

FACTSHEET

TITLE: **STREET VACATION NO. 03008**, requested by EDM Corporation, to vacate the south 155' of S.W. 32nd Street, generally located at S.W. 32nd Street between West "O" Street and the BNSF railroad lines south of West "O" Street.

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

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 7/09/03
Administrative Action: 7/09/03

RECOMMENDATION: A finding of conformance with the Comprehensive Plan (7-0: Carlson, Duvall, Krieser, Larson, Steward, Bills-Strand, and Taylor voting 'yes'; Schwinn absent).

FINDINGS OF FACT:

1. The staff recommendation to find the proposed street vacation to be in conformance with the Comprehensive Plan is based upon the "Analysis" as set forth on p.3, concluding that this request to vacate a portion of S.W. 32nd Street is associated with the EDM Business and Industrial Park preliminary plat, which was adopted by the City Council on August 18, 2003, Resolution No. A-82269. The requirement to vacate this portion of the street was included as a condition of approval prior to final platting. This vacation is consistent with the preliminary plat, will allow the site to be developed as intended and will not diminish access in the area. If approved, the right-of-way will be combined with adjacent land and be included in developable lots.
2. On July 9, 2003, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
3. On July 9, 2003, the Planning Commission agreed with the staff recommendation and voted 7-0 to find the proposed street vacation to be in conformance with the Comprehensive Plan.
4. The City Clerk has determined that the provisions of Chapter 14.20 of the Lincoln Municipal Code have been satisfied.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: September 29, 2003

REVIEWED BY: _____

DATE: September 29, 2003

REFERENCE NUMBER: FS\CC\2003\SAV.03008

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for July 9, 2003 PLANNING COMMISSION MEETING

P.A.S.: Street and Alley Vacation #03008

PROPOSAL: To vacate the south 155' of Southwest 32nd Street.

LAND AREA: Approximately 7,750 square feet.

CONCLUSION: This request to vacate a portion of Southwest 32nd Street is associated with the EDM Business and Industrial Park preliminary plat. The requirement to vacate this portion of the street was included as a condition of approval prior to final platting. This vacation is consistent with the preliminary plat, will allow the site to be developed as intended, and will not diminish access in the area. If approved, the right-of-way will be combined with adjacent land and be included in developable lots.

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

LEGAL DESCRIPTION: The south 155' of Southwest 32nd Street lying in the northeast 1/4 of Section 29, T10N, R6E, Lancaster County, Nebraska.

LOCATION: South 32nd Street, between West O Street and the BNSF railroad lines south of West O Street.

SURROUNDING LAND USE AND ZONING:

North:	Vacant	I-1
South:	Railroad	I-1
East:	Vacant	I-1
West:	Vacant	I-1

COMPREHENSIVE PLAN SPECIFICATIONS:

Page F25 - The Comprehensive Plan designates this area for future commercial and industrial land uses.

Page F87 - A Balanced Transportation System. Transportation planning in Lincoln will be guided by the principle of balancing needs and expectations. It will recognize that transportation is a means to the goal of a unified, liveable, and economically strong community, and not an end in itself. Thus, the system will effectively move people and goods around the community, while minimizing impacts on established neighborhoods and investments.

HISTORY: This request is associated with the preliminary plat of EDM Business and Industrial Park, a preliminary plat that was approved by the Planning Commission on June 11, 2003. That plat showed the south 155' of Southwest 32nd Street vacated and combined into new lots. This request proposes to vacate the south 155' of Southwest 32nd Street to accommodate the lot layout of the preliminary plat.

ANALYSIS:

1. Southwest 32nd Street south of West O Street in this area exists in right-of-way only, as the street has never been constructed.
2. The tracts of land adjacent to this portion of Southwest 32nd Street are to be platted as part of EDM Business and Industrial Park. In that plat, all lots have frontage to streets internal to the development, and this portion of Southwest 32nd Street no longer serves any purpose.
3. If approved, the vacated right-of-way can be combined with adjacent lands and put to productive use.
4. There are sanitary sewer lines in the area of the proposed vacation. As a result, Public Works is requesting that a permanent utility easement be granted over the entire vacated area for maintenance of those facilities.

