

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for SEPTEMBER 13, 2006 PLANNING COMMISSION MEETING

P.A.S.: Comprehensive Plan Conformance No. 06011
N. 2nd and "R" St. conservation easement

PROPOSAL:

Request by the Director of Planning on behalf of the People's City Mission to find the acquisition of a permanent conservation easement over approximately 0.85 acres of floodplain on property generally located at N. 2nd and "R" Streets conforms with the Comprehensive Plan.

LOCATION: Northwest corner of 2nd St. and "S" St. and 2nd St. between "Q" and "R" Streets.

LAND AREA: 0.85 acres, more or less.

CONCLUSION: The conservation easement is an alternative to retaining an easement over the entire area of the street vacation. The easement conforms with the Comprehensive Plan.

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

LEGAL DESCRIPTION: see attached

EXISTING ZONING: I-1 Industrial

EXISTING LAND USE: undeveloped and street right-of-way.

SURROUNDING LAND USE AND ZONING:

North of "R" St.

North:	I-1 Industrial	Salt Creek and undeveloped
South:	I-1 Industrial	Existing Mission building and undeveloped
East:	I-1 Industrial	Undeveloped
West:	I-1 Industrial	Salt Creek and undeveloped

South of "R" St.

North:	I-1 Industrial	People's City Mission building and undeveloped
South:	I-1 Industrial	"Q" Street and industrial use
East:	I-1 Industrial	Storage
West:	I-1 Industrial	People's City Mission buildings

HISTORY:

Nov. 15, 2005	Administrative Amendment #05118 to expand the People's City Mission facility was approved by the Planning Director.
October 17, 2005	Waiver #05008 to waive the surfacing requirement for a parking lot was approved by City Council.
September 15, 2003	Street & Alley vacation #01021 to vacate the east-west alley in Block 264 was approved by the City Council.
September 15, 2003	Special permit #1123B to expand the boundary for the People's City Mission and Waiver #02005 to waive improvements associated with a final plat was approved by the City Council.
January 9, 2002	Comprehensive Plan Conformance #01004 for a conservation easement was approved by the Planning Commission.
March 28, 1983	Ordinance #13562 vacating "S" Street from the east line of N. 1 st Street to the west line of N. 2 nd Street was approved by the City Council.

COMPREHENSIVE PLAN SPECIFICATIONS:

The 2025 Future Land Use Plan shows this area as Industrial. (F 25)

ANALYSIS:

1. The Nebraska Conservation and Preservation Easement Act (NEB. REV. STAT. §§ 76-2,111 to 76-2,118) requires action on the acquisition of conservation easements to be referred to the local planning commission having jurisdiction over the properties for approval prior to the acquisition. The Planning Commission must make a recommendation to the City Council "regarding the conformity of the proposed acquisition to comprehensive planning for the area," (NEB. REV. STAT. §76-2,112). Planning Commission action regarding conformance to the Comprehensive Plan is final. The City Council will then either accept or deny the easement.
2. The purpose of this Comprehensive Plan Conformity report is to determine whether this permanent conservation easement is in conformance with the 2025 Comprehensive Plan.
3. Associated with this application is Street and Alley Vacation #06003 to vacate "R" St. between N. 1st and N. 2nd Streets and the west 25' of 2nd Street between "Q" and "R"

Streets. The Planning Commission held a public hearing on July 5, 2006 and recommended approval to the street vacation. The area is within the 100 year flood zone. The City's policy is to retain a permanent conservation easement that protects the flood storage capacity over the entire vacated corridor or an alternate conservation easement on other Mission property to offset any proposed fill within the vacated right-of-way. The applicant has proposed not to locate the conservation easement over vacated "R" St. The attached site plan identifies the area of the easement.

4. The City of Lincoln can accept the conservation easement after the Planning Commission determines the easement conforms to the Comprehensive Plan.

Prepared by:

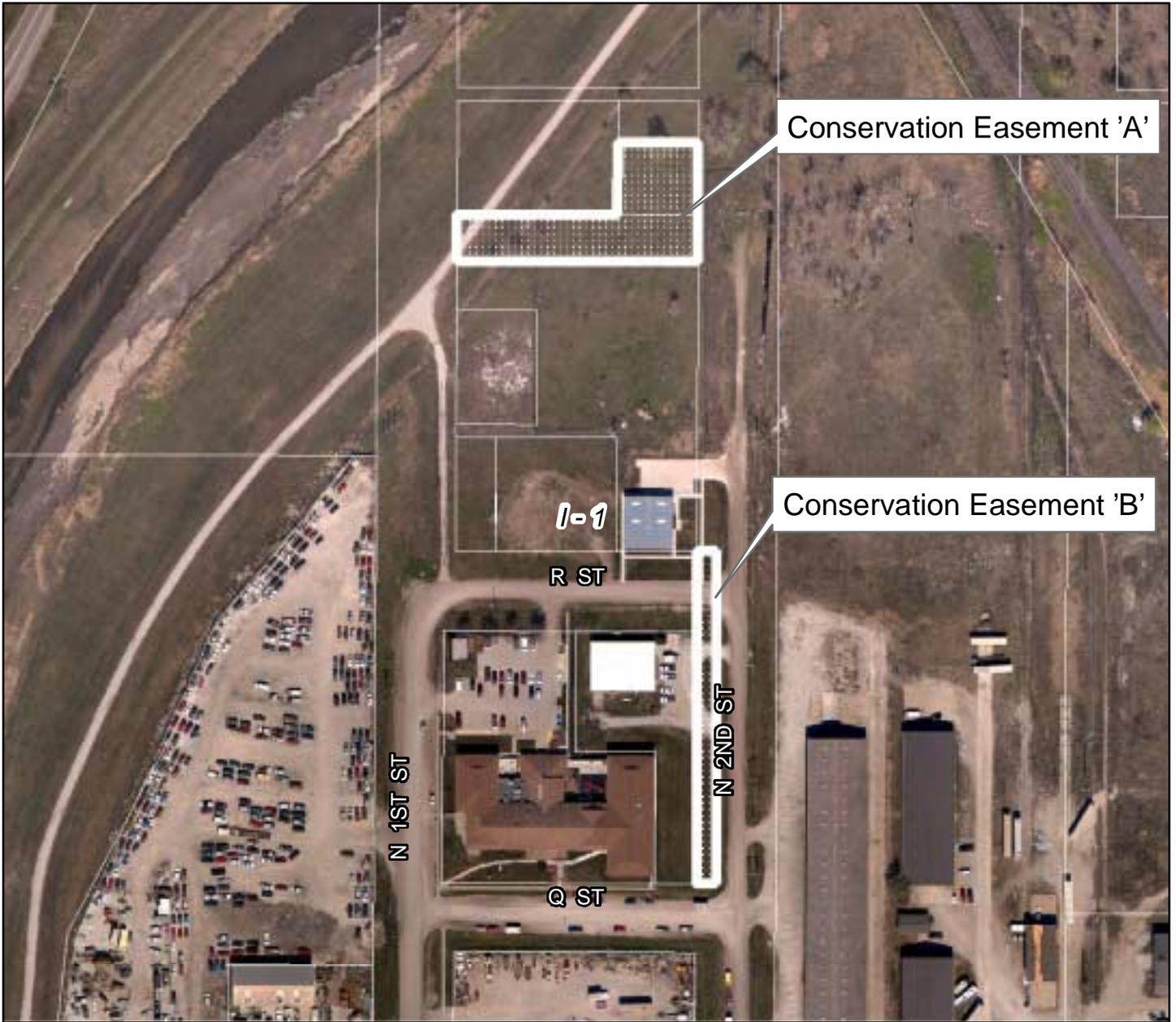
Tom Cajka
Planner

Date: August 29, 2006

Applicant: Marvin Krout
Director of Planning
Lincoln-Lancaster County Planning Department

Contact: Tom Cajka
Planner
Lincoln-Lancaster County Planning Department
(402) 441-5662

Owner: People's City Mission
110 "Q" St.
Lincoln, NE 68508
(402) 475-1303

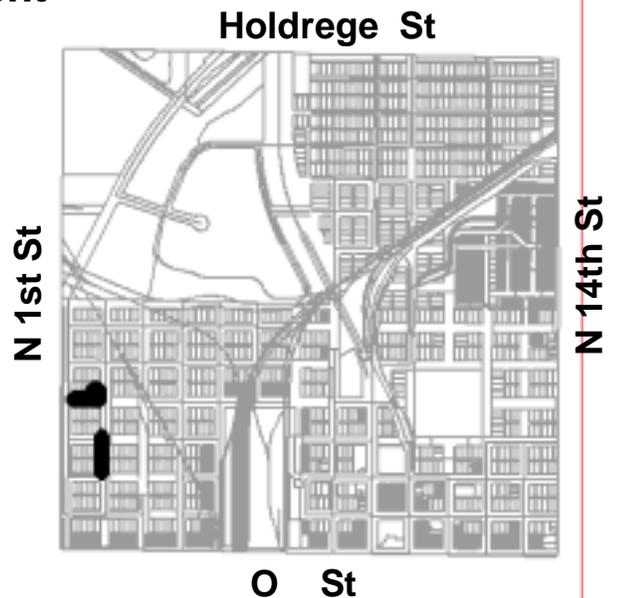
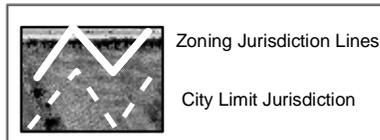


