

City Council Introduction: **Monday**, September 17, 2001  
Public Hearing: **Monday**, September 24, 2001, at **5:30 p.m.**

Bill No. 01-145

## **FACTSHEET**

**TITLE: STREET & ALLEY VACATION NO. 01013,** requested by Universal Surety Company, Nebco, Inc. and Inland Insurance Company, to vacate the north-south alley in Block 119, Original Plat of Lincoln, generally located at 10<sup>th</sup> Street and Lincoln Mall.

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

**SPONSOR:** Planning Department

**BOARD/COMMITTEE:** Planning Commission  
Public Hearing: Consent Agenda, 09/05/01  
Administrative Action: 09/05/01

**RECOMMENDATION:** A finding of conformance with the Comprehensive Plan (Newman, Hunter, Taylor, Carlson, Duvall, Bills and Steward voting 'yes'; Krieser and Schwinn absent).

### **FINDINGS OF FACT:**

1. The staff recommends a finding of conformance with the Comprehensive Plan as long as the applicant complies with the provisions of Chapter 14.20 of the Lincoln Municipal Code.
2. This alley vacation was placed on the Consent Agenda of the Planning Commission on September 5, 2001, and opened for public hearing. No one came forward to speak.
3. The Planning Commission agreed with the staff recommendation.
4. It should be determined that the applicant has complied with the provisions of Chapter 14.20 of the Lincoln Municipal Code prior to Council taking action.

**FACTSHEET PREPARED BY:** Jean L. Walker

**DATE:** September 10, 2001

**REVIEWED BY:** \_\_\_\_\_

**DATE:** September 10, 2001

**REFERENCE NUMBER:** FS\CC\FSV01013

# LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

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**P.A.S.:** Street and Alley Vacation #01013

**DATE:** August 27, 2001

**PROPOSAL:** Universal Surety Company, Nebco, Inc., and Inland Insurance Company request the vacation of a 16' x 300' portion of right-of-way abutting Lots 3 through 10, Block 119 Original plat of Lincoln, and the vacated right of way of the east west alley in Block 119, Original plat of Lincoln. This request is to facilitate a building project.

**LAND AREA:** 4,800 square feet

**CONCLUSION:** Approving the alley vacation will facilitate the goals of the Comprehensive Plan by allowing full development of Block 119, Original plat of Lincoln.

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

**LEGAL DESCRIPTION:** North-south alley in Block 119, Original plat of Lincoln, located in the NE 1/4 of Section 26, T10N, R6E, Lancaster County, Nebraska.

**LOCATION:** Generally located at 10<sup>th</sup> Street and Lincoln Mall.

**APPLICANT:** Universal Surety Company  
Box 80468  
Lincoln, NE 68501

Robert E. Miller  
Nebco Inc  
Box 80268  
Lincoln, NE 68501

Inland Insurance Company  
Box 80468  
Lincoln, NE 68501

**OWNER:** Same

**SURROUNDING LAND USE AND ZONING:**

North: Business	B-4, Downtown Business District
South: Office	O-1, Office District
East: Business and Office	B-4, O-1

West: City-County Office Building P, Public

**COMPREHENSIVE PLAN SPECIFICATIONS:** This area is shown as Commercial in the Comprehensive Land Use Plan. The alley is not shown in the functional classification of existing streets and roads in the Comprehensive Plan, however 10<sup>th</sup> Street is shown as an Urban Principal Arterial, K Street is identified as an urban minor arterial and Lincoln Mall is identified as a local street in the Comprehensive Plan.

The Comprehensive Plan also identifies goals for the downtown area:

“Promote high density development downtown” (Page 59)

“Encourage office and retail development, entertainment and cultural activities” (Page 59)

**HISTORY:**

Block 119, Original plat of Lincoln was zoned F, Restricted Commercial, II, Commercial District and J, Business District until the zoning update in 1979 when the zone was changed to O-1, Office District and B-4, Downtown Business District.

**TRAFFIC ANALYSIS:** 10ths and K Streets are identified as arterial streets in Title 10, Vehicles and Traffic of the Lincoln Municipal Code and reflected as such in the Comprehensive Plan Street and Road Classification. Lincoln Mall is a local street in the Comprehensive Plan Street and Road Classification.

**AESTHETIC CONSIDERATIONS:** The area is within the Capital Environs District. The Capital Environs Committee has been in contact with the applicant through the review of the design of the building.