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.
- 1.2 A permanent utility easement, approved by Public Works, granted to allow for maintenance of the sanitary sewer lines that currently exist in the right-of-way to be vacated.

Prepared by:

Brian Will
Planner

June 23, 2003

**APPLICANT/
CONTACT:**

Jeffrey Mellen
EDM Corporation
3001 West O Street
Lincoln, NE 68528

STREET VACATION NO. 03008

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

July 9, 2003

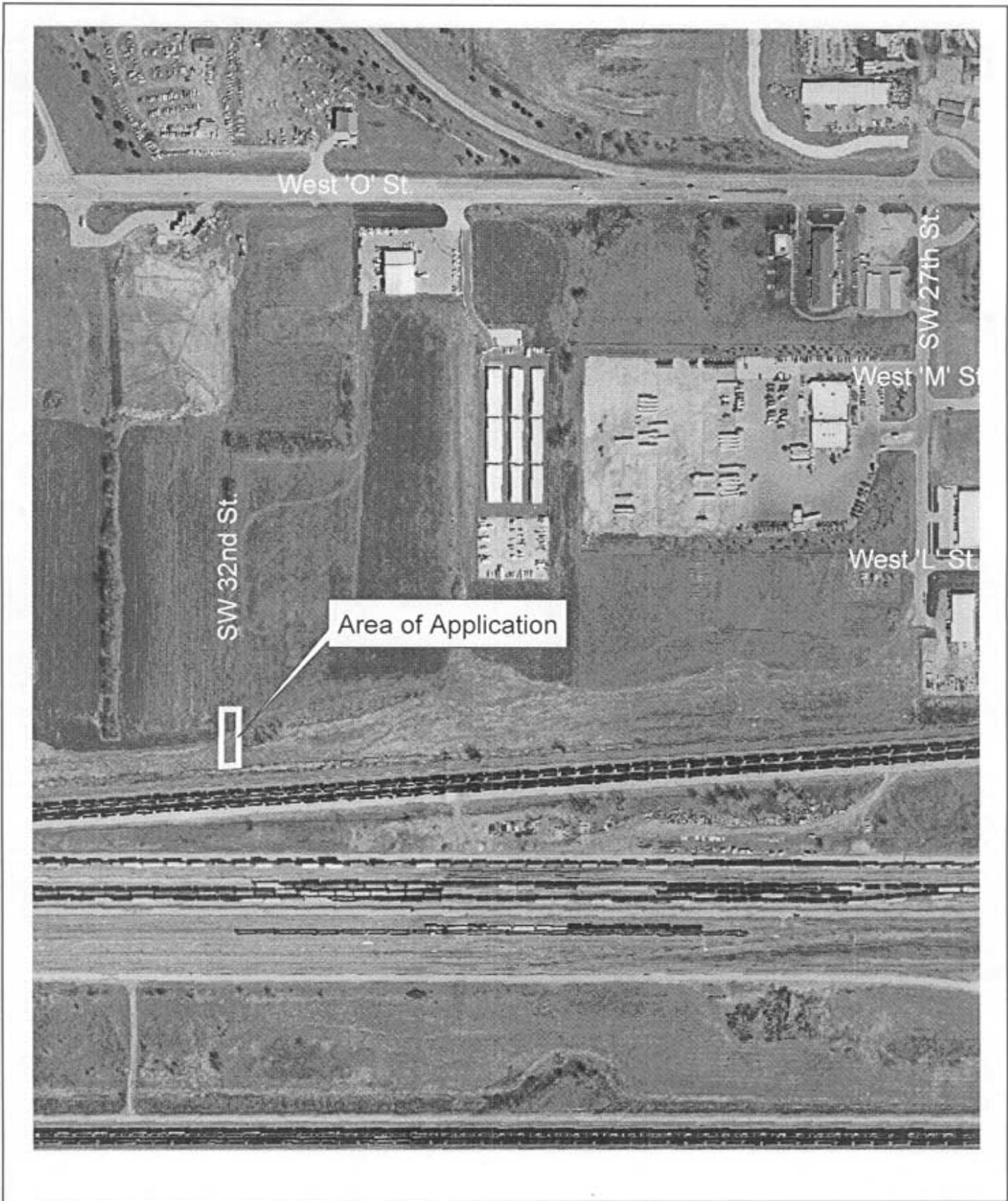
Members present: Carlson, Duvall, Krieser, Larson, Steward, Bills-Strand and Taylor; Schwinn absent.

