

FACTSHEET

TITLE: ANNEXATION NO. 16003
(South 33rd Street and Wilderness Hills Blvd.)

BOARD/COMMITTEE: Planning Commission

APPLICANT: Lincoln Federal Bancorp

RECOMMENDATION: Approval (9-0: Sunderman, Harris, Beecham, Corr, Cornelius, Weber, Lust, Scheer and Hove voting 'yes').

STAFF RECOMMENDATION: Approval

OTHER DEPARTMENTS AFFECTED: Public Works & Utilities will be responsible for the maintenance and replacement of the streets and utilities in the new addition, and other departments will provide City services to the area and its residents.

SPONSOR: Planning Department

OPPONENTS: None present at hearing.

REASON FOR LEGISLATION: To annex approximately 19.37 acres, more or less, generally located at South 33rd Street and Wilderness Hills Blvd.

DISCUSSION/FINDINGS OF FACT:

1. This annexation request and the associated Change of Zone No. 16009 (Bill #16-36) were heard at the same time before the Planning Commission.
2. The staff recommendation to approve the annexation request is based upon the "Analysis" as set forth on pp.4-5, concluding that the subject property is adjacent to the city limit, and the full range of municipal services can be provided if annexed. A change of zone to R-3 is consistent with the Future Land Use Map and compatible with the adjacent development. Both requests comply with the Zoning Ordinance and are consistent with the Comprehensive Plan.
3. On March 30, 2016, this annexation request and the associated change of zone (Bill#16-36) appeared on the Consent Agenda of the Planning Commission.
4. On March 30, 2016, the Planning Commission voted 9-0 to recommend approval of this annexation request.
5. On March 30, 2016, the Planning Commission also voted 9-0 recommend approval of the associated Change of Zone No. 16009 (Bill #16-36).
6. Should this annexation request be approved, the Planning staff is recommending that the Council ordinance assign the newly annexed area to **Council District #2.**

FACTSHEET PREPARED BY: Geri Rorabaugh, Administrative Officer

DATE: April 4, 2016

REVIEWED BY: David R. Cary, Planning Director

DATE: April 4, 2016

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LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for March 30, 2016 PLANNING COMMISSION MEETING

PROJECT #: Annexation #16003 and Change of Zone #16009

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 19.37 acres and change the zoning from AG Agriculture to R-3 Residential on approximately 15.78 acres.

LOCATION: South 33rd Street and Wilderness Hills Boulevard

LAND AREA: Annexation: 19.37 acres
Change of Zone: 15.78 acres

CONCLUSION: The subject property is adjacent to the city limit, and the full range of municipal services can be provided if annexed. A change of zone to R-3 is consistent with the Future Land Use Map and compatible with the adjacent development. Both requests comply with the Zoning Ordinance and are consistent with the Comprehensive Plan.

RECOMMENDATION:	
Annexation #16003	Approval
Change of Zone #16009	Approval

PROPOSED CITY COUNCIL DISTRICT ASSIGNMENT: District #2

GENERAL INFORMATION:

LEGAL DESCRIPTIONS: See attached legal descriptions

EXISTING ZONING: AG Agriculture

SURROUNDING LAND USE AND ZONING:

North: Open Space, Apartments, and Agricultural Production; B-2, R-5, and R-3
South: Single Family Residential and Agricultural Production; R-3 and AG
East: Agricultural Production; AG
West: Single Family Residential; R-3

EXISTING LAND USE: Agricultural Production

COMPREHENSIVE PLAN SPECIFICATIONS:

P. 1.8 - This area is shown as Urban Density Residential on the Future Land Use Map of the 2040 Comprehensive Plan.

P. 5.2 - Seek to efficiently utilize investments in existing and future public infrastructure to advance economic development opportunities.

P. 7.2 - Strive for predictability for neighborhoods and developers for residential development and redevelopment.

P. 7.5 - Provide for an adequate supply of affordable land and timely infrastructure improvements.

P. 11.2 - Continue the City's growth policy of contiguous urban growth; urban development will occur in areas immediately abutting the city that reflect a logical and timely extension of urban infrastructure.

The ANNEXATION POLICY- page 12.14 of the 2040 Comprehensive Plan.

Annexation policy is a potentially powerful means for achieving many of the goals embodied in the Plan's Vision. Annexation is a necessary and vitally important part of the future growth and health of Lincoln. The annexation policies of the City of Lincoln include but are not limited to the following:

The provision of municipal services must 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 should be predicated upon annexation of the area by the City. City annexation must occur before any property is provided with water, sanitary sewer, or other potential City services.

The areas within Tier I Priority A that are not annexed serve as the future urban area for purposes of annexation per state statute and are appropriate for immediate annexation upon final plat. These areas have approved preliminary plans.

To demonstrate the City's commitment to the urbanization of land in Tier I Priority B, the City should annex land that is contiguous to the City and generally urban in character, as well as land that is engulfed by the City. Land which is remote or otherwise removed from the limits of the City of Lincoln will not be annexed.

Annually the City should review for potential annexation all property in Priority B for which basic infrastructure is generally available or planned for in the near term.

Annexation generally implies the opportunity to access all City services within a reasonable period of time.

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 annexation of large projects may be done in phases as development proceeds.

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 annexation 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.

HISTORY:

- June 2006 The Wilderness Hills 1st Addition Preliminary Plat #06004 was approved by the Planning Commission.
- July 2014 Final Plat #13096, Wilderness Hills 5th Addition, was approved, which platted the southern portion of this site as an outlot for future development.
- September 2015 An application was submitted for Final Plat #15111, Wilderness Creek Addition. The Wilderness Creek Addition final plat would include the area to be annexed with this application, and the plat would automatically annex this area if it is approved prior to approval of this annexation application.

SPECIFIC INFORMATION:

UTILITIES & SERVICES:

- A. **Sanitary Sewer:** Sanitary sewer is available in Wilderness Hills Boulevard, Eldorado Drive, and on the east side of the site.
- B. **Water:** Water is available in Wilderness Hills Boulevard and Eldorado Drive.
- C. **Roads:** Existing roads would provide access to this site.
- D. **Parks and Trails:** There are no future trails or parks planned in this area.
- E. **Fire Protection:** The area included in the annexation application is in the Southeast Rural Fire District. After annexation, fire protection will be provided by Lincoln Fire and Rescue.

TRAFFIC ANALYSIS: Wilderness Hills Boulevard and South 33rd Street are classified as local streets.

PUBLIC SERVICE: The nearest Lincoln Fire and Rescue fire station is located at South 27th Street and Old Cheney Road.

ANALYSIS:

1. This request is to annex approximately 19.37 acres and a change of zone from AG to R-3 on approximately 15.78 acres in the same general location south of South 33rd Street and Wilderness Hills Boulevard. No annexation agreement is required with this annexation.
2. The purpose of the change of zone and annexation is to allow continuation of the existing single family residential development to the west. There are existing sanitary sewer lines on all sides of this property. The water main will not be extended until further development occurs on the site.

3. Preliminary Plat #06004 was approved in 2006 to address local streets, utilities, and lot layout. The preliminary plat shows approximately 59 single family dwellings in the area covered by the change of zone.
4. The land is contiguous to the City limits on the north and west. The area is within the future service limits and Tier I Priority A as identified in the Comprehensive Plan. Tier I reflects the "Future Service Limit" where urban services and inclusion in the city limits is anticipated within the 30-year planning period. Priority A is comprised of undeveloped land within the City limits, as well as areas that are not yet annexed but which have approved preliminary plans such as preliminary plats, use permits, community unit plans, or planned unit developments. Areas within Priority A are appropriate for immediate annexation upon final plat approval per state statute. This site would be automatically annexed if Final Plat #15111 is filed prior to approval of this request for annexation.

CONDITIONS OF APPROVAL:

This approval permits the annexation of approximately 19.37 acres.

Prepared by:

Rachel Jones, Planner

DATE: March 21, 2016

APPLICANT : Lincoln Federal Bankcorp
1101 N Street
Lincoln, NE 68508

CONTACT: Caleb Strate
Engineering Design Consultants
1021 D Street
Lincoln, NE 68502

**ANNEXATION NO. 16003
and
CHANGE OF ZONE NO. 16009**

CONSENT AGENDA
PUBLIC HEARING & ADMINISTRATIVE ACTION
BEFORE PLANNING COMMISSION:

March 30, 2016

Members present: Beecham, Cornelius, Corr, Harris, Hove, Lust, Scheer, Sunderman and Weber.

