

City Council Introduction: **Monday**, December 18, 2006

Public Hearing: **Monday**, January 8, 2007, at **1:30** p.m.

Bill No. 06-216

FACTSHEET

TITLE: MISCELLANEOUS NO. 06018, requested by William Jarrett on behalf of Shamrock MHP, LLC, to vacate the Fairway Park Addition plat, on property generally located at North 27th Street and Theresa Street.

STAFF RECOMMENDATION: Approval

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 12/06/06
Administrative Action: 12/06/06

RECOMMENDATION: Approval (8-0: Esseks, Carroll, Sunderman, Taylor, Krieser, Larson, Cornelius and Carlson voting 'yes'; Strand absent).

FINDINGS:

1. This is a request to vacate the Fairway Park Addition final plat, which created three lots. Two of the lots were for future development and the third lot was for the existing mobile home court, generally located at North 27th Street and Theresa Street.
2. The owner has recently sold the mobile home court and the new owner has no intentions of redeveloping this property.
3. The staff recommendation to approve the vacation of the plat is based upon the "Analysis", as set forth on p.2-3, concluding that the Planning Department and the Public Works Department do not object to the vacation of this plat, provided the 3' of street right-of-way that was dedicated with the plat along Theresa Street and the utility easements, except for the west and south utility easement on Lot 2, should be retained by the City.
4. On December 6, 2006, this proposed plat vacation appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
5. On December 6, 2006, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend approval (Strand absent).

FACTSHEET PREPARED BY: Jean L. Walker

DATE: December 11, 2006

REVIEWED BY: _____

DATE: December 11, 2006

REFERENCE NUMBER: FS\CC\2006\MISC.06018 Plat Vacation

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for December 6, 2006 PLANNING COMMISSION MEETING

PROJECT #: Miscellaneous No. 06018

PROPOSAL: To vacate the plat of Fairway Park Addition.

LOCATION: N. 27th St. and Theresa St.

LAND AREA: 7.2 acres, more or less

CONCLUSION: The Planning Department and Public Works & Utilities Department does not object to the vacation of this plat, provided the 3' of street right-of-way that was dedicated with the plat along Theresa St. and the utility easements, except for the west and south utility easement on Lot 2, should be retained by the City.

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

LEGAL DESCRIPTION: Lots 1-3, Fairway Park Addition located in the NE 1/4 of section 13, Township 10 North, range 6 east, Lancaster County, Nebraska.

EXISTING ZONING: I-1, Industrial

EXISTING LAND USE: Mobile home court

SURROUNDING LAND USE AND ZONING:

North:	I-1, Industrial	Mobile Home Court
South:	I-1, Industrial	Industrial
East:	H-3, Highway Commercial	Commercial/Retail
West:	P, Public	Wastewater Treatment Plant

HISTORY:

August 8, 2003 Fairway Park Addition Administrative final plat was approved by the Planning Director.

COMPREHENSIVE PLAN SPECIFICATIONS:

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

ANALYSIS:

1. This request is to vacate the Fairway Park Addition final plat.

2. The final plat created three lots. Two of the lots were for future development and the third lot was for the existing mobile home court. The owner was required to post sureties for sidewalks, street trees and sanitary sewer. These sureties amounted to \$17,860.00.
3. The owner has recently sold the mobile home court and the new owner has no intentions of redeveloping this property. The previous owner is requesting the sureties be released. To release the sureties, the plat must be vacated or the improvements installed. Since there are no plans to redevelop the property, the best solution is to vacate the plat.
4. The final plat dedicated 3' of right-of-way along Theresa St. The City should retain this right-of-way.
5. Lincoln Electric System has requested that all of the utility easements, except for the south and west utility easement on Lot 2, be retained.
6. Section 26.11.140 identifies the process of vacating a plat. The vacation must be acted on by City Council.

