

FACTSHEET

TITLE: **ANNEXATION NO. 06009**, requested by The Links at Lincoln, to annex 3.25 acres, more or less, generally located at North 1st Street and Fletcher Avenue.

STAFF RECOMMENDATION: Approval

ASSOCIATED REQUESTS: Change of Zone No. 05002A, an amendment to The Links at Lincoln Planned Unit Development (06-88).

FINDINGS OF FACT:

1. This request to annex approximately 3.25 acres was heard before the Planning Commission in conjunction with the associated amendment to The Links at Lincoln Planned Unit Development and the associated Street Vacation No. 06002 to allow the realignment of Fletcher Avenue to the north.
2. The staff recommendation to approve the annexation request is based upon the "*Analysis*" as set forth on p.4-5, concluding that the proposed annexation is contiguous to the city limits and is within Tier I of the Future Service Limits. An annexation agreement is not required. All utilities are available and no additional right-of-way is needed along N. 1st Street. The right-of-way for the relocated Fletcher Avenue shall be dedicated at the time of final plat.
3. On May 24, 2006, this application appeared on the Planning Commission Consent Agenda and was opened for public hearing. No one came forward to speak.
4. On May 24, 2006, the Planning Commission agreed with the staff recommendation and voted 9-0 to recommend approval.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: Consent Agenda: 05/24/06
Administrative Action: 05/24/06

RECOMMENDATION: Approval (9-0: Larson, Carroll, Esseks, Strand, Cornelius, Taylor, Sunderman, Krieser and Carlson voting 'yes');).

FACTSHEET PREPARED BY: Jean L. Walker

DATE: May 26, 2006

REVIEWED BY: _____

DATE: May 26, 2006

REFERENCE NUMBER: FS\CC\2006\ANNEX.06009+

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for May 24, 2006 PLANNING COMMISSION MEETING

PROJECT #: *Annexation #06009*
Change of Zone No.05002A, The Links at Lincoln PUD

Note: This is a combined staff report for related items. This report contains a single background and analysis section for all items. However, there are separate conditions provided for each individual application.

PROPOSAL: To annex approximately 3.25 acres and a change of zone from AG to R-3 PUD. To increase the area of The Links at Lincoln PUD.

LOCATION: N. 1st St. and Fletcher Ave.

LAND AREA: 104 acres, more or less

EXISTING ZONING: AG-Agricultural

WAIVER /MODIFICATION REQUEST:

1. Sidewalks on the north and east side of Fletcher Ave.
2. Street trees on the north and east side of Fletcher Ave.

CONCLUSION: The purpose of this application is to relocate Fletcher Ave. in compliance with Change of Zone #05002, The Links at Lincoln and Ordinance #18525. The area of annexation is contiguous to the city limits and is within Tier One of the Future Service Limits.

RECOMMENDATION:	Approval
Waivers:	
1. Sidewalks on the north and east side of Fletcher Ave.	Approval
2. Street trees on the north and east side of Fletcher Ave.	Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION:

Change of Zone #05002A: see attached
Annexation #06009: Lot 25, Cumberland Heights

EXISTING LAND USE:

Multi-family and undeveloped.

SURROUNDING LAND USE AND ZONING:

North:	AG- Agricultural	Single family on acreages
South:	AG-Agricultural	Interstate 80, campground

East:	AG- Agricultural	Single family on acreages
West:	O-3-Office	Undeveloped, west of N. 1 st St.
	O-2, I-2 & R-3	Residential, industrial, office west of Highway 34.

ASSOCIATED APPLICATIONS:

Street and Alley Vacation #06002

HISTORY:

April 18, 2005 The Links at Lincoln PUD was approved by the City Council.