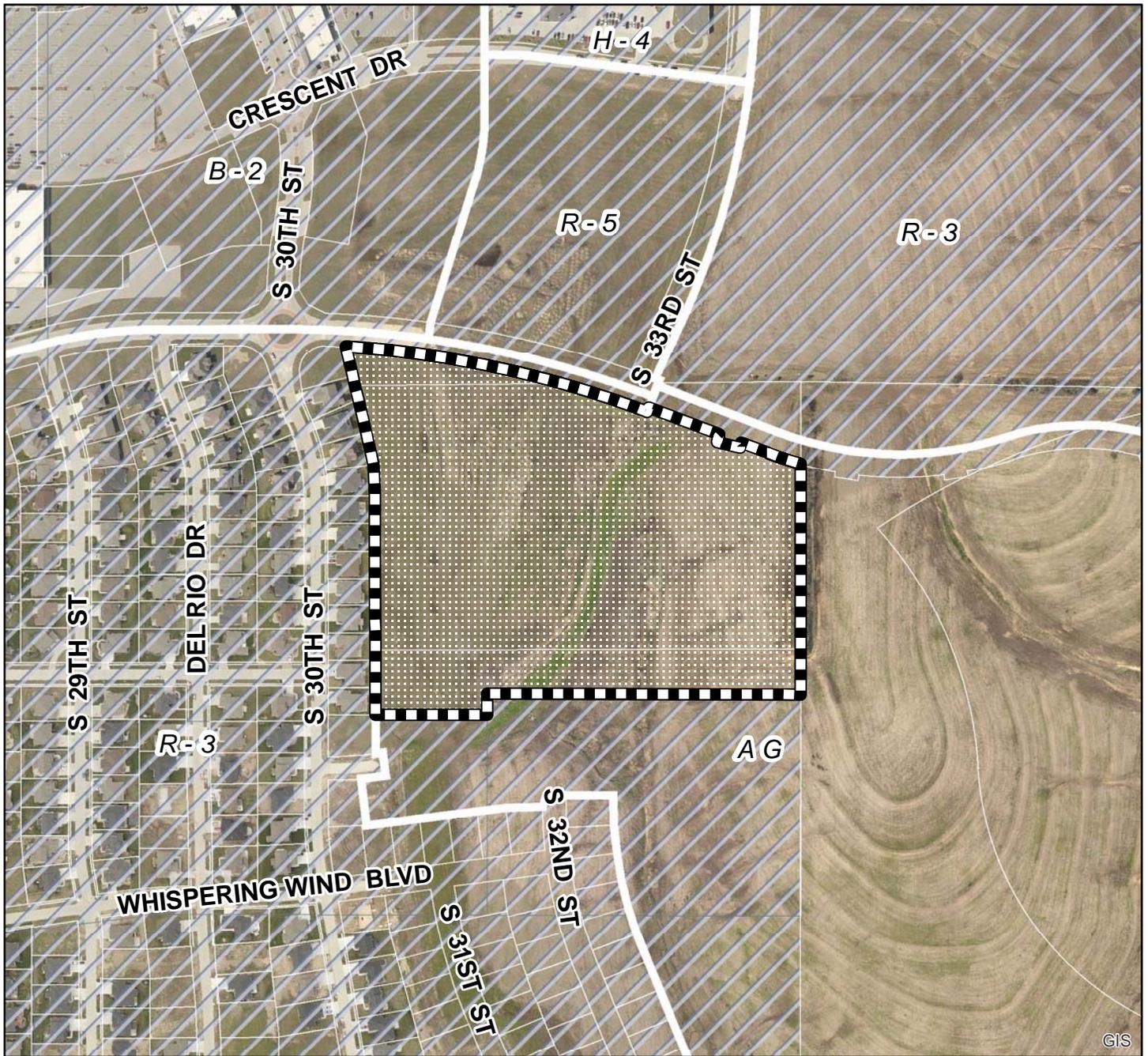
The Consent Agenda consisted of the following items: **ANNEXATION NO. 16003 and CHANGE OF ZONE NO. 16009; COUNTY SPECIAL PERMIT NO. 16005; and SPECIAL PERMIT NO. 16007.**

There were no ex parte communications disclosed.