Prepared by:

Tom Cajka
Planner

DATE: November 21, 2006

APPLICANT: William Jarrett
3000 S. 72nd St.
Lincoln, NE 68506
(402) 617-8123

OWNER: Shamrock MHP, LLC
P. O. Box 457
Cedaredge, Co 81413
(800) 304-2835

CONTACT: same as applicant

MISCELLANEOUS NO. 06018

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

December 6, 2006

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

The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 06078; MISCELLANEOUS NO. 06017, Van Dorn Redevelopment Area Declaration of Blight and Substandard; and *MISCELLANEOUS NO. 06018, Fairway Park Plat Vacation.***

Ex Parte Communications: None.

Carroll moved approval of the Consent Agenda, seconded by Esseks and carried 8-0: Carlson, Carroll, Cornelius, Esseks, Krieser, Larson, Sunderman and Taylor voting 'yes'; Strand absent.

All items are recommendations to the City Council.



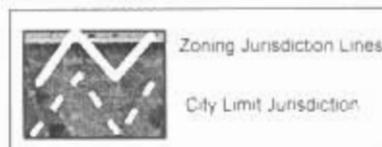
Miscellaneous #06018
N 27th St & Theresa St

2005 aerial

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. 13 T10N R6E

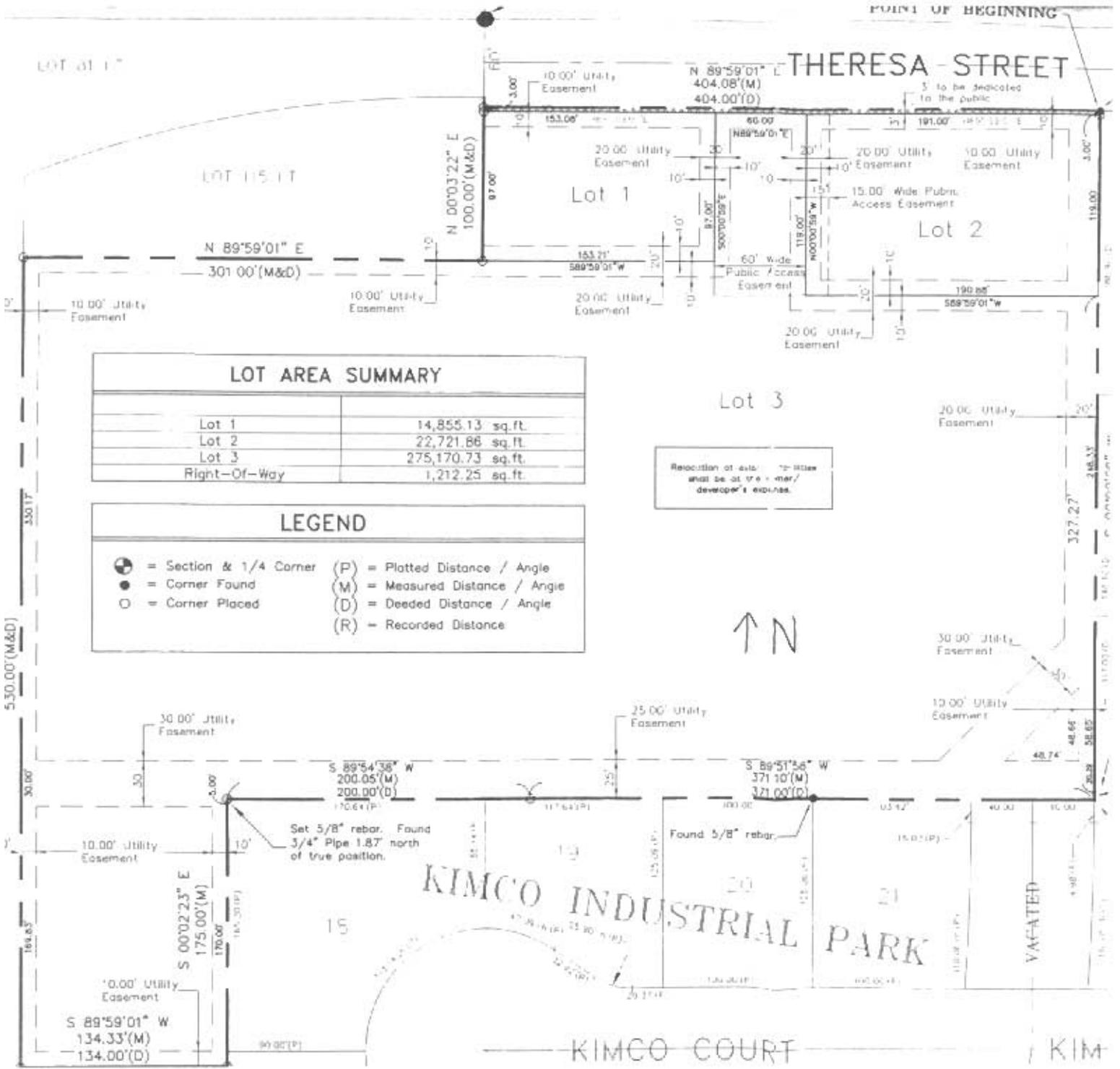


Adams St



Holdrege St 005

FAIRWAY PARK ADDITION



LOT AREA SUMMARY

Lot	Area (sq. ft.)
Lot 1	14,855.13
Lot 2	22,721.86
Lot 3	275,170.73
Right-Of-Way	1,212.25

LEGEND

- ⊙ = Section & 1/4 Corner
- = Corner Found
- = Corner Placed
- (P) = Platted Distance / Angle
- (M) = Measured Distance / Angle
- (D) = Deeded Distance / Angle
- (R) = Recorded Distance

Recreation of auto. 72' lines shall be at the developer's expense.





STheobald@les.com
11/22/2006 01:42 PM

To tcajka@lincoln.ne.gov
cc
bcc
Subject Vacated Fairway Park Addition

Tom...Please be advised...Windstream Nebraska, Inc., TimeWarner Cable,
and the Lincoln Electric System wish to retain the easements on the
vacated Fairway Park Addition...EXCEPT...the 20" utility easement along