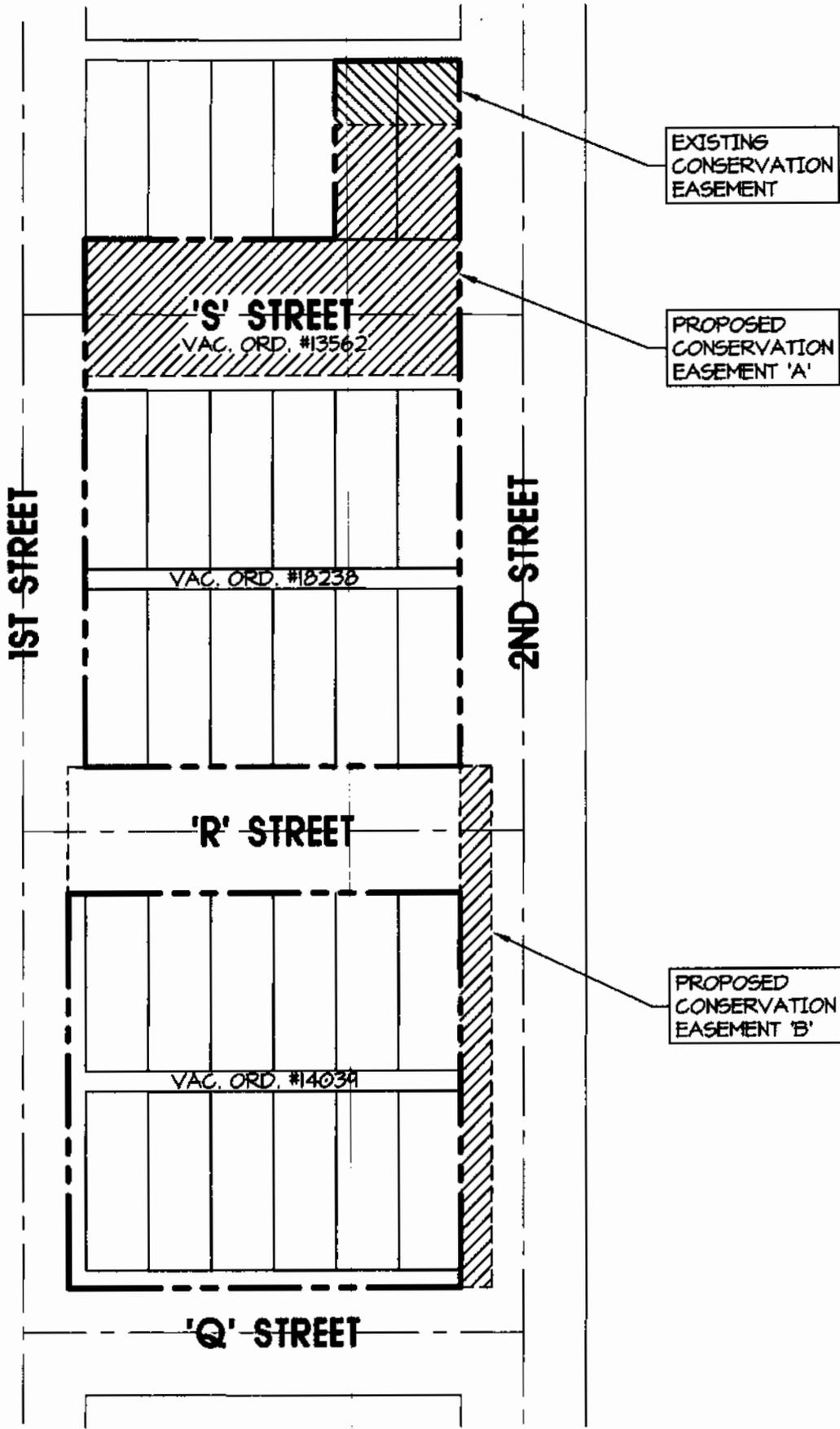
Comp. Plan Conformance #06011
N 2nd St & R St
People's City Mission Conservation Easement
Zoning:

2005 aerial

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation 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. 23 T10N R06E





**PEOPLE'S CITY MISSION
CONSERVATION EASEMENT**

NOT TO SCALE

18 AUG 2006

~1814079

CONSERVATION EASEMENT 'A'

A PARCEL OF LAND LOCATED IN SECTION 23, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE PRIME MERIDIAN, LINCOLN, LANCASTER COUNTY, NEBRASKA.