Items 1.3, **Special Permit No. 16007**, was removed from the Consent Agenda and had separate public hearing.

Cornelius moved approval of the remaining Consent Agenda, seconded by Beecham and carried 9-0: Beecham, Cornelius, Corr, Harris, Lust, Scheer, Sunderman, Weber and Hove voting 'yes'.

Note: This is final action on **County Special Permit No. 16005**, unless appealed to the County Board by filing a letter of appeal with the County Clerk within 14 days.



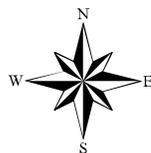
GIS

2013 aerial

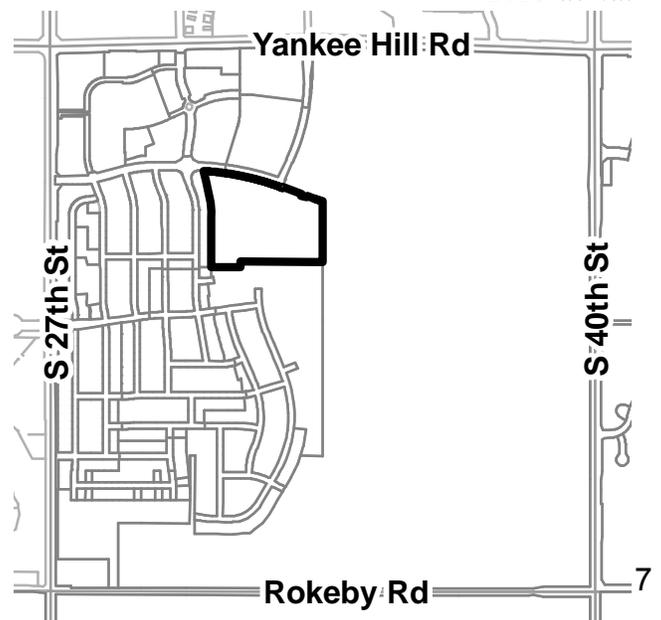
**Annexation #: AN16003
Wilderness Hills 7th Addition
S 33rd St & Wilderness Hills Blvd**