The Consent Agenda consisted of the following items: **COUNTY SPECIAL PERMIT NO. 203; USE PERMIT NO. 123A; USE PERMIT NO. 151; SPECIAL PERMIT NO. 1672B; FINAL PLAT NO. 03009, G&C ADDITION; COMPREHENSIVE PLAN CONFORMANCE NO. 03006; and STREET AND ALLEY VACATION NO. 03008.**

Item No. 1.1, County Special Permit No. 203, was removed from the Consent Agenda and scheduled for separate public hearing.

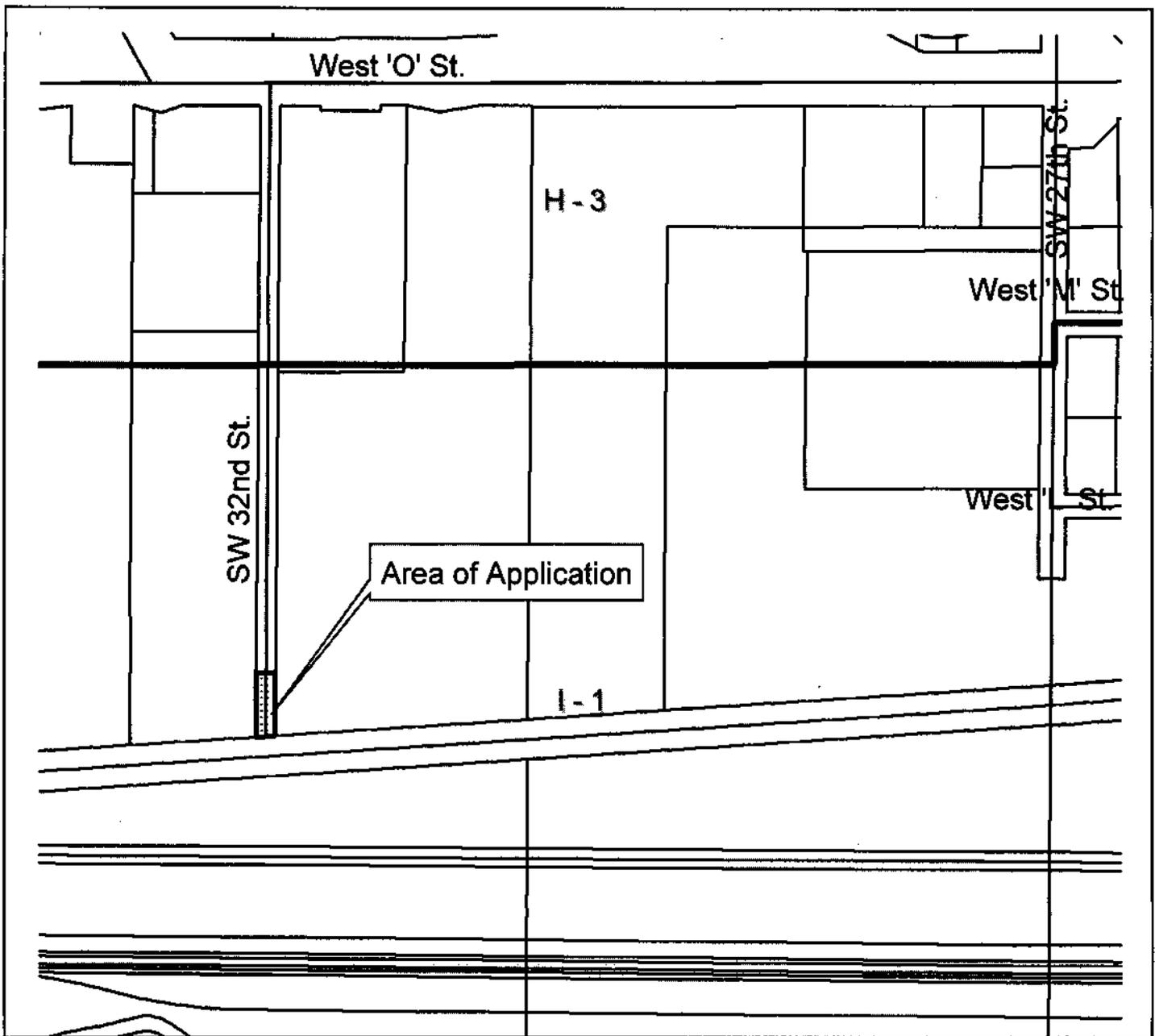
Bills-Strand moved to approve the remaining Consent Agenda, seconded by Taylor and carried 7-0: Carlson, Duvall, Krieser, Larson, Steward, Bills-Strand and Taylor voting 'yes'; Schwinn absent.

