

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.: Waiver of Design Standards #02020

DATE: October 1, 2002

SCHEDULED PLANNING COMMISSION

October 16, 2002

PROPOSAL: Waive the requirement for a turnaround on dead-end streets (Sec. 26.23.080) associated with Street and Alley Vacation #01024 and Administrative Final Plat #02053.

CONCLUSION: This waiver request is a result of a street vacation and administrative final plat. The intent was for Wagon Lane to continue to the west when that area developed, but due to the street vacation and final plat this is no longer a viable option. Since the developers, West Gate Bank, are creating the need for a cul-de-sac, the cul-de-sac should be required as part of street vacation and final plat.

Public Works Department does not support the waiver.

RECOMMENDATION:

Denial

GENERAL INFORMATION:

LEGAL DESCRIPTION:

LOCATION: Old Cheney Rd. and NE Highway 2.

APPLICANT: Carl J. Sjulín
1204 West "O" St.
Lincoln, NE 68528

OWNER: Carl J. Sjulín, David H. Sjulín, Kathryn Sjulín Lonowski
c/o West Gate Bank
1204 West "O" St.
Lincoln, NE 68528

CONTACT: Steve Miller
Olsson Associates
1111 Lincoln Mall
Lincoln, NE 68508

EXISTING ZONING: AGR- Agriculture Residential

EXISTING LAND USE: Single family residential

SURROUNDING LAND USE AND ZONING:

North:	AGR Agricultural Residential	vacant
	R-1 Residential	vacant
South:	AGR Agricultural Residential	vacant
East:	AGR Agricultural Residential	Acreage development
West:	AGR Agricultural Residential	vacant

HISTORY:

October 1, 2002 West Gate Bank requested that Street & Alley Vacation #01024 be returned to Planning Commission for reconsideration.

August 8, 2002 Administrative Final Plat #02053, West Gate Bank Addition was submitted. The plat combines Lots 157 I.T., 130 I.T., 46 I.T., Outlot B and Outlot C into one lot.

January 23, 2002 Street & Alley Vacation #01024 vacating a portion of Wagon Lane was approved with conditions by Planning Commission.

December 14, 1970 City Council approved the Frontier Acres final plat.

TRAFFIC ANALYSIS: Wagon Lane Rd is classified as a local street

ANALYSIS:

1. This request is to waive the requirement for a turn-around on dead-end streets. (Sec. 26.23.080)
2. Street & Alley Vacation #01024 was approved by Planning Commission on January 23, 2002 with a condition that a final plat be submitted and all requirements of a final plat be completed before the street vacation could be scheduled for City Council, which requires a permanent turn-around.
3. The final plat of Frontier Acres shows Wagon Lane terminating as a dead-end street with no turn-around. The intent was to extend Wagon Lane to the west into the adjoining property.

4. Ordinance #10087 relating to Frontier Acres final plat states, "That the owners agree that the property abutting Wagon Lane to the west of S. 62nd Street not be resubdivided until Wagon lane is extended to the west or terminated in a temporary cul-de-sac."
5. Public Works Department states that the termination of Wagon Lane as a dead-end street with no turn-around is unsatisfactory.
6. Although Wagon Lane is not constructed, it is a dedicated public street and the subdivision ordinance requires that a turn-around be constructed on dead-end streets. The requested street vacation and final plat is creating this dead-end street.
7. If this waiver is approved, the cost of constructing a cul-de-sac in the future for Wagon Lane would be imposed on the property owners to the east.
8. An alternative to the waiver request, would be to vacate Wagon Lane to S. 62nd Street. This would negate the need for a turn-around and the waiver request. This option has been presented to the applicant by the Planning Department.

