



# City of Grand Island

Tuesday, January 13, 2004

Council Session

## Item G23

### **#2004-12 - Approving Intent to Annex, Adoption of Annexation Plan, and Schedule Public Hearing for Property Located on the Southeast Corner of the Intersection of Highway 34 and South Locust Street**

*At the December 23, 2003 meeting of the City Council approval was given by the council for referring the annexation of the property located on the Southeast Corner of the Intersection of Highway 34 and South Locust Street (38.38 acres in the W 1/2 of the NW 1/4 of Section 34, Township 11 North, Range 9 West of the 6th P.M. in Hall County Nebraska) to the Planning Commission for their recommendation. The Planning Commission approved the annexation at its meeting on January 7, 2004. The resolution for consideration is to schedule this matter for a public hearing on the annexation at the January 27, 2004 meeting of the City Council. This annexation was requested by the Wells Fargo as Trustee for the Irene V. Christensen Easton Revocable Trust. It is also bordered on the north and west by the Grand Island City Limits, Sewer and Water are available to this property and is a logical extension of the City Limits.*

Staff Contact: Chad Nabity

# **ANNEXATION PLAN –South Locust and US Highway 34**

December 15, 2003

## **OVERVIEW**

Section 16-117 of The Nebraska State Statute allows municipalities of the first class to annex any contiguous or adjacent lands, lots, tracts, streets, or highways that are urban or suburban in character and in such direction as may be deemed proper.

Regulations governing municipal annexation were implemented in order to develop an equitable system for adding to and increasing city boundaries as urban growth occurs. Areas of the community that are urban in nature, and are contiguous to existing boundaries, are appropriate for consideration of annexation.

Annexation of urban areas adjacent to existing city boundaries can be driven by many factors. The following are reasons annexation should be considered:

1. Governing urban areas with the statutorily created urban form of government, municipalities have historically been charged with meeting the needs of the expanded community.
2. Provide municipal services. Municipalities are created to provide the governmental services essential for sound urban development and for the protection of health, safety and well being of residents in areas that are used primarily for residential, industrial, and commercial purposes.
3. Ensure orderly growth pursuant to land use, building, street, sidewalk, sanitary sewer, storm sewer, water, and electrical services.
4. Provide more equitable taxation to existing property owners for the urban services and facilities that non-city residents in proposed annexation areas use on a regular basis such as parks, streets, public infrastructure, emergency services, retail businesses and associated support.
5. Ensure ability to impose and consistently enforce planning processes and policies.
6. Address housing standards and code compliance to positively impact quality of life for residents.
7. Enable residents of urban areas adjacent to city to participate in municipal issues, including elections that either do or will have an impact on their properties.
8. Anticipate and allocate resources for infrastructure improvements. This would include extension of sewer, water and electrical infrastructure.
9. Assist in population growth to enable community to reach Community Development Block Grant entitlement status – 50,000. Entitlement communities automatically receive Community Development block grant dollars; no competitive process required.
10. Increase number of street or lane miles while increasing gas tax dollars received from the Nebraska Department of Roads.
11. Provide long term visioning abilities as it relates to growth and provision of services.

## Other Factors

Annexation of adjacent properties can also be considered upon the request of the owner(s) of the property. Wells Fargo Bank, Trustee for Irene V. Christensen Easton Revocable Trust, owner of this property has requested that the City annex their property in anticipation of development of this tract.

A comprehensive inventory of services and facilities has been developed, with the types and level of services currently being provided as well as the types of level of services anticipated as a result of annexation.

The inventory includes general information concerning:

- Existing infrastructure in affected area(s)
- Summary of expenditures to extend existing infrastructure
- Emergency services
- Summary of operating expenditures associated with increased services

The service plan incorporates detailed elements of the inventory. The inventory and resulting service plan should be the basis for discussions concerning each specific area identified for potential annexation. ***It should be noted that the capital improvements to existing infrastructure and extending services if necessary will take place over a reasonable period of time in order to ensure adequate time for planning, designing, funding and constructing such a sizable number of projects while protecting the financial integrity of the City's enterprise funds. Individual property owners will be responsible for the cost of extending services through neighborhoods and for connecting their properties to the public systems.***

## **Inventory of Service and Service Plan**

### **Southeast Corner of South Locust Street and US Highway 34**

The area is located southeast of the intersection of South Locust Street and US Highway 34 in the southeast area of the community. According to the description submitted with the request to be annexed is 38.38 acres more or less. A request to rezone and subdivide this property is expected in the near future.

#### **INVENTORY OF SERVICES**

1. **Police Protection.** The City of Grand Island Police Department will provide protection and law enforcement services in the annexation area. These services include:

- Normal patrols and responses
- Handling of complaints and incident reports
- Investigation of crimes
- Standard speed and traffic enforcement
- Special units such as traffic enforcement, criminal investigations, narcotics, and gang suppression

These services are provided, on a city-wide basis, by over 75 employees. The Police Department is staffed at a rate of 1.67<sup>1</sup> officers per one thousand population. No additional officers will be necessary to maintain this ratio if the proposed area is annexed.

