

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Street and Alley Vacation #02009

DATE: August 15, 2002

PROPOSAL: To vacate Nighthawk Road west of N.W. 6th Street as shown on the final plat of Fallbrook Addition.

LAND AREA: 8,637.88 square feet, more or less.

CONCLUSION: The street vacation is consistent with the approved Special Permit #1808B; Fallbrook Community Unit Plan.

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

LEGAL DESCRIPTION: See attached legal description.

LOCATION: North of Fallbrook Blvd. and west of NW. 6th Street.

APPLICANT: James P. Abel, President
NEBCO, Inc.
1815 "Y" Street
Lincoln, NE 68508
(402) 434-1212

OWNER: same as applicant

CONTACT: same as applicant

SURROUNDING LAND USE AND ZONING:

North: R-3 Residential
South: R-3 Residential and B-2 Planned Neighborhood Business District
East: R-3 Residential
West: R-3 Residential

ASSOCIATED APPLICATIONS: Final Plat #02034, Fallbrook 4th Addition.

HISTORY:

August 19, 2002 Special Permit 1808B for Fallbrook Community Unit Plan was approved by City Council.

STREET VACATION NO.02009

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November 29, 2000 Fallbrook Addition Final Plat was approved by Planning Commission.

January 24, 2000 Fallbrook Preliminary Plat and Special Permit was approved by the City Council.

COMPREHENSIVE PLAN SPECIFICATION: The 2025 Comprehensive Plan classifies Nighthawk Road as a local street.

ANALYSIS:

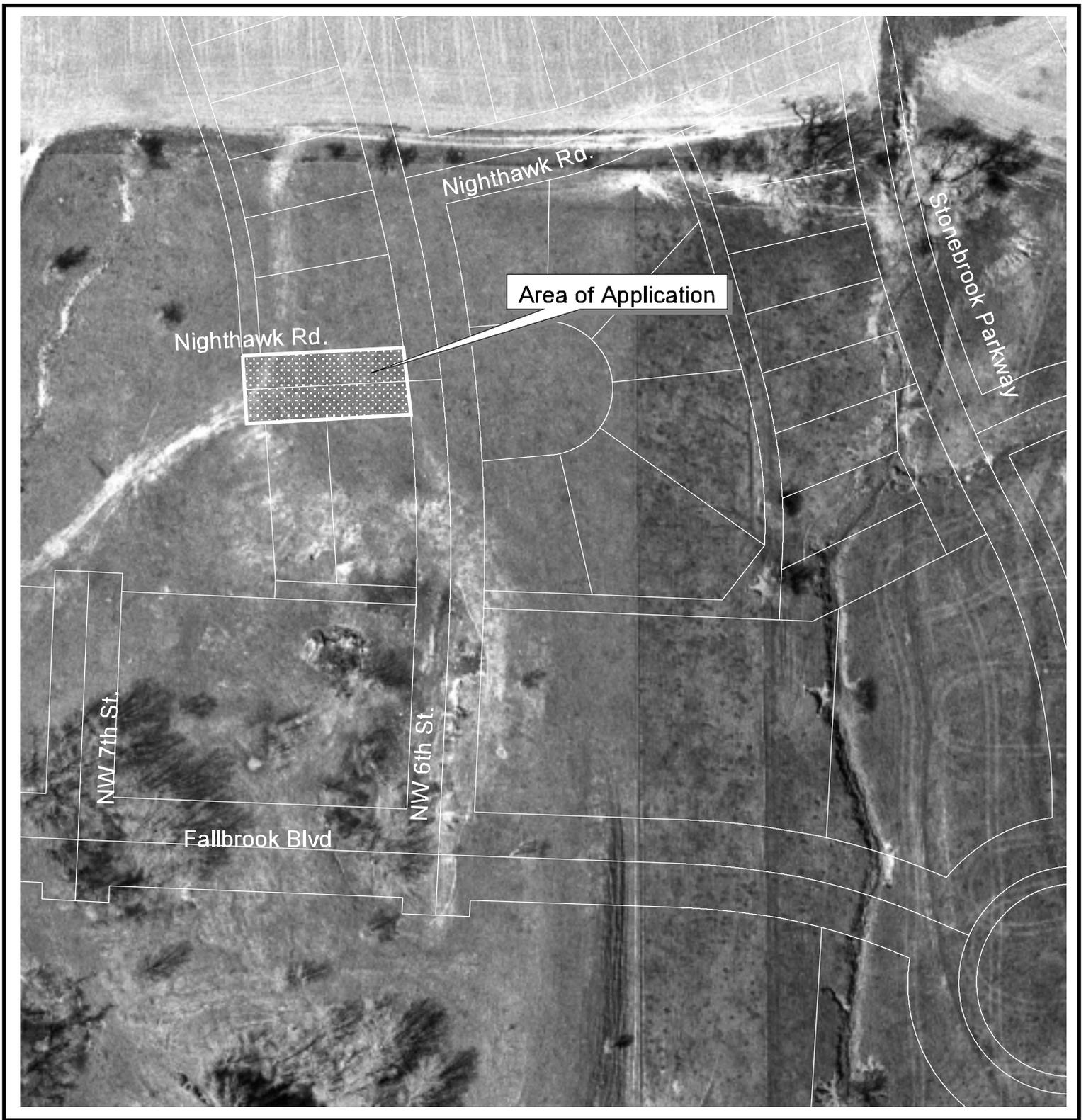
1. Nighthawk Road was originally dedicated with the approval of Fallbrook Addition. Special Permit 1808B of Fallbrook Community Unit Plan revised the street layout by eliminating Nighthawk Road west of NW 6th Street and adding a new street Blue Sage Blvd.
2. Currently there are three lots that abut Nighthawk Road, west of N.W. 6th Street. These are Lots 1 and 2, Block 13 and Lot 9, Block 12 of Fallbrook Addition. All three lots take access from an alley, therefore the requested street vacation will not leave these lots without access.
3. This request to vacate a portion of Nighthawk Road right-of-way is consistent with the Community Unit Plan and Fallbrook 4th Addition final plat.