Note: This is final action on Use Permit No. 151, Special Permit No. 1672B and the G&C Addition Final Plat No. 03009, 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 #03008
SW 32nd St. & West 'O' St.



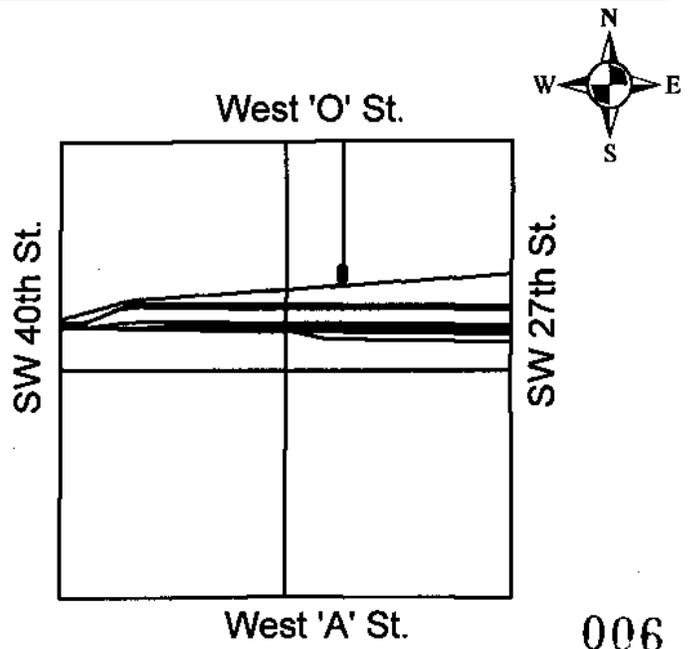
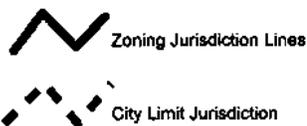


Street & Alley Vacation #03008
SW 32nd St. & West 'O' St.

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-6 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. 29 T10N R6E





June 11, 2003

Lincoln City/Lancaster County
Planning Commission
Lincoln, NE 68508

RE: Vacating approximately the south 155 feet of S.W. 32nd Street lying in the Northeast 1/4 of Section 29, Township 10 North, Range 6 East, Lincoln, Lancaster County.

Dear Ladies and Gentlemen:

The Department of Public Works and Utilities has received a proper petition from EDM Corporation, owners of Irregular Tracts 61 and 65, in the Northeast 1/4 of Section 29-10-6, Lancaster County to vacate the above described portion of public right-of-way. Purpose of the vacation is a proposed commercial development and to create the street layout shown on the proposed preliminary plat.

The City of Lincoln Wastewater Department has existing 8" and 36" sanitary sewer lines in the area of proposed vacation. A permanent easement would need to be established for the entire vacated right-of-way for maintenance of these facilities.

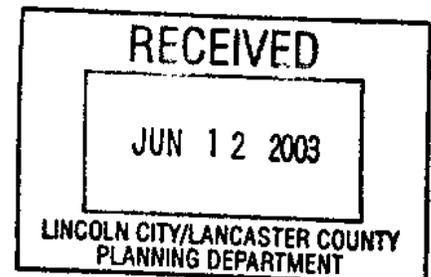
The Department of Public Works and Utilities recommends approval of this proposed vacation with the above mentioned conditions. This vacation contains an area of 7,750 square feet, more or less.

Sincerely,

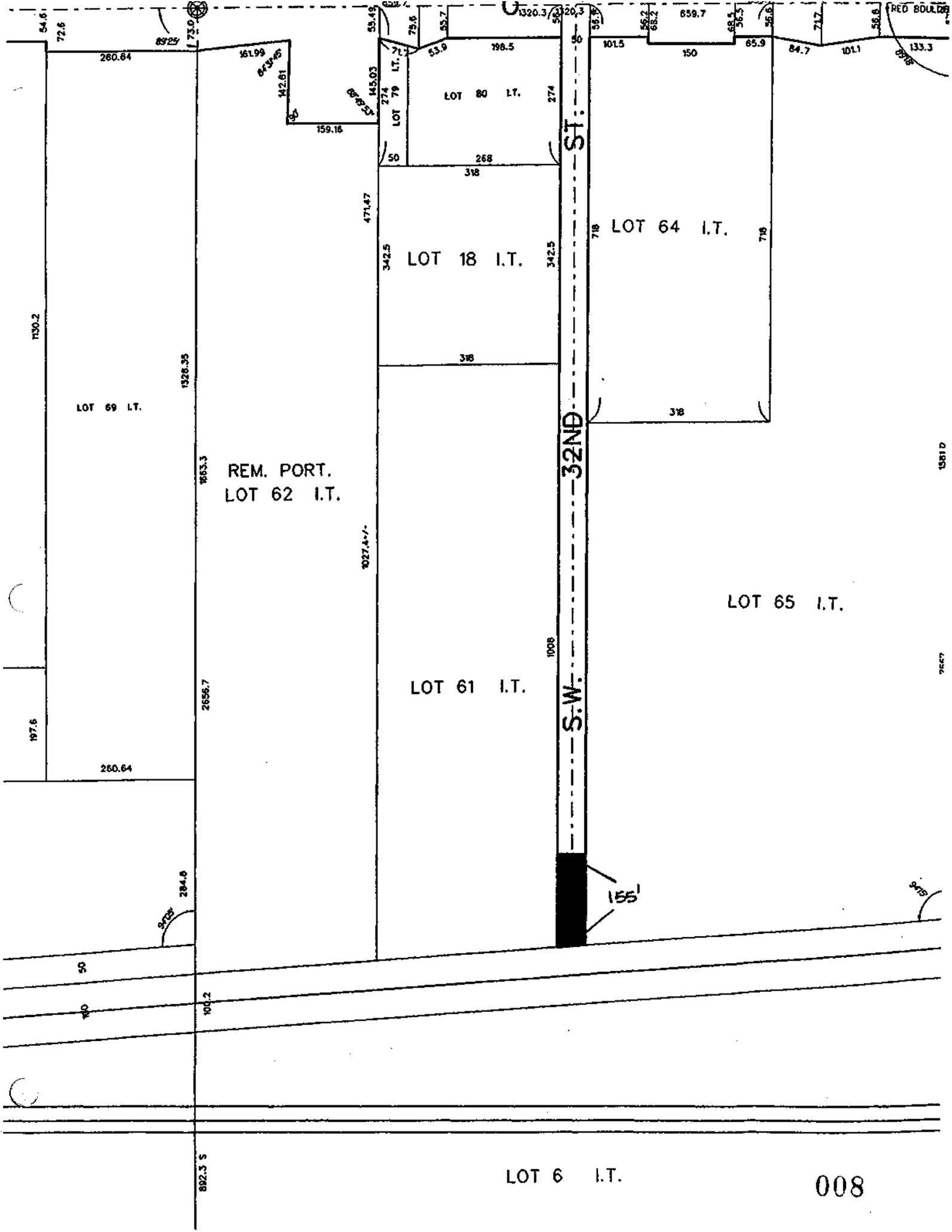

Byron Blum
Engineering Services

cc: Mayor Seng
Allan Abbott
Marvin Krout
Marc Wullschleger
Roger Figard
Nicole Fleck-Tooze
Joan Ross
Clint Thomas
Dana Roper

SW32nd Vac Ltr tdm.wpd



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SAV. 03008

INTEROFFICE MEMORANDUM

TO: Mayor Seng & City Council Members FROM: Clinton W. Thomas

DEPARTMENT: City Council Office DEPARTMENT: Real Estate Division

ATTENTION: DATE: August 6, 2003

COPIES TO: Joan Ross SUBJECT: Vacation of SW 32nd Street
 Marvin Krout
 Dana Roper
 Byron Blum

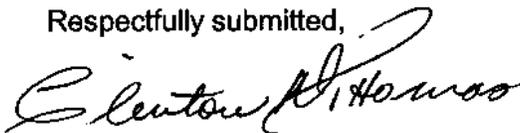
A request has been made to vacate the southerly 155 feet of Southwest 32nd Street which lies between O Street and the BNSF Railroad property. The area was viewed and appears as part of a cultivated field. It is difficult to determine the exact location of the area to be vacated, but it is generally immediately east of the Gas-N-Shop at 3201 West O Street and south adjacent to the railroad property. Public Works has indicated the existence of a 36" and an 8" sanitary sewer line and have asked that easements be retained for these utilities over the entire area.

Once this property is assembled into the abutting land, it will take on the value of that land which is estimated in the range of \$1.00 to \$1.50 per square foot. Given the fact this is the lower portion of the land, it is considered to have a value at the bottom end of the range of \$1.00 per square foot. Narrow strips such as the road right-of-way which are not buildable due to the imposition of utility easements are rarely, if ever, of value to anyone except the abutting property owner. However, the assemblage of these lands do increase the density of the adjoining property and can be used for open-space, landscaping or parking. In that regard, it is expected an abutting land owner would be willing to pay 30% to 35% of the value of the abutting land in order to realize this increased density. It is estimated the value of the right-of-way proposed to be vacated is \$0.35 per square foot with the required utility easements being retained. The calculations are as follows:

$$7,750 \text{ sq. ft.} \times \$0.35/\text{sq. ft.} = \$2,712.50 \text{ Called } \$2,700$$

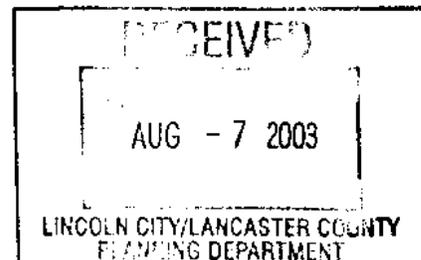
Therefore, it is recommended that if the area be vacated it be sold to the abutting property owners for \$2,700. If each of the abutting property owners acquires the half adjacent to their property, their share would be \$1,350 each.

Respectfully submitted,



Clinton W. Thomas
 Certified General Appraiser #990023

dge



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