

FACTSHEET

TITLE: ANNEXATION NO. 05003, requested by Kent Seacrest on behalf of Ridge Development Company, to annex approximately 90 acres, more or less, generally located at North 87th Street and College Park Road.

SPONSOR: Planning Department

BOARD/COMMITTEE: Planning Commission
Public Hearing: 03/30/05
Administrative Action: 03/30/05

STAFF RECOMMENDATION: Approval.

RECOMMENDATION: Approval (9-0: Carlson, Sunderman, Marvin, Pearson, Carroll, Krieser, Larson, Taylor and Bills-Strand voting 'yes').

ASSOCIATED REQUESTS: Annexation No. 04003 (06-48); Change of Zone No. 04019 (06-50); and Waterford Estates Annexation Agreement.

FINDINGS OF FACT:

1. This proposed annexation is related to proposed Annexation No. 04003 and Change of Zone No. 04019 for Waterford Estates.
2. This proposal brings an additional portion of Southeast Community College into the city limits in conjunction with the Waterford Estates annexation and development proposal. This annexation allows Waterford Estates to be contiguous to the city limits and eligible for annexation, without annexing the acreage lots in Sunrise Estates, whose owners oppose annexation.
3. The staff recommendation to approve the annexation is based upon the "*Analysis*" as set forth on p.3-4, concluding that the proposed annexation is in conformance with the Comprehensive Plan. Because of its special status, Southeast Community College will not pay any city taxes or impact fees after annexation.
3. The applicant's testimony is found on p.5.
4. There was no testimony in opposition.
5. On March 30, 2005, the Planning Commission agreed with the staff recommendation and voted 9-0 to recommend approval
6. This proposal has been held between the Planning Commission and City Council pending the negotiation of the Waterford Estates annexation agreement.

FACTSHEET PREPARED BY: Jean L. Walker

DATE: March 28, 2006

REVIEWED BY: _____

DATE: March 28, 2006

REFERENCE NUMBER: FS\CC\2006\ANNEX.05003+

LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for March 30, 2005 PLANNING COMMISSION MEETING

P.A.S.: Annexation #05003

PROPOSAL: Application by Ridge Development to annex approximately 90 acres adjacent to the proposed Waterford Estates Preliminary Plat.

LOCATION: N. 87th and College Park Road.

LAND AREA: Approximately 90 acres, more or less.

CONCLUSION: In conformance with the Comprehensive Plan.

RECOMMENDATION: Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: Lots 15 and 16 IT and the remaining north portion of Lot 10 IT.

EXISTING ZONING: P, Public.

SURROUNDING LAND USE AND ZONING:

North:	Acreages	AGR
East	Undeveloped	AG
West	Residential, college	P, R-2
South	College	P

EXISTING LAND USE: Southeast Community College.

COMPREHENSIVE PLAN SPECIFICATIONS:

The ANNEXATION POLICY is found on pages F-154 and 155 of the 2025 Comprehensive Plan.

SPECIFIC INFORMATION:

DESCRIPTION OF PROPERTY: A portion of Southeast Community College was previously annexed into the City. This request brings an additional portion of the college into the city limits.

UTILITIES & SERVICES: This area is identified in Tier 1, Priority A of the Comprehensive Plan.

- A. **Sanitary Sewer:** The Public Works and Utilities Department indicated service will be available in the near future.

- B. **Water:** The Public Works and Utilities Department indicated service will be available in the near future.
- C. **Roads:** The area of request is served by internal local roads for the community college.
- D. **Parks and Trails:** There are no parks or trails through this site. A trail is located on O Street and extends north and east along N. 98th Street and through the adjacent proposed subdivision, Waterford Estates.
- E. **Fire Protection:** Fire Station #12 is located at 2201 S. 84th Street.

ANALYSIS:

1. 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."
2. This request meets the annexation policy of the Comprehensive Plan.
3. This is a request to annex approximately 90 acres west of the proposed Waterford Estates preliminary plat. Through the negotiations of the Waterford Estates preliminary plat and annexation, staff determined the most efficient way to bring the city limits contiguous to the Waterford Estates project was by annexing a portion of the Southeast Community College property. The proposed annexation does not include all of the SCC property, primarily because the city does not want to annex property along O Street due to risk of losing federal road funding. The proposed annexation does not impact SCC because they are already tax exempt.
4. To comply with annexation requirements it is necessary to annex land between the Waterford Estates preliminary plat and the existing City limits. The land owners in the Sunrise Estates area opposed annexation. To avoid annexing Sunrise Estates, the applicant proposed annexing a portion of the SCC land.