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:

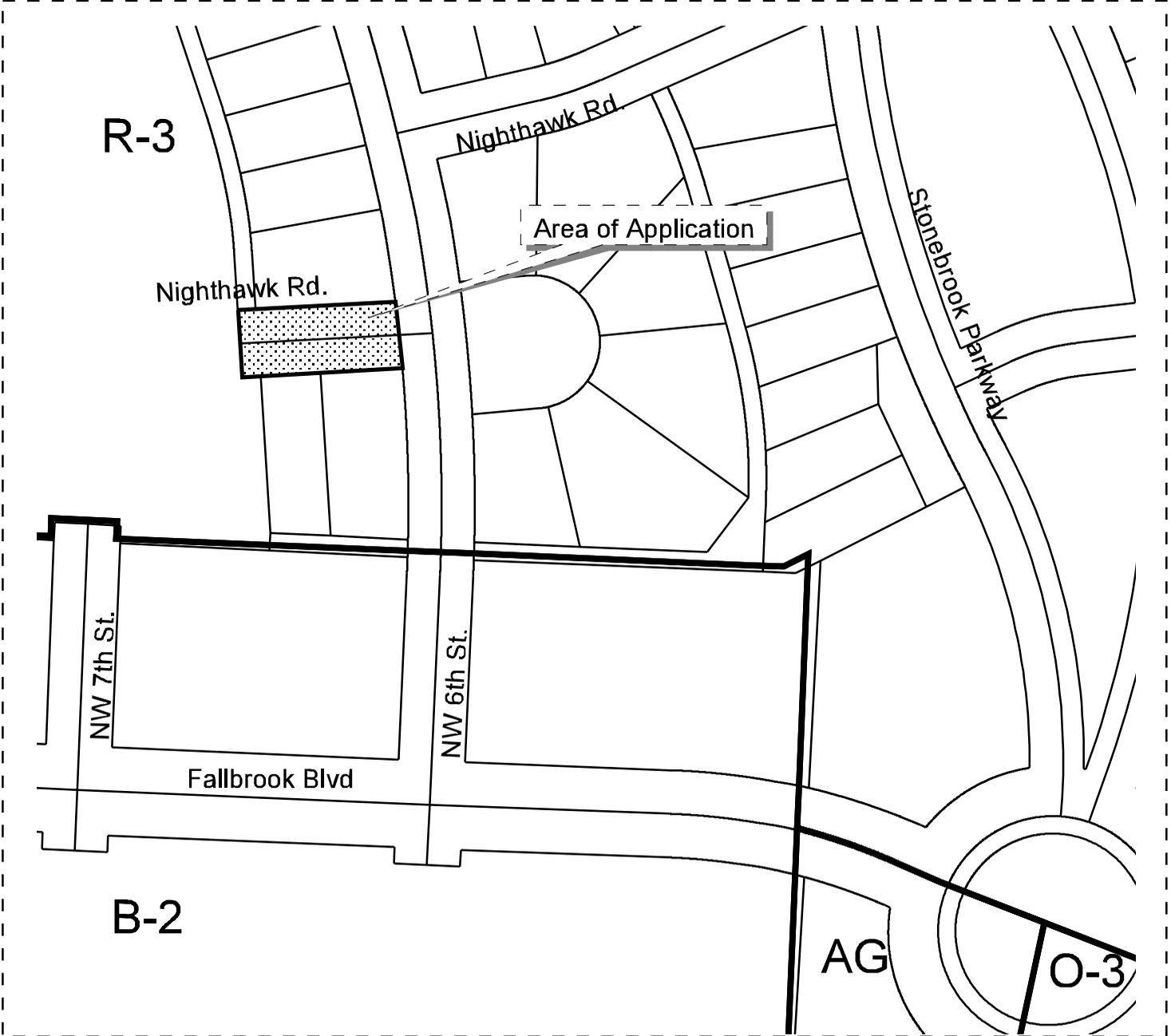
Tom Cajka
Planner



**Street & Alley Vacation #02009
NW 6th & Nighthawk Road**



Photograph Date: 1999

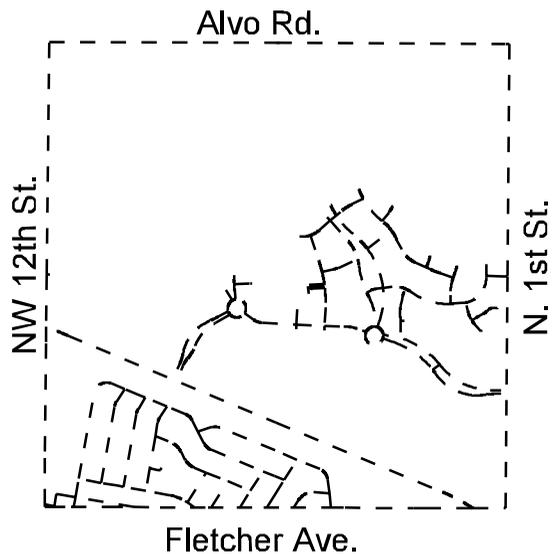
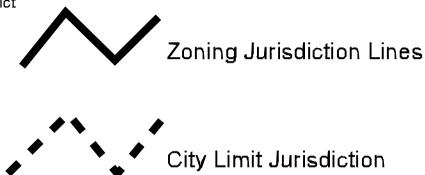


Street & Alley Vacation #02009 NW 6th & Nighthawk Road

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. 34 T11N R6E



Lincoln



Nebraska's Capital City

August 7, 2002

Lincoln City/Lancaster County
Planning Commission
Lincoln, NE 68508

RE: Vacating Nighthawk Drive west of the West Line of Northwest 6th Street

Dear Ladies and Gentlemen:

The Department of Public Works and Utilities has received a proper petition from James Abel, President of NEBCO, Inc. owner of Lots 1 and 2 Block 13, Lot 9, Block 12 and Outlots "R" and "T", all of Fallbrook Addition, to vacate the above described public right-of-way. The petitioner requests this vacation in order to replat the area into single family lots as part of the Fallbrook 4th Addition final plat. New right-of-way will be dedicated as part of this plat.