**ALTERNATIVE USES:** To maintain the alley as public right of way.

**ANALYSIS:**

**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:

Becky Horner  
Planner

# STREET & ALLEY VACATION NO. 01013

## CONSENT AGENDA

### PUBLIC HEARING & ADMINISTRATIVE ACTION

#### BEFORE PLANNING COMMISSION:

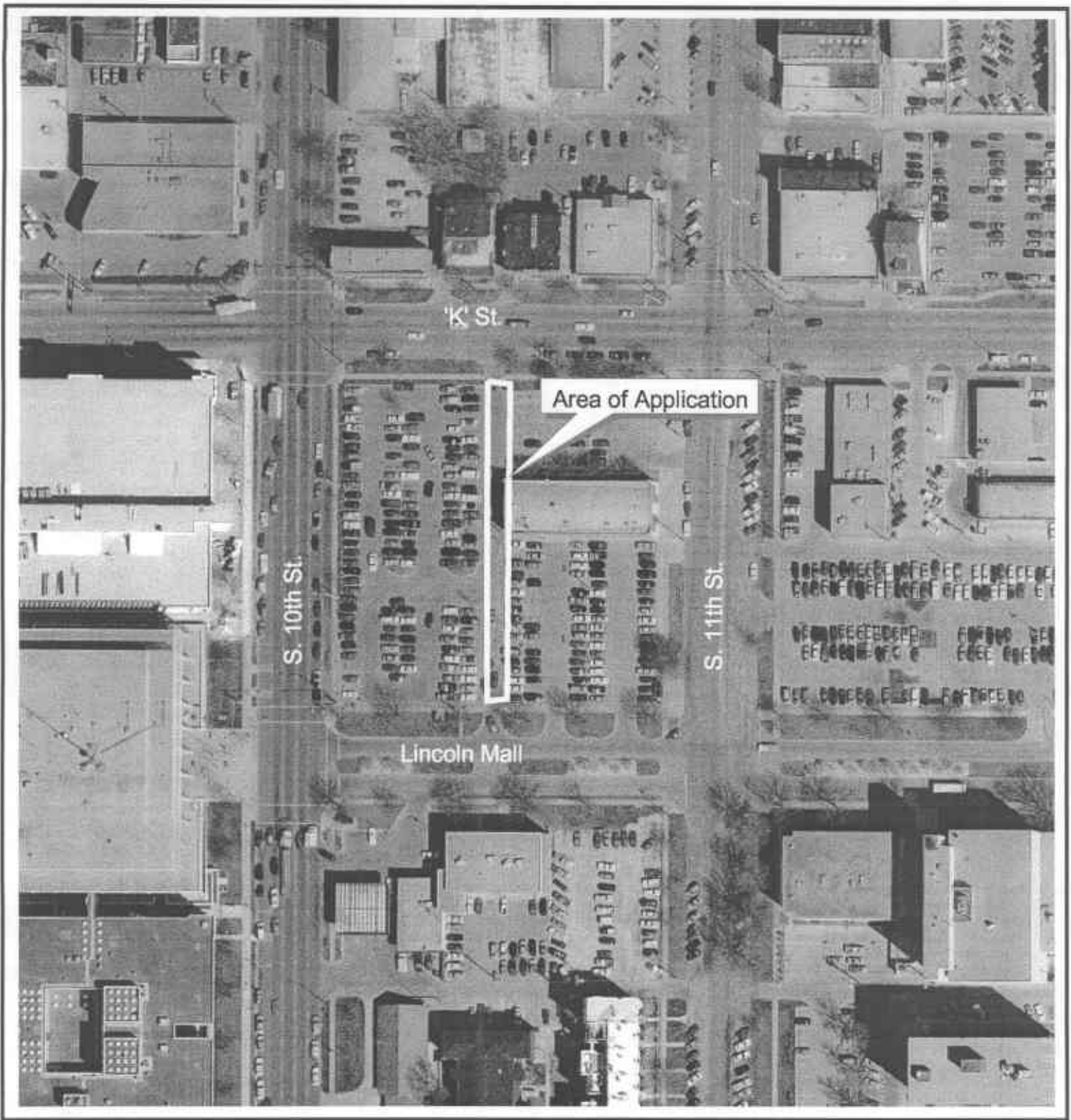
September 5, 2001

Members present: Bills, Carlson, Duvall, Hunter, Newman, Steward and Taylor; Krieser and Schwinn absent.

