

## FACTSHEET

**TITLE:** **STREET VACATION NO. 00020**, requested by George Mechling and the Lincoln School District Leasing Corporation, to vacate Pine Lake Road from the west line of Lazy Acres Subdivision, west to the railroad right-of-way, generally located west of South 14<sup>th</sup> Street and Pine Lake Road.

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

**ASSOCIATED REQUESTS:** Annexation No. 99011 (99-93); Special Permit No. 1832, Wilderness Park Estates Community Unit Plan (00R-309); and Preliminary Plat No. 00002, Wilderness Park Estates (00R-308)

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: Consent Agenda, 11/01/00  
Administrative Action: 11/01/00

**RECOMMENDATION:** A finding of conformance with the Comprehensive Plan and Conditional Approval (7-0: Bayer, Carlson, Krieser, Newman, Taylor, Schwinn and Steward voting 'yes'; Duvall and Hunter absent).

### FINDINGS OF FACT:

1. This street vacation is associated with Annexation No. 99011 (99-93); Special Permit No. 1832, Wilderness Park Estates Community Unit Plan (00R-309); and Preliminary Plat No. 00002, Wilderness Park Estates (00R-308). The associated preliminary plat and the community unit plan were heard at the same time before the Planning Commission on 05/03/00. The associated Annexation No. 99011 (Bill No. 99-93) was placed on Council's pending list on 8/23/99.
2. The Planning staff recommendation to find the proposed street vacation to be in conformance with the Comprehensive Plan with conditions of approval is based upon the "Analysis" as set forth on p.3.
3. On November 1, 2000, this application was placed on the Consent Agenda of the Planning Commission and opened for public hearing. No one came forward to speak.
4. The Planning Commission agreed with the staff recommendation.
5. The associated annexation of property involved in this development was placed on Council's pending list on 8/23/99. A request has been made to the City Clerk to remove Bill No. 99-93 from the pending list and schedule for public hearing on 11/20/00.

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

**DATE:** November 6, 2000

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

**DATE:** November 6, 2000

**REFERENCE NUMBER:** FS\CC\FSV00020

## LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

**P.A.S.: STREET AND ALLEY VACATION NO. 00020**

**DATE: OCTOBER 11, 2000**

**PROPOSAL:** Petitions have been received from the abutting property owners to vacate Pine Lake Road from the west line of Lazy Acres Subdivision, west to the Railroad right-of-way, generally located west of S. 14<sup>th</sup> Street and Pine Lake Road.

### **GENERAL INFORMATION:**

**APPLICANTS:** George W. Mechling, Capitola E. Mechling and Kathy Mechling  
905 Mockingbird Lane  
Lincoln, NE 68512  
402- 423-1138

Lincoln School District Leasing Corporation  
a/k/a Lincoln Public Schools  
5901 "O" Street  
Lincoln, NE 68510

**LOCATION:** Pine Lake Road, approximately 1,557' west of South 14<sup>th</sup> Street, west to the railroad line.

**LEGAL DESCRIPTION:** Pine Lake Road from the west line of Lazy Acres Subdivision west to the Railroad right-of-way line, on property legally described as Lots 19, 57, and 58 I.T., located in the Southeast quarter of Section 14, Township 9 North, Range 6 East and Lot 40 I.T., located in the Northeast quarter of Section 23, Township 9, Range 6 East of the 6<sup>th</sup> P.M. Lincoln, Lancaster County, Nebraska.

**EXISTING ZONING:** R-1 Residential and I-3 Employment Center

**PURPOSE:** To vacate the street for purchase by the abutting property owners.

**SIZE:** 66,760 square feet, more or less. 66' by 1044.36 feet, more or less.

**EXISTING LAND USE:** Pasture and open field.

**SURROUNDING ZONING AND LAND USE:** R-1 to the north. I-3 to the south. Rail line and Wilderness Park to the west. Single family residential acreage and Densmore Park to the north. Lazy Acres residential subdivision to the east and Lincoln Public Schools High School site to the south.

**COMPREHENSIVE PLAN SPECIFICATIONS:** In conformance. Pine Lake Road between South 1<sup>st</sup> Street and South 14<sup>th</sup> Street is not shown in the plan. This area is shown as Industrial to the south and Urban Residential to the north, on the Comprehensive Plan Land Use Map.

**ANALYSIS:**

1. This request is to vacate the unopened Pine Lake Road right-of-way from Lazy Acres west to the Railroad right-of-way. The County Engineer requested the vacation of Pine Lake Road, from S. 14<sup>th</sup> west to Hwy 77 in 1993 (SAV 93022) but that was denied by the County Board(it was in the three mile but outside the City at that time) due to the objection of a prior owner.
2. The Public Works Department reports the following:  
  
“There are no existing utilities in this right-of-way, however, Lincoln Electric System has requested that a permanent easement be established for the entire corridor for future electrical facilities. There is a need to serve the north side of Pine Lake Road with a sanitary sewer. An easement will also need to be retained for this proposed sanitary sewer within this corridor.  
  
The Department of Public Works and Utilities recommends approval of this proposed vacation with the above mentioned conditions.”
3. The Wilderness Park Estates Preliminary Plat, approved by Planning Commission on May 20, 2000, was conditioned on the vacation of this street due to conflicts with proposed lots.
4. This street is not shown in the Comprehensive Plan’s Functional Street and Road Classification Map for future use as a public street.
5. The Real Estate Division has not established a sales price for the right-of-way at this date.

**STAFF RECOMMENDATION:**

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

**Conditions:**

1. A permanent easement be established for future electric facilities.
2. A permanent easement be established for future sanitary sewer.

Prepared by:

Mike DeKalb, AICP  
Planner

# STREET VACATION NO. 00020

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

November 1, 2000

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

The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 3204; CHANGE OF ZONE NO. 3287; COUNTY SPECIAL PERMIT NO. 183 AND SPECIAL PERMIT NO. 1870, STEVENS CREEK RIDGE COMMUNITY UNIT PLAN; PRELIMINARY PLAT NO. 00025, STEVENS CREEK RIDGE; COMPREHENSIVE PLAN CONFORMANCE NO. 00008, STREET & ALLEY VACATION NO. 00020 AND MISCELLANEOUS NO. 00009.**

**Item No. 1.3a, County Special Permit No. 183; Item No. 1.3b, Special Permit No. 1870 and Item No. 1.3c, Preliminary Plat No. 00025,** were removed from the Consent Agenda and scheduled for separate public hearing at the request of Commissioner Steward.

Newman moved to approve the remaining Consent Agenda, seconded by Schwinn and carried 7-0: Bayer, Carlson, Krieser, Newman, Taylor, Schwinn and Steward voting 'yes'; Duvall and Hunter absent.

Note: This is final action on Comprehensive Plan Conformance No. 00008, for a permanent conservation easement over approximately 0.10 acres of floodplain on property generally located at South 6<sup>th</sup> and H Streets.