There are existing utilities in the area for vacation. It will be required that utilities be abandoned and removed as a condition of this vacation. This abandonment and removal will be required with the construction of improvements in the new right-of-way. Easements will be established with the new plat.

The Department of Public Works and Utilities recommends approval of this vacation with the above mentioned conditions. This vacation contains an area of 8,637.88 square feet, more or less.

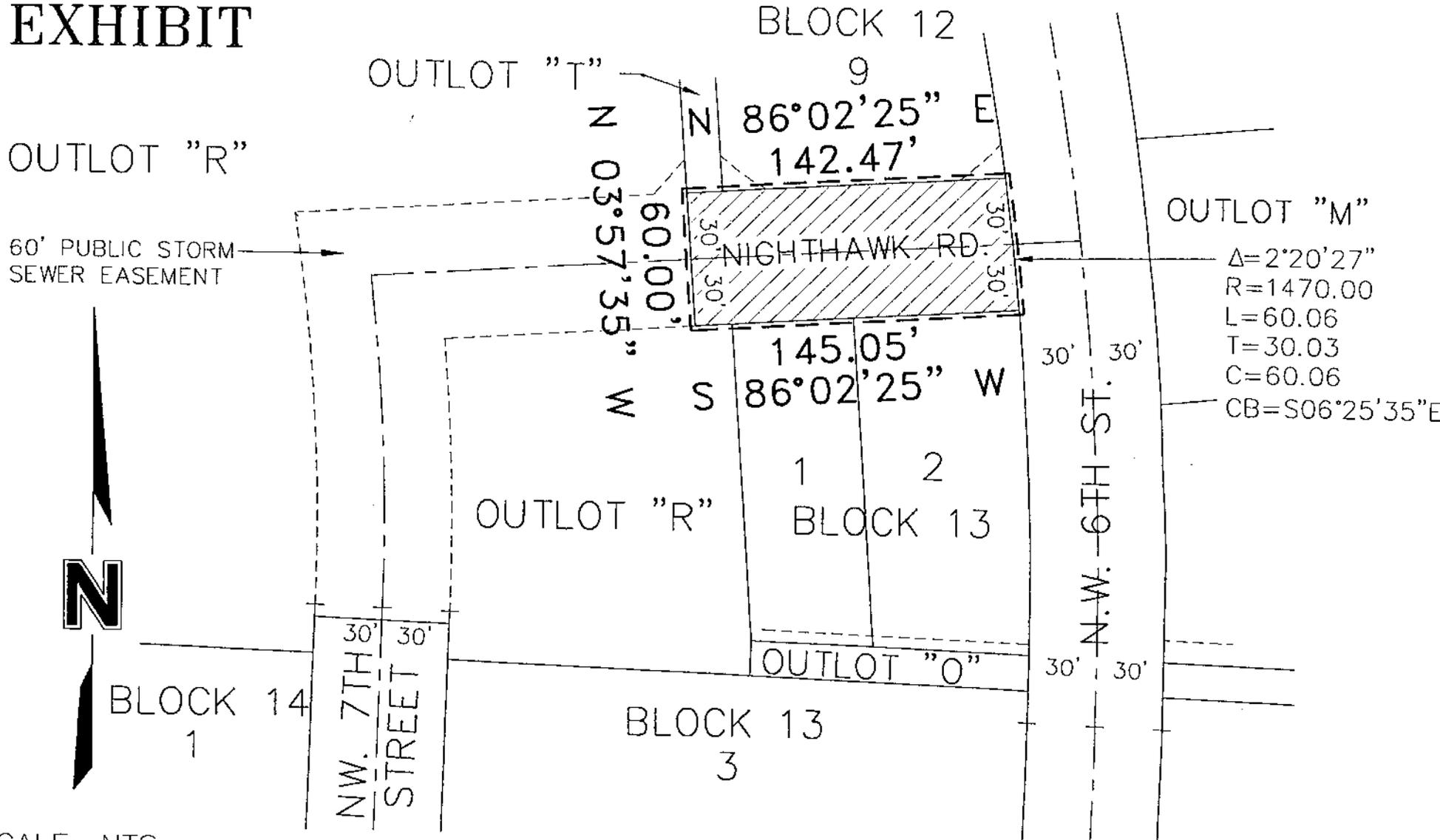
Sincerely,

Byron Blum
Engineering Services

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

Nighthawk Vac Ltr rdm w pd

RIGHT-OF-WAY VACATION EXHIBIT



$\Delta = 2^{\circ}20'27''$
 $R = 1470.00$
 $L = 60.06$
 $T = 30.03$
 $C = 60.06$
 $CB = S06^{\circ}25'35'' E$

