



LINCOLN/LANCASTER COUNTY PLANNING COMMISSION STAFF REPORT

FROM THE LINCOLN/LANCASTER COUNTY PLANNING AND DEVELOPMENT SERVICES DEPARTMENT
555 S. 10TH STREET, SUITE 203, LINCOLN, NE 68508

APPLICATION NUMBER	FINAL ACTION?	DEVELOPER/OWNER
Street and Alley Vacation #26002	No	Lincoln Lumber Company
PLANNING COMMISSION HEARING DATE	RELATED APPLICATIONS	PROPERTY ADDRESS/LOCATION
April 29, 2026	Change of Zone #22023A	N 23 rd & Y Street

RECOMMENDATION: CONFORMS TO THE COMPREHENSIVE PLAN

BRIEF SUMMARY OF REQUEST

This is a request for the vacation of the north-south alleyway located between N 23rd & N 24th Street, south of Y Street. This application is related to Change of Zone #22023A for the expansion of the Turbine Flats Planned Unit Development (PUD) as this alleyway is located within the expansion area. This alleyway currently exists only on paper. The approximately 90-foot long, alleyway is used in a lumber yard. On paper it exists as a dead-end with no connection to a public street or alley on the south end today. The 1,170 square foot is not improved, and Lincoln Lumber Company owns the land on both the east and west sides and is in use as part of the current Lincoln Lumber property.



JUSTIFICATION FOR RECOMMENDATION

The request to vacate this small dead-end alley is justified as it does not serve any pedestrian or vehicular traffic today. The site is intended to be part of a future redevelopment where the existing east-west alleys to the north of this location will continue to remain for access.

APPLICATION CONTACT

Kent Seacrest, (402) 432-9600

STAFF CONTACT

Ben Callahan, (402) 441-6360 or
bcallahan@lincoln.ne.gov

COMPATIBILITY WITH THE COMPREHENSIVE PLAN

Vacation of this portion of public right-of-way will not negatively impact the transportation system and subject to the conditions of approval, this request is in conformance with the Comprehensive Plan.

KEY QUOTES FROM THE 2050 COMPREHENSIVE PLAN

Policies Section

P71: Public ROW and Access - Manage public ROW and access to balance multimodal mobility needs and protect the value of adjacent property.

ANALYSIS

1. This is a request to vacate an existing north-south alley, located between N 23rd & N 24th Street, south of Y Street. The alleyway is approximately 13 feet wide and 90 feet in length, totaling 1,170 square feet in area. The alleyway was originally platted in 1886 with the south end of the alley abutting the Missouri Pacific Right-of-Way for the previous railroad lines that once existed here.
2. Vacating this north-south alleyway will not limit access for any of the existing lots as there is only one abutting owner, Lincoln Lumber Company with this area being used as part of their commercial site today. With the vacation the property is proposed to be redeveloped with the associated application for Change of Zone #22023A to expand the Turbine Flats PUD, changing the existing H-3 Commercial to R-6 PUD for multifamily residential. The vacation will assist in creating a larger site for the future redevelopment.
3. There are no utilities located within the alleyway today, so no easements will need to be retained with this vacation.
4. The request to vacate the remaining alleyway is justified as the unimproved alleyway serves no pedestrian or vehicular traffic today. The east-west alleyways to the north and south will remain open with the future development of the site.
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.

CONDITIONS OF APPROVAL: See attached.

EXISTING LAND USE & ZONING: H-3, Highway Commercial

SURROUNDING LAND USE & ZONING

North: Allon Chapel Seventh-day Adventist	R-6 Residential
South: Lincoln Lumber Company	H-3 Highway Commercial
East: Lincoln Lumber Company	H-3 Highway Commercial
West: Lincoln Lumber Company	H-3 Highway Commercial

APPROXIMATE LAND AREA: 1,170 square feet, more or less

LEGAL DESCRIPTION: North-south alley between Lots 7-10, Block 4, Tresters Addition, Lincoln, Lancaster County, Nebraska.

