

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for January 3, 2007 PLANNING COMMISSION MEETING

PROJECT #: Annexation #03007-N. 56th St. & Arbor Rd.

PROPOSAL: To annex approximately 400 acres.

LOCATION: N. 56th Street and I-80.

LAND AREA: Approximately 400 acres.

CONCLUSION: The Comprehensive Plan designates the majority of this area as commercial with some areas to the east as industrial and small portions designated as public use (I-80), green space, and agricultural stream corridor. Funds are programmed in the CIP to serve portions of this site with public utilities; tax increment financing (TIF) will fund additional improvements. Rights of way for arterial streets is a concern for the planned future widening of these facilities, along with utility service. Easements for utilities may have to be acquired to connect this area with service. Additionally, without a traditional subdivision or plat for the area being annexed, an internal street system will be difficult to create with any substantial connectivity. The application is consistent with the City's annexation policy in the Comprehensive Plan.

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

LEGAL DESCRIPTION: See attached.

EXISTING ZONING: AG, H-1, H-3, and H-4

SURROUNDING LAND USE AND ZONING:

North:	Agriculture	AG
South:	Salt Creek, Agriculture, and Commercial	AG, P, I-1, H-4
East:	Agriculture	AG, I-1
West:	Agriculture and Future Development	AG, H-4, R-3

EXISTING LAND USE: Agriculture, Residential, Commercial, and Industrial

COMPREHENSIVE PLAN SPECIFICATIONS:

Page 9 - Overall Form - Maximize the community's present infrastructure investment by planning for residential and commercial development in areas with available capacity. This can be accomplished in many ways including encouraging appropriate new development on unused land in older neighborhoods, and encouraging a greater amount of commercial space per acre and more dwelling units per acre in new neighborhoods.

Natural and environmentally sensitive areas should be preserved within neighborhoods. Conservation areas and open lands should be used to define and connect different neighborhoods.

Streams, trees, open space, and other environmentally sensitive features should be preserved within new development as design standards allow. The natural topography and features of the land should be preserved by new development to maintain the natural drainageways and minimize land disturbance.

Parks, recreation, and open space corridors should be connected. Salt Creek Heritage Greenway should begin at Wilderness Park and be extended to the south. Natural and environmentally sensitive areas should be preserved along Interstate 80 and Little Salt Creek to the north, and a new "green space" should be developed along Stevens Creek to the east. Care should be taken that adequate future crossings of such corridors for roads, utilities, and other community facilities are ensured.

Page 19- This site is designated for agricultural stream corridor, green space, environmental resources, commercial, and industrial uses in the Land Use Plan.

Page 21 - Urban Growth Tiers - This site is in Tier 1, Priority Area A of the City's Future Service Limit.

Page 30 - Capitalize on Public Infrastructure Investments - The community should seek to efficiently utilize the community's investments in existing and future public infrastructure to advance economic development opportunities.

The City and County will foster responsible land use and development through the timely provision of infrastructure and transportation system improvements, while at the same time maintaining the environmental values and stewardship they wish to sustain.

Page 41 - Highway Oriented Commercial Areas - this site has a designated highway oriented commercial area at N. 56th Street and Arbor Road.

Page 154 - The City's annexation policy of the 2030 Comprehensive Plan.

HISTORY:

April 1, 1991: City Council approved change of zone #2620 from AG to H-4 within this annexation boundary.

April 14, 1993: City Council approved change of zone #2742 from H-1 to H-4 within this annexation boundary.

- July 5, 1994: City Council approved change of zone #2831 from AG to H-4 within this annexation boundary.
- March 6, 1995: City Council approved change of zone #2883 from H-1 to H-4 within this annexation boundary.
- March 25, 1996: City Council approved change of zone #2974 from AG to H-4 within this annexation boundary.
- June 19, 1996: Planning Commission denied change of zone #3003 from AG to I-1 and special permit #1622 for a small batch concrete dispensing unit within this annexation boundary.
- July 1, 1996: City Council approved change of zone #2992 from AG to AGR within this annexation boundary.
- April 7, 1997: City Council approved change of zone #3052 from AG to H-4 within this annexation boundary.
- July 14, 1997: City Council approved change of zone #3061 from AG to H-1 within this annexation boundary.
- June 15, 1998: City Council approved change of zone #3123 from AG to H-4 within this annexation boundary.
- January 28, 2002: City Council approved change of zone #3345 from H-1 to H-3 within this annexation boundary.
- February 20, 2003: City staff met with representatives of Star City Combine to discuss annexation.
- February 28, 2003: Planning Department received a request for annexation for Star City Combine.
- April 14, 2004: Planning Commission approved preliminary plat #03004, a portion of which is within this annexation boundary.
- October 24, 2005: The N. 56th Street and Arbor Road Blight Study was adopted by City Council.