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



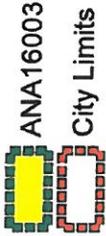
One Square Mile:
Sec.30 T09N R07E



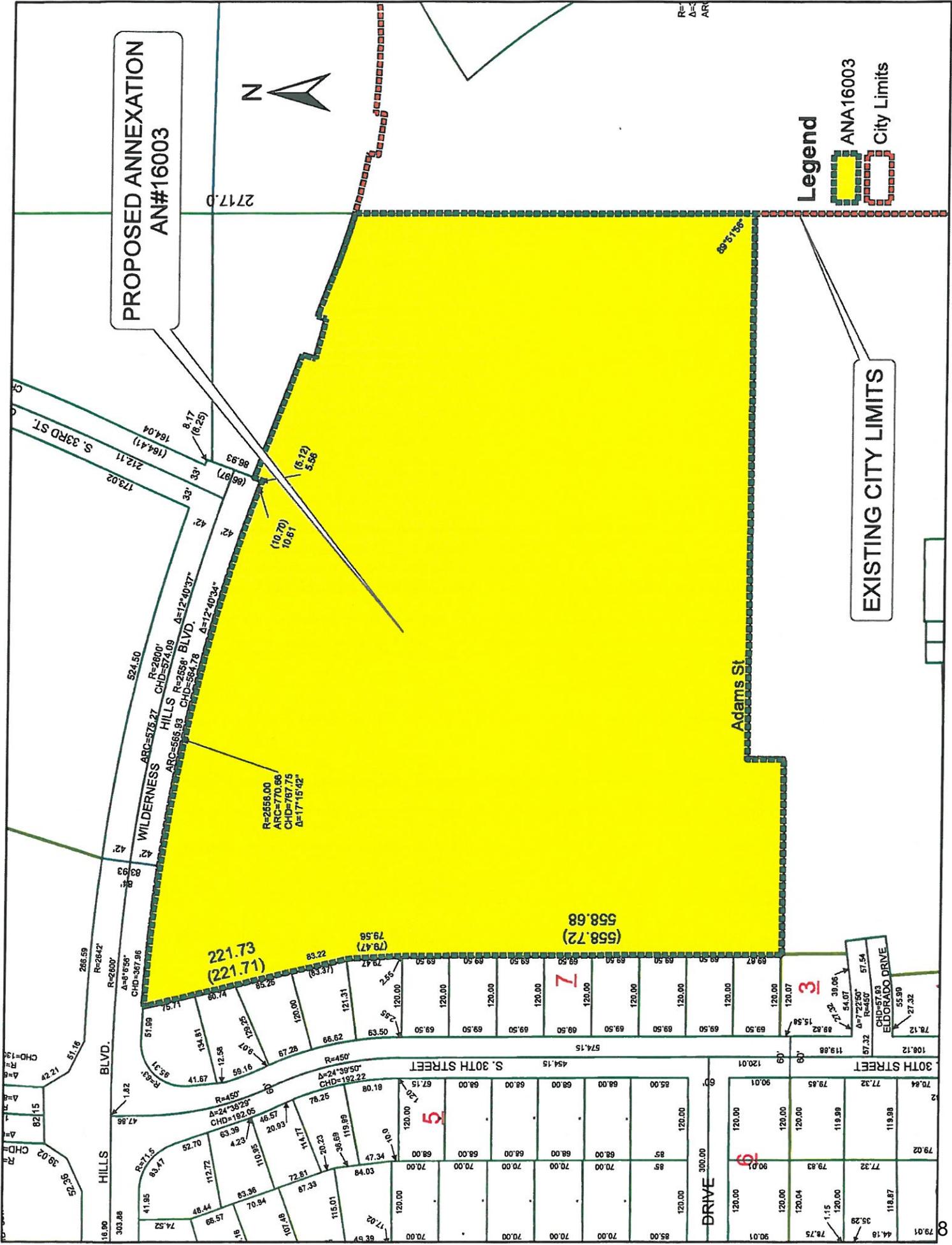
PROPOSED ANNEXATION
AN#16003



Legend



EXISTING CITY LIMITS



WILDERNESS HILLS
ARC=575.27 R=2800' CHD=574.09
ARC=565.93 R=2659' BLVD. CHD=364.78
ARC=1240'37" R=1240'37" CHD=364.78
ARC=1240'34" R=1240'34" CHD=364.78

221.73
(221.71)

(558.72)
558.68

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CHODRADO DRIVE
R=250' CHD=133.00
A=72.50' Δ=57.54
A=21.35 Δ=39.05
A=21.35 Δ=39.05
A=21.35 Δ=39.05