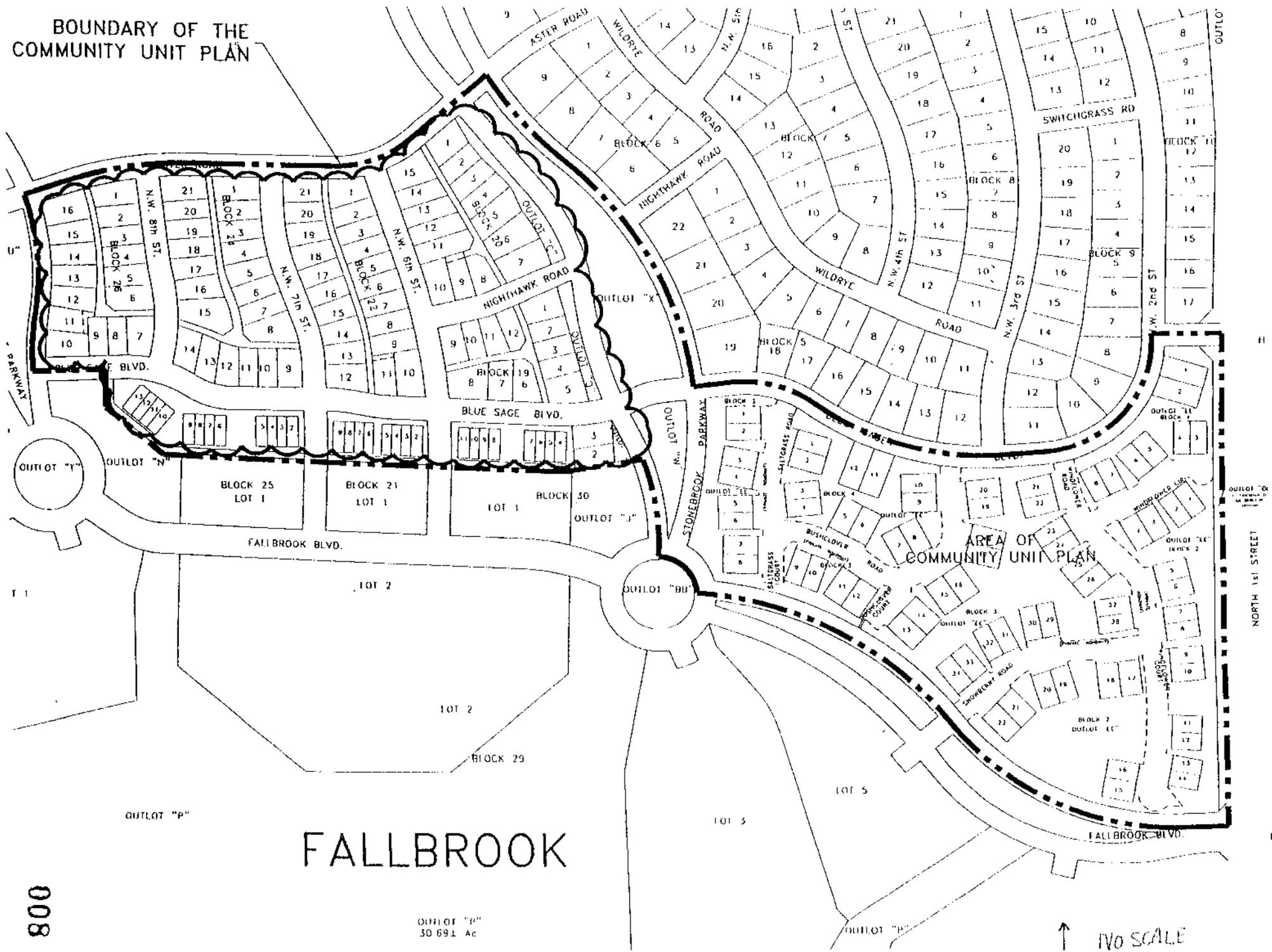
SCALE: NTS

**LEGAL DESCRIPTION
RIGHT-OF-WAY VACATION**

A LEGAL DESCRIPTION FOR VACATION PURPOSES FOR A PORTION OF NIGHTHAWK ROAD RIGHT-OF-WAY, LOCATED IN THE SOUTHEAST QUARTER OF SECTION 34, TOWNSHIP 11 NORTH, RANGE 6 EAST OF THE 6TH P.M., CITY OF LINCOLN, LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 2 BLOCK 13, FALLBROOK ADDITION, SAID POINT BEING ON THE SOUTH LINE OF NIGHTHAWK ROAD RIGHT-OF-WAY AND THE WEST LINE OF NORTHWEST 6TH STREET RIGHT-OF-WAY, SAID POINT BEING **THE TRUE POINT OF BEGINNING**, THENCE ON AN ASSUMED BEARING OF SOUTH 86 DEGREES 02 MINUTES 25 SECONDS WEST ALONG THE NORTH LINE OF LOTS 1 AND 2 BLOCK 13, AND A NORTH LINE OF OUTLOT "R", FALLBROOK ADDITION, SAID LINE BEING THE SOUTH RIGHT-OF-WAY LINE OF NIGHTHAWK ROAD, A DISTANCE OF 145.05 FEET TO A SOUTHWEST CORNER OF SAID RIGHT-OF-WAY, THENCE NORTH 03 DEGREES 57 MINUTES 35 SECONDS WEST ALONG A EAST LINE OF SAID OUTLOT "R", SAID LINE BEING THE WEST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 60.00 FEET TO THE SOUTHWEST CORNER OF OUTLOT "T", FALLBROOK