

**LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT**

**for MAY 9, 2007 PLANNING COMMISSION MEETING**

**PROJECT #:** Street and Alley Vacation No. 07005

**PROPOSAL:** Vacate the right of way for N. 61<sup>st</sup> Street north of Aylesworth Avenue at Brownell Elementary School.

**LOCATION:** N. 61<sup>st</sup> Street and Aylesworth Avenue

**LAND AREA:** 7,500 square feet (0.17 acres) more or less

**CONCLUSION:** Brownell Elementary School was built across this right-of-way. The City has no reasons to retain the right-of-way.

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

**LEGAL DESCRIPTION:** The 25' wide N. 61<sup>st</sup> Street right-of-way north of Aylesworth Avenue, legally described as east of Block 21, Lemon's Subdivision and west of Lots 8-14, Block 3, Narr's Addition, located in the SW 1/4 of Section 16-10-7, Lancaster County, Nebraska.

**SURROUNDING LAND USE AND ZONING:**

North: Brownell Elementary School, P Public Use District  
South: N. 61<sup>st</sup> Street and Single Family Residential, R-2 Residential District  
East: Brownell Elementary School, P Public Use District  
West: Brownell Elementary School, P Public Use District

**COMPREHENSIVE PLAN SPECIFICATIONS:** Pg 17 - The 2030 Land Use Plan shows the entire area of this request as Public & Semi Public.

**HISTORY:**

Only half of a right of way was dedicated (25').  
A portion of Brownell Elementary School was built over this half right-of-way.

**UTILITIES:** There are no existing utilities within this right-of-way. No easements are requested.

**TRAFFIC ANALYSIS:**

**STREET VACATION NO. 07005**

**PAGE 2**

Traffic will not be affected by this vacation.

**ANALYSIS:**

1. Lincoln Municipal Code Chapter 14.20 requires the City to establish the proper price to be paid for the right-of-way, as well as any amounts necessary to guarantee required reconstruction within the right-of-way. These values must be established and deposited with the City Clerk prior to scheduling the vacation request with the City Council.
2. The street vacation will result in six lots not having frontage or access to a public or private street (Lots 9-14, Block 3, Narr's Subdivision). However, all of these lots are owned by Lincoln Public Schools and are part of the Brownell Elementary School site.

**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:

Brandon M. Garrett, AICP  
Planner

**DATE:** April 25, 2007

**APPLICANT/CONTACT:** Dennis Bartels  
Public Works Department  
531 Westgate Blvd./Suite 100  
Lincoln, NE 68528

**OWNER:** Lincoln Public Schools  
5901 O Street  
Lincoln, NE 68510



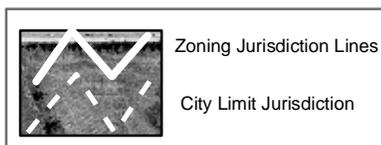
**Street and Alley Vacation #07005  
N 61st St & Aylesworth Ave**

