

FACTSHEET

TITLE: STREET VACATION NO. 05005, requested by Brian Carstens and Associates on behalf of Hartland Homes, Inc., to vacate Maple Street west from S.W. 27th Street, generally located at S.W. 27th Street and West Peach Street.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 07/06/05
Administrative Action: 07/06/05

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

RECOMMENDATION: A finding of conformance with the Comprehensive Plan (5-0: Carlson, Carroll, Esseks, Larson and Bills-Strand voting 'yes'; Krieser, Pearson, Sunderman and Taylor absent).

FINDINGS OF FACT:

1. This street proposed to be vacated is an unbuilt street with 30' right-of-way, west of S.W. 27th Street. The street lies adjacent to the State Correctional Center property along the south and west.
2. The purpose of the vacation is to eliminate double frontage lots within the Hartland Homes S.W. 1st Addition, which lies adjacent to the north and shows lots backing up to this street. The lots cannot be final platted until the street is vacated.
3. The staff recommendation to find the proposed street vacation to be in conformance with the Comprehensive Plan is based upon the "Analysis" as set forth on p.3.
4. On July 6, 2005, this street vacation request appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
5. On July 6, 2005, the Planning Commission agreed with the staff recommendation and voted 5-0 to find the proposed street vacation to be in conformance with the Comprehensive Plan.
6. The report by the Real Estate Division of the City Urban Development Department is found on p.7, finding that the area to be vacated should be deeded to the State of Nebraska at no cost, with the understanding that the petitioner will pay the cost of any required reconstruction that might be necessary.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: October 3, 2005

REVIEWED BY: _____

DATE: October 3, 2005

REFERENCE NUMBER: FS\CC\2005\SAV.05005

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for July 6, 2005 PLANNING COMMISSION MEETING

PROJECT #: Street and Alley Vacation No. 05005
PROPOSAL: Vacate Maple St. west of S.W. 27th St.
LOCATION: S.W. 27th St. and W. Peach St.
LAND AREA: 13,800 sq. ft., more or less
CONCLUSION: The vacation of this right-of-way conforms to the Comprehensive Plan

RECOMMENDATION:	Conforms to the Comprehensive Plan
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GENERAL INFORMATION:

LEGAL DESCRIPTION: Maple St., west from S.W. 27th St., located in the NE 1/4 of Section 32, Township 10 North, Range 6 East, Lancaster County, NE

SURROUNDING LAND USE AND ZONING:

North:	R-3, Residential	Undeveloped, approved residential development
South:	P Public	State property, Correctional Center
East:	R-3 Residential	Multi-family
West:	R-3 Residential	Undeveloped, approved residential development

HISTORY:

February 14, 2005 Special Permit #04054, Hartland Homes SW 1st Addition, was approved by City Council.

COMPREHENSIVE PLAN SPECIFICATIONS:

The 2025 Comprehensive Plan shows this area as Public-Semi-Public. (F-25)
Maple St. is not shown as a major street in the 2025 Comprehensive Plan.

UTILITIES: There are no utilities within the right-of-way of Maple St.

TRAFFIC ANALYSIS:

Maple St. is an unbuilt local street.
S.W. 27th St. is a local street.

ANALYSIS:

1. This is a request to vacate Maple St., an unbuilt street with 30' right-of-way, west of S.W. 27th St.
2. There are no utilities within the right-of-way.
3. Note 16 of Hartland Homes S.W. 1st Addition Community Unit plan states that Block 3 shall not be final platted until Maple Street is vacated. Block 3 is north of Maple Street. The street vacation is needed to eliminate double frontage lots within Hartland Homes S.W. 1st Addition.
4. The petition to vacate indicates that the State of Nebraska will take title to the vacated right-of-way, but Hartland Homes will purchase the vacated right-of-way.
5. Lincoln Municipal Code Chapter 14.20 requires the City to establish the proper price to be paid for the right-of-way, as well as any amounts necessary to guarantee required reconstruction within the right-of-way. These values must be established and deposited with the City Clerk prior to scheduling the vacation request with the City Council.

**BEFORE THE VACATION REQUEST IS SCHEDULED ON THE CITY COUNCIL AGENDA
THE FOLLOWING MUST BE COMPLETED:**

- 1.1 The provisions of Chapter 14.20 of the Lincoln Municipal Code are met.

Prepared by:

Tom Cajka
Planner

DATE: June 20, 2005

APPLICANT: Brian Carstens
601 Old Cheney Rd. Suite "C"
Lincoln, NE 68512
(402) 434-2424

CONTACT: same as applicant

STREET VACATION NO. 05005

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

July 6, 2005

Members present: Carlson, Carroll, Esseks, Larson and Bills-Strand; Krieser, Pearson, Sunderman and Taylor absent.

The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 05044; CHANGE OF ZONE NO. 05046; CHANGE OF ZONE NO. 05047; and STREET AND ALLEY VACATION NO. 05005.**

Item No. 1.1, Change of Zone No. 05044, and Item No. 1.2, Change of Zone No. 05046, were removed from the Consent Agenda and scheduled for separate public hearing.

Ex Parte Communications: None.

Carroll moved to approve the remaining Consent Agenda, seconded by Larson and carried 5-0: Carlson, Carroll, Esseks, Larson and Bills-Strand voting 'yes'; Krieser, Pearson, Sunderman and Taylor absent.



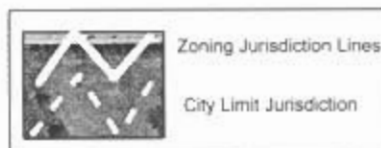
2002 aerial

Street & Alley Vacation #05005 SW 27th & W Peach St.

