

City Council Introduction: **Monday**, February 9, 2009
Public Hearing: **Monday**, February 23, 2009, at **5:30** p.m.

Bill No. 09-18

FACTSHEET

TITLE: **ANNEXATION NO. 08014**, by the Director of Planning, to annex 145.2 acres, more or less, generally located at South 1st Street and Van Dorn Street and South 6th Street and Pioneers Blvd.

STAFF RECOMMENDATION: Approval.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 01/28/09
Administrative Action: 01/28/09

RECOMMENDATION: Approval (8-0: Carroll, Esseks, Francis, Larson, Cornelius, Gaylor Baird, Taylor and Sunderman voting 'yes'; Partington absent).

FINDINGS OF FACT:

1. This is a request to annex 145.2 acres, more or less, generally located a South 1st and Van Dorn Streets and at South 6th Street and Pioneers Boulevard pursuant to the City's annexation policy as set forth in the Comprehensive Plan.
2. The staff recommendation of approval is based upon the "Analysis" as set forth on p.4-5, concluding that the property can be provided the full-range of City services, is generally urban in character and is contiguous with the city limits. This annexation is consistent with the City's annexation policy.
3. Neighborhood meetings were held on September 2 and October 2, 2008, and written notification of the public hearing before the Planning Commission was mailed to owners of the property proposed to be annexed on December 29, 2008.
4. On January 28, 2009, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak.
5. On January 28, 2009, the Planning Commission agreed with the staff recommendation and voted 8-0 to recommend approval (Partington absent).

FACTSHEET PREPARED BY: Jean L. Preister

DATE: January 29, 2009

REVIEWED BY: _____

DATE: January 29, 2009

REFERENCE NUMBER: FS\CC\2009\ANNEX.08014

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for JANUARY 28, 2009 PLANNING COMMISSION MEETING

PROJECT #: Annexation # 08014

PROPOSAL: Application by the Director of Planning to annex approximately 145.2 acres.

LOCATION: South 1st and Van Dorn Streets, and South 6th Street and Pioneers Blvd.

LAND AREA: 145.2 acres, more or less.

CONCLUSION: These properties can be provided the full-range of City services, are generally urban in character, and are contiguous with the city limit. Their annexation is consistent with the City's annexation policy.

<u>RECOMMENDATION:</u>	Approval
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GENERAL INFORMATION:

LEGAL DESCRIPTION: All of Lots 74 and 91 I.T., and the remainder of Lot 92 I.T. not previously annexed, in Section 2-9-6; and also that portion of Lot 13 I.T. with State of Nebraska property lying south of the old north line of Pioneers Boulevard and east of the east line of the B.N.S.F railroad right-of-way and said right-of-way lying in Section 2-9-6; and Lots 36, 5, 17, and 6 I.T., in Section 11-9-6, that portion of the W 1/2, NE 1/4 of said section not previously annexed and all railroad right-of-way lying easterly of the west line of Lot 6 I.T. extended southerly to the westerly line of Lot 10 I.T. in said section; all in Lancaster County, Nebraska, generally located at S. 1st Street and Van Dorn Street and S. 6th Street and Pioneers Boulevard.

EXISTING ZONING: S. 1st & Van Dorn - I-1 Industrial
S. 6th & Pioneers - P Public and AG Agriculture

EXISTING LAND USE: S. 1st & Van Dorn - Warehousing, Sod Farm
S. 6th & Pioneers - Public (State Penitentiary, State Department of Roads Maintenance Facility), One Single-family Dwelling

SURROUNDING LAND USE AND ZONING:

S. 1st & Van Dorn:

North:	Commercial	I-1
South:	Wilderness Park	P
East:	Commercial	I-1
West:	Wilderness Park	P

S. 6th & Pioneers:

North:	Commercial, Vacant	I-1, P
South:	Dept. Of Roads Maint. Facility, Vacant	AG
East:	Vacant	AG
West:	Wilderness Park	P

COMPREHENSIVE PLAN SPECIFICATIONS:

Pg 154 - Annexation Policy - Annexation policy is a potentially powerful means for achieving many of the goals embodied in the Plan's Vision. The annexation policies of the City of Lincoln include but are not limited to the following:

The provision of municipal services shall coincide with the jurisdictional boundaries of the City – in short, it is not the intent of the City of Lincoln to extend utility services (most notably, but not necessarily limited to, water and sanitary sewer services) beyond the corporate limits of the City.

The extension of water and sanitary sewer services shall be predicated upon annexation of the area by the City. City annexation shall occur before any property is provided with water, sanitary sewer, or other potential City services.

Land which is remote or otherwise removed from the limits of the City of Lincoln will not be annexed; land which is contiguous to the City and generally urban in character may be annexed; and land which is engulfed by the City should be annexed.

Annexation generally implies the opportunity to access all City services. Voluntary annexation agreements may limit or otherwise outline the phasing, timing or installation of utility services (e.g., water, sanitary sewer), and may include specific or general plans for the private financing of improvements to the infrastructure supporting or contributing to the land uses in the annexed area.