2005 aerial

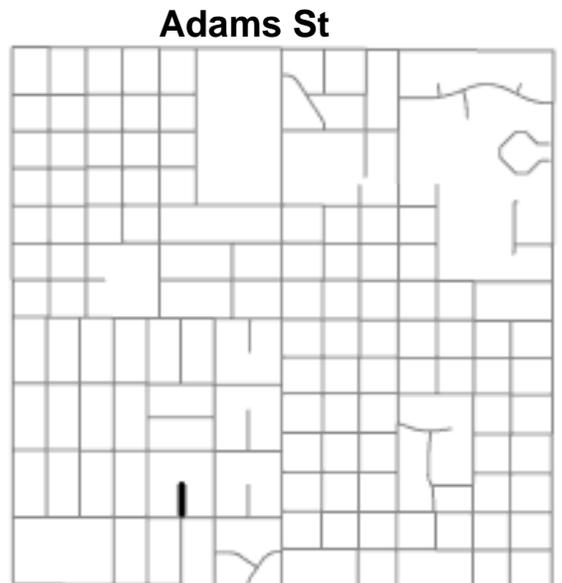
**Zoning:**

One Square Mile  
Sec. 16 T10N R07E

- 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

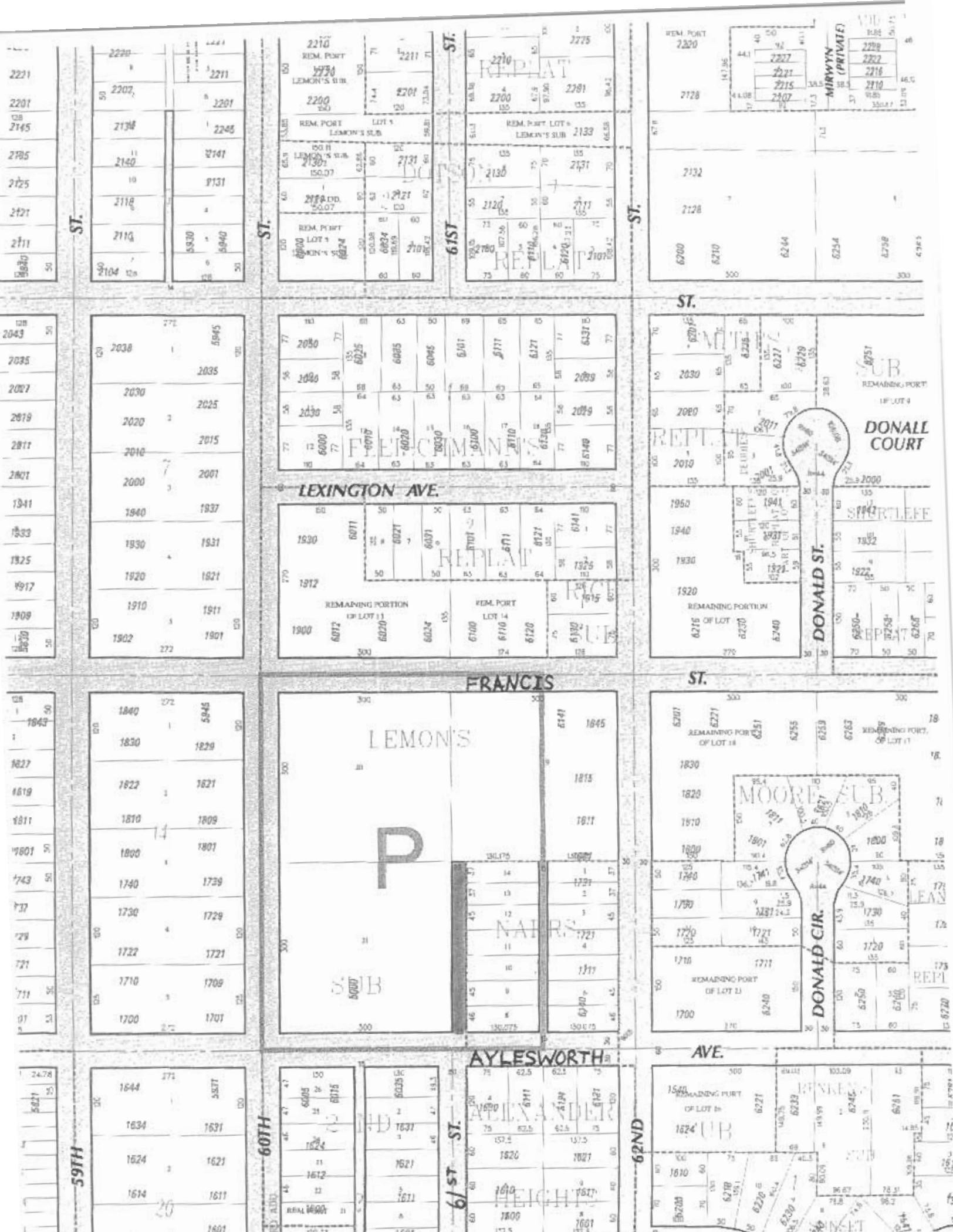


N 56th St



N 70th St

Holdrege St



**Review Comments for**  
**Application #: SAV07090**  
**BROWNELL ELEMENTARY SCHOOL**

Comments as of: Wednesday, April 25, 2007

Status of Review: Active

Reviewed By ANY

Comments:

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Status of Review: Approved

Reviewed By Alltel ANY

Comments:

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Status of Review: Approved

Reviewed By Aquila ANY

Comments:

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Status of Review: Active

Reviewed By Building & Safety ANY

Comments:

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Status of Review: Complete

04/13/2007 4:38:03 PM

Reviewed By Fire Department ANY

Comments: We have no objections from the perspective of our department.

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Status of Review: Active

Reviewed By Law Department ANY

Comments:

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Status of Review: Active

Reviewed By Lincoln Electric System JIM HENNESSY

Comments:

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Status of Review: Active

Reviewed By Parks & Recreation ANY

Comments:

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Status of Review: Active

Reviewed By Planning Department

BRANDON GARRETT

Comments:

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Status of Review: Complete

Reviewed By Planning Department

RAY HILL

Comments:

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Status of Review: Active

Reviewed By Planning Department

DUNCAN ROSS

Comments:

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Status of Review: Routed

Reviewed By Planning Department

COUNTER

Comments:

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Status of Review: Complete

04/13/2007 3:39:30 PM

Reviewed By Public Works - Development Services

SIETDQ

Comments: Memorandum |

To: Brandon Garrett - Planning  
From: Byron Blum - Engineering Services  
Subject: Street and Alley Vacation #07005  
Date: April 13, 2007  
cc: Randy Hoskins  
Dennis Bartels

The Department of Public Works has no utilities in this area. P ublic Works has no objection to this vacation.

