

FACTSHEET

TITLE: STREET & ALLEY VACATION NO. 02008, requested by Don Johnson Homes, Inc.; David and Sydney Richards; Ridge Development Company; and Southview, Inc., to vacate a portion of O'Hanlon Drive, located approximately 1/4 mile north of the intersection of South 27th Street and Yankee Hill Road.

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

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 07/24/02
Administrative Action: 07/24/02

RECOMMENDATION: A finding of conformance with the Comprehensive Plan, with conditions of approval (9-0: Carlson, Duvall, Krieser, Larson, Newman, Schwinn, Steward, Bills-Strand and Taylor voting 'yes').

FINDINGS OF FACT:

1. 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, concluding that this street vacation will allow development to occur consistent with the approved Pine Lake Heights South 4th Addition.
2. This application was placed on the Consent Agenda of the Planning Commission on July 24, 2002, and opened for public hearing. No one came forward to speak.
3. On July 24, 2002, the Planning Commission agreed with the staff recommendation and voted 9-0 to find the proposed street vacation to be in conformance with the Comprehensive Plan, with conditions of approval.
4. The City Clerk has determined that the provisions of Chapter 14.20 of the Lincoln Municipal Code have been met.
5. The Pine Lake Heights South 4th Addition final plat was approved by the Planning Commission on September 9, 2002, Resolution No. PC-00763, and the Pine Lake Heights South 6th Addition final plat is tentatively scheduled for hearing and action by the Planning Commission on November 13, 2002.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: October 28, 2002

REVIEWED BY: _____

DATE: October 28, 2002

REFERENCE NUMBER: FS\CC\2002\SAV.02008

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Street and Alley Vacation #02008

DATE: July 9, 2002

PROPOSAL: To vacate a portion of O'Hanlon Drive as shown on the final plat of Pine Lake Heights South 6th Addition consistent with the preliminary plat of Pine Lake Heights South 4th Addition.

LAND AREA: Approximately 32,448 square feet.

CONCLUSION: This street vacation will allow development to occur consistent with the approved preliminary plat.

<u>RECOMMENDATION:</u>	Conforms to the Comprehensive Plan
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GENERAL INFORMATION:

LEGAL DESCRIPTION: See attached legal description.

LOCATION: Approximately 1/4 mile north of the intersection of South 27th Street and Yankee Hill Road.

<u>APPLICANTS:</u> Don Johnson Homes, Inc. 5901 North 27 th Street Lincoln, NE 68521 (402) 436-3228	David and Sydney Richards RR #1, Box 96AA Firth, NE 68385 (402) 792-2287
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Ridge Development Company and Southview, Inc.
3901 Normal Blvd, Suite 203
Lincoln, NE 68506
(402) 436-3111

CONTACT: Same

SURROUNDING LAND USE AND ZONING:

North: Single-family Residential	R-3
South: Vacant	R-3, O-3
East: Vacant	R-3
West: Vacant	R-3, O-3

ASSOCIATED APPLICATIONS: FP#02018 - The final plat of Pine Lake Heights South 6th Addition has been submitted and is under review by staff.

FP#02008 - The final plat of Pine Lake Heights South 4th Addition has been reviewed by staff, awaiting re-submittal per conditions of the Director's Letter.

PP#00029 - The preliminary plat of Pine Lake Heights South 4th Addition was approved April 5, 2002.

COMPREHENSIVE PLAN SPECIFICATIONS: The 2025 Comprehensive Plan classifies O'Hanlon Drive as a local street.

ANALYSIS:

1. O'Hanlon Drive was originally dedicated as currently laid out as part of the Pine Lake Heights South 3rd Addition final plat. The preliminary plat of Pine Lake Heights South 4th Addition revised the street layout by terminating the west end of O'Hanlon Drive in a cul-de-sac, and by extending Grainger Parkway to South 27th Street. Grainger Parkway now serves as the access point into the development.

The first final plat submitted for this development was Pine Lake Heights South 4th Addition, which left O'Hanlon Drive intact, but dedicated additional right-of-way to increase the width of O'Hanlon Drive at the intersection with South 27th Street to accommodate the street layout on the preliminary plat. The second plat, Pine Lake Heights South 6th Addition, creates the O'Hanlon Court cul-de-sac to provide for the extension of Grainger Parkway through the development.

2. This request to vacate a portion of O'Hanlon Drive right-of-way is consistent with the preliminary plat of Pine Lake Heights South 4th Addition, and is necessary to implement the street layout shown on the final plat of Pine Lake Heights South 6th Addition.
3. The timing of approval of this vacation must coincide with the approval of the final plat of Pine Lake Heights South 6th Addition. Otherwise, there will be platted lots without frontage to a street.

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.
- 1.2 The final plat of Pine Lake Heights South 4th Addition has been approved, and the final plat of Pine Lake Heights South 6th Addition has been scheduled on the Planning Commission agenda.

Prepared by:

Brian Will, AICP
Planner

STREET VACATION NO. 02008

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

July 24, 2002

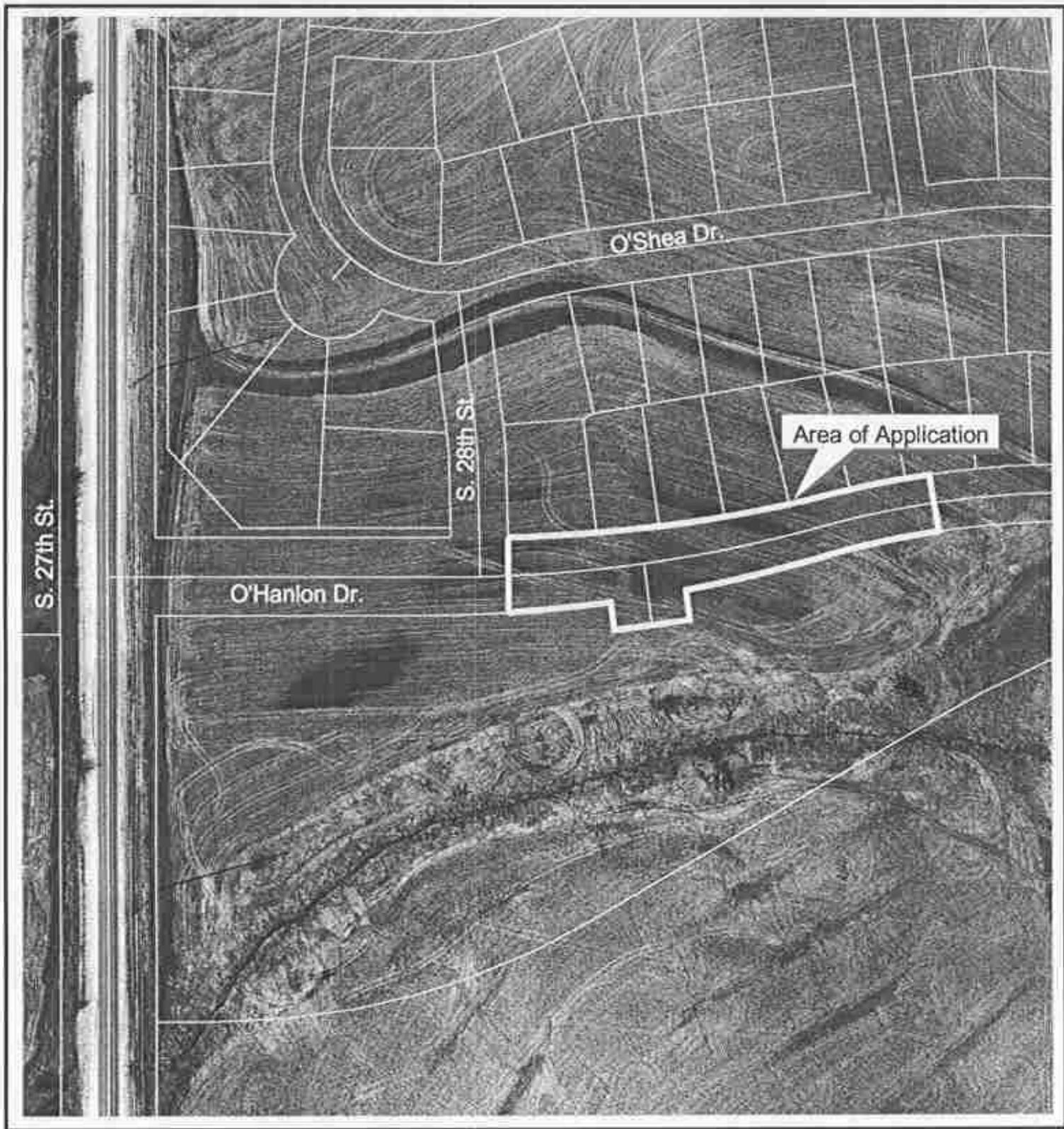
Members present: Carlson, Duvall, Krieser, Larson, Newman, Schwinn, Steward, Bills-Strand and Taylor.

The Consent Agenda consisted of the following items: **SPECIAL PERMIT NO. 450N; SPECIAL PERMIT NO. 1979; SPECIAL PERMIT NO. 1980; FINAL PLAT NO. 02021, THE PRESERVE ON ANTELOPE CREEK 1ST ADDITION; FINAL PLAT NO. 02022, ASHLEY HEIGHTS 1ST ADDITION; WAIVER OF DESIGN STANDARDS NO. 02011; and STREET AND ALLEY VACATION NO. 02008.**

Item No. 1.1, Special Permit No. 450N; Item No. 1.2, Special Permit No. 1979; Item No. 1.5, Final Plat No. 02022; and Item No. 1.6, Waiver of Design Standards No. 02011, were removed from the Consent Agenda and scheduled for separate public hearing.

Newman moved to approve the remaining Consent Agenda, seconded by Steward and carried 9-0: Carlson, Duvall, Krieser, Larson, Newman, Schwinn, Steward, Bills-Strand and Taylor voting 'yes'.

Note: This is final action on The Preserve on Antelope Creek 1st Addition Final Plat No. 02021, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days following the action by the Planning Commission.

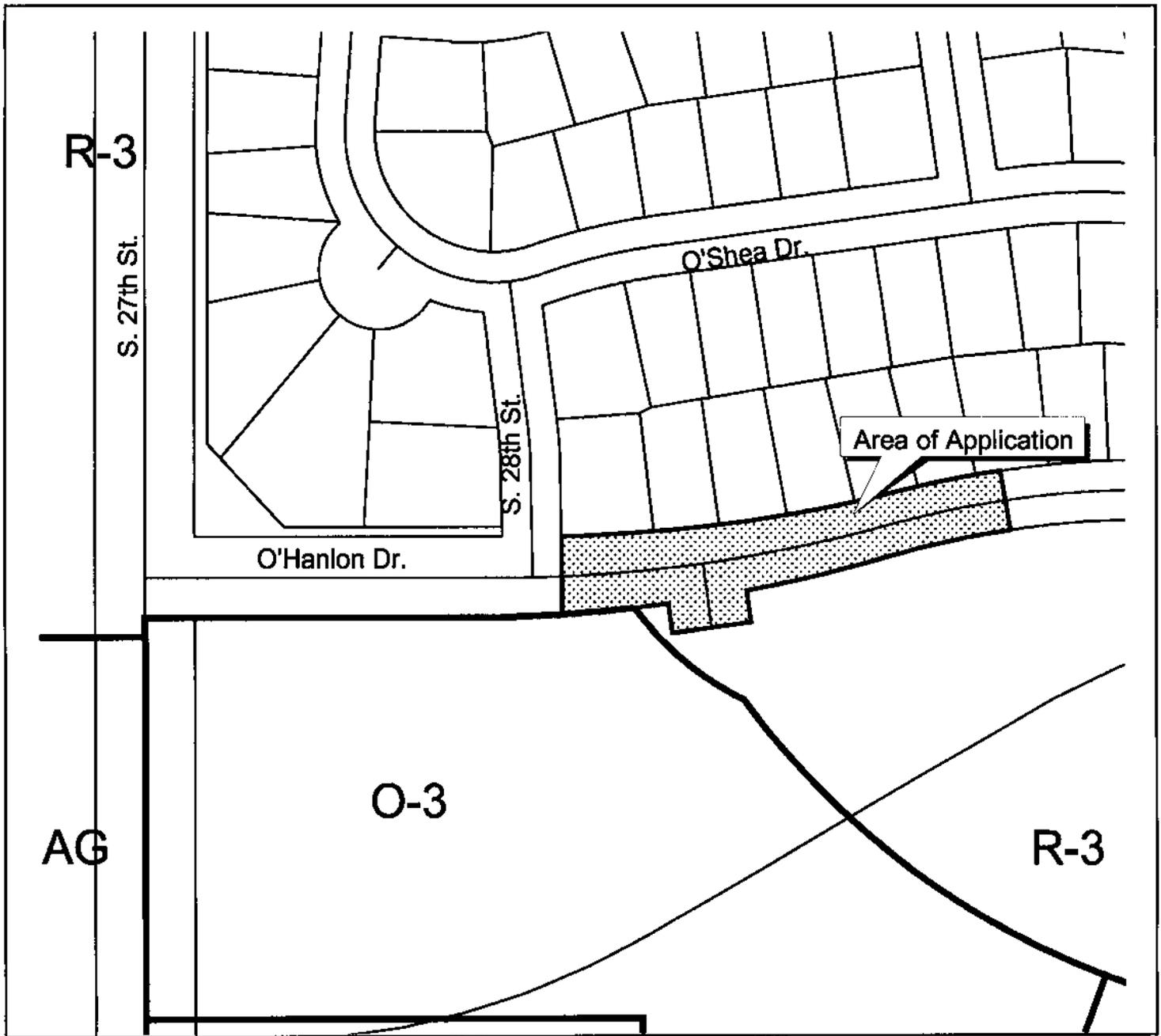


Street & Alley Vacation #02008
Vacate a portion of O'Hanlon Dr.
S 27th & Yankee Hill Rd.



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Photograph Date: 1999

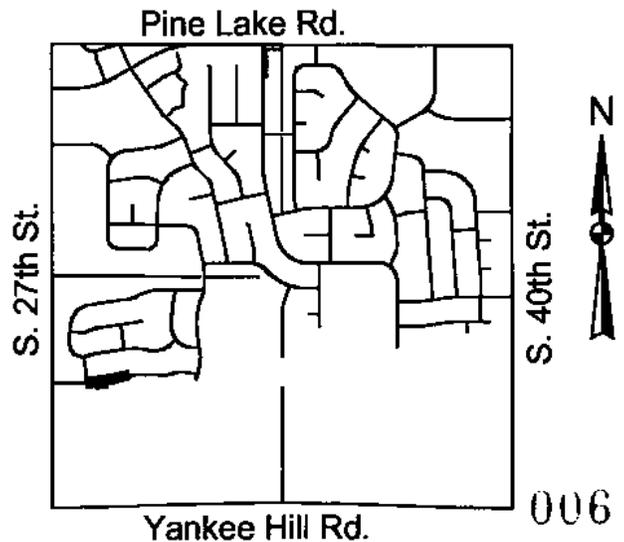
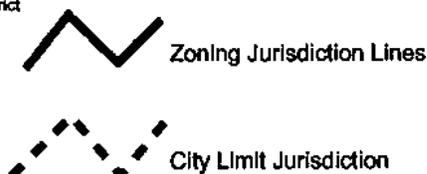


Street & Alley Vacation #02008
Vacate a portion of O'Hanlon Dr.
S 27th & Yankee Hill Rd.

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. 19 T9N R7E

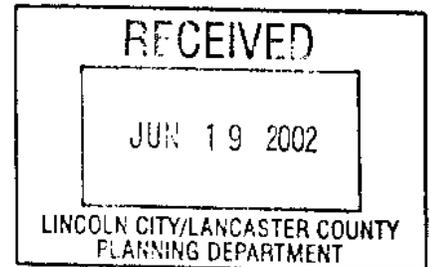


Lincoln



Nebraska's Capital City

June 18, 2002



Lincoln City/Lancaster County
Planning Commission
Lincoln, Nebraska 68508

RE: Vacating a Portion of O'Hanlon Drive

Dear Ladies and Gentlemen:

The Department of Public Works and Utilities has received proper and sufficient petitions from Don Johnson Homes, Inc., owner of Lot 26, Block 3 Pine Lake Heights South 3rd Addition, David and Sydney Richards, owners of Lot 2, Block 2 Pine Lake Heights South 2nd Addition, and Thomas White and John Brager, owners of Lots 27 through 31 and Outlot A, Pine lake Heights South 3rd Addition, to vacate the above described public right-of-way. The vacation is sought for the realignment of public streets and the creation of single family residential lots.

There are no conflicts with utilities. The Department of Public Works and Utilities recommends approval of this vacation. This vacation contains an area of 32,448.01 square feet or 0.74 acres, more or less.

Sincerely,



Byron Blum
Engineering Services

cc: Mayor Wesely
Allan Abbott
Kent Morgan
Marc Wullschleger
Roger Figard
Nicole Fleck-Tooze
Joan Ross
Clint Thomas
Dana Roper

O'Hanlon Vac Ltr ldm wpd

007

SAV 02008

INTEROFFICE MEMORANDUM

TO: Mayor Wesely
& City Council Members

FROM: Clinton W. Thomas

DEPARTMENT: City Council Office

DEPARTMENT: Real Estate Division

ATTENTION:

DATE: July 9, 2002

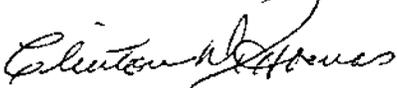
COPIES TO: Joan Ross
Kathleen Sellman
Dana Roper
Byron Blum

SUBJECT: Vacation of a portion of O'Hanlon Drive

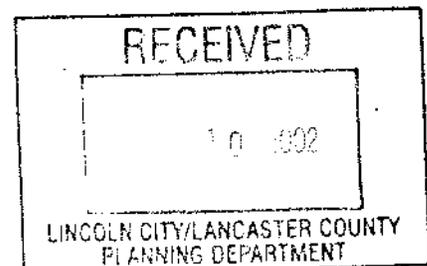
A petition has been made to vacate a portion of O'Hanlon Drive east of 28th Street. The area was viewed and appears as part of a new development. At the current time, O'Hanlon Drive is bare ground. It appears grading has been accomplished for the extension of O'Hanlon Drive at a location south of where it is currently platted. The owner's have asked to vacate this portion of the street in exchange for additional right-of-way to be platted at a slightly different location.

Public Works has indicated there are no utilities in the area and I have been told the area to be dedicated in the new plat is very near in size to the area to be vacated. Therefore, it is recommended this be treated as a land trade and the street be vacated to the abutting owner at no cost as long as right-of-way is dedicated in the new plat in conformance with the requests of the Public Works and Planning Departments.

Respectfully submitted,

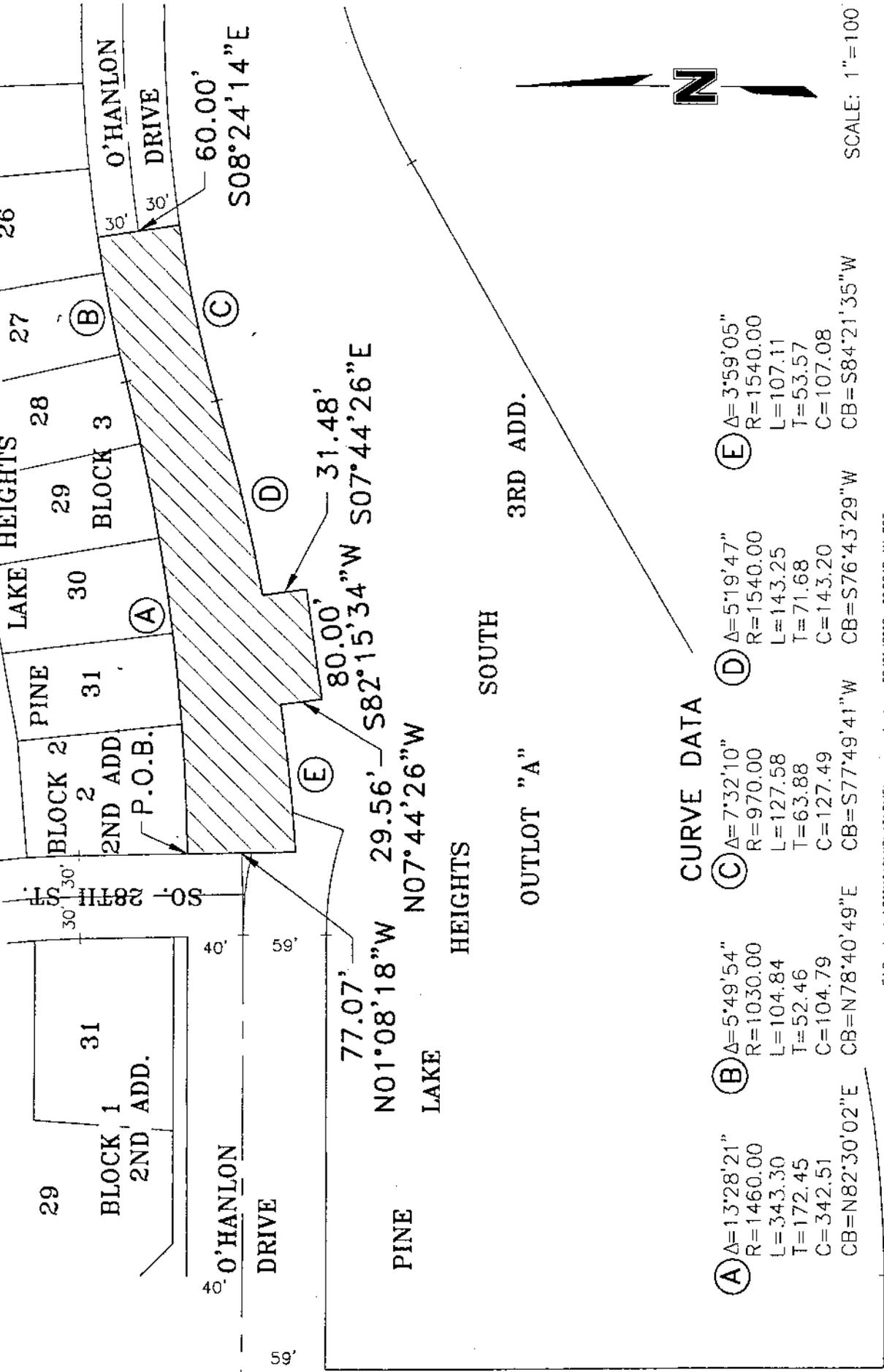


Clinton W. Thomas
Certified General Appraiser #990023



008

RIGHT-OF-WAY VACATION EXHIBIT



CURVE DATA

- (A) $\Delta=13'28'21''$
 $R=1460.00$
 $L=343.30$
 $T=172.45$
 $C=342.51$
 $CB=N82'30'02''E$
- (B) $\Delta=5'49'54''$
 $R=1030.00$
 $L=104.84$
 $T=52.46$
 $C=104.79$
 $CB=N78'40'49''E$
- (C) $\Delta=7'32'10''$
 $R=970.00$
 $L=127.58$
 $T=63.88$
 $C=127.49$
 $CB=S77'49'41''W$
- (D) $\Delta=5'19'47''$
 $R=1540.00$
 $L=143.25$
 $T=71.68$
 $C=143.20$
 $CB=S76'43'29''W$
- (E) $\Delta=3'59'05''$
 $R=1540.00$
 $L=107.11$
 $T=53.57$
 $C=107.08$
 $CB=S84'21'35''W$

SCALE: 1"=100'

**LEGAL DESCRIPTION
RIGHT-OF-WAY VACATION**

A LEGAL DESCRIPTION FOR RIGHT-OF-WAY VACATION PURPOSES FOR A TRACT OF LAND COMPOSED OF A PORTION OF O'HANLON DRIVE RIGHT-OF-WAY, LOCATED IN THE SOUTHWEST QUARTER OF SECTION 19, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA.

COMMENCING AT THE SOUTHWEST CORNER OF LOT 2 BLOCK 2 PINE LAKE HEIGHTS SOUTH 2ND ADDITION, SAID POINT BEING **THE TRUE POINT OF BEGINNING**, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 1,460.00 FEET, ARC LENGTH OF 343.30 FEET, DELTA ANGLE OF 13 DEGREES 28 MINUTES 21 SECONDS, AN ASSUMED CHORD BEARING OF NORTH 82 DEGREES 30 MINUTES 02 SECONDS EAST ALONG THE SOUTH LINE OF SAID LOT 2, AND THE SOUTH LINE OF LOTS 31 THROUGH 28 BLOCK 3 PINE LAKE HEIGHTS SOUTH 3RD ADDITION, SAID LINE BEING THE NORTH LINE OF O'HANLON DRIVE RIGHT-OF-WAY, AND A CHORD LENGTH OF 342.51 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 1,030.00 FEET, ARC LENGTH OF 104.84 FEET, DELTA ANGLE OF 05 DEGREES 49 MINUTES 54 SECONDS, A CHORD BEARING OF NORTH 78 DEGREES 40 MINUTES 49 SECONDS EAST ALONG THE SOUTH LINE OF SAID LOT 28 AND LOT 27 BLOCK 3 PINE LAKE HEIGHTS SOUTH 3RD ADDITION, SAID LINE BEING THE NORTH LINE OF SAID RIGHT-OF-WAY, AND A CHORD LENGTH OF 104.79 FEET TO A POINT, THENCE SOUTH 08 DEGREES 24 MINUTES 14 SECONDS EAST, A DISTANCE OF 60.00 FEET TO A POINT OF INTERSECTION WITH THE NORTH LINE OF OUTLOT "A" PINE LAKE HEIGHTS SOUTH 3RD ADDITION, THENCE ALONG A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A RADIUS OF 970.00 FEET, ARC LENGTH OF 127.58 FEET, DELTA ANGLE OF 07 DEGREES 32 MINUTES 10 SECONDS, A CHORD BEARING OF SOUTH 77 DEGREES 49 MINUTES 41 SECONDS WEST ALONG THE NORTH LINE OF SAID OUTLOT "A", SAID LINE BEING THE SOUTH LINE OF O'HANLON DRIVE RIGHT-OF-WAY, AND A CHORD LENGTH OF 127.49 FEET TO A POINT OF REVERSE CURVATURE, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 1,540.00 FEET, ARC LENGTH OF 143.25 FEET, DELTA ANGLE OF 05 DEGREES 19 MINUTES 47 SECONDS, A CHORD BEARING OF SOUTH 76 DEGREES 43 MINUTES 29 SECONDS WEST ALONG THE NORTH LINE OF SAID OUTLOT "A", SAID LINE BEING THE SOUTH LINE OF SAID RIGHT-OF-WAY, AND A CHORD LENGTH OF 143.20 FEET TO A POINT, THENCE SOUTH 07 DEGREES 44 MINUTES 26 SECONDS EAST ALONG A WEST LINE OF SAID OUTLOT "A", SAID LINE BEING A EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 31.48 FEET TO A POINT, THENCE SOUTH 82 DEGREES 15 MINUTES 34 SECONDS WEST ALONG A NORTH LINE OF SAID OUTLOT "A", SAID LINE BEING THE SOUTH LINE OF SAID

RIGHT-OF-WAY, A DISTANCE OF 80.00 FEET TO A POINT, THENCE NORTH 07 DEGREES 44 MINUTES 26 SECONDS WEST ALONG A EAST LINE OF SAID OUTLOT "A", SAID LINE BEING A WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 29.56 FEET TO A POINT, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 1,540.00 FEET, ARC LENGTH OF 107.11 FEET, DELTA ANGLE OF 03 DEGREES 59 MINUTES 05 SECONDS, A CHORD BEARING OF SOUTH 84 DEGREES 21 MINUTES 35 SECONDS WEST ALONG A NORTH LINE OF SAID OUTLOT "A", SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, AND A CHORD LENGTH OF 107.08 FEET TO A POINT, THENCE NORTH 01 DEGREES 08 MINUTES 18 SECONDS WEST ALONG AN EXTENSION OF THE EAST LINE OF SOUTH 28TH STREET RIGHT-OF-WAY, A DISTANCE OF 77.07 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 32,448.01 SQUARE FEET OR 0.74 ACRES, MORE OR LESS.