DRIVE

300.00

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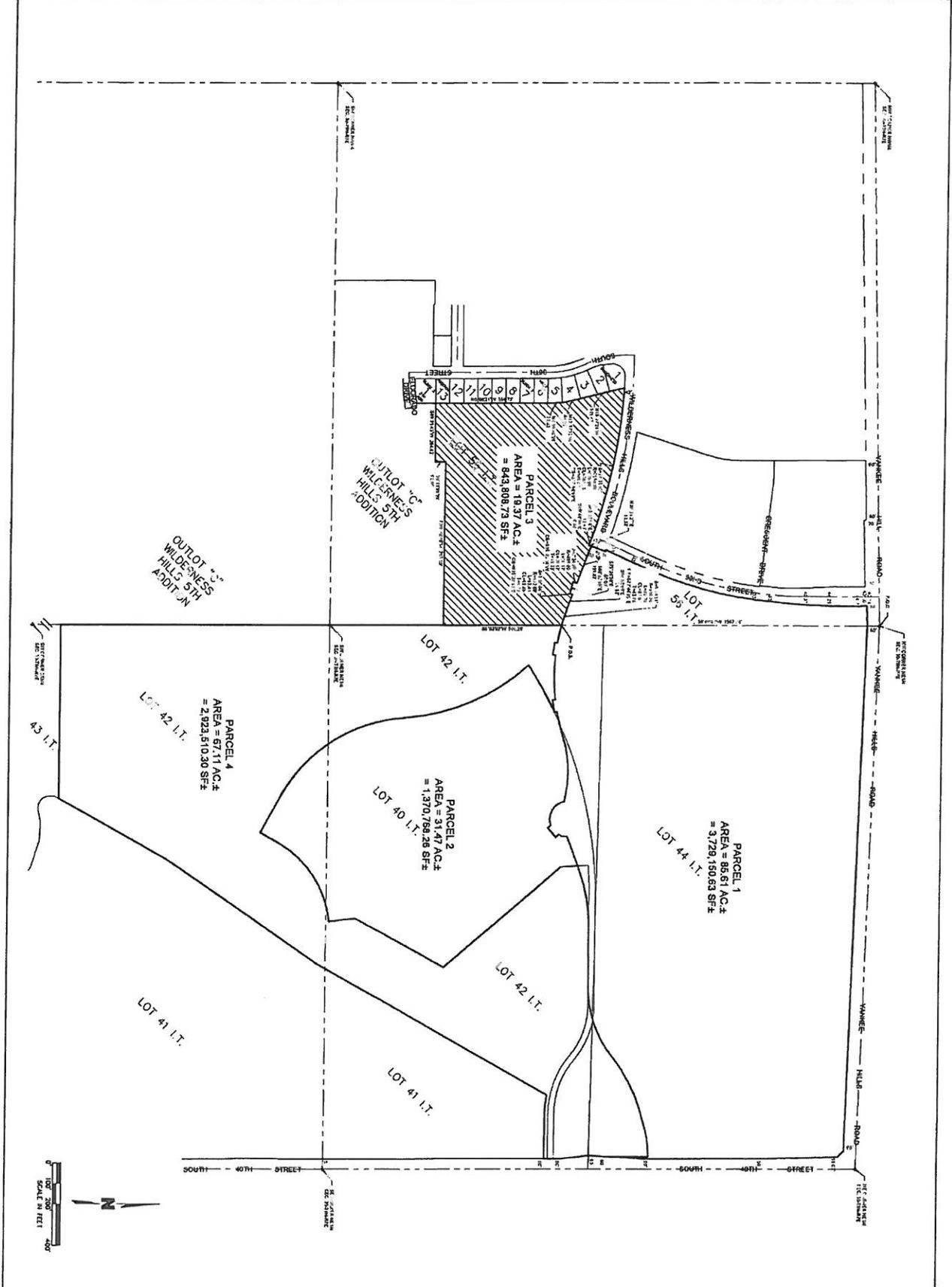
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SHEET 3 OF 4 2016 LINCOLN, NEBRASKA	PARCEL 3 EXHIBIT LINCOLN FEDERAL BANCORP TRACT WILDERNES CREEK ADDITION		REVISIONS
	DATE: 2016	REVISION DESCRIPTION:	REVISIONS

MOLSSON ASSOCIATES

201 F 1st Ave, Ste 200
 P.O. Box 8900
 Lincoln, NE 68508

TEL: 402-471-1111
 FAX: 402-471-1110
 www.molsson-associates.com

LEGAL DESCRIPTION
(Annexation)