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Status of Review: Active

Reviewed By Public Works - Waste Water

ANY

Comments:

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Status of Review: Active

Reviewed By Time Warner Cable

ANY

Comments:

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Status of Review: Active

Reviewed By Urban Development

ANY

Comments:

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Status of Review: Active

Reviewed By Urban Development

ANY

Comments:

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Status of Review: Active

Reviewed By US Post Office

ANY

Comments:

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Please provide your comments below, and also identify the reservations and easements you will require should this vacation be approved. Complete ONLY those areas of your jurisdiction.

<u>Type of Facility</u>	<u>Facility presently in place.</u>	<u>Facility to be built. When?</u>
Sanitary Sewer	_____	_____
Water Mains	_____	_____
Storm Sewer	_____	_____
Electrical Power, Overhead	_____	_____
Electrical Power, Underground	_____	_____
Street Lighting	_____	_____
Steam Lines	_____	_____
Telephone Lines, Overhead	_____	_____
Telephone Lines, Underground	_____	_____
Gas Mains	<u>NO</u>	<u>N/A</u>
Traffic Signal Interconnect	_____	_____
Reconstruction of Surface Features, Cost:	_____	_____
Street Trees	_____	_____

General Comments:

Aquila does not object

9-13-07  
Date

Randy Kreyfild  
Signature

437-1715  
Phone

Please provide your comments below, and also identify the reservations and easements you will require should this vacation be approved. Complete ONLY those areas of your jurisdiction.

<u>Type of Facility</u>	<u>Facility presently in place.</u>	<u>Facility to be built. When?</u>
Sanitary Sewer	_____	_____
Water Mains	_____	_____
Storm Sewer	_____	_____
Electrical Power, Overhead	NONE <i>LP</i>	NONE <i>LP</i>
Electrical Power, Underground	NONE <i>LP</i>	NONE <i>LP</i>
Street Lighting	NONE <i>LP</i>	NONE <i>LP</i>
Steam Lines	_____	_____
Telephone Lines, Overhead	_____	_____
Telephone Lines, Underground	_____	_____
Gas Mains	_____	_____
Traffic Signal Interconnect	_____	_____
Reconstruction of Surface Features, Cost:	_____	_____
Street Trees	_____	_____

General Comments:

NO EASEMENTS REQUIRED *LP*

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4-17-2007  
Date

S Westrel / LP  
Signature

\_\_\_\_\_  
Phone

# Memorandum

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**To:** Brandon Garrett - Planning  
**From:** Byron Blum - Engineering Services  
**Subject:** Street and Alley Vacation #07005  
**Date:** April 13, 2007  
**cc:** Randy Hoskins  
Dennis Bartels

The Department of Public Works has no utilities in this area. P ublic Works has no objection to this vacation.

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Sanitary Sewer	<u>None</u>	_____
Water Mains	_____	_____
Storm Sewer	_____	_____
Electrical Power, Overhead	_____	_____
Electrical Power, Underground	_____	_____
Street Lighting	_____	_____
Steam Lines	_____	_____
Telephone Lines, Overhead	_____	_____
Telephone Lines, Underground	_____	_____
Gas Mains	_____	_____
Traffic Signal Interconnect	_____	_____
Reconstruction of Surface Features, Cost:	_____	_____
Street Trees	_____	_____

General Comments:

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4/11/07  
Date

Lance D. Losh  
Signature

441-8340  
Phone

Please provide your comments below, and also identify the reservations and easements you will require should this vacation be approved. Complete ONLY those areas of your jurisdiction.

<u>Type of Facility</u>	<u>Facility presently in place.</u>	<u>Facility to be built. When?</u>
Sanitary Sewer	NONE	
Water Mains		
Storm Sewer		
Electrical Power, Overhead		
Electrical Power, Underground		
Street Lighting		
Steam Lines		
Telephone Lines, Overhead		
Telephone Lines, Underground		
Gas Mains		
Traffic Signal Interconnect		
Reconstruction of Surface Features, Cost:		
Street Trees		

General Comments:

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Date

<BRIAN KRAMER>  
Signature

Phone

# **M e m o r a n d u m**

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**To:** Ray Hill, Planning Department  
**From:** Dennis Bartels, Engineering Services  
**Subject:** Vacation of North 61st Street  
**Date:** March 26, 2007  
**cc:** Roger Figard  
Randy Hoskins  
Barnie Blum  
Steven Henrichsen

North 61st Street is a 25' wide platted right-of-way north of Aylesworth Avenue. The Brownell Elementary School building sits over this right-of-way. Since this right-of-way is unused and unnecessary, Public Works recommends that this right-of-way be vacation without petition per Chapter 14.20 of the L.M.C.