5. The request would annex a portion of the Southeast Community College property, which is primarily recreational facilities and associated buildings. A portion of their main building (used as gym space) is in the proposed annexation area.
6. The Public Works and Utilities Department indicated this area is within Tier 1, Priority A and services will be available to the area in the near future
7. The applicant indicated they discussed the annexation with SCC and they are supportive of the annexation request. A letter is attached.

Prepared by:

Becky Horner
441-6373, rhorer@lincoln.ne.gov
Planner

DATE: March 17, 2005

APPLICANT: Ridge Development Company
Southview Inc, McGinnis Farm Joint Venture
8644 Executive Woods Drive
(402)436-3444

OWNER: Southeast Community College
8800 O Street
(402)471-3333

CONTACT: Kent Seacrest
Seacrest and Kalkowski Law Firm
(402)435-6000

ANNEXATION NO. 05003

PUBLIC HEARING BEFORE PLANNING COMMISSION:

March 30, 2005

Members present: Carlson, Sunderman, Marvin, Pearson, Carroll, Krieser, Larson, Taylor and Bills-Strand.

Staff recommendation: Approval.

Ex Parte Communications: None.

Proponents

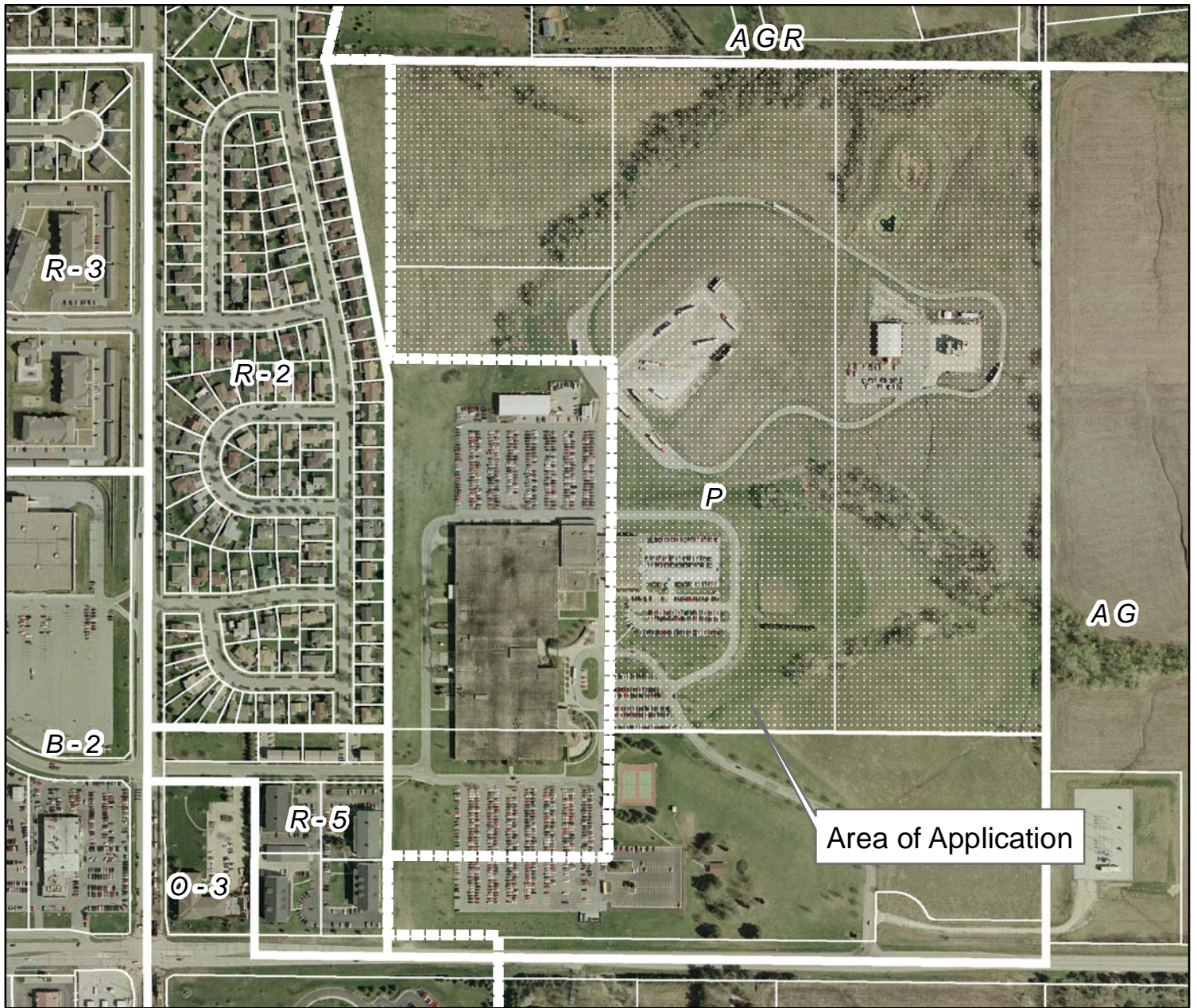
1. **Kent Seacrest** appeared on behalf of **Ridge Development, Southview, Inc. and Meginnis Farm Joint Venture**. He explained that when Waterford Estates was approved recently, he had thought the annexation had been shown through Southeast Community College, but the legal description did not conform. Therefore, this annexation is being brought forward separately and will accompany the Waterford Estates annexation as it moves forward to the City Council. This is the way everyone had agreed to do the annexation rather than going through the acreages. This is in conformance with the Comprehensive Plan, Tier I, Priority A, and Southeast Community College has submitted a letter in support.