Prepared by:

Tom Cajka
Planner

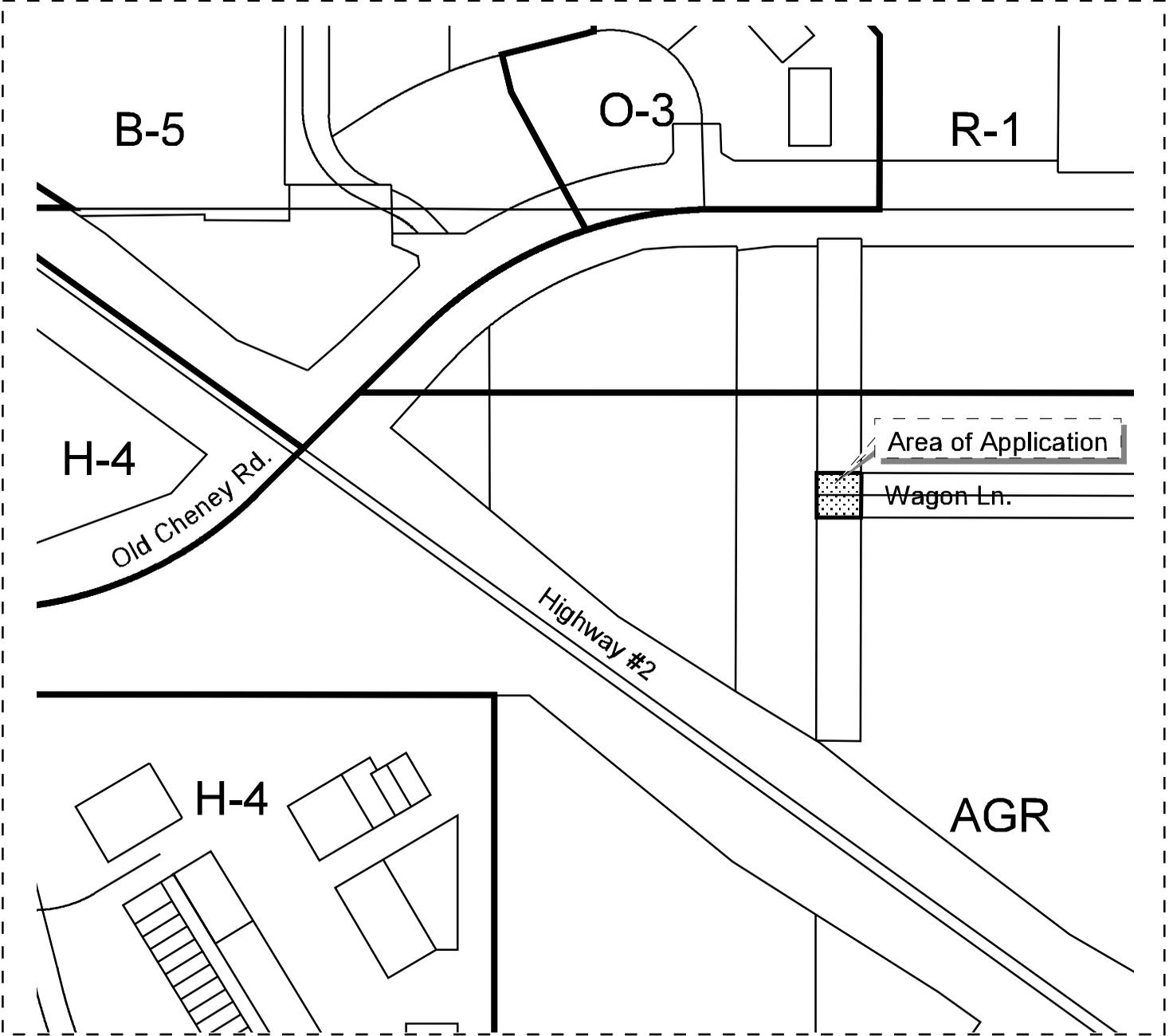


Waiver of Design Standards #02020
S. 61st & Old Cheney Rd.
West Gate Bank



Photograph Date: 1997

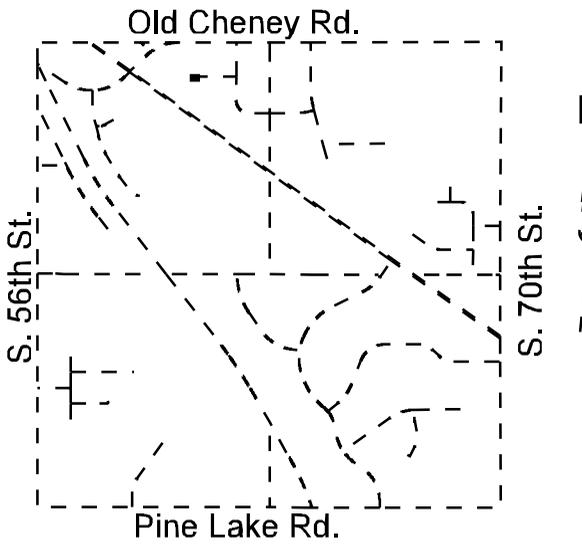
Lincoln City - Lancaster County Planning Dept.