- September 25, 2006: City Council approved change of zone #3398 from AG to R-3 and AG to H-4, annexation #03001, and special permit #2004 for planned service commercial within this annexation boundary.
- November 21, 2006: Planning Department received a request for annexation for properties generally located in the N. 56th Street and Arbor Road area.
- November 30, 2006: City staff met with the applicants to discuss the annexation boundaries, tax increment financing, and infrastructure improvements.

SPECIFIC INFORMATION:

UTILITIES & SERVICES:

- A. **Sanitary Sewer:** Design for the segment of sanitary sewer from N. 70th Street to N. 56th Street is scheduled for completion in January, 2007. Construction of the project will be funded initially by the North Bank Junction developers, with reimbursement contemplated by the current edition of the Capital Improvement Program in 2008-2009 (4a).

Design and construction for the segment of sanitary sewer in N. 56th Street from Salt Creek to the northwest corner of N. 56th Street and Interstate 80 will be funded by TIF.

- B. **Water:** Appropriations allow for award of a construction contract for a new main in N. 56th Street from Fletcher to Arbor Rd. Bids will be received late 2006 to early 2007 pending resolution of the details on pipe specifications. The Capital Improvement Program shows the water main east to west in Arbor Road from N. 56th Street to N. 70th Street to 1/4 mile south in 2006-2007 (7c).
- C. **Roads:** Arbor Road in the area of the proposed annexation is unpaved at the west end of the proposed annexation and a rural asphalt paved street from the end of the aggregate surfaced road east to 70th Street. Arbor Road is designated in the Comprehensive Plan as a future four-lane divided minor arterial with a bike trail with 120 to 130 feet of right-of-way. The existing right-of-way is of various widths but less than required. The existing and anticipated commercial or industrial development of this area will require pavement improvements and the dedication or acquisition of the required additional rights-of-way. Engineering Services recommends that the right-of-way needs to be addressed with annexation or redevelopment agreements. This right-of-

way will also be needed to construct water or sewer mains in the correct locations in Arbor Road.

Interstate 80 is an existing four-lane divided highway classified as an urban/rural interstate.

N. 56th Street/US Highway 77 is an existing four-lane divided highway classified as an urban/rural principal arterial.

N. 70th Street is currently a rural asphalt paved street. N. 70th Street is designated in the Comprehensive Plan as a future four-lane divided minor arterial with a bike trail with 120 to 130 feet of right-of-way.

Alvo Road is not platted at this time and is not classified in the Comprehensive Plan.

- D. **Parks and Trails:** The Comprehensive Plan shows an environmental resource in the wetlands north of Salt Creek between N. 56th Street and N. 70th Street. Portions of this wetlands are affected by this annexation. The Comprehensive Plan shows a bike trail along Arbor Road.
- E. **Fire Protection:** The closest City fire station is located at N. 56th Street and Fremont Street. The Lincoln Fire Department anticipates the need for additional fire stations to service the City's projected expansion during the 25 year planning period.

These new stations would house a variety of "Fire and Rescue" and "Emergency Medical" units. In general, the new facilities would be placed in growth areas to the north, east, southeast, south, and southwest. No specific locations have been identified for these possible stations in the Comprehensive Plan. The Department also routinely monitors the response time of all existing stations. Changing development patterns or other conditions may warrant the relocation of these stations.

ANALYSIS:

1. TIF generated from this area will assist in extending services to this area and open up land further north and north of I-80 for commercial and industrial development.
2. A blight study was adopted on October 24th, 2005. The blight study encompasses the entire area of this proposed annexation. Please see attached exhibit extracted from the adopted blight study.

3. A redevelopment plan for the N. 56th Street and I-80 area is included in the 2006-2007 Capital Improvements Program. Please see attached exhibit from the CIP outlining Urban Development projects for 2006-2012. The redevelopment plan boundary is the same as the blight study boundary.
4. Annexation policy:
 - ! 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 (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 shall be carefully coordinated with the Capital Improvements Program of the City and the County."
5. Several properties in this annexation have not applied for a change of zone; therefore, there will be several parcels zoned AG in the City.

