

**LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT**

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**for JULY 18, 2007 PLANNING COMMISSION MEETING**

**PROJECT #:** Waiver #07005

**PROPOSAL:** Waive all street improvements for NW 45<sup>th</sup> St, associated with LCIDC 1<sup>st</sup> Addition Final Plat #07012

**LOCATION:** NW 45<sup>th</sup> St. and West Adams St.

**CONCLUSION:** The requested waivers are acceptable with the provision that the owner agrees not to object to all street improvements when either abutting property subdivides in the future.

<b><u>RECOMMENDATION:</u></b>	Approval
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**GENERAL INFORMATION:**

**LEGAL DESCRIPTION:** Lot 1, Block 1, LCIDC Industrial Park located in the NE 1/4 of Section 18-10-06, Lancaster County, Nebraska

**EXISTING ZONING:** I-2, Industrial Park District

**EXISTING LAND USE:** Industrial

**SURROUNDING LAND USE AND ZONING:**

North: I-1, Industrial	Undeveloped
South: B-2, Planned Neighborhood Business	Ashley Heights Commercial Center
East: H-4, General Commercial	Commercial
West: B-1, Local Business	Retail and undeveloped

**HISTORY:**

February 21, 2007 LCIDC Industrial Park 1<sup>st</sup> Addition was submitted to the Planning Department.

April 4, 2005 Ashley Heights Use Permit was approved by the City Council.

August 15, 2001 Ashley Heights Addition final plat was approved by the Planning Commission.

August 14, 1989 LCIDC Industrial Park final plat was approved by the City Council.

**COMPREHENSIVE PLAN SPECIFICATIONS:**

The Land Use Plan in the 2030 Comprehensive Plan identifies this area as industrial.

**UTILITIES:** There are no utilities in NW 45<sup>th</sup> St.

**TRAFFIC ANALYSIS:** NW 45<sup>th</sup> St. has never been constructed, but is classified as a local street.

**ANALYSIS:**

1. This application is a request to waive all improvements, including paving, curb & gutter, sidewalks, and street trees, to NW 45<sup>th</sup> St. This request is associated with LCIDC 1<sup>st</sup> Addition final plat.
2. NW 45<sup>th</sup> St. was originally dedicated to the City with LCIDC Industrial Park final plat. The street has never been constructed. Ordinance #15260 approving LCIDC Industrial Park final plat stated that improvements to NW 45<sup>th</sup> St. were not required until the adjacent property to the east was final platted.
3. Although the adjacent property to the east has been final platted, with Ashley Heights Addition, no improvements to NW 45<sup>th</sup> St. have been made.
4. The Planning Department originally requested that the applicant vacate NW 45<sup>th</sup> St. The applicant agreed to the street vacation, but was unable to get the abutting property owner to the east to agree to the street vacation.
5. When the commercial center just south of this property was developed, no provisions were made to have a street through the commercial center connect with NW 45<sup>th</sup> St. to the north. Without this street connection, NW 45<sup>th</sup> St. would only serve the abutting lots to the east and west. These abutting lots already have street access off of West Adams St.
6. The Planning Department sees no need to improve NW 45<sup>th</sup> St. at this time. Improvements could be deferred until either of the abutting lots subdivides.

Prepared by:

Tom Cajka  
Planner

**DATE:** June 29, 2007

**APPLICANT:** Olsson Associates  
1111 Lincoln Mall  
Lincoln, NE 68508  
(402) 474-6311

**OWNER:** Premium Protein Foods  
4611 W. Adams St.  
Lincoln, NE 68524

**CONTACT:** Tim Gergen  
Olsson Associates  
1111 Lincoln Mall  
Lincoln, NE 68508  
(402) 474-6311



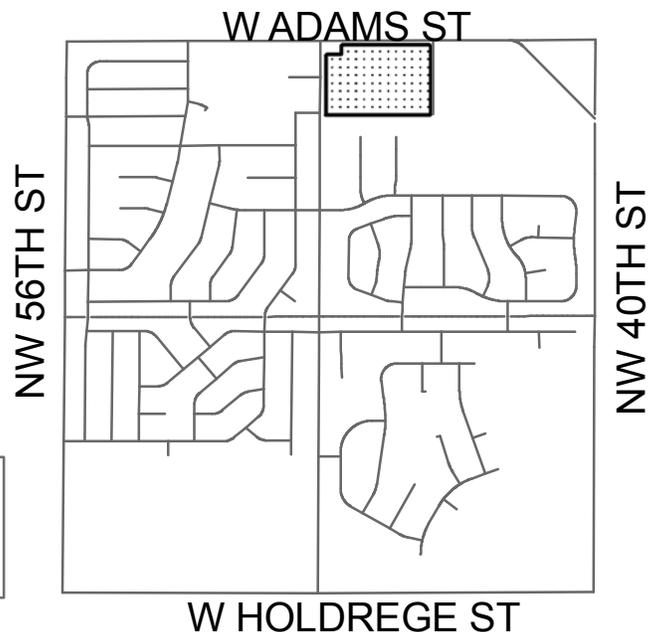
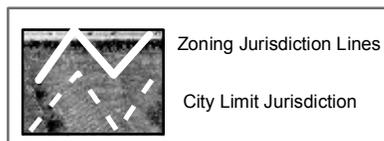
2005 aerial

# Waiver #07005 4611 Adams Street

## Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential 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. 18 T10N R06E





# M e m o r a n d u m

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**To:** Tom Cajka, Planning Department

**From:** Dennis Bartels, Engineering Services

**Subject:** Waiver of Street Improvements - Northwest 45th Street  
LCIDC Industrial Park 1st Addition

**Date:** June 28, 2007

**cc:** Randy Hoskins

Engineering Services has reviewed the request to waive the standard improvement requirements to Northwest 45th south of West Adams and has the following comments:

1. The waiver to the improvements should be a waiver to the time requirements to have them completed not to this plat's obligation to ultimately construct them.
2. Since this time requirement was initially waived and the extent of the future required improvements is dependent in part to the needs of future development to the east of Northwest 45th, Engineering Services recommends waiver to the required completion times provided that this plat is required to participate in a timely manner if the construction is initiated by the property to the east.



June 20, 2007

Mr. Marvin Krout  
Planning Department, City of Lincoln  
County-City Building  
555 So. 10<sup>th</sup> Street  
Lincoln, NE 68508

RE: Premium Protein Products, NW 48<sup>th</sup> & West Adams  
Waiver to the Subdivision Ordinance

Dear Mr. Krout:

On behalf of the Owner, Premium Protein Products LLC, we are submitting a request for a waiver to the subdivision ordinance for all street improvements to NW 45<sup>th</sup> Street that abuts said property. Enclosed please find the following for the above-mentioned project:

1. Zoning Application Form
2. Zoning Application Fee (\$125)

The waiver is being requested as a condition of the final plat for this property to subdivide the area abutting NW 48<sup>th</sup> Street for a commercial use. Currently, NW 45<sup>th</sup> Street does not exist and is a platted right-of-way only. We envision NW 45<sup>th</sup> Street to be either vacated or improved in the future when the abutting neighbor develops his property and would be mutually shared by both parties.

If you have any questions or need any additional information, please feel free to call me at 458-5914.

Sincerely,

Tim Gergen, PE  
Enclosures

cc: Steve Sands, Premium Protein Products, LLC  
Charles Humble, Erickson & Sederstrom, PC