2. **Fire Protection.** The City of Grand Island Fire Department will provide emergency and fire prevention services in the annexation area. These services include:

- Fire suppression and rescue
- Hazardous materials regulation
- Periodic inspections of commercial properties
- Public safety education

These services are provided, on a city-wide basis, by 69 employees operating from four fire stations. The nearest Fire Department is Station #1 located at Pine and Koenig, approximately 1.75 miles from the nearest part of the proposed annexation area.

3. **Emergency Medical Services.** The City of Grand Island is the current provider of local emergency medical services in the city and will provide this service in the annexed area.

- Emergency medical and ambulance services
- Emergency dispatch (provided by the City/County Emergency Management Department)

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<sup>1</sup> This is figured based on the number of officers divided by 44,929 the estimated population of Grand Island based on the final count of dwelling units as updated for 2002 from Building Department records.

The City of Grand Island Fire Department provides these services, on a city-wide basis. Fire personnel are emergency medical technicians and 24 are certified paramedics.

4. Wastewater (Sanitary Sewer). The City of Grand Island, Public Works Department, currently maintains the wastewater utilities services for the proposed annexation area. Wastewater services to new development and subdivisions will be provided according to standard policies and procedures of the City. These policies require the developer of a new subdivision to install wastewater lines, unless waived in the subdivision agreement approved by the City Council or through the use of the Assessment District process for developed areas. Wastewater service to this area is available through existing lines.

5. Maintenance of Roads and Streets. The City of Grand Island, Public Works Department, will maintain public streets over which the City has jurisdiction. These services include:

- Snow and ice removal
- Emergency pavement repair
- Preventative street maintenance
- Asphalt resurfacing
- Ditch and drainage maintenance
- Sign and signal maintenance

6. Electric Utilities. This Annexation area is currently provided electrical services by the City of Grand Island. The services appear adequate to meet the needs of the area. These services include:

- Electric utility services
- Street lights

7. Water Utilities. The City of Grand Island, Utilities Department, currently maintains the water utilities services for the proposed annexation area. Water services to new development and subdivisions will be provided according to standard policies and procedures of the City. These policies require the developer of a new subdivision to install water lines, unless waived in the subdivision agreement approved by the City Council or through the use of the Assessment District process for developed areas. Water service to this area is available through existing water lines.

8. Maintenance of Parks, Playgrounds, and Swimming Pools No impact on public or private recreation facilities is anticipated as a result of annexation. Recreation facilities and area amenities, including parks and pools, that are privately owned and operated, or operated and maintained by another governmental entity, will be unaffected by the annexation. There are no existing public or private recreational facilities at this site.

9. Building Regulations. The City of Grand Island, Building Department, will continue to oversee services associated with building regulations, including:

- Commercial Building Plan Review
- Residential Building Plan Review
- Building Permit Inspections and Issuance
- Investigation of complaints relative to Minimum Housing Standards
- Regulation of Manufactured Home Parks
- Investigation of Illegal Business Complaints
- Investigation and Enforcement of Zoning Violations

10. Code Compliance. The City of Grand Island's Legal Department and Code Compliance division will continue to provide the following services associated with enforcing compliance with the City Code:

- Enforcement Proceedings for Liquor and Food Establishment Violations
- Investigation and Enforcement of Complaints Regarding Junked Vehicles and Vehicle Parts, Garbage, Refuse and Litter
- Investigation of Enforcement of Complaints Regarding Weed and Animal Violations
- Providing Enforcement Support to Other Departments for City Code and Regulatory Violations

11. Other City Services. All other City Departments with jurisdiction in the area will provide services according to city policies and procedures.