There was no testimony in opposition.

ACTION BY PLANNING COMMISSION:

March 30, 2005

Carroll moved approval, seconded by Taylor and carried 9-0: Carlson, Sunderman, Marvin, Pearson, Carroll, Krieser, Larson, Taylor and Bills-Strand voting 'yes'. This is a recommendation to the City Council.



2002 aerial

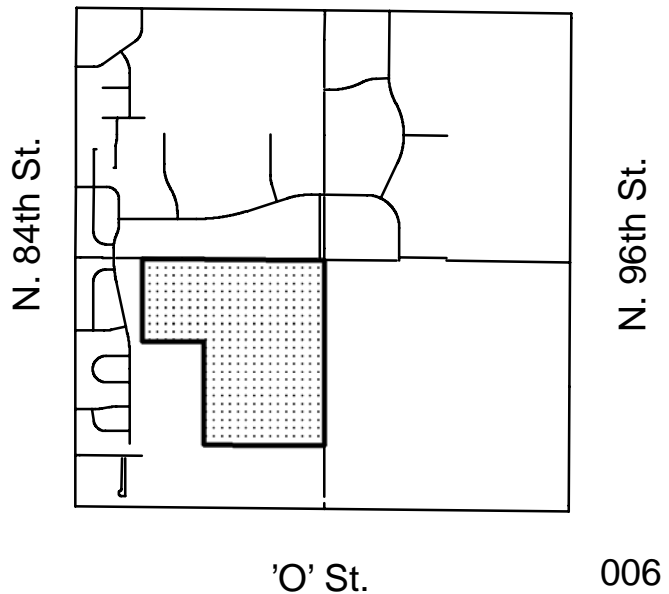
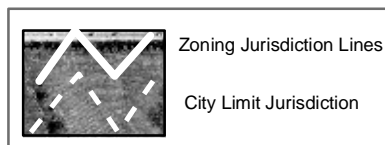
Annexation #05003 8800 'O' St.