Prepared by Ben Callahan, Planner
(402) 441-6360 or bcallahan@lincoln.ne.gov

Date: April 16, 2026

Applicant/

Contact: Seacrest & Kalkowski
Kent Seacrest
(402) 432-9600

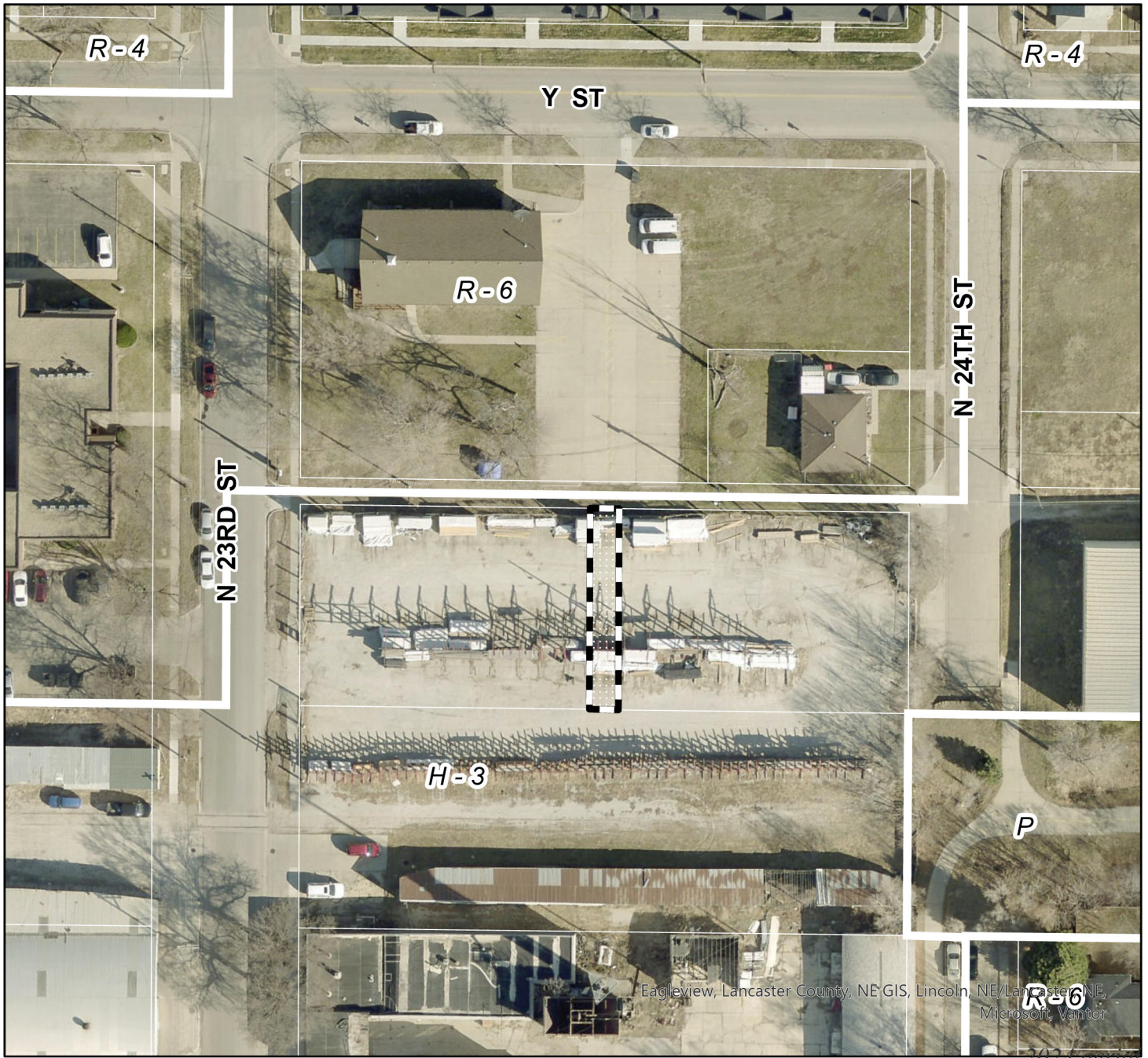
Owner: Lincoln Lumber Company
(402) 499-8829

<https://linclanc.sharepoint.com/sites/PlanningDept-DevReview/Shared Documents/DevReview/SAV/26000/SAV26002 Lincoln Lumber Company Alleyway.bmc.docx>

CONDITIONS OF APPROVAL – STREET AND ALLEY VACATION #26002

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.