BEGINNING AT THE SOUTHWEST LOT CORNER OF LOT 7 BLOCK 275, ORIGINAL PLAT OF LINCOLN;
THENCE SOUTH 89 DEGREES 44 MINUTES 56 SECONDS EAST FOR A DISTANCE OF 199.71 FEET;
THENCE NORTH 0 DEGREES 19 MINUTES 27 SECONDS EAST FOR A DISTANCE OF 90.16 FEET;
THENCE SOUTH 89 DEGREES 56 MINUTES 53 SECONDS EAST FOR A DISTANCE OF 99.70 FEET;
THENCE SOUTH 0 DEGREES 10 MINUTES 4 SECONDS WEST FOR A DISTANCE OF 148.40 FEET;
THENCE NORTH 89 DEGREES 53 MINUTES 9 SECONDS WEST FOR A DISTANCE OF 299.64 FEET;
THENCE NORTH 0 DEGREES 9 MINUTES 47 SECONDS EAST FOR A DISTANCE OF 58.61 FEET;
TO THE POINT OF BEGINNING. PARCEL CONTAINS 0.608 ACRES MORE OR LESS.

CONSERVATION EASEMENT 'B'

A PARCEL OF LAND LOCATED IN SECTION 23, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE PRIME MERIDIAN, LINCOLN, LANCASTER COUNTY, NEBRASKA.

BEGINNING AT THE SOUTHEAST LOT CORNER OF LOT 12 BLOCK 264, ORIGINAL PLAT OF LINCOLN;
THENCE SOUTH 89 DEGREES 53 MINUTES 9 SECONDS EAST FOR A DISTANCE OF 25.00 FEET;
THENCE SOUTH 0 DEGREES 10 MINUTES 4 SECONDS WEST FOR A DISTANCE OF 414.00 FEET;
THENCE NORTH 89 DEGREES 53 MINUTES 9 SECONDS WEST FOR A DISTANCE OF 25.00 FEET;
THENCE NORTH 0 DEGREES 10 MINUTES 4 SECONDS EAST FOR A DISTANCE OF 414.00 FEET;
TO THE POINT OF BEGINNING. PARCEL CONTAINS 0.238 ACRES MORE OR LESS.



Benjamin J Higgins/Notes
08/28/2006 11:47 AM

To Thomas J Cajka/Notes@Notes
cc desassoc@inebraska.com, Dennis D Bartels/Notes@Notes
bcc
Subject CPC 06011, People's City Mission

Tom

In looking over your map and discussing with Jeremy over at Design Assoc, I'm OK with the proposed conservation easement being in conformance with the comp plan.

Conservation Easement A is intended to compensate for the existing volume at the proposed R Street vacation. Conservation Easement B is to preserve the existing volume with the 2nd Street vacation.

Please keep us informed us this goes thru city council as we will need a volume exhibit for the vacations and easements as well as all legals and easement documentation.

Thanks

Ben Higgins
Watershed Management
Public Works and Utilities
City of Lincoln, NE
(402) 441-7589



Status of Review: Active

Reviewed By Law Department

ANY

Comments:

Status of Review: Routed

Reviewed By Planning Department

COUNTER

Comments:

Status of Review: Active

Reviewed By Planning Department

TOM CAJKA

Comments:

Status of Review: Complete

Reviewed By Planning Department

RAY HILL

Comments:

Status of Review: Complete

08/23/2006 10:11:09 AM

Reviewed By Public Works - Development Services

SIETDQ

Comments: Memorandum□□

To:□Tom Cajka, Planning Department
From:□Dennis Bartels, Engineering Services
Subject:□CPC #06011 - Conservation Easements at City Mission
Date:□August 23, 2006
cc:□Ben Higgins
Randy Hoskins
□

Declaring the proposed conservation easements shown in conjunction with the street vacations at the City Mission to be in conformance with the comprehensive plan is satisfactory to Engineering Services.

Status of Review: Active

Reviewed By Public Works - Watershed Management

ANY

Comments:
