

FACTSHEET

TITLE: STREET VACATION NO. 03010, requested by Nebraska Housing Resource, to vacate S.W. 12th Street, south of W. Lake Street.

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

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 10/01/03
Administrative Action: 10/01/03

RECOMMENDATION: A finding of conformance with the Comprehensive Plan (7-0: Carlson, Duvall, Larson, Marvin, Steward, Bills-Strand and Taylor voting 'yes'; Krieser absent).

FINDINGS OF FACT:

1. This proposed street vacation is associated with the Old Mill Village Preliminary Plat, which was approved by the Planning Commission on August 20, 2003, and accepted by the City Council on October 13, 2003, Resolution No. A-82398.
2. 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 the requirement to vacate this portion of S.W. 12th Street is a condition of approval of the approved Old Mill Village preliminary plat.
3. On October 1, 2003, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
4. On October 1, 2003, the Planning Commission agreed with the staff recommendation and voted 7-0 to find the proposed street vacation to be in conformance with the Comprehensive Plan.
5. The valuation calculation by the Real Estate Division is found on p.11.
6. The City Clerk has determined that the provisions of Chapter 14.20 of the Lincoln Municipal Code have been satisfied.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: October 27, 2003

REVIEWED BY: _____

DATE: October 27, 2003

REFERENCE NUMBER: FS\CC\2003\SAV.03010

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for October 1, 2003 PLANNING COMMISSION MEETING

P.A.S.: Street & Alley Vacation No. 03010

PROPOSAL: Vacate SW 12th Street south of Lake St.

LOCATION: SW 12th St. and W. Lake St.

LAND AREA: 954 square feet

CONCLUSION: This request to vacate S. W. 12th St. south of W. Lake St. is associated with the Old Mill Village preliminary plat. The requirement to vacate this portion of S.W. 12th St. is a condition of the preliminary plat.

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

LEGAL DESCRIPTION: SW 12th St. south from W. Lake St. located in the SW 1/4 of Section 34, Township 10 North, Range 6 East, of the 6th P.M. Lancaster County, Nebraska.

SURROUNDING LAND USE AND ZONING:

North:	R-3 Residential	Single family residential and undeveloped
South:	R-3 Residential	Single family residential and Haines Branch Cemetery
East:	R-3 Residential	Undeveloped
West:	R-3 Residential	Single family residential

ASSOCIATED APPLICATIONS: Preliminary Plat 03003, Old Mill Village

HISTORY:

August 20, 2003 Old Mill Village Preliminary Plat was approved by the Planning Commission.

January 28, 1998 Vestecka's Villa Van Dorn Addition Final Plat was approved by Planning Commission

May 12, 1997 Vestecka's Villa Van Dorn Preliminary Plat was approved by City Council

COMPREHENSIVE PLAN SPECIFICATIONS:

The Comprehensive Plan shows this area as urban residential. (F-25)

UTILITIES: There are no utilities in the area for vacation.

TRAFFIC ANALYSIS: S. W. 12th Street is a local street.

ANALYSIS:

1. This is an application to vacate S.W. 12th St. south of W. Lake St. and east of Lot 1, Block 3, Vestecka's Villa Van Dorn Addition.
2. The applicant has submitted Preliminary Plat 03003, Old Mill Village. The preliminary plat shows this portion of S.W. 12th St. being vacated and made part of a lot.
3. This portion of S.W. 12th St. is not built and is dedicated as a half-street; 30' right-of-way.
4. The proposed area of vacation is a remnant piece of S.W. 12th St. When Vestecka's Villa Van Dorn final plat was approved S.W. 12th was extended south, but did not include the south 30' before shifting to the west. (see attached)
5. If S.W. 12th St was built and extended south, it would end at the cemetery located approximately 130' south.
6. The cemetery has access from the west off of S. W. 12th St.
7. The Department of Public Works supports the street vacation.

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: September 17, 2003

APPLICANT: Robert Rentfro
Nebraska Housing Resource
1230 "O" St. Suite 291
Lincoln, NE 68522
(402) 476-5595

OWNER: same as applicant
CONTACT: same as applicant

STREET VACATION NO. 03010

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

October 1, 2003

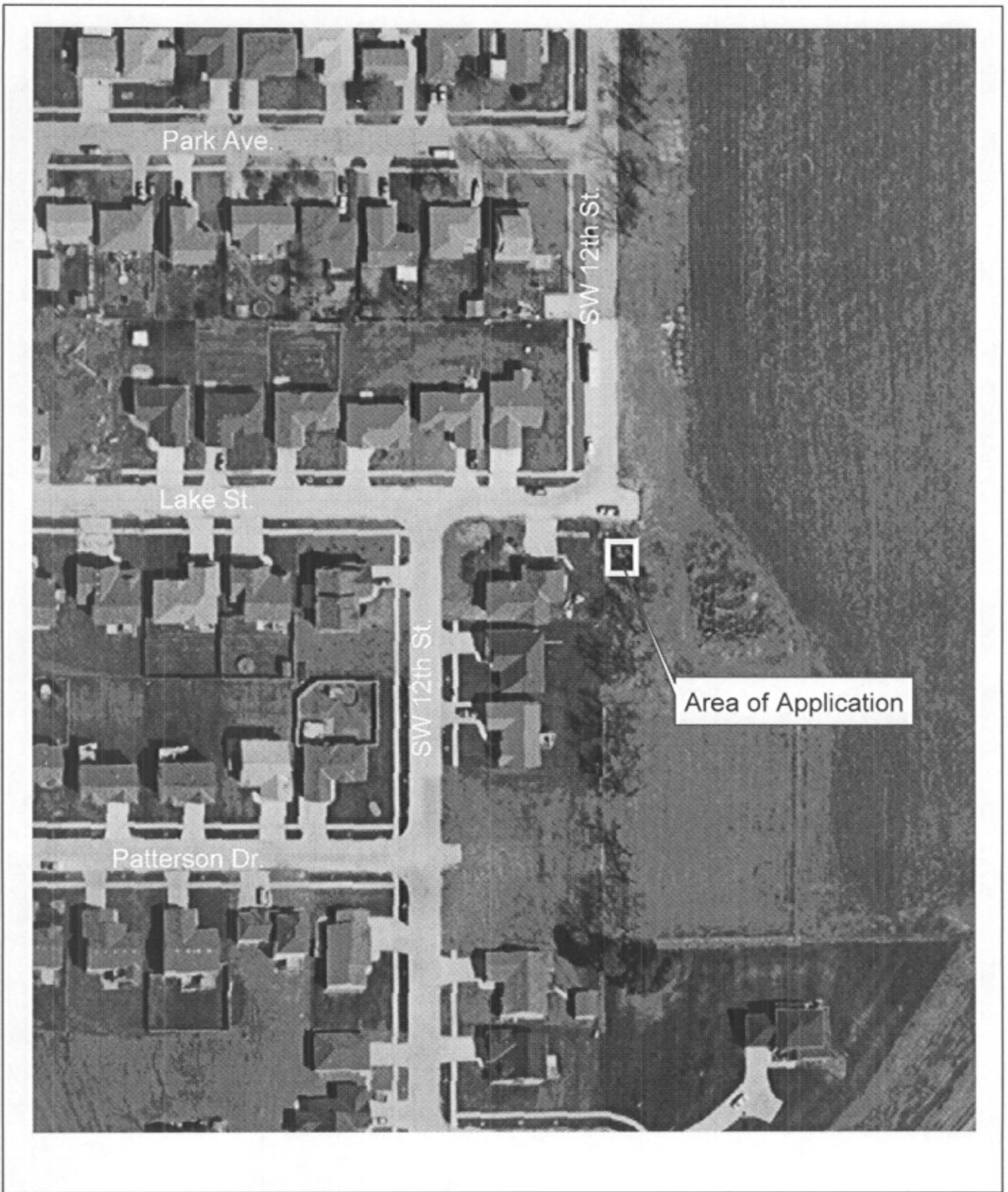
Members present: Carlson, Duvall, Larson, Marvin, Steward, Bills-Strand and Taylor; Krieser absent.

The Consent Agenda consisted of the following items: **SPECIAL PERMIT NO. 2032, SPECIAL PERMIT NO. 2033, SPECIAL PERMIT NO. 2034, SPECIAL PERMIT NO. 2035, STREET AND ALLEY VACATION NO. 03010 and STREET AND ALLEY VACATION NO. 03011.**

Item No. 1.6, Street and Alley Vacation No. 03011, was removed from the Consent Agenda and scheduled for separate public hearing.

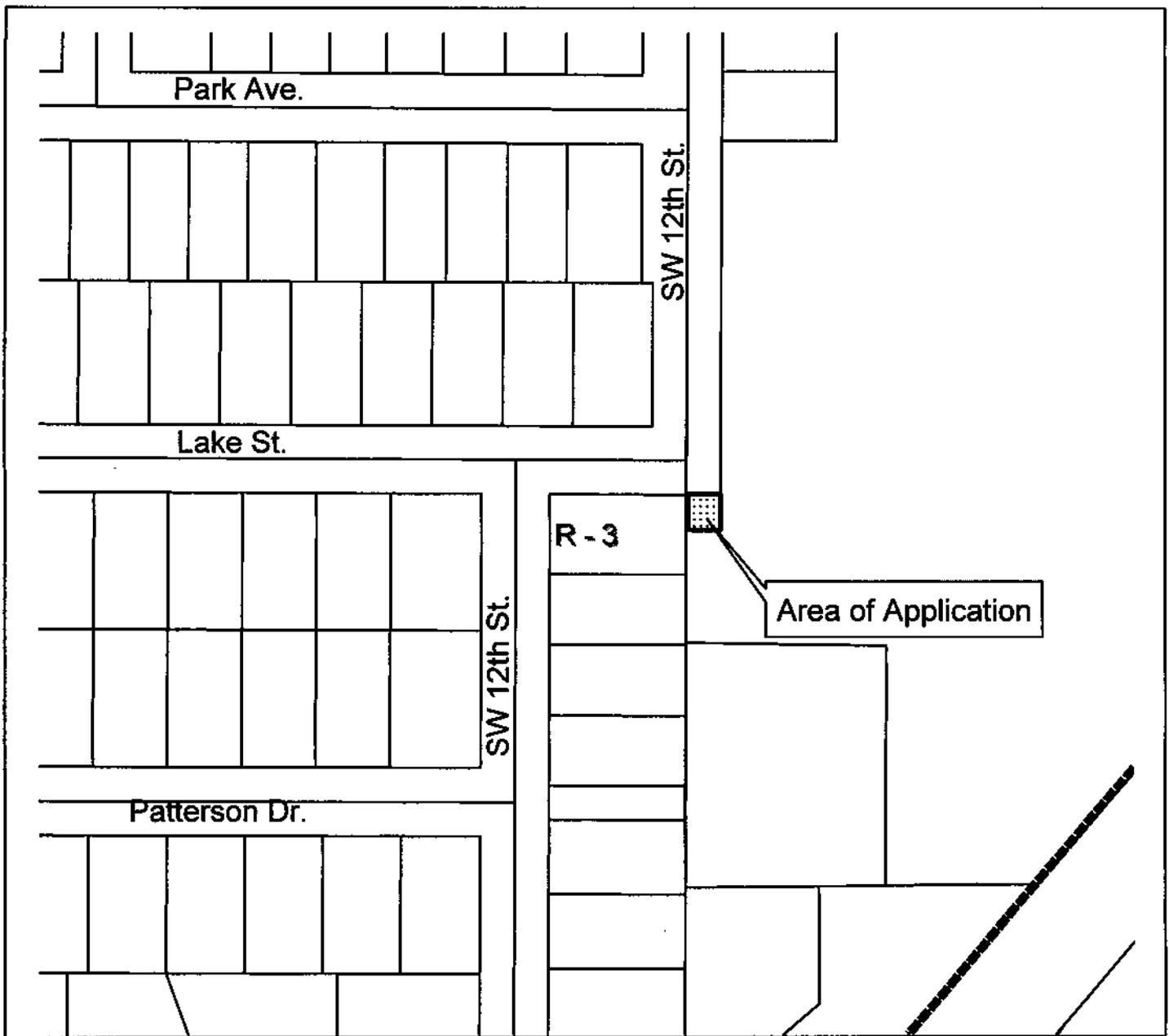
Taylor moved to approve the remaining Consent Agenda, seconded by Marvin and carried 7-0: Carlson, Duvall, Larson, Marvin, Steward, Bills-Strand and Taylor voting 'yes'; Krieser absent.

Note: This is final action on Special Permit No. 2034 and Special Permit No. 2035, 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.