The character of existing residential areas should be respected as much as possible during the annexation process. When low density "acreage" areas are proposed for annexation due to the City's policy, additional steps should be taken to ease the transition as much as possible, such as public meetings, advance notice and written explanation of changes as a result of annexation. In general, many aspects of acreage life may remain unchanged, such as zoning or covenants. However, any annexation of existing residential areas will include some costs which must be the responsibility of property owners.

Annexation to facilitate the installation of improvements and/or possible assessment districts is appropriate if it is consistent with the annexation policies of the Plan listed above.

Plans for the provision of services within the areas considered for annexation shall be carefully coordinated with the Capital Improvements Program of the City and the County.

SPECIFIC INFORMATION:

UTILITIES & SERVICES:

- A. **Sanitary Sewer:** Sanitary sewer is located near both tracts. In the case of South 1st & Van Dorn, sewer is located in the adjacent street, Speedway Circle. At South 6th & Pioneers, there are sewer lines in Lowell Circle and South 8th Street north of Pioneers Blvd. There is also a trunk sewer line that extends across the tract from east to west on the south side of Beal's Slough.
- B. **Water:** Water is available to serve all the areas proposed for annexation.
- C. **Roads:** Speedway Circle is a local street. Pioneers Blvd is designated as a minor arterial street, currently a two-lane asphalt county road.
- D. **Parks and Trails:** Both tracts are adjacent to Wilderness Park. The Jamaica Trail North follows Salt Creek along the west side of the South 1st & Van Dorn Street tract, and extending south along the B.N.S.F. railroad tracks adjacent to the South 6th and Pioneers Blvd on the west.
- E. **Fire Protection:** The nearest fire stations are located at South 27th Street and Old Cheney Road, and at South 17th & Van Dorn Streets.

ANALYSIS:

1. The proposed annexation consists of two separate tracts, one located at approximately South 1st and Van Dorn Streets, and the other located at approximately South 6th Street and Pioneers Blvd. Both tracts are contiguous with the city limit along their north and east boundaries.
2. The northmost tract is developed with a warehouse at the northeast corner, with the remainder in use as a sod farm. It is wholly located within the 100-year floodplain of Salt Creek.
3. The south tract contains a single-family residence on a separate lot at the northwest corner. Approximately one-half of the residential lot is located within the Beal's Slough floodway, with the remainder located in the 100-year floodplain. The rest of this tract is owned by the State of Nebraska, and is either vacant land or occupied by Department of Corrections and Department of Roads facilities.
4. All lots can be served with City water and gravity-flow sanitary sewer.
5. All other city services, including Fire and Police, can be provided to these properties. There are two fire stations located within two miles or less of both sites. One is located at South 27th Street and Old Cheney Road, and the other is at South 17th and Van Dorn Streets.

6. The properties are located within the Southeast Rural Fire District and Lincoln Public Schools District #1 (LPS). After annexation the properties will be served by the Lincoln Fire Rescue, and will remain in LPS.

Prepared by:

Brian Will
Planner
January 12, 2009

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ANNEXATION NO. 08014

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

January 28, 2009

Members present: Gaylor Baird, Carroll, Cornelius, Esseks, Francis, Larson, Sunderman and Taylor; Partington absent.

The Consent Agenda consisted of the following items: **COMPREHENSIVE PLAN CONFORMANCE NO. 08029, ANNEXATION NO. 08009, ANNEXATION NO. 08012, ANNEXATION NO. 08014, ANNEXATION NO. 08017, ANNEXATION NO. 08018, ANNEXATION NO. 08021, CHANGE OF ZONE NO. 08070, CHANGE OF ZONE NO. 08073, SPECIAL PERMIT NO. 08052, USE PERMIT NO. 100B, and SPECIAL PERMIT NO. 310D.**

Ex Parte Communications: None

Item No. 1.9a, Change of Zone N. 08073; Item No. 1.9b, Special Permit No. 08052; Item No. 1.9c, Use Permit No. 100B; and Item No. 1.10, Special Permit No. 310D, were removed from the Consent Agenda and scheduled for separate public hearing.

Taylor moved to approve the remaining Consent Agenda, seconded by Esseks and carried 8-0: Gaylor Baird, Carroll, Cornelius, Esseks, Francis, Larson, Sunderman and Taylor voting 'yes'; Partington absent.

Note: This is final action on Comprehensive Plan Conformance No. 08029, unless appealed to the City Council by filing a letter of appeal with the City Clerk within 14 days of the action by the Planning Commission.



Annexation #08014
1st & Van Dorn St and
6th & Pioneers Blvd

Total Area: 145.2 Acres

-  Existing City Limits
-  Annexation Study Area Boundary
-  Zoning District Boundary



LOCAL GOVERNMENT PLANNING DEPARTMENT
ITS

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December 9, 2008