March 6, 2002 (10:11AM)

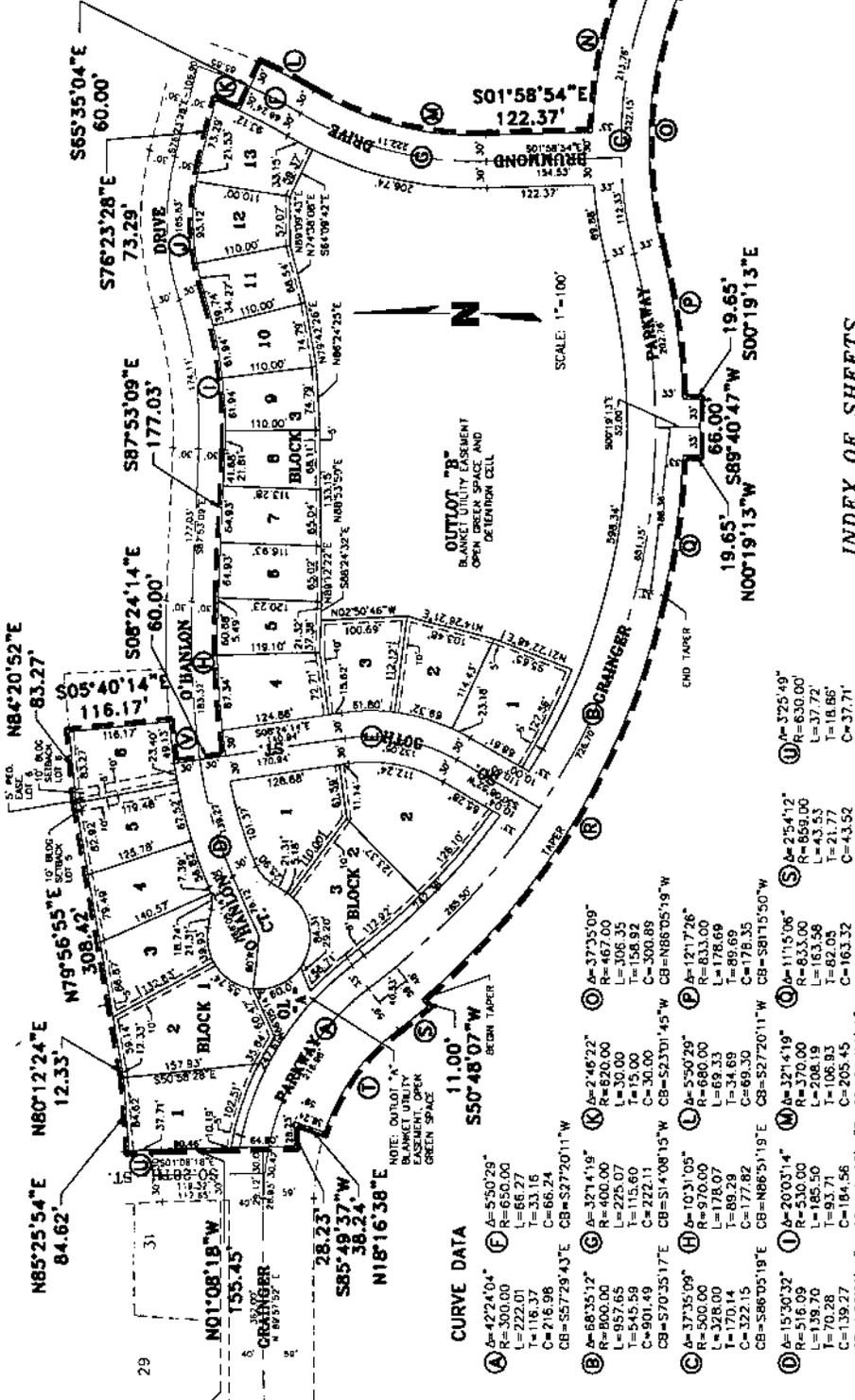
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PINE LAKE HEIGHTS SOUTH 6TH ADDITION

