

## LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

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**P.A.S.:** Street & Alley Vacation #01024

**DATE:** October 2, 2002

**PROPOSAL:** To vacate the west 60.15 feet of Wagon Lane from the south line of Outlot B to the north line of Outlot C, Frontier Acres.

**LAND AREA:** 3,609 square feet, more or less

**CONCLUSION:** If this application were approved as requested, Outlot C would lose its access. Access to Outlot C must be provided before this portion of Wagon Lane can be vacated.

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

**LEGAL DESCRIPTION:** The west 60.15 feet of Wagon Lane from the south line of Outlot B to the north line of Outlot C, Frontier Acres Addition, located in the NW 1/4 of Section 16, T9N, R7E of the 6<sup>th</sup> P.M., Lancaster County, Nebraska.

**LOCATION:** Wagon Lane and S. 62<sup>nd</sup> Street

**APPLICANT:** Michael Johnson  
Olsson Associates  
1111 Lincoln Mall  
Lincoln, NE 68501  
(402) 474-6311

**OWNER:** Carl J. Sjulín, David H. Sjulín and Kathryn Sjulín Lonowski  
c/o West Gate Bank  
1204 West "O" St.  
Lincoln, NE 68528  
(402) 434-3456

<b><u>CONTACT:</u></b>	Darrell K. Stock	Michael Johnson
	1115 "K" Street - #104	Olsson Associates
	Lincoln, NE 68508	1111 Lincoln Mall
	(402) 476-3345	Lincoln, NE 68501
		(402) 474-6311



**STREET VACATION NO. 01024**

**PAGE 3**

2. The original intent was to extend Wagon Lane to the west into the adjoining property when that property developed. If Wagon Lane were not extended into the abutting land, a permanent turn around would be required by the Land Subdivision ordinance.
3. If this application were approved, Outlot C would lose its access to a public street. The vacation will require a subdivision to provide street access to Outlot C.
4. Public Works recommends that approval of this vacation not take place until that time the petitioner has submitted a plat to create the required turnaround.