**Street & Alley Vacation #03010
SW 12th and W. Lake St.**



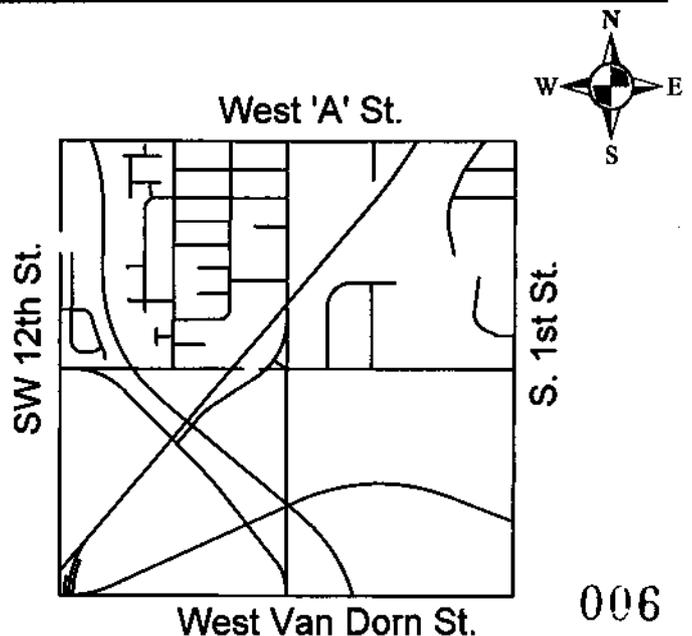
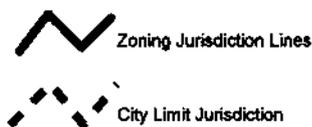