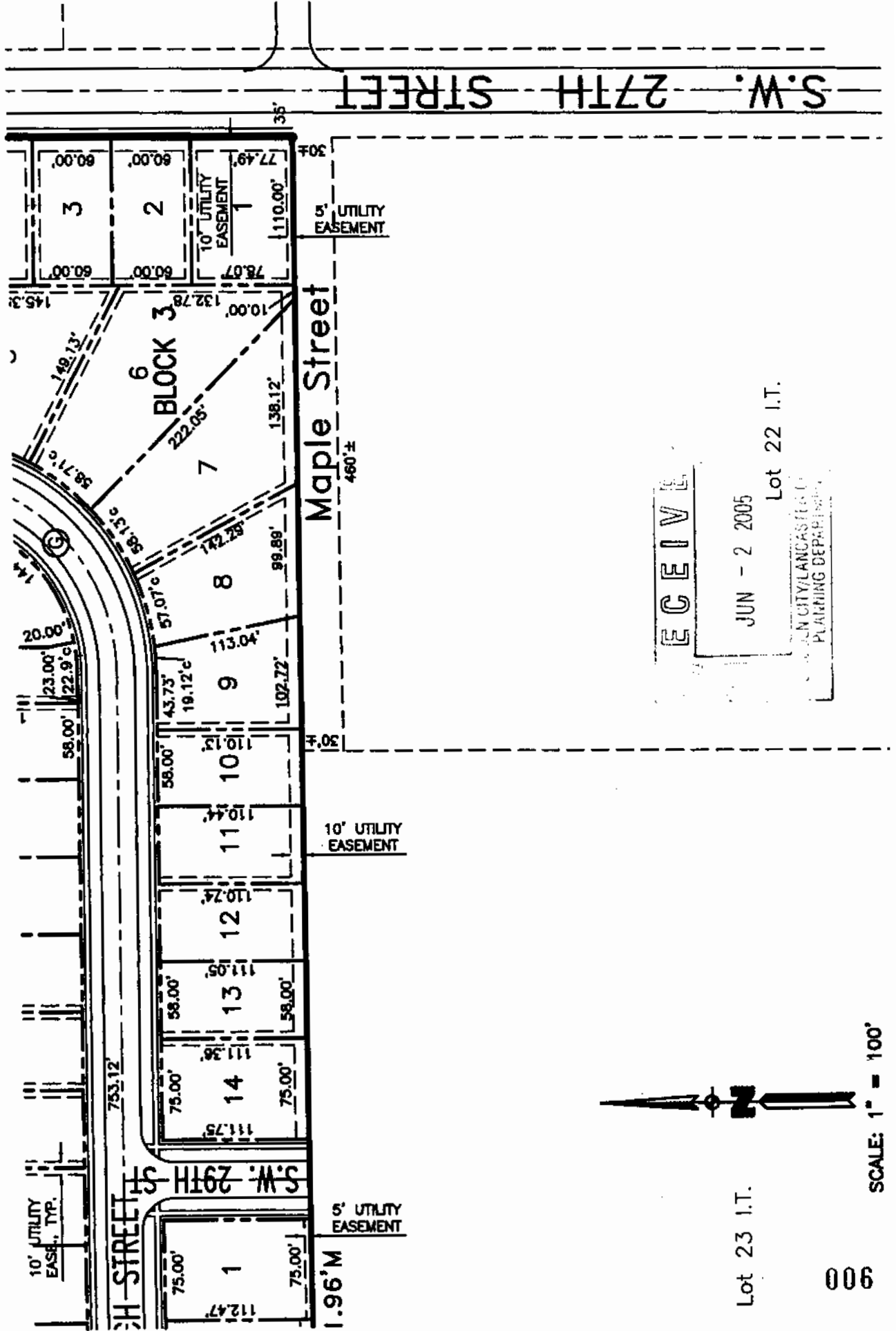
Zoning:

- 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. 32 T10N R60E



VACATION OF PUBLIC WAY REMAINING SOUTH 1/2 OF MAPLE STREET



RECEIVED

JUN - 2 2005
Lot 22 I.T.

CITY OF LANCASTER
PLANNING DEPARTMENT



Lot 23 I.T.

SCALE: 1" = 100'

INTEROFFICE MEMORANDUM

TO: Mayor Seng
& City Council Members

FROM: Clinton W. Thomas

DEPARTMENT: City Council Office

DEPARTMENT: Real Estate Division

ATTENTION:

DATE: September 27, 2005

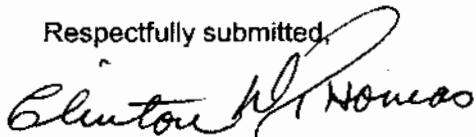
COPIES TO: Joan Ross
Marvin Krout
Dana Roper
Byron Blum

SUBJECT: Street & Alley Vacation No. 05005
Maple Street, west of SW 27th Street

A request has been made to vacate that portion of Maple Street lying west of Southwest 27th Street. Maple Street lies approximately 2 blocks north of South Street and is adjacent to the north side of the State Correctional Facility grounds. The area was viewed and appears as a part of a cultivated field with a shelter belt running down the street right-of-way along the property line. No utilities were visible and the Planning Department has indicated there are no utilities located within the area to be vacated.

While it is not a part of any area being platted, the Planning Department has requested the street right-of-way be vacated in conjunction with the platting of the adjoining property. Once the area is vacated, it is to be deeded to the State of Nebraska who is the abutting property owner opposite the area being platted. Due to the fact the abutting plat will require the dedication of new streets and easements to replace this right-of-way and the area will remain in the public domain, it is recommended if the area be vacated it be deeded to the State of Nebraska at no cost with the understanding the petitioner will pay the cost of any required reconstruction that might be necessary.

Respectfully submitted,



Clinton W. Thomas
Certified General Appraiser #990023

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