Prepared by:

Brandon M. Garrett, AICP, 441-6373, bgarrett@lincoln.ne.gov
Planner

DATE: December 26, 2006

APPLICANT: Mark Hunzeker
Pierson Fitchett Law Firm
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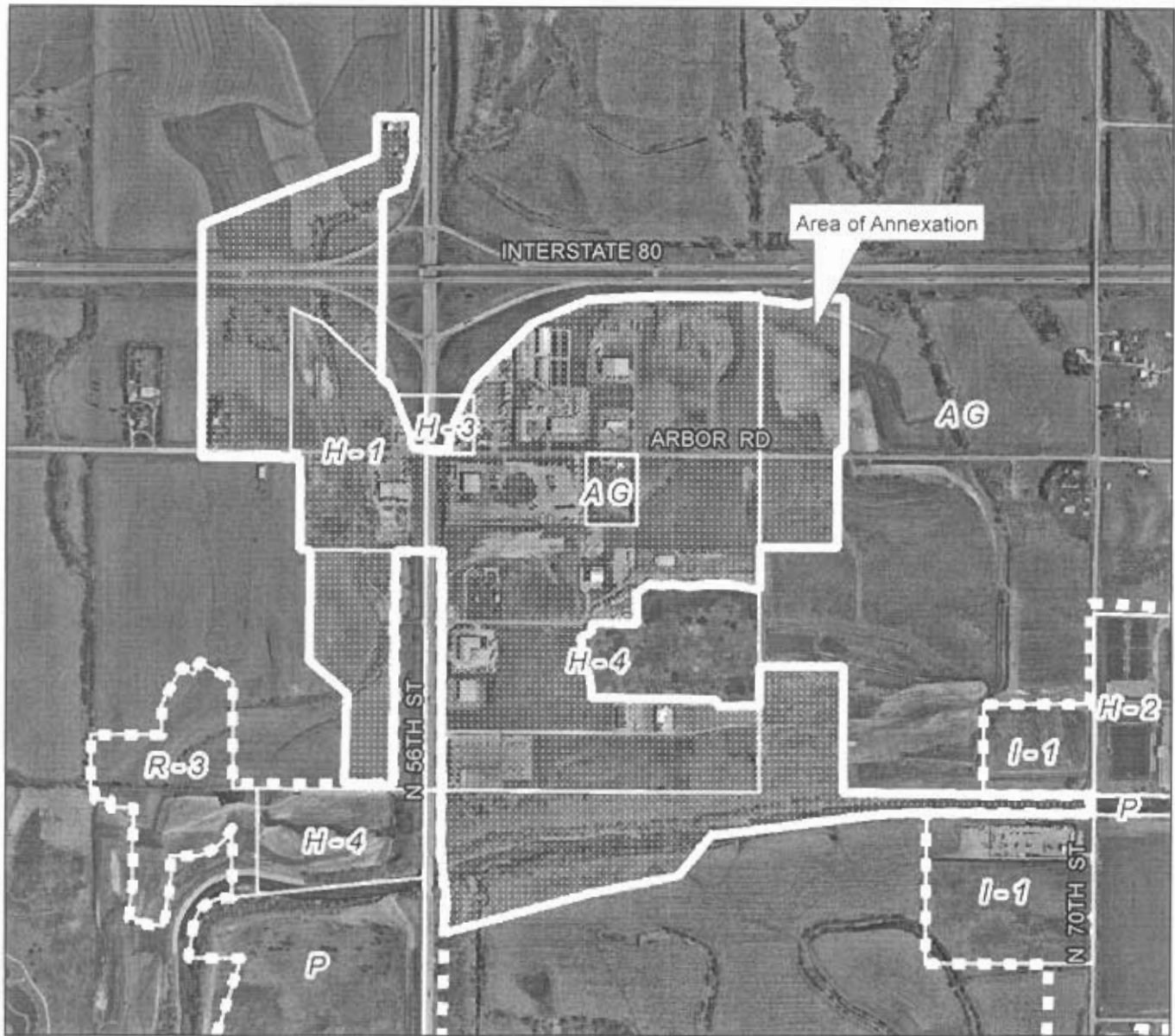
Annexation #03007
N. 56th Street and Arbor Road