**Street & Alley Vacation #03010
SW 12th and W. Lake St.**

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. 34 T10N R6E

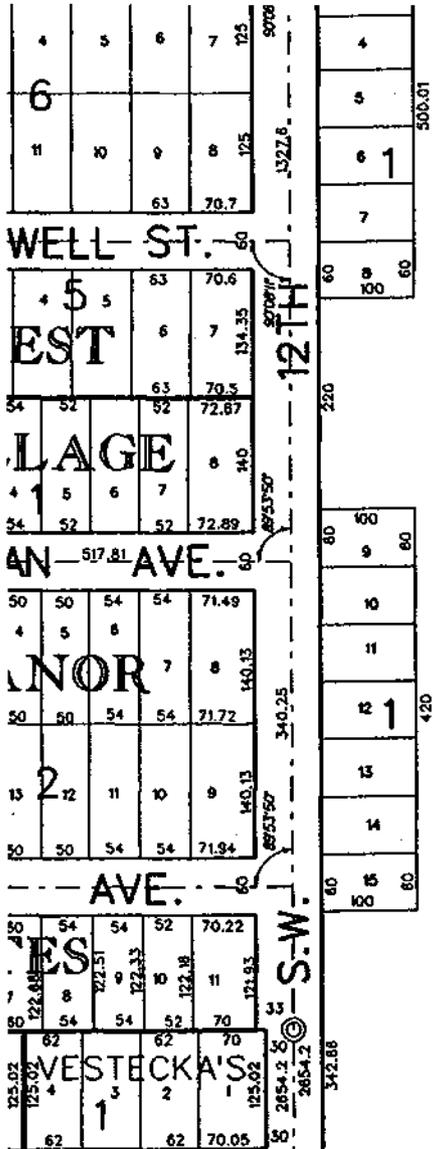


OLD

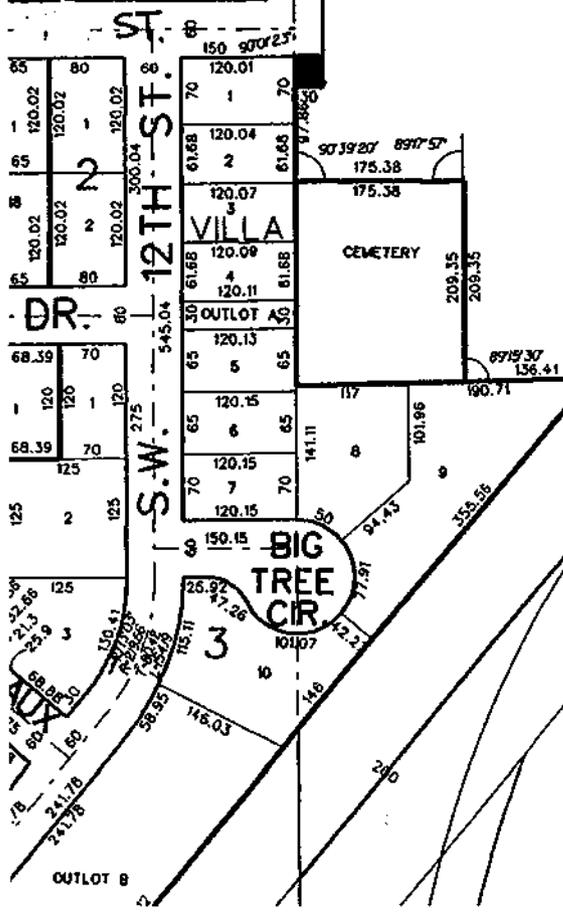
MILL

OUTLOT A

VILLAGE



W. LAKE



Lincoln



Nebraska's Capital City

Mayor Coleen J. Seng

August 26, 2003

Lincoln City/Lancaster County
Planning Commission
Lincoln, Nebraska 68508

RE: Vacating SW 12th Street South of West Lake Street

Dear Ladies and Gentlemen:

The Department of Public Works and Utilities has received sufficient and proper petitions from Nebraska Housing Resource, owners of Outlot 'A' Old Mill Village and Duane and Kristina Gropp, owners of Lot 1, Block 3 Vestecka's Villa Van Dorn Addition, to vacate the above described public right-of-way. Vacation request is made as part of Preliminary Plat Application #03003. Nebraska Housing Resource has agreed to let Mr. and Mrs. Gropp purchase the vacated right-of-way in its entirety for expansion of a garage.

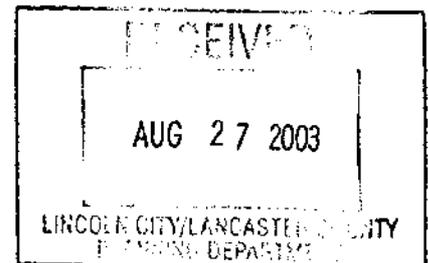
There are no utilities or required easements in the area for vacation. The purchaser of this vacated right-of-way will be required to post a bond of \$380.00 for the completion of sidewalk. The Department of Public Works and Utilities recommends approval of this vacation request. This vacation contains an area of 954 square feet, more or less.

