The public use does not conflict with the Comprehensive Plan and provides a buffer from the landfill for residential uses further north. Public Works will want to be sure it is clear that driveway access is limited per the previous agreement for the adjoining lot.

Marvin S. Krout, Director  
Lincoln-Lancaster County Planning Department  
555 South 10th Street, Room 213  
Lincoln, NE 68510  
402-441-6366

**Michelle R. Backemeyer**

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**From:** Karen K. Sieckmeyer  
**Sent:** Monday, May 18, 2009 11:28 AM  
**To:** Michelle R. Backemeyer  
**Subject:** FW: Declaration of Surplus Property

FYI

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**From:** Randy W. Hoskins  
**Sent:** Monday, May 18, 2009 10:51 AM  
**To:** Karen K. Sieckmeyer  
**Cc:** Roger A. Figard  
**Subject:** RE: Declaration of Surplus Property

Require a deed restriction allowing no access to 56<sup>th</sup> Street/US-77.

Require a deed restriction allowing no access to Bluff Road except on the eastern property line.

Require access easements to be granted to the properties to the north and east to use the one access they are to be granted. RH

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**From:** Karen K. Sieckmeyer  
**Sent:** Monday, May 18, 2009 10:17 AM  
**To:** Ben J. Higgins; Dennis D. Bartels; Fran A. Mejer; Gary C. Brandt; Greg S. MacLean; Jerry G. Obrist; Karen K. Sieckmeyer; Larry D. Worth; Nicole F. Tooze; Randy W. Hoskins; Roger A. Figard; Scott A. Opfer; Steve Masters; Thomas S. Shafer; Tim H. Pratt; Virendra A. Singh  
**Subject:** Declaration of Surplus Property

Please review and get back to Greg with your comments by Friday, May 22, 2009.

Thanks

*Karen Sieckmeyer*  
*Executive Secretary*  
*Public Works and Utilities*  
*555 South 10th, Room 203*  
*Lincoln, NE 68508*  
[sieckmeyer@lincoln.ne.gov](mailto:sieckmeyer@lincoln.ne.gov)  
402-441-7566  
402-441-8609 (fax)

## **Michelle R. Backemeyer**

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**From:** Karen K. Sieckmeyer  
**Sent:** Monday, May 18, 2009 11:28 AM  
**To:** Michelle R. Backemeyer  
**Subject:** FW: Declaration of Surplus Property

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**From:** Dennis D. Bartels  
**Sent:** Monday, May 18, 2009 11:27 AM  
**To:** Karen K. Sieckmeyer  
**Subject:** RE: Declaration of Surplus Property

The property surplus is satisfactory subject to access restrictions similar to previously purchased Lot 31 to the north.

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**From:** Karen K. Sieckmeyer  
**Sent:** Monday, May 18, 2009 10:17 AM  
**To:** Ben J. Higgins; Dennis D. Bartels; Fran A. Mejer; Gary C. Brandt; Greg S. MacLean; Jerry G. Obrist; Karen K. Sieckmeyer; Larry D. Worth; Nicole F. Tooze; Randy W. Hoskins; Roger A. Figard; Scott A. Opfer; Steve Masters; Thomas S. Shafer; Tim H. Pratt; Virendra A. Singh  
**Subject:** Declaration of Surplus Property

Please review and get back to Greg with your comments by Friday, May 22, 2009.

Thanks

*Karen Sieckmeyer*  
*Executive Secretary*  
*Public Works and Utilities*  
*555 South 10th, Room 203*  
*Lincoln, NE 68508*  
*[sieckmeyer@lincoln.ne.gov](mailto:sieckmeyer@lincoln.ne.gov)*  
*402-441-7566*  
*402-441-8600 (fax)*

**interoffice**  
**MEMORANDUM**

*Michelle Backemeyer*

**to:** Jean Preister, Planning Department  
**from:** Michelle Backemeyer, Housing Rehab and Real Estate Division  
**subject:** Declaration of Surplus Property - Lot 32, Irregular Tract located in the SW1/4 of Section 16, Township 11 North, Range 7 East of the 6th P.M., Lancaster County, NE  
**date:** July 7, 2009

Please place on the next Planning Commission agenda a request to declare surplus the property legally described as Lot 32, Irregular Traet located in the SW1/4 of Section 16, Township 11 North, Range 7 East of the 6th P.M., Lancaster County, Nebraska and generally located at 5700 Bluff Road.

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

Attachments

**RECEIVED**

JUL 8 - 2009

Lincoln/Lancaster Co.  
Planning Department