2024 aerial

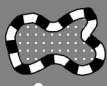


Street and Alley Vacation #: SAV26002
N 24th St & Y St

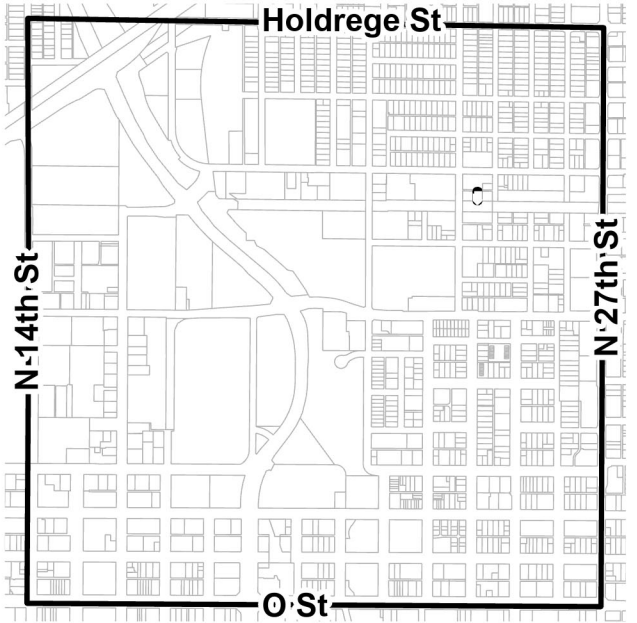


Zoning:

- 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.24 T10N R06E

	Area of Application
	Zoning Jurisdiction Lines
	Lancaster County Jurisdiction





SEACREST & KALKOWSKI, PC, LLO
KENT@SK-LAW.COM | DANAY@SK-LAW.COM

March 25, 2026

David Cary
Planning and Development Services
555 South 10th Street, Suite 203
Lincoln, NE 68508

RE: Petition to Vacate Public Way

Dear David:

Our office represents Lincoln Lumber Company, a Nebraska corporation (“Lincoln Lumber”). On behalf of Lincoln Lumber, we are submitting the Petition to Vacate Public Way with Release and Waiver of Rights and Title, and Quitclaim Deed to City of Lincoln. Enclosed please find the required application form and fee in the amount of \$247.00. Please let me know what questions you may have regarding this Vacation of Public Way.

Sincerely,

A handwritten signature in blue ink that reads 'Kent'.

KENT SEACREST
For the Firm

Enclosures

INFORMATION SHEET

An Information Sheet must be filled out completely by the owners of each parcel abutting the requested vacation. The attached **Petition to Vacate Public Way** must also be filled out completely according to the instructions contained in the Instruction Sheet.

1. Name of Petitioner (Current Titleholder/s): Lincoln Lumber Company
If more than one individual, indicate if you are:
 joint tenants with right of survivorship, OR tenants in common
2. Petitioner's Address: 932 North 23rd Street
Lincoln, NE 68503
3. Petitioner's Telephone Number: (402) 499-8829
4. Name of street, alley, or other public way sought to be vacated: North-south alley between the south line of the east-west alley on said block and the north line of the abandoned east-west railroad corridor that is located on said block between N. 23rd and N. 24th Streets and between "Y" Street. See attached Exhibit A, Site Plan
5. Legal Description of Petitioner's property which abuts the public way sought to be vacated: Lots Seven (7), Eight (8), Nine (9), and Ten (10), Block Four (4), Trester's Addition, Lincoln, Lancaster County, Nebraska