COMPREHENSIVE PLAN SPECIFICATIONS:

The 2025 Comprehensive Plan shows this area as Urban Residential and Low Density Residential. (F-25)

The proposed annexation area is inside the future service limits and within Tier One Priority B. (F-31)

Fletcher Ave. is designated as an urban collector in the 2025 Comprehensive Plan. (F-103)

Collector Street: These streets serve as a link between local streets and the arterial system. Collectors provide both access and traffic circulation within residential, commercial and industrial areas. Moderate to low traffic volumes are characteristic of these streets.
(F-105)

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. (F-154)

The extension of water and sanitary sewer services shall be predicated upon annexation of the area by the City. City annexations shall occur before any property is provided with water, sanitary sewer, or other potential City services. (F-154)

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. (F-154,155)

UTILITIES:

- A. **Sanitary Sewer:** There is no sanitary sewer in N. 1st St. The area of annexation will be served with a new 8" sanitary sewer main that will connect to an existing manhole in Fletcher Ave.
- B. **Water:** There is an existing 8" water main in N. 1st St. to serve this area.
- C. **Roads:** N. 1st St. is an improved arterial. Fletcher Ave. is a two lane rural cross section and is classified as an urban collector in the 2025 Comprehensive Plan.
- D. **Parks and Trails:** There are no proposed trails at this location.
- E. **Fire Protection:** Adequate fire protection may be provided. The Fire Department has no objection.

TRAFFIC ANALYSIS:

Fletcher Ave. is designated as an urban collector and N. 1st St. is designated as a principal arterial in the future functional classification of the Comprehensive Plan.

PUBLIC SERVICE:

The nearest fire station is Station 14 located at 5435 N.W. 1st St.

ANALYSIS:

1. This request is to expand the area of the existing PUD to allow the intersection of Fletcher Ave. and N. 1st Street to be relocated to the north.
2. The applicant is requesting a waiver to street trees and sidewalks on the north and east side of realigned Fletcher Ave. Street trees and sidewalks can be installed when the adjacent properties are developed. Planning staff supports the waiver.
3. The area of annexation shall have an underlying zoning of R-3 PUD. Only permitted uses in the R-3 district shall be allowed within this area. A detailed site plan of the future uses may be approved by an administrative amendment for uses by right in the R-3 district. Any other uses would require a public hearing and approval by City Council.
4. There is a portion of realigned Fletcher Ave. outside the boundary of the PUD. This area shall be deeded to the City for street right-of-way purposes by the property owner at no cost to the city. The site plan shows a land swap and the applicant has informed Planning that a portion of Lot 25, Cumberland Heights will be deeded to the owner of Lot 26, Cumberland Heights in exchange for land for Fletcher Ave.
5. Ordinance 18525 for The Links at Lincoln PUD allowed the Permittee to relocate the intersection of Fletcher Ave. and N. 1st St. The ordinance further stated that if the Permittee relocated the intersection, the Permittee shall submit a request for a Change of Zone and Planned Unit Development designation to expand the boundaries of the Links at Lincoln PUD to include the relocated intersection of Fletcher Ave. with N. 1st Street. Permittee shall further petition the City to vacate the portion of Fletcher Ave. remaining after realignment. The ordinance further states that the City shall retain necessary easements for any existing utilities and that the vacated portion of Fletcher Ave shall be deeded to Permittee at no cost.
6. The proposed annexation area is contiguous to the City limits. Fallbrook subdivision is located on the west side of N. 1st St. and the existing Links at Lincoln is to the south of this proposed annexation area.
7. The area of annexation is within the future service limits and within Tier One Priority B as identified in the 2025 Comprehensive Plan.
8. The future land use plan identifies the area of annexation as low density residential.
9. An annexation agreement is not required for this development. All utilities are available and no additional right-of-way is needed along N. 1st St. The right-of-way for the relocated Fletcher Ave. shall be dedicated at the time of final plat.

10. Annexation policy:

- ! Land which is remote from the limits of the City of Lincoln will not be annexed; land which is contiguous 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 (i.e., 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.
- ! Plans for the provision of services within the areas considered for annexation should be carefully coordinated with the Capital Improvements Program of the city and the county."