Sincerely,


Byron Blum
Engineering Services

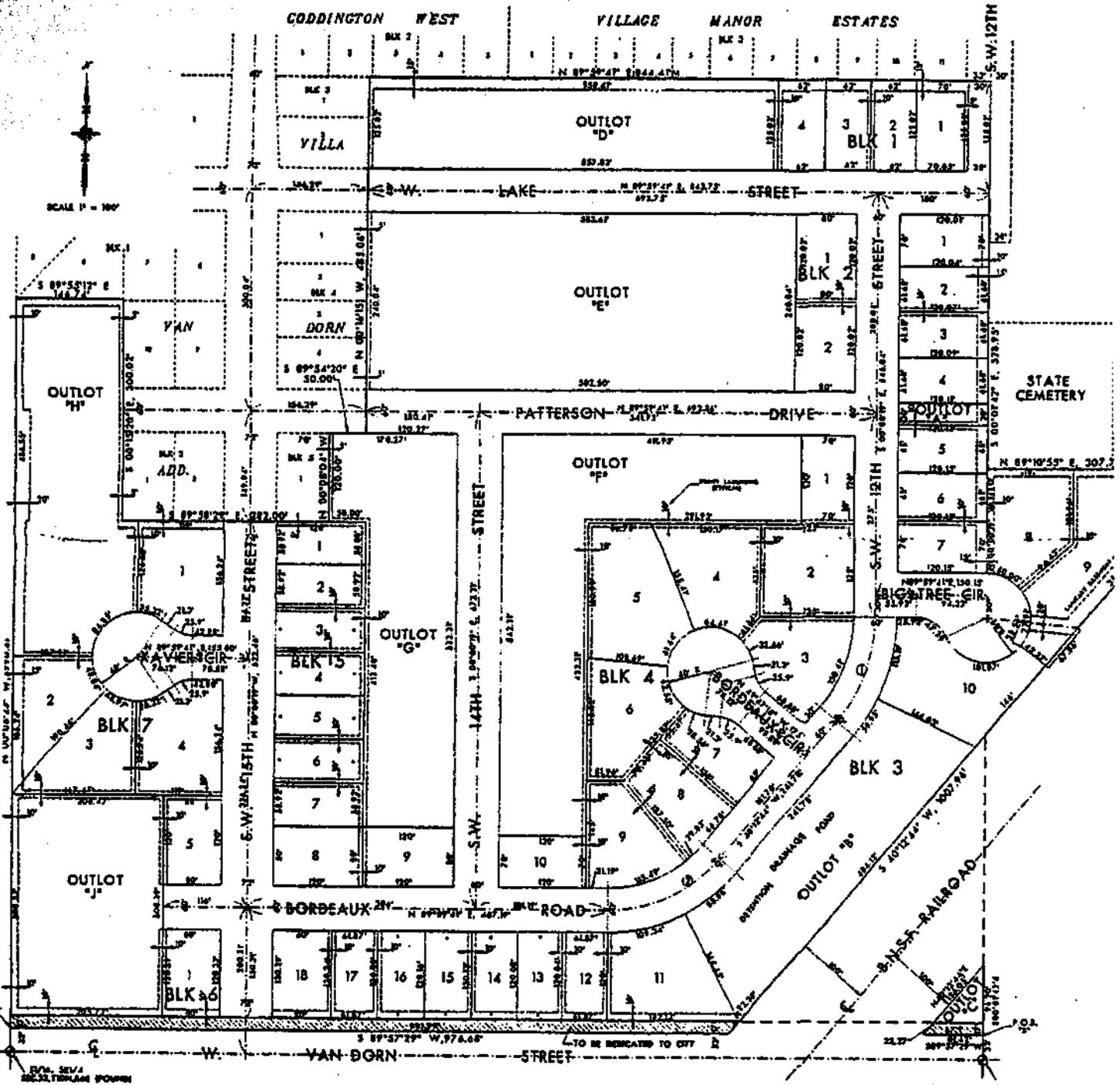
cc: Mayor Coleen J. Seng
Allan Abbott
Marvin Krout
Marc Wullschleger
Roger Figard
Nicole Fleck-Tooze
Randy Hoskins
Joan Ross
Clint Thomas
Dana Roper

SW12th Vac Ltr tdm.wpd



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VESTECKA'S VILLA VAN DORN ADDITION FINAL PLAT NO. 97031



SAL. 03010

INTEROFFICE MEMORANDUM

TO: Mayor Seng
& City Council Members

FROM: Clinton W. Thomas

DEPARTMENT: City Council Office

DEPARTMENT: Real Estate Division

ATTENTION:

DATE: September 9, 2003

COPIES TO: Joan Ross
Marvin Krout
Dana Roper
Byron Blum

SUBJECT: Vacation of SW 12th Street south of
West Lake Street

A request has been made to vacate a portion of SW 12th Street lying south of West Lake Street. The area was viewed and appears as part of the adjacent open field. Public Works has indicated there are no utilities present. A small parcel such as this has very little value in and of itself, but will take on the value of the abutting land if absorbed into it. The abutting property is estimated to have a value of approximately \$3.50 per square foot. While an owner probably would not pay 100% of the amount they expect to receive in value, it is anticipated they would be willing to pay 25% to 35% of that amount. This calculates to a range of \$0.87 per square foot to \$1.22 per square foot. A value of \$1.00 per square foot is deemed appropriate for this parcel. Calculations are as follows:

$$954 \text{ sq. ft.} \times \$1.00/\text{sq. ft.} = \$954.00 \quad \text{called } \$950.00$$

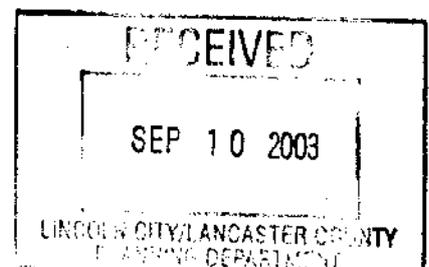
Therefore, it is recommended that if this portion of the street be vacated it be sold to the abutting property owner for \$950.00.

Respectfully submitted,



Clinton W. Thomas
Certified General Appraiser #990023

dge



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