

City Council Introduction: **Monday**, September 27, 2010
Public Hearing: **Monday**, October 4, 2010, at **3:00** p.m.

Bill No. 10-130

FACTSHEET

TITLE: ANNEXATION NO. 08013, requested by the Director of Planning, to annex approximately 15 acres, more or less, generally located southeast of the Salt Creek crossing at Warlick Boulevard.

STAFF RECOMMENDATION: Approval.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 05/19/10
Administrative Action: 05/19/10

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

FINDINGS OF FACT:

1. This is a request to annex 14.6 acres, more or less, generally located southeast of Warlick Boulevard and Homestead Expressway. The city limits adjoin this land on the north, south and east.
2. When this application was heard by the Planning Commission, the easternmost tract (Lot 29) was owned by the Prairie Bowman Archery Club, and the westernmost tract (Lot 48) was owned by the State of Nebraska. The Archery Club has conducted its activities on both lots for many years.
3. This annexation was placed on hold after the action by the Planning Commission pending the purchase of Lot 48 by the Prairie Bowman Archery Club. Prairie Bowman Archery Club is now the owner of the entire area to be annexed, and the City of Lincoln and the Lower Platte South Natural Resources District acquired a permanent conservation easement from the State of Nebraska, Department of Roads, over 6.02 acres of this property by Resolution No. A-85893 adopted by the City Council on June 14, 2010, pursuant to Analysis #2 in the staff report.
4. The staff recommendation of approval is based upon the "Analysis" as set forth on p.4, concluding that the site can be provided the full range of City services, is generally urban in character and is contiguous to the City limits. Thus, this annexation is consistent with the City's annexation policy.
5. On May 19, 2010, this application appeared on the Consent Agenda of the Planning Commission and was opened for public hearing. No one came forward to speak. The Planning Commission agreed with the staff recommendation and voted 8-0 to recommend approval (Sunderman absent).

FACTSHEET PREPARED BY: Jean L. Preister

DATE: September 20, 2010

REVIEWED BY: _____

DATE: September 20, 2010

REFERENCE NUMBER: FS\CC\2010\ANNEX.08013

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for May 19, 2010 PLANNING COMMISSION MEETING

PROJECT #: Annexation # 08013

PROPOSAL: Application by the Director of Planning to annex approximately 14.6 acres

LOCATION: Southeast of the Salt Creek crossing at Warlick Blvd

LAND AREA: 14.6 acres, more or less

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

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

LEGAL DESCRIPTION: Lot 29 SE, except the 2.85 acres at the northeast corner already in the city limit, and Irregular Tract Lot 48 SW, all located in the south ½ of Section 14-9-6, Lancaster County, Nebraska, generally located southeast of Warlick Blvd and Homestead Expressway.

EXISTING ZONING: R-2 Residential

SURROUNDING LAND USE AND ZONING:

North:	Vacant, Residential	R-2, R-4
South:	Densmore Park	P
East:	Vacant, City Park	R-2, P
West:	Jamaica Trail, Railroad	AG

EXISTING LAND USE: Open Space, Archery Club

ASSOCIATED APPLICATIONS:

CPC#10002 - A request for a finding of conformance with the Comprehensive Plan for the acquisition of a permanent conservation easement over the west lot included in this annexation request.

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 exists in the adjacent residential development to the northeast. The east ½ of the site could potentially be served by this connection. The west ½ of the site has considerable slope and is designated as floodprone area associated with the Salt Creek corridor located several hundred feet to the west. If approved by the City and the Lower Platted South Natural Resources District, a conservation easement will be granted over the west lot that is now owned by the State.
- B. **Water:** Water is available to serve the areas proposed for annexation.
- C. **Roads:** The site is currently accessed via an access easement across neighboring properties off of Galloway Avenue located in Thunderbird Estates. The site is not adjacent to a public street.

- D. **Parks and Trails:** This site is adjacent to the Jamaica Trail located in the abandoned Union Pacific Railroad right-of-way.
- E. **Fire Protection:** The nearest fire station is Station #4 located a South 27th Street and Old Cheney Road.