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CONTACT:

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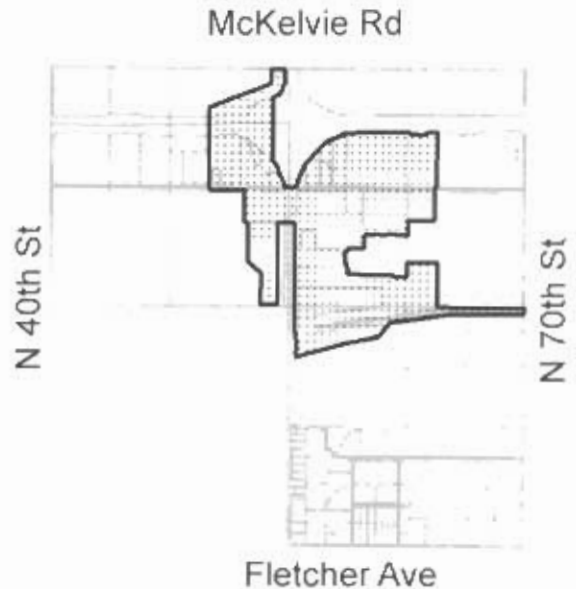
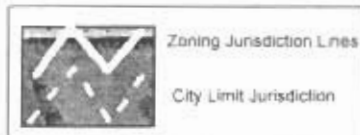
2005 aerial

**Annexation #03007
N 56th St & Arbor Rd**

Zoning:

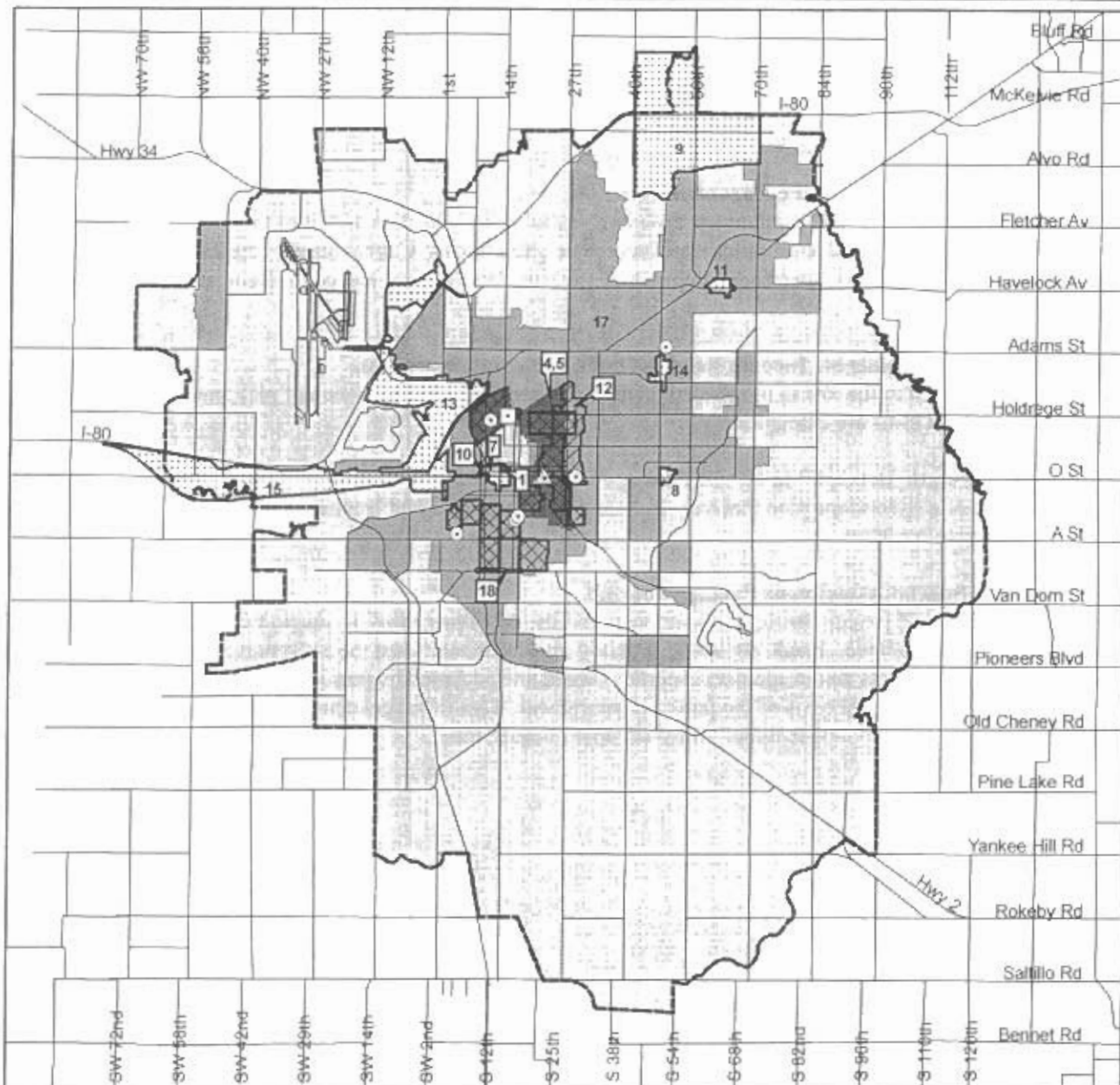
- R-1 to R-8 Residential District
- AG Agricultural District
- AGR Agricultural Residential District
- R-C Residential Conservation District
- O-1 Office District
- O-2 Suburban Office District
- O-3 Office Park District
- R-T Residential Transition District
- B-1 Local Business District
- B-2 Planned 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