A TRACT OF LAND COMPOSED OF A PORTION OF LOT 56 I.T., LOCATED IN THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M., LANCASTER COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER OF SECTION 30, TOWNSHIP 9 NORTH, RANGE 7 EAST OF THE 6TH P.M.; THENCE SOUTHERLY ON THE EAST LINE OF SAID NORTHWEST QUARTER ON AN ASSUMED BEARING OF S00°03'02"W, A DISTANCE OF 1,567.24' TO THE **TRUE POINT OF BEGINNING**; THENCE CONTINUING S00°03'02"W ON SAID LINE, A DISTANCE OF 586.28' TO THE SOUTHEAST CORNER OF LOT 56 I.T.; THENCE N89°48'59"W, ON A SOUTH LINE OF SAID LOT 56 I.T., A DISTANCE OF 795.69' TO A POINT; THENCE S00°11'01"W, ON A EAST LINE OF SAID LOT 56 I.T., A DISTANCE OF 53.57' TO A POINT; THENCE S89°55'43"W, ON A SOUTH LINE OF SAID LOT 56 I.T., A DISTANCE OF 284.42' TO THE SOUTHWEST CORNER OF SAID LOT 56 I.T.; THENCE N00°08'21"W, ON A WEST LINE OF SAID LOT 56 I.T., A DISTANCE OF 558.73' TO A POINT; THENCE N02°58'40"W, ON A WEST LINE OF SAID LOT 56 I.T., A DISTANCE OF 79.63' TO A POINT; THENCE N12°37'17"W, ON A WEST LINE OF SAID LOT 56 I.T., A DISTANCE OF 83.21' TO A POINT; THENCE N13°27'21"W, ON A WEST LINE OF SAID LOT 56 I.T., A DISTANCE OF 221.63' TO THE NORTHWEST CORNER OF SAID LOT 56 I.T., SAID POINT BEING ON A SOUTH RIGHT-OF-WAY LINE OF WILDERNESS HILLS BOULEVARD, SAID POINT ALSO BEING A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 17°15'42", A RADIUS OF 2,558.00', AN ARC LENGTH OF 770.66' ON A NORTH LINE OF SAID LOT 56 I.T., SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, A CHORD LENGTH OF 767.75', A TANGENT LENGTH OF 388.27', AND A CHORD BEARING OF S77°58'49"E TO A POINT; THENCE S69°20'58"E, ON A NORTH LINE OF SAID LOT 56 I.T., SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 10.61' TO A POINT; THENCE S69°48'34"E, ON A NORTH LINE OF SAID LOT 56 I.T., SAID LINE BEING A SOUTH LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 5.56' TO THE SOUTHEAST CORNER OF SAID RIGHT-OF-WAY; THENCE N20°28'27"E, ON A WEST LINE OF SAID LOT 56 I.T., SAID LINE BEING A EAST LINE OF SAID RIGHT-OF-WAY, A DISTANCE OF 12.33' TO A POINT; THENCE S69°02'05"E, A DISTANCE OF 191.87' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 02°24'28", A RADIUS OF 480.00', AN ARC LENGTH OF 20.17', A CHORD LENGTH OF 20.17', A TANGENT LENGTH OF 10.09', AND A CHORD BEARING OF S15°45'24"W TO A POINT; THENCE S75°26'50"E, A DISTANCE OF 60.00' TO A POINT OF CURVATURE FOR A NON-TANGENT CURVE IN A CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 01°50'04", A RADIUS OF 420.00', AN ARC LENGTH OF 13.45', A CHORD LENGTH OF 13.45', A TANGENT LENGTH OF 6.72', AND A CHORD BEARING OF N15°28'12"E TO A POINT; THENCE S69°02'05"E, A DISTANCE OF 71.82' TO A POINT OF CURVATURE FOR A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A CENTRAL ANGLE OF 05°24'11", A RADIUS OF 930.00', AN ARC LENGTH OF 87.70', A CHORD LENGTH OF 87.67', A TANGENT LENGTH OF 43.88', AND A CHORD BEARING OF S71°44'10"E, TO THE POINT OF BEGINNING, SAID TRACT

CONTAINS A CALCULATED AREA 843,808.73 SQUARE FEET OR 19.37 ACRES,
MORE OR LESS.

Tuesday, October 13, 2015
F:\Projects\015-0625\40-Design\Survey\SRVY\Final Plat\Documents\Parcel 3 legal.doc

March 3, 2016

Electronically Submitted

Ms. Rachel Jones
Planning Department
555 So. 10th Street
Lincoln, NE 68508

**RE: Wilderness Hills Residential 7th Addition
EDC Project #14005**

Dear Ms. Jones:

Enclosed are the following documents for the annexation that is for the referenced final plat and change of zone:

- Completed Application for Annexation
- Legal Description

The annexation application and corresponding legal description are to allow for the development of a residential subdivision with the Wilderness Hills 7th Addition Final Plat and a change of zone application for that project. The area being annexed is a portion of Lot 56 IT. This IT is being broken up into two separate ITs as part of the Wilderness Creek project that Olsson Associates is doing. The total area to be annexed is 19.37 acres.

The Owner and Developer of this property is Lincoln Federal Bancorp Inc., 1101 N Street, Lincoln, NE 68508.

Please contact me if you have any further questions or require additional information.

Sincerely,

ENGINEERING DESIGN CONSULTANTS, L.L.C.



Luke A. Summers, PE

Enclosures: Legal Description

cc: Mr. Leo Schumacher – Lincoln Federal Bancorp
Ms. Shelly Simonson – Lincoln Federal Bancorp
Project File