

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

for January 7, 2004 PLANNING COMMISSION MEETING

P.A.S.: Street and Alley Vacation #03022

PROPOSAL: Vacate a portion of the alley right-of-way adjacent to Rock and Roll Runza.

LOCATION: Approximately 14th and "P" Streets.

LAND AREA: 400 square feet, more or less.

CONCLUSION: The vacation of this alley does not conform to the Comprehensive Plan.

RECOMMENDATION:

Denial

GENERAL INFORMATION:

LEGAL DESCRIPTION:

The southern four feet of the east-west alley between "P" and "Q" Streets, abutting Lot 62, Littles Subdivision, located in the southwest 1/4 of Section 24 T10N R6E, Lancaster County, Nebraska.

SURROUNDING LAND USE AND ZONING:

North:	Commercial	B-4 Lincoln Center Business
South:	Commercial	B-4 Lincoln Center Business
East:	Commercial	B-4 Lincoln Center Business
West:	Commercial	B-4 Lincoln Center Business

COMPREHENSIVE PLAN SPECIFICATIONS:

The Land Use Plan shows the area around this vacation as Commercial. (F 25)

ANALYSIS:

1. This is a request to vacate a portion of the alley right-of-way adjacent to Rock and Roll Runza, located at 14th and "P" Streets.
2. Applicants intend to purchase this property if vacated, and use it to reconfigure their existing parking area to allow for additional stalls.
3. The vacation of this right-of-way will not create lots without frontage or access to a public street, nor will it create a block length that exceeds 1000'.

4. This alley is currently 20' wide. Although this exceeds the typical Downtown-area alley width of 16', this alley was repaved in 2000 to the full right-of-way width of 20'.
5. Parking off of an alley within Downtown is uncommon. However, when it occurs, it is generally parallel, thereby minimizing the amount of maneuvering room necessary for cars leaving parking stalls. Currently, it appears applicant uses existing parallel parking stalls for their delivery trucks.
6. Changing the parking layout to angled stalls creates potential conflicts between vehicles backing from a parking stall into the alley, and vehicles entering the alley from 14th Street. Therefore, if this portion of the alley is vacated, angled parking stalls greater than 50 degrees should not be allowed.
7. Like most alleys Downtown, service trucks utilize alleys for temporary parking while loading/unloading, which could add to the number of traffic conflicts here. Visits to the site during the week of December 22, 2003 revealed several instances where delivery trucks were parked across the alley entrance or within the alley, blocking through movements.
8. The Public Works Department recommends denial of this alley vacation.
9. Should this portion of this alley be vacated, Applicant should be required to reconstruct the alley return to a 16 foot width, and construct a curb along the south side of the alley up to the point of the parking stalls. A bond should be posted in the amount of \$2,000 to guarantee the completion of the work.
10. There is not sufficient width here to provide 90 degree parking stalls. Applicant should be limited to angled parking stalls, not to exceed 50 degrees.
11. Alltel, LES, Public Works, and timw Warner Cable all have existing facilities within the area of this vacation, and have requested a permanent easement over the entire vacated area for maintenance of and future additions to these facilities.
12. Any relocation of existing facilities will be at property owner's expense.
13. Should the Planning Commission choose to recommend other than Denial, the Planning Staff suggests the following conditions of approval.

**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 must be met.
- 1.2 Post a bond in the amount of \$2,000 to guarantee the reconstruction of the alley return to 16 feet wide and construction of a curb along the south side of the alley up to the parking stalls.
- 1.3 A permanent utility easement over the entire vacated area for maintenance of existing facilities and for future construction of new facilities must be provided.
- 1.4 Property owner must agree any relocation of existing facilities will be at property owner's expense.
- 1.5 Property owner must agree to provide angle parking stalls not to exceed 50 degrees.

Prepared by:

Greg Czaplewski
Planner

Date: December 17, 2003

Applicant: The Eating Establishment, Ltd.
PO Box 6042
Lincoln, NE 68506

Owner: Same as Applicant

Contact: 14th and P Enterprises, L.L.C.
Donald Everett Jr.
PO Box 6042
Lincoln, NE 68506
423.2394



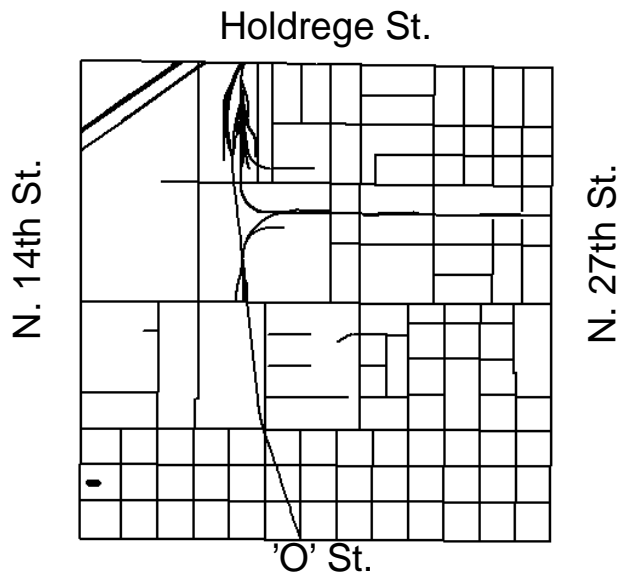
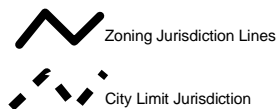
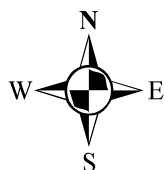
Street & Alley Vacation #03022
N. 14th & P St.

2002 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. 24 T10N R6E





N. 14TH ST.



area of application

ROBEES
15TH

H. HITCHCOCKS
SUB

OBERLIES
SUB

TERREST
P

ST.
R-7

PART OF
RAYMOND S. B...
ON LOT 10
RAPHONES
R-7
BRACE

COUNTY CLERKS
5 59' OF LOT 15

COUNTY CLERKS
SUB

CH SLETTS SUB
OF LOT 11

140
142
144
146
148
150
152
154
156
158
160
162
164
166
168
170
172
174
176
178
180
182
184
186
188
190
192
194
196
198
200

MAIL
SUB

140
142
144
146
148
150
152
154
156
158
160
162
164
166
168
170
172
174
176
178
180
182
184
186
188
190
192
194
196
198
200

LITTLE & BENDIS
P

RICHARDS
P

COUNTY CLERKS
SUPERVISION

16 TH.

17 TH.

O ST.