The Consent agenda consisted of the following items: **SPECIAL PERMIT NO. 1927; FINAL PLAT NO. 01025, VAVRINA MEADOWS 7<sup>TH</sup> ADDITION CORRECTED FINAL PLAT; and STREET AND ALLEY VACATION NO. 01013.**

Duvall moved to approve the Consent Agenda, seconded by Hunter and carried 7-0: Bills, Carlson, Duvall, Hunter, Newman, Steward and Taylor voting 'yes'; Krieser and Schwinn absent.

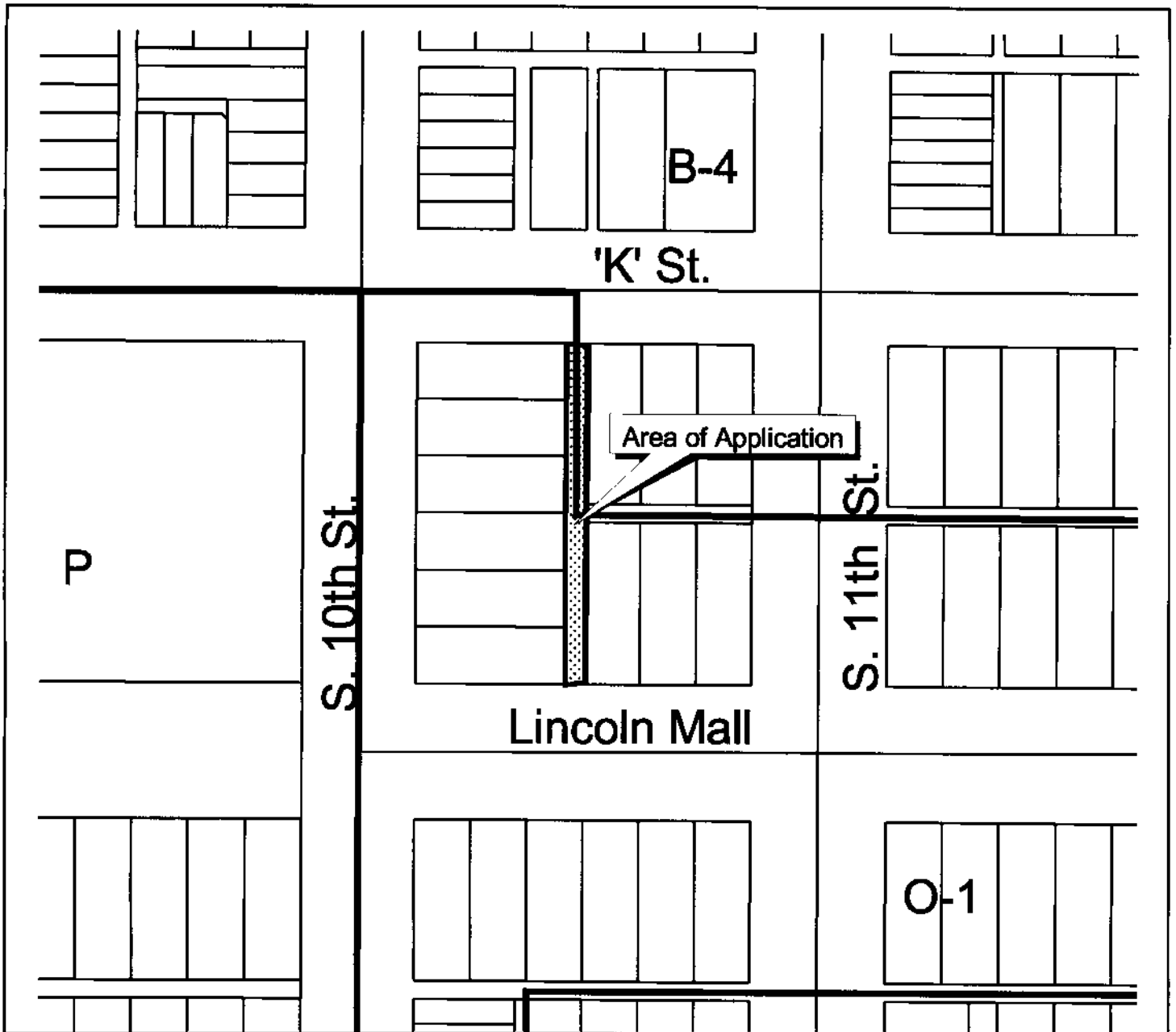
Note: This is final action on Special Permit No. 1927 and the Vavrina Meadows 7<sup>th</sup> Addition Corrected Final Plat No. 01025, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days of the action by the Planning Commission.



