

FACTSHEET

TITLE: STREET & ALLEY VACATION NO. 00014, requested by the abutting property owners, to vacate the north/south alley running from Seward Avenue north to the east/west alley in Block 95, Havelock Addition, located generally between North 62nd and North 63rd Streets.

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

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda, 9/6/00
Administrative Action: 9/6/00

RECOMMENDATION: A finding of conformance with the Comprehensive Plan and conditional approval (8-0: Bayer, Carlson, Duvall, Hunter, Krieser, Newman, Taylor and Schwinn voting 'yes'; Steward absent).

FINDINGS OF FACT:

1. The Planning staff recommendation to find the proposed alley vacation to be in conformance with the Comprehensive Plan with conditions of approval is based upon the following analysis:
 - A. The Public Works Department recommends conditional approval of this application subject to retaining easements. The Lincoln Electric System has both overhead and underground facilities in this alley and requires a permanent easement be retained over the entire alley.
 - B. The three lots to the east have been split into three east/west facing parcels. The Planning Department has no record of any subdivision of these lots. Therefore, it is likely they were parceled off prior to the subdivision requirements of 1959.
 - C. Mr. Kieffe, who owns the lot to the west of the alley, indicates that he would like to purchase the vacated alley to extend his property line. Ms. Bloch, the owner of the north 47^a feet of the three lots to the east, has expressed an interest in purchasing the property, if it is affordable. Mr. Casey (the south 47^a feet of the lots to the east) and Mr. and Mrs. Thraen (the south 47^a of the north 94^b feet of the lots to the east) express no interest in buying the portion of the alley abutting their property.
 - D. This alley is not shown in the Comprehensive Plan for future use as a public street.
 - E. The Real Estate Division has established a sales price for the entire alley of \$170.00.
2. On September 6, 2000, this item was placed on the Consent Agenda of the Planning Commission and opened for public hearing. No one came forward to speak.
3. The Planning Commission agreed with the staff recommendation.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: September 11, 2000

REVIEWED BY: _____

DATE: September 11, 2000

REFERENCE NUMBER: FS\CC\FSV00014

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: STREET AND ALLEY VACATION NO. 00014

DATE: SEPTEMBER 17, 2000

PROPOSAL: Petitions have been received from the abutting property owners to vacate the north/south alley running from Seward Avenue north to the east/west alley in Block 95, Havelock Addition located generally located between North 62nd and North 63rd Streets.

GENERAL INFORMATION:

APPLICANTS:	Scott A. Kieffe 6214 Seward Avenue Lincoln, NE 68507 402-464-0886	Pauline N. Bloch 3919 North 63 rd Street Lincoln, NE 68507 402-466-5657
	Daniel B. Casey 3901 North 63 rd Street Lincoln, NE 68507	Jerome E. and Linda D. Thraen 3911 North 63 rd Street Lincoln, NE 68507 402-466-3325

LOCATION: The north/south alley running from Seward Avenue north to the east/west alley in Block 95, Havelock Addition located generally located between North 62nd and North 63rd Streets.

LEGAL DESCRIPTION: The north/south alley adjacent to Lots 9, and 10, Block 95, Havelock Addition, in the northeast quarter of Section 9, Township 10 North, Range 7 East of the 6th P.M. Lincoln, Lancaster County, Nebraska.

EXISTING ZONING: R-2 Residential

PURPOSE: To vacate the alley and sell it to the abutting property owners.

SIZE: 1,704 square feet more or less.

ANALYSIS:

1. The Public Works Department recommends conditional approval of this application subject to retaining easements. The Lincoln Electric System has both overhead and underground facilities in this alley and requires a permanent easement be retained over the entire alley.
2. The three lots to the east have been split into three east/west facing parcels. The Planning Department has no record of any subdivision of these lots. Therefore, it is likely they were parceled off prior to the subdivision requirements of 1959.

3. Mr. Kieffe, who owns the lot to the west of the alley, indicates that he would like to purchase the vacated alley to extend his property line. Ms. Bloch, the owner of the north 47^a feet of the three lots to the east, has expressed an interest in purchasing the property, if it is affordable. Mr. Casey (the south 47^a feet of the lots to the east) and Mr. and Mrs. Thraen (the south 47^a of the north 94^b feet of the lots to the east) express no interest in buying the portion of the alley abutting their property.
4. This alley is not shown in the Comprehensive Plan for future use as a public street.
5. The Real Estate Division has established a sales price for the entire alley of \$170.00.

STAFF RECOMMENDATION:

1. The proposed vacation conforms with the 1994 Comprehensive Plan.
2. Conditional Approval of the Vacation.

Conditions:

1. Provide the required easement for the Lincoln Electric System.

Prepared by:

Richard A. Houck, AICP
Planner II
Planning Department

STREET & ALLEY VACATION NO. 00014

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

September 6, 2000

Members present: Bayer, Carlson, Duvall, Hunter, Krieser, Newman, Taylor and Schwinn; Steward absent.

The Consent Agenda consisted of the following items: **SPECIAL PERMIT 1864; SPECIAL PERMIT NO. 1857, FINIGAN RIDGE COMMUNITY UNIT PLAN; PRELIMINARY PLAT NO. 00020, FINIGAN RIDGE; FINAL PLAT NO. 99013, LINCOLN PLATING ADDITION; FINAL PLAT NO. 99049, SILVER SPRINGS 4TH ADDITION; COUNTY FINAL PLAT NO. 00012, BENTZINGER'S PLEASANT ACRES; FINAL PLAT NO. 00018, WILLOW SPRINGS ADDITION; COUNTY FINAL PLAT NO. 00024, IRONHORSE ACRES; STREET & ALLEY VACATION NO. 00012; and STREET & ALLEY VACATION NO. 00014.**

Item No. 1.2a, Special Permit No. 1857; Item No. 1.2b, Preliminary Plat No. 00020 and Item No. 1.5, County Final Plat No. 00012, were removed from the Consent Agenda and scheduled for separate public hearing.

Newman moved to approve the remaining Consent Agenda, seconded by Schwinn and carried 8-0: Bayer, Carlson, Duvall, Hunter, Krieser, Newman, Taylor and Schwinn voting 'yes'; Steward absent.

Note: This is final action on Special Permit No. 1864, Lincoln Plating Addition Final Plat No. 99013, Silver Springs 4th Addition Final Plat No. 99049, and Willow Springs Addition Final Plat No. 00018, 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.