ADDITION, SAID POINT BEING A NORTHWEST CORNER OF SAID RIGHT-OF-WAY, THENCE NORTH 86 DEGREES 02 MINUTES 25 SECONDS EAST ALONG THE SOUTH LINE OF SAID OUTLOT "T", AND THE SOUTH LINE OF LOT 9 BLOCK 12 FALLBROOK ADDITION, SAID LINE BEING THE NORTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 142.47 FEET TO THE SOUTHEAST CORNER OF SAID LOT 9, SAID POINT BEING ON THE NORTH LINE OF NIGHTHAWK ROAD RIGHT-OF-WAY AND THE WEST LINE OF NORTHWEST 6TH STREET RIGHT-OF-WAY, THENCE ALONG A CURVE IN A CLOCKWISE DIRECTION, HAVING A RADIUS OF 1470.00 FEET, ARC LENGTH OF 60.06 FEET, DELTA ANGLE OF 02 DEGREES 20 MINUTES 27 SECONDS, A CHORD BEARING OF SOUTH 06 DEGREES 25 MINUTES 35 SECONDS EAST ALONG THE WEST LINE OF NORTHWEST 6TH STREET RIGHT-OF-WAY, AND A CHORD LENGTH OF 60.06 FEET TO THE POINT OF BEGINNING, SAID TRACT CONTAINS A CALCULATED AREA OF 8,637.88 SQUARE FEET OR 0.1983 ACRES, MORE OR LESS.

BOUNDARY OF THE
COMMUNITY UNIT PLAN



FALLBROOK

OUTLOT "P"
30.691 Ac

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N
NO SCALE

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