Three Square Miles
 Sec. 28 T11N R07E
 Sec. 29 T11N R07E
 Sec. 33 T11N R07E

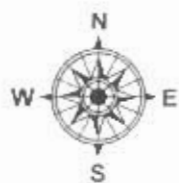


Lincoln CIP 2006 - 2012

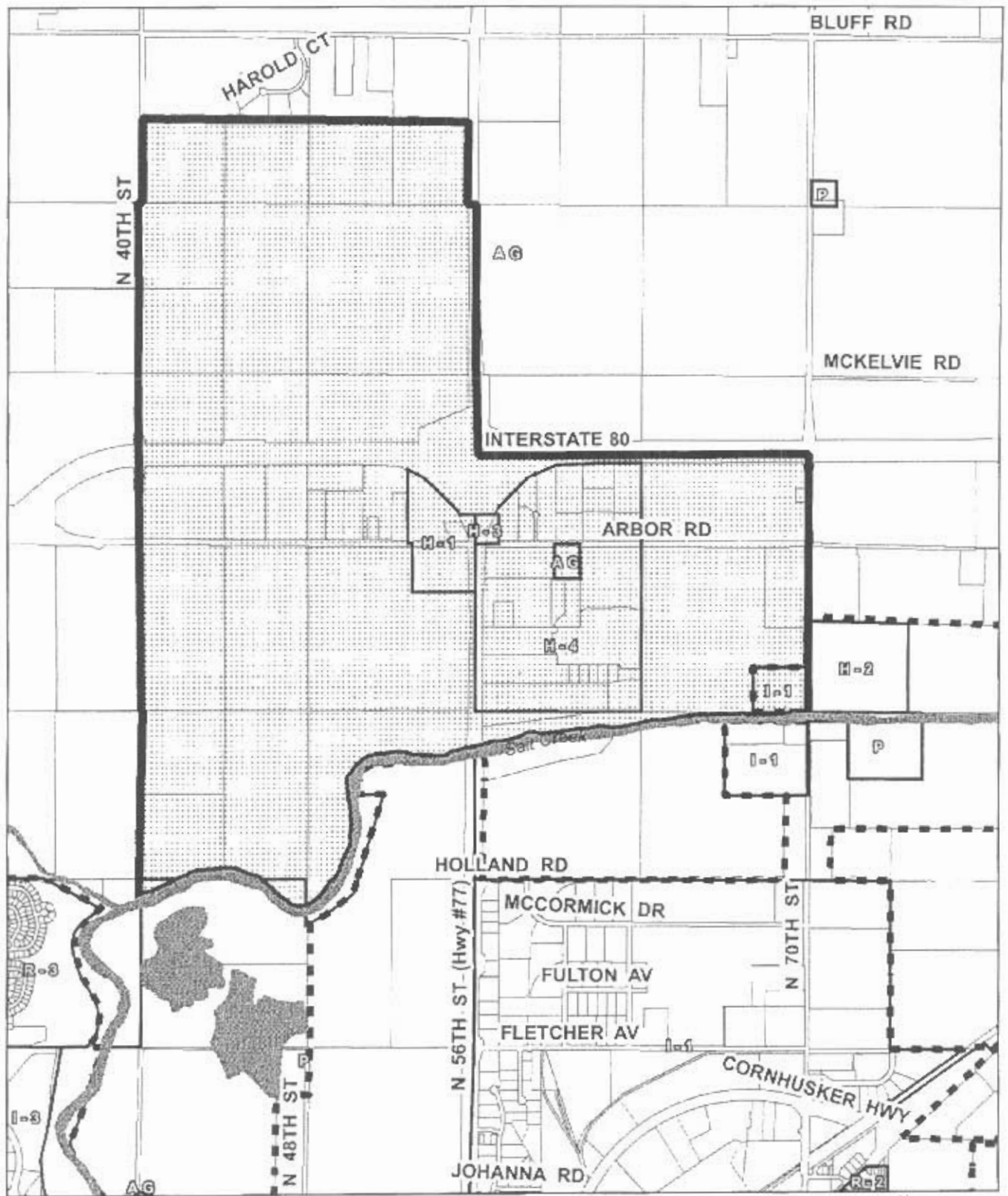
Urban Development



Lincoln's Future Service Limit Shown as Gray








- 5 Project Number
- ⊙ AHP II Resolution (Proj. 6)
- △ □ Antelope Valley Community Revitalization. Mandatory relocation and rehabilitation of properties. Current and Future Sites (Proj. 2)
- ▨ Focus Area Public Improvements (Proj. 16)
- ▧ N. 27th Street Redevelopment (Proj. 12)
- Antelope Valley Community Revitalization, Catalyst Projects and Community Revitalization (Projs. 4,5)
- ▩ Low-Moderate Income Neighborhood Park Improvements (Proj. 17)
- ▤ Other Projects

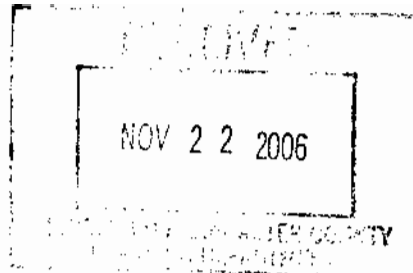


Map 3: Zoning
 North 56th Street & Arbor Road Blight Study



-  Streams
-  Study Boundary
-  City Limits
-  Zoning
-  PARCELS

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November 21, 2006

Gary L. Aksamit
of Counsel

Steve Hendrichson
Planning Dept.
555 S. 10th Street
Lincoln, NE 68508

Re: Annexation No. 03007

Dear Steve:

Pursuant to our prior discussions of this matter, this letter and attached map will serve to update the above request for annexation.

As you know, property owners in this area have been working toward annexation and obtaining sewer and water services for many years. The area of the annexation request is shown on the attached map as follows:

- A. All of Lots 7 through 41;
- B. Approximately 20 acres (roughly 660 feet of frontage along Arbor Road) of Lot 42;
- C. Approximately 10 acres (roughly 660 feet of frontage along Arbor Road) in the northwest corner of Lot 44;
- D. Approximately 15 acres (approximately 660 feet east/west dimension) in the southwest corner of Lot 44; and
- E. Approximately 24 acres in Lot 46.

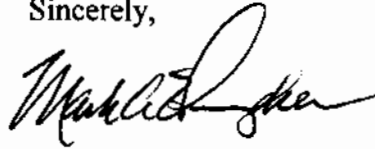
None of Lots 1 through 6 are included in this request at this time. As you know, "Lot" 46 is not configured as shown on the map and is approximate. The exact acreage and dimension may change.

The owners of the lot numbers which are circled have not been affirmatively contacted; however, several of them have been previously involved in efforts to secure annexation of this area and we expect they will embrace the idea. We anticipate possible opposition to annexation from the owner of Lot 14 and Lot 30. All of the other owners have been contacted and have affirmatively indicated their desire to be annexed.

Steve Hendrickson
November 21, 2006
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I will be out of town until Monday, November 30th. If you have questions while I am out, please contact my partner, Peter Katt.

Sincerely,



Mark A. Hunzeker
For the Firm

MAH:la
Enclosure

(G:\AF\5500-5599\5522.001 JTS, LLC--56th & I-80\Henrichsen 11-21-6.wpd)