**Street & Alley Vacation #01013**  
**10th St. & Lincoln Mall**



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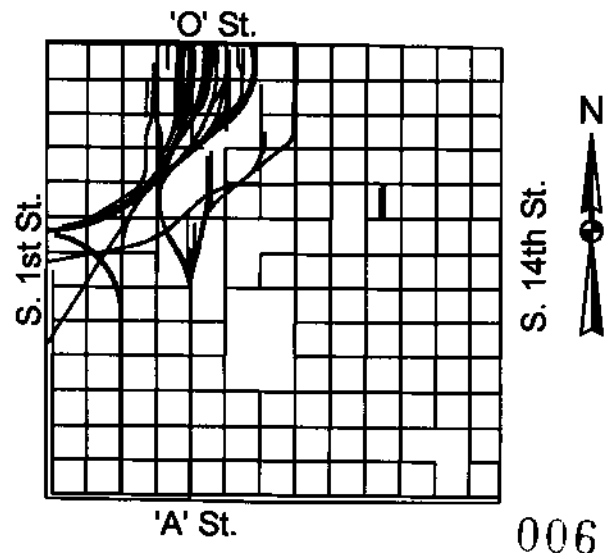
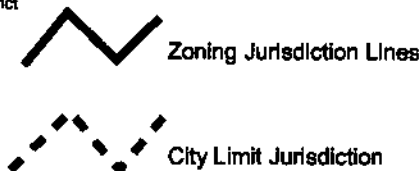


**Street & Alley Vacation #01013**  
**10th St. & Lincoln Mall**

**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. 26 T10N R6E



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# Lincoln



# Nebraska's Capital City

August 15, 2001

RECEIVED

AUG 15 2001

LINCOLN CITY/LANCASTER COUNTY  
PLANNING DEPARTMENT

Lincoln City/Lancaster County  
Planning Commission  
555 South 10th Street, Room 213  
Lincoln, Nebraska 68508

RE: Vacating the North-South Alley in Block 119, Original Plat of Lincoln

Dear Ladies and Gentlemen:

The Department of Public Works and Utilities has received sufficient and proper petitions from Universal Surety Company, owners of Lot 3 together with the north half of the vacated east-west alley abutting thereto, and Lots 4 and 5, Block 119 Original plat of Lincoln, Nebco, Inc. owners of the south half of Lot 6, Lot 7, 8 and the west 84 feet of Lot 9, Block 119 Original plat of Lincoln, Inland Insurance Company, owners of the north half of Lot 6 and the east 50 feet of Lot 9, Block 119 Original plat of Lincoln, and Nebco, Inc. owners of Lot 10, Block 119 Original plat of Lincoln, to vacate the above described public right-of-way. Petitioners request this vacation to facilitate a building project.

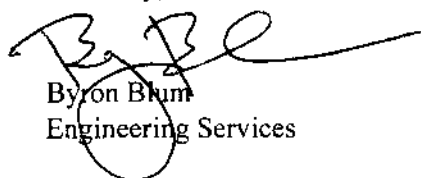
Lincoln Electric System, Lincoln Wastewater System, and Alltel have existing facilities in the area of this vacation. All have requested that a permanent easement be established for the entire corridor. If the petitioners relocate the existing utilities at their own expense, the easement will not be required.

The Public Works Department is working with Nebco, Inc. to acquire some right-of-way in the vicinity of Northwest 27th and Fletcher in conjunction with paving needs for the Kawasaki project. Nebco, Inc. has proposed trading of the alley right-of-way for the needed right-of-way at Northwest 27th and Fletcher.

The vacation of the alley and the removal of the alley access with the proposed construction eliminates the need for the median opening in Lincoln Mall. As a requirement of the vacation, the petitioners should be required to reconstruct the median to eliminate the opening. It is estimated that the removal of the alley returns and the closing of the median opening will cost \$4,000.

The Department of Public Works and Utilities recommends approval of this proposed vacation with the above mentioned conditions. This vacation contains an area of 4,800 square feet, more or less.

Sincerely,



Byron Blum  
Engineering Services

cc: Allan Abbott  
Ann Harrell  
Kathleen Sellman  
Roger Figard  
Dana Roper  
Clint Thomas  
Joan Ross  
Marc Wullschleger  
Nicole Fleck Tooz