**BEFORE THE VACATION REQUEST IS SCHEDULED ON THE CITY COUNCIL AGENDA THE FOLLOWING MUST BE COMPLETED:**

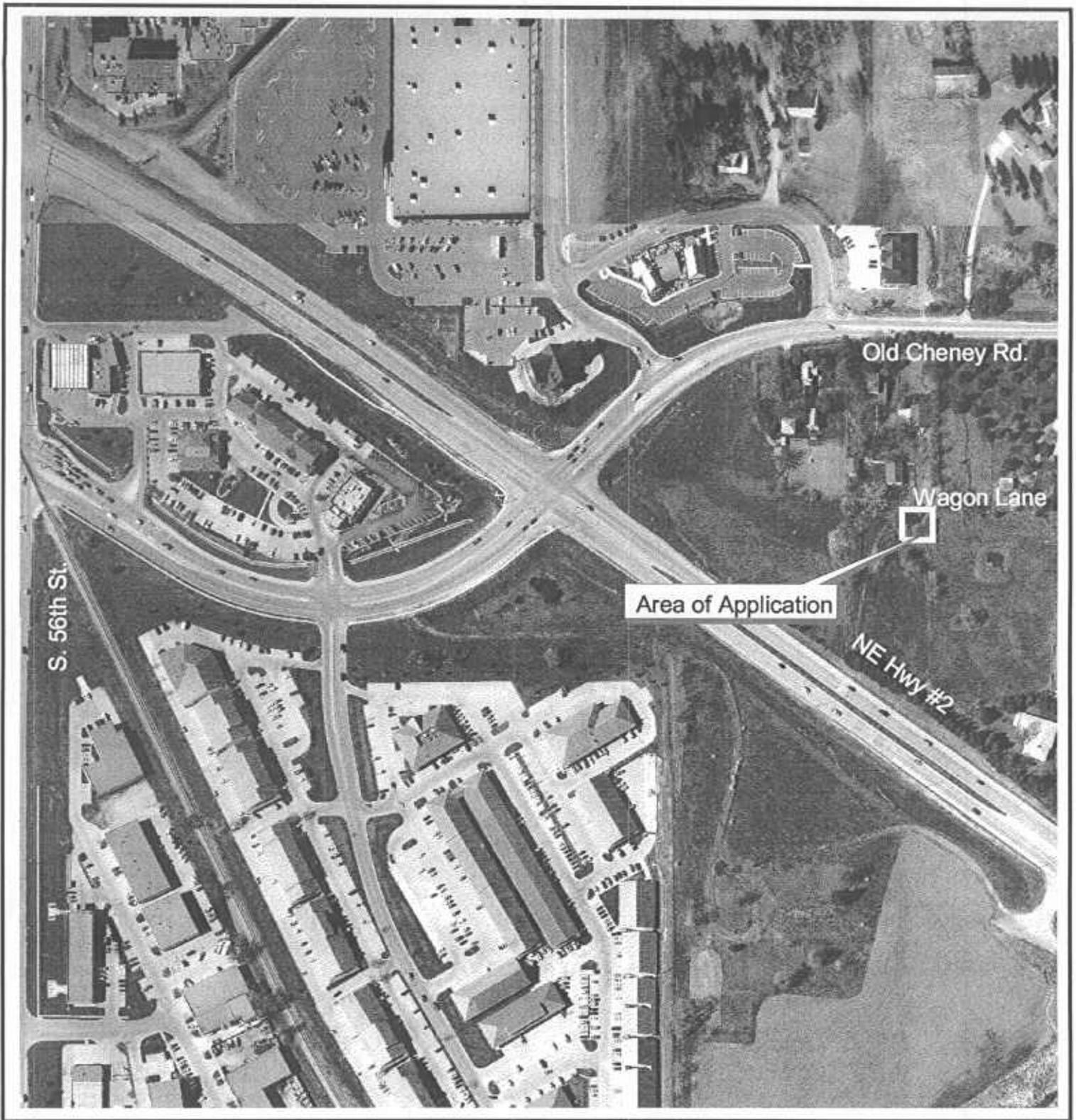
- 1.1 The provisions of Chapter 14.20 of the Lincoln Municipal Code are met.
- 1.2 Before this portion of Wagon lane can be vacated, the property owners must terminate the street as required by Section 26.23.080 of the Subdivision Ordinance. This section states that "All permanent dead-end streets shall have a sixty-foot minimum radius turnaround."
- 1.3 The abutting owners have submitted a final plat that would eliminate any existing lots that do not front on and have access to a public street or private roadway and all requirements of the final plat have been completed except the transfer of ownership of the vacated street to the owners.

Prepared by:

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Tom Cajka  
Planner

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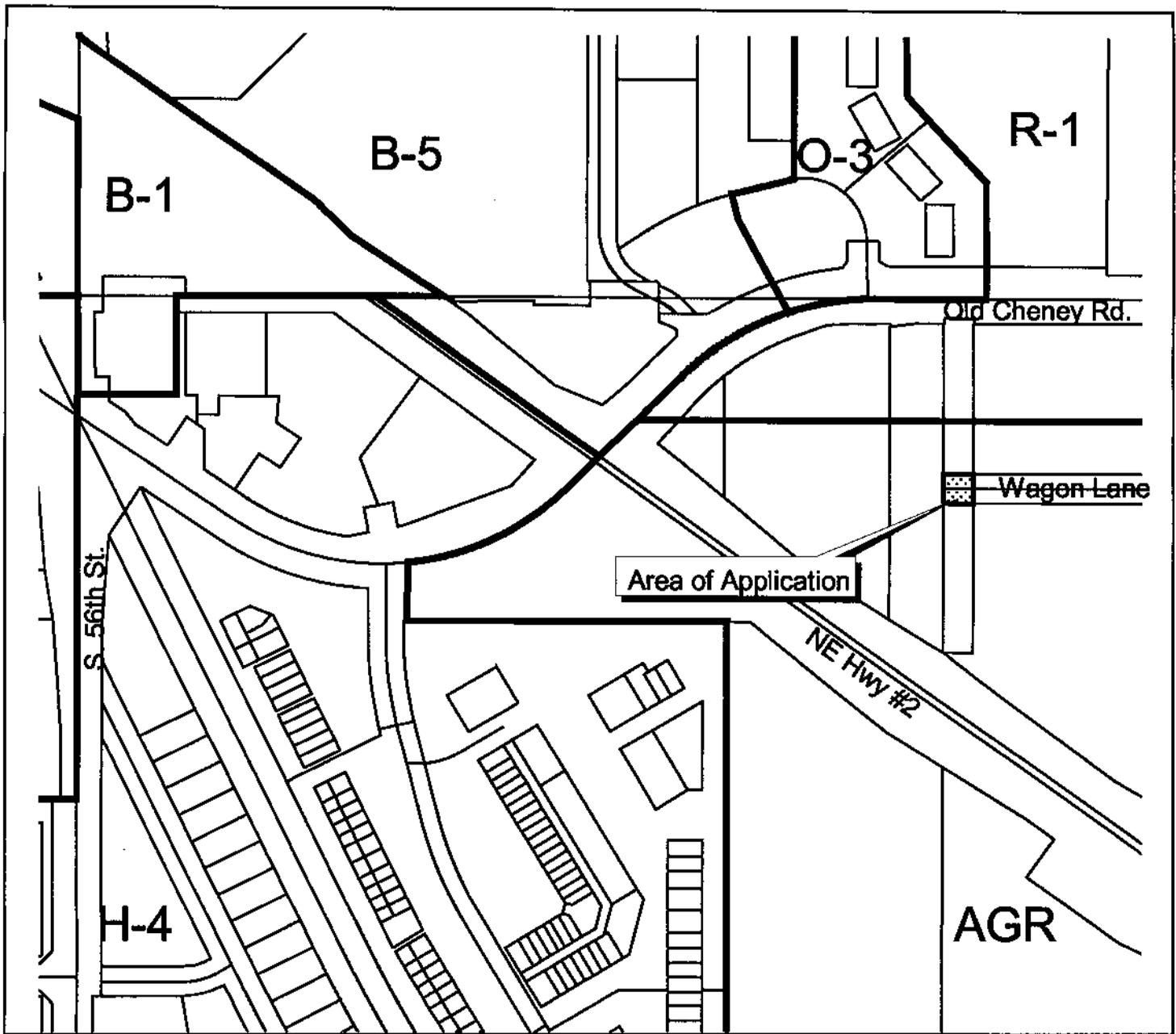


**Street & Alley Vacation #01024  
SE of 56th & Old Cheney Rd.**



Photograph Date: 1997 & 1999

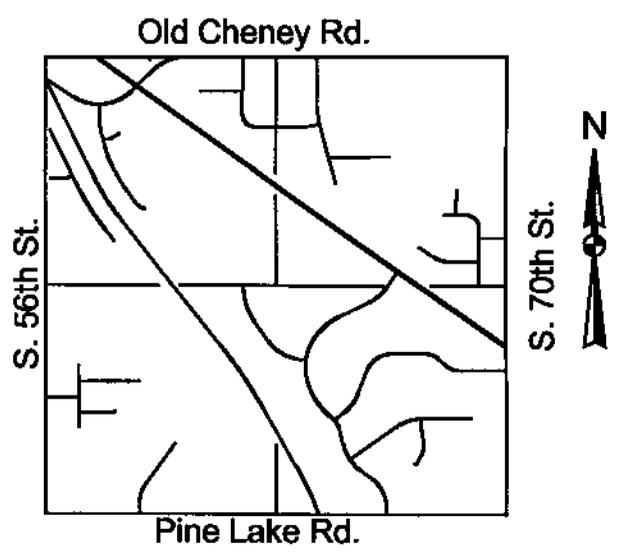
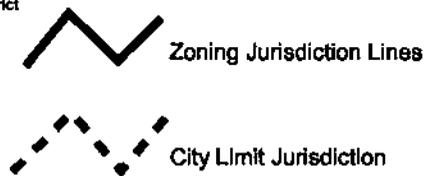
Lincoln City - Lancaster County Planning Dept.



**Street & Alley Vacation #01024  
SE of 56th & Old Cheney Rd.**

- 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. 16 T9N R7E







August 9, 2002

Lincoln City/Lancaster County  
Planning Commission  
Lincoln, Nebraska 68508

RE: Vacating the West 60.15 Feet of Wagon Lane from the South Line of Outlot B to the North Line of Outlot C in Frontier Acres.