FINAL PLAT

THIS PLAT IS BASED UPON PRELIMINARY PLAT
NO. 00029 FOR PINE LAKE HEIGHTS SOUTH 4TH ADDITION

LOT AREA TABLE		
BLOCK 1		
LOT NUMBER	AREA IN SF	AREA IN AC
LOT 1	16,645.01 SF	0.3821 AC
LOT 2	10,412.38 SF	0.2390 AC
LOT 3	9,437.33 SF	0.2167 AC
LOT 4	9,144.33 SF	0.2099 AC
LOT 5	9,127.41 SF	0.2095 AC
BLOCK 2		
LOT 1	13,048.16 SF	0.2995 AC
LOT 2	15,510.02 SF	0.3561 AC
LOT 3	14,547.13 SF	0.3340 AC
BLOCK 3		
LOT 1	11,493.02 SF	0.2638 AC
LOT 2	9,251.05 SF	0.2133 AC
LOT 3	9,681.68 SF	0.2209 AC
LOT 4	9,792.63 SF	0.2248 AC
LOT 5	7,491.14 SF	0.1701 AC
LOT 6	7,699.87 SF	0.1768 AC
LOT 7	7,474.07 SF	0.1716 AC
LOT 8	7,330.44 SF	0.1683 AC
LOT 9	7,469.84 SF	0.1715 AC
LOT 10	7,469.84 SF	0.1715 AC
LOT 11	7,843.43 SF	0.1801 AC
LOT 12	8,907.22 SF	0.2053 AC
LOT 13	9,141.34 SF	0.2099 AC
OUTLOTS		
LOT NUMBER	AREA IN SF	AREA IN AC
LOT A	7,286.92 SF	0.1675 AC
LOT B	185,521.19 SF	4.2590 AC



INDEX OF SHEETS
 SHEET 1: PLAT, CURVE DATA TABLE, LOT AREA TABLE
 SHEET 2: SURVEYORS CERTIFICATE, DEDICATION
 SHEET 3: ACKNOWLEDGMENTS, LIEN HOLDER CONSENT
 AND SUBORDINATION, PLANNING COMMISSION
 APPROVAL

CURVE DATA

- Ⓐ A=4224.04' R=300.00 L=222.01 T=33.16 C=216.96 CB=55729.43'E CB=52720.11'W
- Ⓑ A=6835.12' R=800.00 L=957.65 T=545.59 C=901.49 CB=57035.17'E CB=51408.15'W CB=52330.14'S CB=58175.50'W
- Ⓒ A=500.00 R=500.00 L=328.00 T=170.14 C=322.15 CB=58605.19'E CB=52720.11'W CB=58175.50'W
- Ⓓ A=15300.32' R=516.09 L=139.70 T=70.28 C=139.27 CB=87350.30'E CB=82805.14'E CB=51408.15'W CB=52720.11'W
- Ⓔ A=3833.06' R=200.00 L=134.57 T=69.94 C=137.05 CB=87350.30'E CB=82805.14'E CB=51408.15'W CB=52720.11'W
- Ⓕ A=3735.09' R=400.00 L=545.59 T=115.60 C=222.11 CB=57035.17'E CB=51408.15'W CB=52330.14'S CB=58175.50'W
- Ⓖ A=550.29' R=500.00 L=328.00 T=170.14 C=322.15 CB=58605.19'E CB=52720.11'W CB=58175.50'W
- Ⓗ A=1031.05' R=970.00 L=178.07 T=89.29 C=177.82 CB=58605.19'E CB=52720.11'W CB=58175.50'W
- Ⓙ A=3275.09' R=600.00 L=308.35 T=158.95 C=300.89 CB=3735.09' CB=3735.09' CB=3735.09'
- Ⓚ A=2148.22' R=600.00 L=308.35 T=158.95 C=300.89 CB=3735.09' CB=3735.09' CB=3735.09'
- Ⓛ A=550.29' R=680.00 L=328.00 T=178.69 T=89.69 C=178.35 CB=58605.19'E CB=52720.11'W CB=58175.50'W
- Ⓜ A=3275.09' R=633.00 L=308.35 T=158.95 C=300.89 CB=3735.09' CB=3735.09' CB=3735.09'
- Ⓨ A=3132.55' R=275.00 L=151.42 T=77.68 C=149.52 CB=87350.30'E CB=82805.14'E CB=51408.15'W CB=52720.11'W
- Ⓩ A=254.12' R=659.00 L=43.53 T=21.66 C=43.52 CB=87350.30'E CB=82805.14'E CB=51408.15'W CB=52720.11'W
- Ⓟ A=1115.06' R=833.00 L=208.19 T=108.93 C=184.56 CB=87350.30'E CB=82805.14'E CB=51408.15'W CB=52720.11'W
- Ⓠ A=3737.41' R=840.20 L=551.78 T=286.25 C=541.92 CB=87350.30'E CB=82805.14'E CB=51408.15'W CB=52720.11'W
- Ⓡ A=2144.00' R=1030.00 L=49.14 T=24.57 C=49.13 CB=87350.30'E CB=82805.14'E CB=51408.15'W CB=52720.11'W
- Ⓢ A=325.49' R=630.00 L=37.71 T=18.66 C=37.71 CB=87350.30'E CB=82805.14'E CB=51408.15'W CB=52720.11'W