ANALYSIS:

1. The proposed annexation consists of two separate tracts. The easternmost tract, Lot 29, is owned by the Prairie Bowman Archery Club. The westernmost tract, Lot 48, is owned by the State Of Nebraska. The Club has conducted its activities on both lots for many years and with the State's knowledge.
2. The State intends to sell Lot 48 to the Club, but on the condition that a conservation easement be granted over the lot. A substantial portion of this lot is designated as floodprone area associated with Salt Creek. A conservation easement is proposed over the entire Lot 48, and once in place the easement will limit development activity and generally preserve the lot in its current state for the purpose of flood storage for Salt Creek. The request for a finding of conformance with the Comprehensive Plan is now being considered by the City and will need to be completed prior to the property transfer.
3. This annexation was originally initiated by the City late in 2008 along with several others. While most of those annexations went on to be approved, this one along with another for the Lincoln Trap and Skeet Club site near North 48th and Superior Streets were put on hold over concern that a private outdoor shooting range was prohibited from operating within the city limit. In August of 2009 however, LB503 was passed by the State Legislature, and the law provides for an existing shooting or archery range to continue to operate within the city limits after it is annexed.
4. Access to the site is very limited, and currently only by means of an access easement over neighboring properties to the nearest public street, Galloway Drive located in Thunderbird Estates to the east.
5. The area can be served by City utilities which are located in the adjacent residential area located to the northeast next to the Ruskin Place Apartments.
6. All other city services, including Fire and Police, can also be provided. The nearest fire station is located at South 27th Street and Old Cheney Road.

Prepared by:

Brian Will
Planner
May 5, 2010

APPLICANT:

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ANNEXATION NO. 08013

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

May 19, 2010

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

The Consent Agenda consisted of the following items: **ANNEXATION NO. 08013 and WAIVER NO. 10014.**

Ex Parte Communications: None

Item No. 1.2, Waiver No. 10014, was removed from the Consent Agenda and scheduled for separate public hearing at the request of Commissioner Taylor.

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



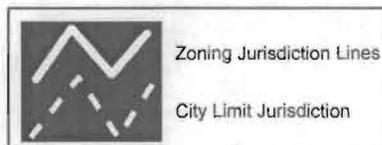
2007 aerial

**Annexation #08013
Warlick Blvd & Homestead Expy**

Zoning:

- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential 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. 14 T09N R06E



Annexation Study: Area #6*Warlick Blvd & Salt Creek***2007 Valuation: \$231,298**

Proposed Annexation Year:	Acres in Area:
2009	14.6 acres
Total:	14.6 acres

Recommendation:

Area is appropriate for annexation. Potential issue regarding operating archery range within City limits should be resolved prior to annexation.

General Description	Generally located south of Warlick Blvd, north of Densmore Park, known as the "Prairie Bowmen" site. The area is triangular in shape and is surrounded on two sides by the City limit, with railroad right-of-way on the third side. Currently used by the Prairie Bowman sports club as an outdoor archery range.			
Current Jurisdictions	Southwest Rural Fire District Lincoln School District			
Zoning	R-2 Residential	Surrounding Zoning	North East South West	R-2 and R-4 Residential R-2 and P Public P AG Agriculture-4
Utilities	Wastewater	Initial O&M \$0	Future O&M \$2,000	Capital Costs \$0
	Water	\$0	\$3,000	\$0
	Future development of the area would mean an increase in operation and maintenance costs. Future development would generate impact and user fees.			
Roads	Initial O&M \$0	Future O&M \$5,600		
	No initial costs for road improvements however, future development could generate operations and maintenance costs. Future development would generate impact fees.			
Estimated Revenue	Total Revenue Year 1:		Total Revenue Year 2:	
	-\$126		\$666	

Other Comments:

This study area has a small portion of the site in the Salt Creek flood prone area. This site would require "Existing Urban Area" flood plain standards to be followed for development.

There is an active archery range on this property that would not be able to operate inside the city limits under current ordinances.

Parks and Recreation project minimal operation and maintenance costs, but some possible costs for acquisition of park property. Development of this property as residential could increase street tree maintenance costs by about \$200 per year. The Jamaica North trail runs along the western edge of this area.