Dear Ladies and Gentlemen:

The Department of Public Works and Utilities has received sufficient and proper petitions from Carl Sjulín, David Sjulín, and Kathryn Sjulín Lonowski, owners of Lot 46 Irregular Tract located in the northwest quarter of Section 16, Township 9 North, Range 7 East, Lancaster County, Nebraska, and Outlots B and C Frontier Acres, to vacate the above described public right-of-way. Petitioner is requesting this vacation in order to develop the adjacent lots

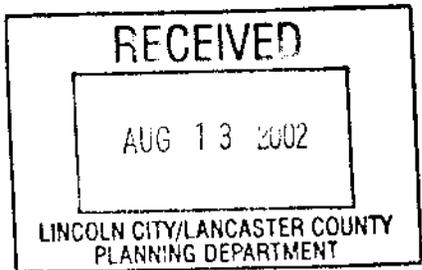
There are no existing utilities in this area. Potential easements would be requested at time of redevelopment of adjoining lots.

The City of Lincoln Land Subdivision ordinance requires that dead-end streets be terminated with a cul-de-sac. The original intent of the platted street was to extend it west into the adjoining property. The proposed land use may not make this extension desirable. The vacation will require a subdivision to provide access to the outlot south of Wagon Lane. The re-platting needs to provide a permanent cul-de-sac termination in accordance with subdivision requirements. Approval of this vacation should not take place until that time the petitioner has submitted a plat to create the required turnaround. This vacation contains an area of 3,609 square feet, more or less.

Sincerely,

  
Byron Blum  
Engineering Services

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



Wagon Ln Vac Ltr ltrm.wpd



**OLSSON ASSOCIATES**  
ENGINEERS • PLANNERS • SCIENTISTS • SURVEYORS

October 1, 2002

Mr Greg Schwinn, Chair  
City-County Planning Commission  
555 South 10<sup>th</sup> Street  
Lincoln, NE 68508

RE: West Gate Bank, Right of Way Vacation SAV#01024  
OA Project No. 2002.0690

Dear Mr. Schwinn,

On behalf of West Gate Bank I am requesting that the Planning Commission recall it's recommendation to the City Council that a turnaround be required with the vacation of the 60 feet of right of way in Wagon Lane.

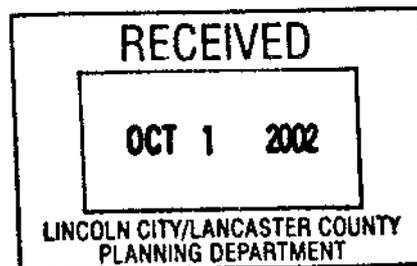
The request for this vacation was made by the attorney for the previous owners of the property. The Planning Commission approved the request on January 23, 2002.

Thank you for your careful consideration of this request. Please contact me if you have any questions or need additional information.

Sincerely,

  
Mark C. Palmer

CC Ray Hill, Planning Department  
City Clerk





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9 July 2002

Ms. Joan Ross  
City Clerk  
555 South 10<sup>th</sup> Street, Room 103  
Lincoln, NE 68508

Re: Petition To Vacate Public Way  
Wagon Lane  
West Gate Bank  
OA Project No. 2001-0077

Dear Joan:

On behalf of Carl J. Sjulín, Trustee of the Carl J. Sjulín Revocable Trust, West Gate Bank, 1204 West "O" Street, Lincoln, Ne 68528, Phone Number (402) 434-3450, David H. Sjulín, Trustee of the David H. Sjulín Revocable Trust, 615 South 123<sup>rd</sup> Street, Omaha, Ne 68154, Phone Number (402) 697-9875, and Kathryn Sjulín Lonowski, Trustee of the Kathryn Sjulín Lonowski Revocable Trust, 2412 Rollingwood Drive, Ft. Collins, Co 80525, Phone Number (790) 493-7886, We are requesting to vacate a portion of Wagon Lane Right-Of-Way. Attached are the completed Petitions To Vacate Public Way Forms with legal description and exhibit.

Please call, if you require further information or have any questions.

Sincerely,

Michael R. Johnson, R.L.S.

Enc.

cc Carl J. Sjulín  
David H. Sjulín  
Kathryn Sjulín Lonowski

June 27, 2002 (10:44AM)  
FAProjects\20010077\YPLAT\dwg\LRROSS.602.wpd