FACTSHEET

TITLE: ANNEXATION NO. 12001, requested by the Director of Planning, to annex approximately 59 acres, more or less, generally located west of North 14th Street between Morton Street and Hilltop Road.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 3/07/12
Administrative Action: 03/07/12

STAFF RECOMMENDATION: Approval

RECOMMENDATION: Approval (7-0: Hove, Butcher, Sunderman, Esseks, Gaylor Baird, Weber and Francis voting 'yes'; Cornelius and Lust absent).

FINDINGS OF FACT:

1. This proposed annexation and an associated special permit for a club facility for the Girl Scouts Spirit of Nebraska were heard at the same time before the Planning Commission.

2. This is a request to annex approximately 59 acres west of North 14th Street between Morton Street and Hilltop Road, 23 acres of which will be occupied by the associated special permit for a club facility. The proposed area to be annexed is contiguous to the City Limits and is identified in Tier 1, Priority A, of the 2040 Comprehensive Plan.

3. The staff recommendation of approval is based upon the “Analysis” as set forth on 4, concluding that the proposed annexation is consistent with the City’s annexation policy and in conformance with the Comprehensive Plan. The staff presentation is found on p.6.

4. The applicant’s testimony is found on p.6-7.

5. There was no testimony in opposition.

6. On March 7, 2012, the Planning Commission agreed with the staff recommendation and voted 7-0 to recommend approval (Cornelius and Lust absent).

7. On March 7, 2012, the Planning Commission also voted 7-0 to adopt Resolution No. PC-01270 approving the associated Special Permit No. 12005 for a club facility. As of the date of this Factsheet, Special Permit No. 12005 has not been appealed to the City Council. A copy of that site plan is attached on p.10, for information purposes.

FACTSHEET PREPARED BY: Jean L. Preister

DATE: March 13, 2012

REVIEWED BY: ____________________________

DATE: March 13, 2012

REFERENCE NUMBER: FS\CC\2011\ANNEX12001
PROJECT #: Annexation #12001

PROPOSAL: Application by the Director of Planning and Hilltop Foundation

LOCATION: N. 14th St and Hilltop St.

LAND AREA: 59 acres, more or less

CONCLUSION: The proposed annexation is consistent with the City’s Annexation Policy.

RECOMMENDATION: Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION:
The remaining portion of Lot 1; the remaining portion of Lot 3; and a portion of vacated Stanton Street; all in Grandview Heights, the remaining portion of Outlot A, Luff 1st Addition; all located in the SE 1/4 of Section 2-10-6; Lot 2, Grove Park and Lot 51 I.T., located in the NE 1/4 of Section 2-10-6; and Lot 23 I.T., located in the SW 1/4 of Section 2-10-6; Lancaster County, Nebraska, generally located at N. 14th Street and Morton Street.

EXISTING ZONING: R-1, Residential

SURROUNDING LAND USE AND ZONING:
North: R-3, Residential Single-family and two-family dwellings
South: R-1, Residential Single-family dwellings on acreage
East: R-1, Residential Single-family dwellings on acreage and church
West: R-1, Residential Single-family dwellings on acreage

EXISTING LAND USE: Single family dwellings and open space.

COMPREHENSIVE PLAN SPECIFICATIONS:

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

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 9, 2003  Annexation #03000, Preliminary Plat #02020 and Special Permit #1991, Pinecrest CUP, was approved by the City Council for the land on the north side of Morton St. west of N.14th St.

July 10, 2006  Annexation #06010 associated with Gale Addition preliminary plat was approved by the City Council for the land on the north side of Morton St. west of N. 10th St.

March 11, 2009  Annexation #08019 to annex an area generally from N. 1st to N. 14th St. and Hilltop Rd. to Humphrey Ave. was withdrawn by the Planning Director.

**ASSOCIATED REQUEST:**  Special Permit #12005 for a Club

**SPECIFIC INFORMATION:**

**UTILITIES & SERVICES:**

A. **Sanitary Sewer:** There is a sanitary sewer line in Hilltop Rd., Morton St. and Pine Tree Lane. There is also service in 7th St. south of Pine Tree Lane.

B. **Water:** There is a water line in Hilltop, Morton St. and Pine Tree Lane. There is also service in 7th St. south of Pine Tree Lane.
C. **Roads:** Morton St is a local public street built to City standards. Hilltop Rd is a local public street with no curb & gutter.

D. **Parks and Trails:** Keach Park is located at N. 14th St. and Superior St.

E. **Fire Protection:** This area is within the Raymond Rural fire district. The nearest Lincoln city fire stations are generally located at N. 14th St. and Adams St. and NW 1st St and W. Highland Blvd.

**ANALYSIS:**

1. This is a request for annexation of approximately 59 acres west of N. 14th St. between Morton St. and Hilltop Rd.

2. The proposed annexation area is contiguous to the City limits. To the north and east is R-3 zoning and to the south is R-1. Gale Addition and Pinecrest Addition subdivisions are located on the north side of Morton St. and Grandview Heights subdivision is to the south of this proposed annexation area.