6. Why are you seeking to have this street, alley, or other public way vacated? Petitioner is seeking to redevelop its property described above and the requested vacated alley into a residential apartment building with parking.
7. What use or uses do you propose to make of the public way should it be vacated? Should the public way be vacated, it would include a portion of the residential apartment building, sidewalk, parking and open space.
8. Do you intend to purchase that portion of the vacated public way which abuts your property as described in the **Petition to Vacate Public Way** and/or other portions of the vacated public way?
 X YES NO
9. Name and address of person to whom tax statement should be sent:
Joanne Garnett, Lincoln Lumber Company
932 N. 23rd Street
Lincoln, NE 68503

The property will be appraised and the purchase price of the portion abutting your property must be paid by you to the City Clerk unless you have indicated that the portion abutting your property will be sold to any other abutting owner willing to pay the purchase price. The Vacation Ordinance will not be introduced before the City Council until the full price of the entire public way proposed to be vacated has been paid.

***** IMPORTANT: BE SURE THAT THE PETITION TO VACATE PUBLIC WAY HAS BEEN PROPERLY EXECUTED BY ALL TITLEHOLDERS TO YOUR PROPERTY AND ATTACH IT TO THIS INFORMATION SHEET.**

PETITION TO VACATE PUBLIC WAY
with
RELEASE AND WAIVER OF RIGHTS AND TITLE,
AND QUITCLAIM DEED TO CITY OF LINCOLN

TO THE HONORABLE CITY COUNCIL OF THE CITY OF LINCOLN, NEBRASKA:

The undersigned property owner(s) hereby petition you to vacate the following street, alley, or other public way, commonly known as: *(i.e.: Elm Street from 1st to 2nd St. or East-west alley, from the north line of 1st St. to the south line of 2nd St.)*

North-south alley between the south line of the east-west alley on said block and the north line of the abandoned east-west railroad corridor that is located on said block between N. 23rd and N. 24th Streets and between "Y" Street

in the CITY OF LINCOLN, NEBRASKA, with the City reserving in said street, alley, or other public way such title, rights, easements, and privileges as it may deem necessary. In consideration of the vacation of the above-described street, alley, or other public way, we, and each of us, for ourselves, our heirs, personal representatives, successors, and assigns, hereby waive and release any and all claims, causes of action, rights of access, and demands of every nature, known or unknown, which may accrue to us, or which we now have, or which we may hereafter have as a result of such vacation; and hereby quitclaim unto the City of Lincoln, Nebraska, and to its successors and assigns forever, all right, title, interest, estate, and demand, both at law and in equity, in and to all of said street, alley, or other public way.

TO HAVE AND TO HOLD the above-described street, alley, or other public way together with all tenements, hereditaments, and appurtenances thereto belonging unto the City of Lincoln, Nebraska, and to its successors and assigns forever.

The undersigned hereby represent(s) that he, she, they, or it is(are) the owner(s) of the following described property in Lincoln, Lancaster County, Nebraska, abutting on said street, alley, or other public way: ***(Legal description from deed or abstract)***

Lots Seven (7), Eight (8), Nine (9), and Ten (10), Block Four (4), Trester's Addition, Lincoln, Lancaster County, Nebraska

DATED this 23 day of March, 2020

Lincoln Lumber Company, a
Nebraska corporation

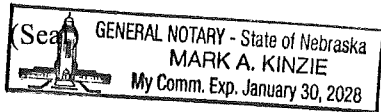
[Name of Titleholder]

By: Joanne Garnett
Secretary

***(ALL TITLEHOLDERS OF THE REAL ESTATE DESCRIBED ON THE PRECEDING PAGE
MUST SIGN THIS PETITION BEFORE A NOTARY PUBLIC)***

Nebraska
STATE OF _____)
Lancaster) ss.
_____ COUNTY)

The foregoing instrument was acknowledged before me on this 23 day of March,
2020, by Joanne Garnett, as Secretary of Lincoln Lumber Company, a Nebraska corporation,
on behalf of the corporation.



Mark A. Kinzie
Notary Public

SIGNATURE PAGE FOR CORPORATION