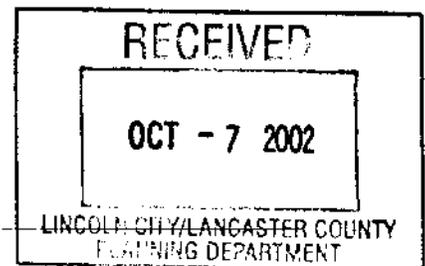
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- Zoning:**
- R-1 to R-8 Residential District
 - AG Agricultural District
 - AGR Agricultural Residential District
 - R-C Residential Conservation District
 - O-1 Office District
 - O-2 Suburban Office District
 - O-3 Office Park District
 - R-T Residential 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



M e m o r a n d u m



To: *TJC* Tom Cajka, Planning

From: Dennis Bartels, Public Works and Utilities

Subject: Waiver of Subdivision Requirements, West Gate Bank

Date: October 2, 2002

cc: Randy Hoskins
Nicole Fleck-Tooze

Engineering Services has reviewed the request to waive the subdivision requirement for waiver of the turn-around at the west end of Wagon Train Lane with the West Gate Bank center plat at Old Cheney and Highway 2 and has the following comments:

1. Waiving the requirement to provide a turn-around with this plat will force the property owners to the east to dedicate their property to accommodate the turn-around. These 2 property owners are not party to this plat and are likely not aware of this potential liability.
2. Dead-ending Wagon Train Lane and extending it into the West Gate Bank plat is not desirable given the proposed zoning and land use. Public Works however objects to this waiver if the liability for dedication of the requirement turn-around is imposed upon the abutting property owners without their consent and with no liability from this plat.



OLSSON ASSOCIATES
ENGINEERS • PLANNERS • SCIENTISTS • SURVEYORS

September 16, 2002

Marvin Krout
Planning Director
City-County Planning Department
555 South 10th Street
Lincoln, NE 68508

RE: West Gate Bank, Application for Waiver of Design Standards,
OA Project No. 2002.0690

Dear Mr. Krout,

Enclosed please find the following documents for the above referenced project:

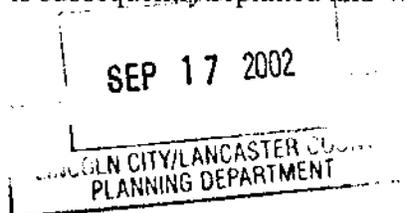
1. City of Lincoln Zoning Application; "Waiver of Design Standards"
2. Filing fee for "Waiver of Design Standards"; \$100
3. Certificate of Ownership
4. Legal Description-Use Permit Exhibit; 21 copies
5. Staff Memorandum dated August 28, 2002

On behalf of the Owners, Carl J. Sjulín, David H. Sjulín, and Kathryn Sjulín Lonowski, we are requesting a "Waiver of Design Standards" requiring a standard turn-around, as required by Public Works, as a condition of our request to vacate the Wagon Lane Right-Of-Way (R-O-W). Currently, the R-O-W for Wagon Lane terminates at the east edge of the site under consideration and Wagon Lane has not been built. The Wagon Lane R-O-W is located on two occupied, acreage lots with existing access to South 62nd Street.

We request the "Waiver of Design Standards" based on the following rationale:

1. Wagon Lane is not built
2. Wagon Lane R-O-W terminates at the west on the site under consideration for the proposed West Gate Bank building and, as a result, will not be constructed unless the land abutting it is replatted, and
3. The property abutting the Wagon Lane R-O-W has existing access onto South 62nd Street.

We offer that an alternative solution may be to require dedication of R-O-W for a turn-around on the land to the east of the site under consideration. Such a requirement would ensure an adequate turn-around if this property is subsequently replatted and Wagon Lane is constructed.



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

Sincerely,

Steve Miller
Steve Miller, AICP
Olsson Associates