the west and south boundary lines of Lot 2.

Sharon Theobald
Lincoln Electric System

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M e m o r a n d u m

To: Tom Cajka, Planning Department
From: Charles W. Baker, Public Works and Utilities
Subject: Fairway Park Addition Miscellaneous #06018 Plat Vacation
Date: November 15, 2006
cc: Randy Hoskins

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the Fairway Park Addition Miscellaneous #06018 Plat Vacation located at 2545 Theresa Street. Public Works has no objections.

**William and Corinne Jarrett
3000 South 72nd
Lincoln, Nebraska 68506**

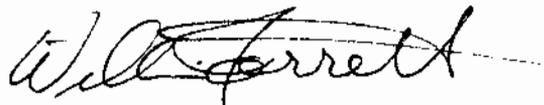
November 08, 2006

City of Lincoln,

I am submitting a request to vacate the plat known as Fairway Park, Lots, 133 Fairway Park NE. Corridor Addition. The property is located at 2545 Theresa Street, known as Shamrock Mobile Home Park.

In addition, I have submitted a letter from the new owner who also expresses no desire in proceeding with the plat.

Sincerely,

A handwritten signature in black ink, appearing to read "William Jarrett", written over a horizontal line.

**William Jarrett
President, Jarock Inc.**

**Shamrock MHP, LLC**

P.O. Box 457, Cedaredge, CO 81413
Phone 800-304-2835 Fax 970-856-4883
Email davemhp@gmail.com

City of Lincoln,

My company recently purchased the Shamrock Mobile Home Park at 2545 Theresa Street in Lincoln. We intend on continuing to operate the property as a mobile home park and do not plan on using the plat on file for the Shamrock Property called Fairway Park.

if you have any questions please feel free to contact me at your convenience.

Sincerely,

A handwritten signature in black ink, appearing to read 'David H. Reynolds', with a long horizontal flourish extending to the right.

**David H. Reynolds
Shamrock MHP, LLC**