

FACTSHEET

TITLE: **STREET VACATION NO. 00015**, requested by Brasch Homes, Inc., to vacate a portion of North Coddington Avenue generally located south of West "S" Street.

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

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 9/20/00
Administrative Action: 9/20/00

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

FINDINGS OF FACT:

1. The Planning staff recommendation to find the proposed street vacation to be in conformance with the Comprehensive Plan with conditions of approval is based upon the following analysis:
 - A. This request is to vacate the eastern 10 feet of North Coddington Avenue right-of-way and add it to the abutting lots to increase their area.
 - B. When this area was originally platted in the early to mid 1980's, North Coddington was anticipated to be the connecting street from West 'O' to West Lakeshore Drive. This was generally shown in the 1979 Comprehensive Plan. The subdivisions along North Coddington dedicated between 40 feet on the north and 50 feet on the south on the east side of the street.
 - C. The actual construction of the 'O' to West Lakeshore Drive connection was located one block to the east along NW 20th Street. This eliminated the need for the extra right-of-way in North Coddington.
 - D. The Public Works Department recommends conditional approval of this application subject to retaining and dedication of easements. Peoples Natural Gas has an existing gas main in the area of the proposed vacation. They request that a permanent easement be established for the entire width of the corridor.
 - E. Public Works also notes the need for a sidewalk easement on a portion of the area. The sidewalks immediately south of this development have been constructed 4 feet west of the east edge of the pavement of North Coddington. To construct the sidewalk in front of Mr. Brasch's lots, a permanent easement should be established for a transition from the existing sidewalk location to the new east right-of-way line after this vacation. The easement would need to begin at the existing northwest corner of Lot 1, Western Manor Subdivision (immediately south), then proceed west along the new south lot line of Lot 5, Capitol Beach Manor to the new east right-of-way line of North Coddington.
 - F. This street is not of the nature to be shown in the Comprehensive Plan for future use as a public street.
 - G. The Real Estate Division has established a sales price for the 10 feet of right-of-way of \$400.00.
2. This application was placed on the Consent Agenda of the Planning Commission on September 20, 2000, and opened for public hearing. No one came forward to speak.
3. The Planning Commission agreed with the staff recommendation.

FACTSHEET PREPARED BY: Jean L. Walker

REVIEWED BY: _____

REFERENCE NUMBER: FS\CC\FSV00015

DATE: September 26, 2000

DATE: September 26, 2000

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: STREET AND ALLEY VACATION NO. 00015

DATE: SEPTEMBER 1, 2000

PROPOSAL: Petitions have been received from the abutting property owner to vacate a portion of North Coddington Avenue generally located south of West 'S' Street

GENERAL INFORMATION:

APPLICANTS: Jordan Brasch
c/o Brasch Homes, Inc.
435 NW 20th Street
Lincoln, NE 68528
402-435-0059

LOCATION: The eastern 10 feet of North Coddington Avenue immediately south of West 'S' Street.

LEGAL DESCRIPTION: The eastern 10 feet of North Coddington Avenue adjacent to Lots 5 through 10, Capitol Beach Village, and Lot 7, S. C. Smith II Subdivision, in the southwest quarter of Section 21, Township 10 North, Range 6 East of the 6th P.M. Lincoln, Lancaster County, Nebraska.

EXISTING ZONING: R-4 Residential

PURPOSE: To vacate the right-of-way and add the land to the abutting lots to increase their area.

SIZE: 2,321.20 square feet more or less.

ANALYSIS:

1. This request is to vacate the eastern 10 feet of North Coddington Avenue right-of-way and add it to the abutting lots to increase their area.
2. When this area was originally platted in the early to mid 1980's, North Coddington was anticipated to be the connecting street from West 'O' to West Lakeshore Drive. This was generally shown in the 1979 Comprehensive Plan. The subdivisions along North Coddington dedicated between 40 feet on the north and 50 feet on the south on the east side of the street.
3. The actual construction of the 'O' to West Lakeshore Drive connection was located one block to the east along NW 20th Street. This eliminated the need for the extra right-of-way in North Coddington.

4. The Public Works Department recommends conditional approval of this application subject to retaining and dedication of easements. Peoples Natural Gas has an existing gas main in the area of the proposed vacation. They request that a permanent easement be established for the entire width of the corridor.
5. Public Works also notes the need for a sidewalk easement on a portion of the area. The sidewalks immediately south of this development have been constructed 4 feet west of the east edge of the pavement of North Coddington. To construct the sidewalk in front of Mr. Brasch's lots, a permanent easements should be established for a transition from the existing sidewalk location to the new east right-of-way line after this vacation. The easement would need to begin at the existing northwest corner of Lot 1, Western Manor Subdivision (immediately south), then proceed west along the new south lot line of Lot 5, Capitol Beach Manor to the new east right-of-way line of North Coddington.
6. This street is not of the nature to be shown in the Comprehensive Plan for future use as a public street.
7. The Real Estate Division has established a sales price for the 10 feet of right-of-way of \$400.00.

STAFF RECOMMENDATION:

1. The proposed vacation conforms with the 1994 Comprehensive Plan.
2. Conditional Approval of the Vacation.

Conditions:

1. Provide the required easement for Peoples Natural Gas.
2. Grant the pedestrian/sidewalk easement requested by the Public Works Department.

Prepared by:

Richard A. Houck, AICP
Planner II
Planning Department

STREET VACATION NO. 00015

CONSENT AGENDA

PUBLIC HEARING & ADMINISTRATIVE ACTION

BEFORE PLANNING COMMISSION:

Members present: Bayer, Carlson, Duvall, Hunter, Krieser, Newman, Taylor, Schwinn and Steward.

The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 3281; CHANGE OF ZONE NO. 3283; SPECIAL PERMIT NO. 1851A; COUNTY SPECIAL PERMIT NO. 184; SPECIAL PERMIT NO. 1826; SPECIAL PERMIT NO. 1872; SPECIAL PERMIT NO. 1874; FINAL PLAT NO. 99040, EAGLE CREST ADDITION; FINAL PLAT NO. 00010, VINTAGE HEIGHTS 8TH ADDITION; FINAL PLAT NO. 00021, RIDGE POINTE 1ST ADDITION; FINAL PLAT NO. 00025, PRAIRIE FALLS ESTATES ADDITION; **STREET & ALLEY VACATION NO. 00015**; STREET & ALLEY VACATION NO. 00016; AND MISCELLANEOUS NO. 00007, AMENDMENT TO THE NORTH 27TH STREET REDEVELOPMENT PLAN.**

Item No. 1.2a, Change of Zone No. 3283; Item No. 1.2b, Special Permit No. 1851A; Item No. 1.3, County Special Permit No. 184; Item No. 1.4, Special Permit No. 1826; Item No. 1.5, Special Permit No. 1872; Item No. 1.6, Special Permit No. 1874 and Item No. 1.13, Miscellaneous No. 00007, were removed from the Consent Agenda and scheduled for separate public hearing.

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

Note: This is final action on Eagle Crest Addition Final Plat No. 99040, Vintage Heights 8th Addition Final Plat No. 00010, Ridge Pointe 1st Addition Final Plat No. 00021 and Prairie Falls Estates Addition Final Plat No. 00025, 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.