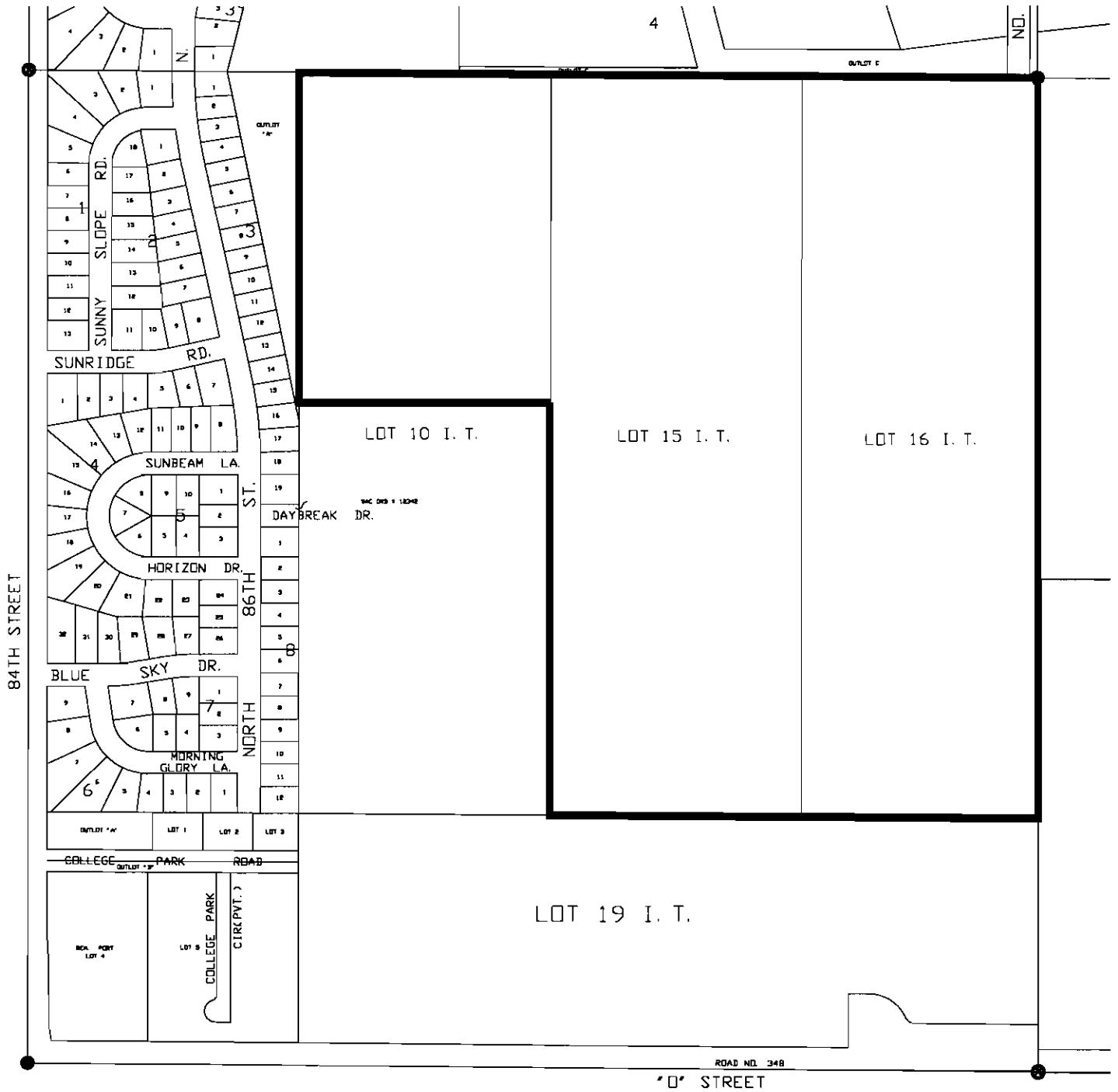
Holdrege St.

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

One Square Mile
Sec. 23 T10N R7E







Chad E Blahak

03/17/2005 03:08 PM

To: Rebecca D Horner/Notes@Notes

cc:

Subject: Re: SCC annexation for Waterford 

Public Works finds the proposed annexation satisfactory. The area is in Tier I Priority A and is planned to have sewer available in the foreseeable future.

Chad Blahak, P.E.
City of Lincoln
Public Works/Utilities Department
Engineering Services
(402) 441-5660

March 21, 2005

Faxed: 441-6377

Becky Homer
Planning Department
County-City Building
555 South 10 Street
Lincoln, NE 68508

RE: Annexation of a portion of Southeast Community College as part of the
Meginnis/SWR Investments Property Annexation

Dear Becky:

This letter is to acknowledge Southeast Community College's willingness to have the City of Lincoln annex a portion of its campus as generally shown on the enclosed annexation map. Kent Seacrest on behalf of Ridge Development Company, Southview, Inc., and Meginnis Farm Joint Venture (collectively "Developers"), has kept us abreast of the Waterford Estates development plans. We understand that the proposed annexation allows the first phase of Waterford Estates to be annexed, including the first phase of the area designated for an "employment center" in the Comprehensive Plan. The first phase annexation would not include any portion of Sunrise Estates neighborhood.

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

Sincerely,



Jack J. Huck
President

cc: Kent Seacrest

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BOARD OF GOVERNORS

Helen E. Griffin, Chair, Lincoln; Gene Watermeter, Vice Chair, Unadilla; Lynn Schluekebier, Secretary, Seward; Richard O. Scott, Treasurer, Lincoln; Jacki Allensworth, Lincoln; Darryl Baker, Beatrice; Robert J. Feis, Beatrice; Ed C. Heiden, Sterling; Ruth M. Johnson, Lincoln; Douglas D. Merryman, Geneva; Nancy A. Scim, Lincoln; Bill Beltz, Faculty Representative, Milford