Prepared by:

Tom Cajka
Planner

DATE: May 11, 2006

APPLICANT: Jim Lindsey
1165 Joyce Blvd.
Fayetteville, AR 72703
(479) 521-6686

OWNER: The Links at Lincoln
1165 Joyce Blvd.
Fayetteville, AR 72703
(479) 521-6686

CONTACT: Richard Bishop
JEO Consulting Group
650 "J" St.
Lincoln, NE 68528

ANNEXATION NO. 06009
AND
CHANGE OF ZONE NO. 05002A,
AN AMENDMENT TO
THE LINKS AT LINCOLN PLANNED UNIT DEVELOPMENT

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

May 24, 2006

Members present: Carlson, Carroll, Cornelius, Esseks, Krieser, Larson, Strand, Sunderman and Taylor.

The Consent Agenda consisted of the following items: **CHANGE OF ZONE NO. 06028; SPECIAL PERMIT NO. 06032; ANNEXATION NO. 06009; CHANGE OF ZONE NO. 05002A, an amendment to The Links at Lincoln Planned Unit Development; and STREET AND ALLEY VACATION NO. 06002.**

Ex Parte Communications: None.

Strand moved to approve the Consent Agenda, seconded by Carroll and carried 9-0: Carlson, Carroll, Cornelius, Esseks, Krieser, Larson, Strand, Sunderman and Taylor voting 'yes'.

Note: This is final action on Special Permit No. 06032 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.

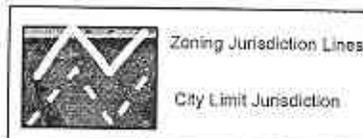


Annexation #06009
N 1st & Fletcher Ave
Zoning:

2005 aerial

- 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. 35 T11N R6E



RE-CONSTRUCT MEDIAN TO PROVIDE LEFT-TURN LANE AND STORAGE

← Boundary of PUD



100' STORAGE
50' TRANSITION

PROPOSED 8' SIDEWALK

PROPOSED A.D.W.

RELOCATE EXISTING STREET LIGHT (TYPICAL)

33' WIDE CONCRETE PAVEMENT W/ INTEGRAL CURB & GUTTER

END OF PROPOSED CURB AND GUTTER SECTION

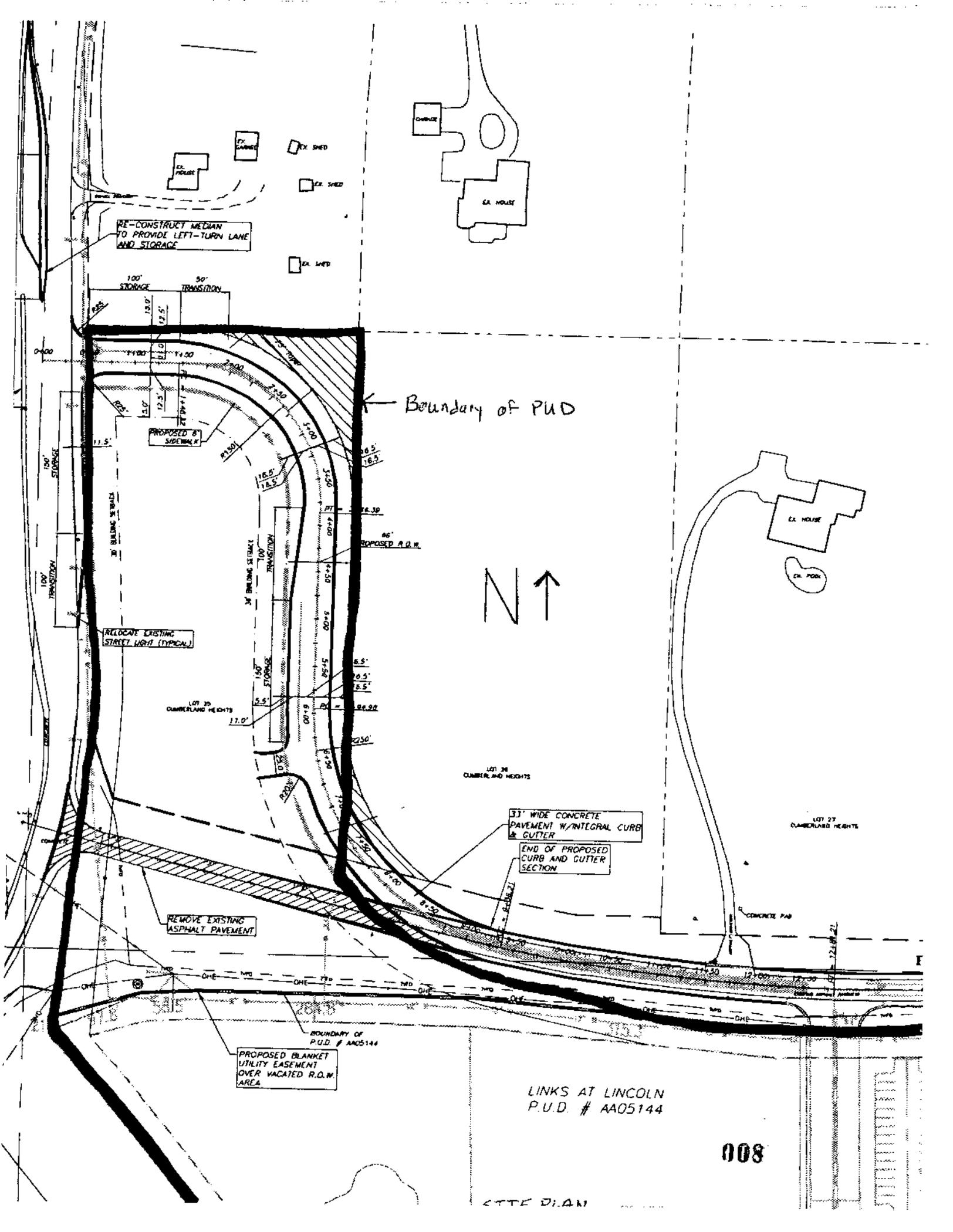
REMOVE EXISTING ASPHALT PAVEMENT

PROPOSED BLANKET UTILITY EASEMENT OVER VACATED R.D.W. AREA

LINKS AT LINCOLN
P.U.D. # AA05144

008

SITE PLAN



ADDITION TO PUD:

A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER OF SECTION 35, TOWNSHIP 11 NORTH, RANGE 6 EAST AND IN THE NORTHWEST QUARTER OF SECTION 2, TOWNSHIP 10 NORTH, RANGE 6 EAST OF THE SIXTH P.M., LANCASTER COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHWEST CORNER OF SAID NORTHWEST QUARTER; THENCE S00°10'31"W (ASSUMED BEARING) ON THE WEST LINE OF SAID NORTHWEST QUARTER, A DISTANCE OF 71.29 FEET; THENCE S89°49'29"E PERPENDICULAR TO SAID WEST LINE, A DISTANCE OF 33.00 FEET TO A POINT ON THE EAST RIGHT OF WAY LINE OF 1ST STREET, SAID POINT ALSO BEING THE TRUE POINT OF BEGINNING; THENCE N06°49'56"E, A DISTANCE OF 300.61 FEET TO A POINT OF CURVATURE, SAID POINT ALSO BEING ON THE NORTH RIGHT OF WAY LINE OF FLETCHER AVENUE AND ON THE EAST RIGHT OF WAY LINE OF SAID 1ST STREET; THENCE NORTHEASTERLY ON A 657.50 FOOT RADIUS CURVE TO THE LEFT, AN ARC DISTANCE OF 84.00 FEET, THE CHORD OF SAID CURVE BEARS N00°30'17"E, 83.94 FEET; THENCE N03°09'17"W ON SAID EAST RIGHT OF WAY LINE, A DISTANCE OF 136.21 FEET TO A POINT OF CURVATURE; THENCE NORTHEASTERLY ON A 7581.50 FOOT RADIUS CURVE TO THE RIGHT, AN ARC DISTANCE OF 213.89 FEET; THE CHORD OF SAID CURVE BEARS N02°20'47"W, 213.88 FEET TO A POINT ON THE NORTH LINE OF LOT 25 CUMBERLAND HEIGHTS; THENCE S89°50'16"E ON SAID NORTH LINE, A DISTANCE OF 282.67 FEET TO THE NORTHEAST CORNER OF SAID LOT 25; THENCE S00°29'19"W ON THE EAST LINE OF SAID LOT 25, A DISTANCE OF 558.28 FEET TO A POINT ON THE NORTH RIGHT OF WAY LINE OF FLETCHER AVENUE; THENCE CONTINUING S00°29'19"W ON SAID EAST LINE, A DISTANCE OF 25.24 FEET TO A POINT OF CURVATURE; THENCE SOUTHEASTERLY ON A 283.00 FOOT RADIUS CURVE TO THE LEFT, AN ARC DISTANCE OF 189.02 FEET, THE CHORD OF SAID CURVE BEARS S58°34'48"E, 185.53 FEET; THENCE S77°42'52"E, A DISTANCE OF 171.17 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF SAID FLETCHER AVENUE; THENCE N85°20'55"W ON SAID SOUTH RIGHT OF WAY LINE, A DISTANCE OF 187.05 FEET; THENCE CONTINUING ON SAID SOUTH RIGHT OF WAY LINE N89°48'39"W, A DISTANCE OF 284.76 FEET; THENCE CONTINUING ON SAID SOUTH RIGHT OF WAY LINE S86°25'51"W, A DISTANCE OF 58.45 FEET; THENCE CONTINUING ON SAID SOUTH RIGHT OF WAY LINE S73°53'26"W, A DISTANCE OF 97.83 FEET TO THE TRUE POINT OF BEGINNING, CONTAINING 4.70 ACRES, MORE OR LESS.



Engineering
Architecture
Surveying
Planning

April 27, 2006

Tom Cajka, Planner
City of Lincoln Planning Department
555 South 10th Street, Room 213
Lincoln, NE 68508

Re: Links at Lincoln
Addition to P.U.D. (No. AA05144)
Purpose Statement
JEO Project #385SD4

Dear Mr. Cajka:

The following is a request for annexation, change of zone and addition to the P.U.D. for the property located at North 1st Street and Fletcher Avenue, legal description attached. The purpose of this annexation and change of zone is to relocate the intersection of 1st Street and Fletcher to provide southbound turning movement from Fletcher onto North 1st Street.

The applicant requests the following waivers:

1. **Waiver of Sidewalks on the north side of the realigned Fletcher Avenue.** (Lincoln Subdivision and Zoning Regulations 26.23.095)
2. **Waiver of Street Trees on the north side of realigned Fletcher Avenue.** (Lincoln Design Standards, Chapter 2.35)

Please find enclosed:

- City of Lincoln Zoning Application with Application fee (\$500)
- Stormwater/Hydraulic calculations (1)
- Legal Description of Property to be Annexed
- C0.0 – Cover Sheet (6 copies)
- C1.1 – Geometrics and Site Plan (18 copies)
- C2.1 – Overall Grading and Drainage Plan (6 copies)
- C3.1 – Utility Plan (6 copies)
- PP1.1 – Street Profile (6 copies)
- L1.1 – Street Tree Plan (6 copies)

If you should have any questions concerning the above, please do not hesitate to call.

Sincerely,

Richard A. Bishop, E.I.T.
Project Engineer

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