3. The applicant, Hilltop Foundation, requested annexation on only their property as identified on the attached map. Associated with the annexation of the Hilltop property is a special permit for a club for the Girl Scouts. This portion of the annexation is approximately 23 acres.

4. With the annexation of the Hilltop Foundation property, the lot immediately to the east would be engulfed by the City and the other properties would be contiguous to the City on two or three sides. The Planning Department is requesting annexation of the remaining property between Morton St. and Hilltop Rd. west of N. 14th St. that is outside the City limits.

5. The area of annexation is within the future service limits and Tier One Priority A as identified in the 2040 Comprehensive Plan. All City services are available to serve this area. with this annexation all of the property south of Interstate 80 in this area will be within the City limits. This avoids confusion for emergency services on which properties are in the City and which are not.

6. All of the properties within the annexation area have access to water and sewer.

Prepared by:

Tom Cajka
Planner

**DATE:** February 21, 2012
APPLICANT: Marvin S. Krout
Director of Planning
555 S. 10th Street
Lincoln, NE  68508
(402) 441-7491

CONTACT: Tom Cajka
Planning Department
(402) 441-5662
ANNEXATION NO. 12001
and
SPECIAL PERMIT NO. 12005

PUBLIC HEARING BEFORE PLANNING COMMISSION: March 7, 2012

Members present: Hove, Butcher, Sunderman, Esseks, Gaylor Baird, Weber and Francis; Cornelius and Lust absent.

There were no ex parte communications disclosed.

Staff recommendation: Approval of the annexation and conditional approval of the special permit.

Staff presentation: Tom Cajka of Planning staff presented the proposal to annex approximately 59 acres. The only portion of the area being annexed that is not surrounded by city limits is a little sliver on the north side of the interstate. The applicant for the associated special permit requested a portion of the proposed annexation. The Planning Department has determined that the additional area should be annexed at the same time. There is water and sanitary sewer service available to serve all of the property. This area is also within Tier I, Priority A, of the 2040 Comprehensive Plan.

The special permit for a club is being requested by the Hilltop Foundation on behalf of the Girl Scouts Club of America, to be used mainly for vegetation purposes and some recreational area. They are proposing two phases, the first being a 2400 sq. ft. building and parking that will be used for handicap accessible parking. The larger general parking area is located to the north with access off Morton Street. The phase two building will be 10,000 sq. ft. The club would be operated between April and October. The main purpose is to leave the area natural and open space, allowing the Girl Scouts to identify different types of plant species and trees.

Esseks noted that the nearest city fire station is at 14th & Adams. Cajka had not checked the distance to the 14th & Adams fire station but he pointed out that there is another fire station in the Highlands. Esseks believes it is important to approve development that is closer to fire stations. He does not want the distance to become too large. Cajka noted that there were no objections to this proposal from the Fire Department.

Proponents

1. Nate Buss, Olsson Associates, 4411 Kirkwood Drive, appeared on behalf of the applicant. The intent is to create an educational facility with a non-urban feel, keeping the land intact as an educational site. This will not have any adverse effect on the surrounding area.

2. Lisa Hiatt, Program and Outreach Director for the Girl Scouts, also appeared on behalf of the applicant and stated that the programs at the site will be environmentally focused -- outdoor environmental programming for our eastern Nebraska area for girl scouting. There is a lot of horticulture. Eventually, they want to have an arboretum where girls can have some gardening and
environmental programming. There would be no more than 50 girls attending the day programs and there would be no overnight stays.

Butcher inquired whether there has been any outreach on behalf of the Girl Scouts to any of the neighbors in this area. **Michael Davis, Property Director for the Girl Scouts,** advised that the Hilltop Foundation, Robert Duncan and other folks that live around the area have been major participants in the discussion and he is not aware of any issues with the neighbors.

There was no testimony in opposition.

**ANNEXATION NO. 12001**
**ACTION BY PLANNING COMMISSION:** March 7, 2012

Hove moved approval, seconded by Butcher and carried 7-0: Hove, Butcher, Sunderman, Esseks, Gaylor Baird, Weber and Francis voting 'yes'; Cornelius and Lust absent. This is a recommendation to the City Council.

**SPECIAL PERMIT NO. 12005**
**ACTION BY PLANNING COMMISSION:** March 7, 2012

Hove moved to approve the staff recommendation of conditional approval, seconded by Butcher.

Butcher commented that he appreciates the diversity of this idea in north Lincoln.

Francis believes this is exciting for the Girl Scouts and it is nice to see it happening in north Lincoln.

Motion for conditional approval carried 7-0: Hove, Butcher, Sunderman, Esseks, Gaylor Baird, Weber and Francis voting 'yes'; Cornelius and Lust absent. This is final action, unless appealed to the City Council within 14 days.
Annexation #12001
Hilltop Girl Scouts Club
N 14th St & Hilltop Rd

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. 2 T10N R06E

Area of Application
Zoning Jurisdiction Lines
City Limit Jurisdiction

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