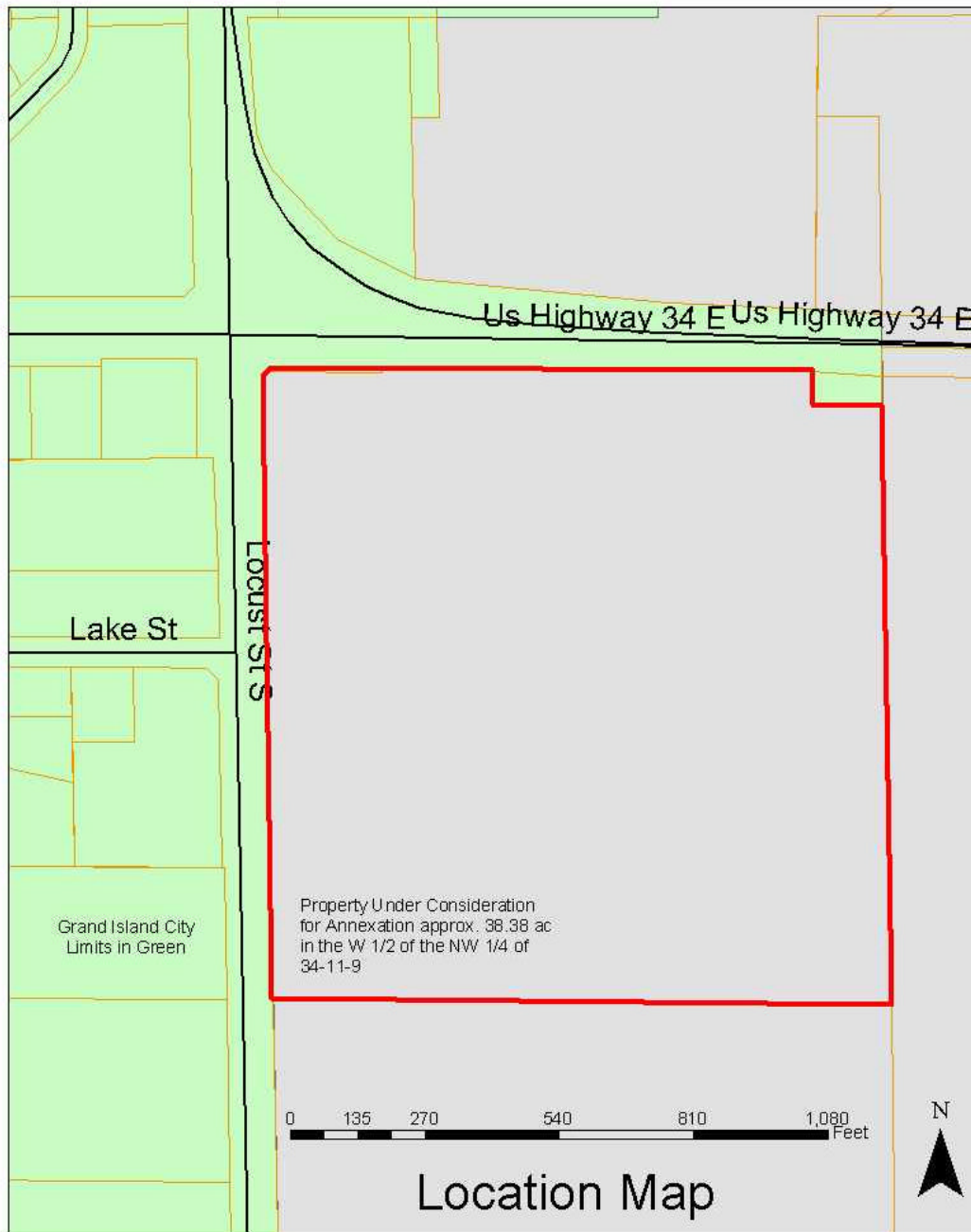
12. Summary of Impacts

Summary of Impacts	
Police Protection	No Impact
Fire Protection	No Impact
Emergency Medical Services	No Impact
Wastewater	Available
Roads and Streets	No Impact
Electric Service	Already in GI Service Area
Water Service	Available
Parks, Playgrounds and Swimming Pools	No Impact
Building Regulations	Already Subject to GI Regulations
Code Compliance	Already Subject to GI Regulations
Other	No Impact
School District	District 3 (Cedar Hollow/Northwest)

### **Financial Impacts of South Locust and US Highway. 34 Annexation**

<b>Financial Impact</b>	<b>Before Annex</b>	<b>After Annex</b>
Property Valuation	\$68,210	\$68,210
Sewer revenue	0	0
Water revenue	0	0
City sales tax now applicable	0	0
<b>Assume \$100,000 house</b>		
2001 City property taxes	0	.371648/\$371.64
Community Redevelopment Authority	0	.025325/\$25.33
Rural fire services	.076432/\$76.43	0*
School District (From 3 to 2)	1.75274/\$1752.74	*

\*previously approved bonds could remain with property until paid off





## RESOLUTION 2004-12

WHEREAS, the City of Grand Island, in accordance with Section 16-117, R.R.S., is considering the annexation of the land and a plan for extending city services to the following described adjacent and contiguous land:

A tract of land located in the W1/2, NW1/4 of Section 34, Township 11 North, Range 9 West of the 6<sup>th</sup> P.M., Hall County, Nebraska, described as follows:

Starting at a point 60 feet south and 60 feet east of the northwest corner of said Section 34; thence from the point of beginning east a distance of 233.4 feet; thence north 90° left a distance of 27 feet; thence east 90° right a distance of 1026.6 feet to a point on the east boundary line of the W1/2, NW1/4 of said Section 34; thence south along the east boundary line of the W1/2, NW1/4 of said Section 34 a distance of 1,307.82 feet; thence west 90° right a distance of 1287 feet; thence north 90° a distance of 1,120.82 feet; thence east 90° right a distance of 27 feet; thence north 90° left a distance of 160 feet to the point of beginning.

Except a tract of land located in the NW1/4 of Section 34, Township 11 North, Range 9 West of the 6<sup>th</sup> P.M., Hall County, Nebraska, described as follows: referring to the northwest corner of the NW1/4 of said Section 34; thence easterly along the north line of said NW1/4 a distance of 129.56 feet to a point; thence southerly deflecting 90°00'00" left a distance of 60.00 feet to a point on the south right-of-way line of Highway 34, said point also being the true point of beginning; thence southwesterly deflecting 44°06'24" right a distance of 82.24 feet to a point; thence southerly deflecting 46°17'16" left a distance of 326.58 feet to a point; thence southerly deflecting 0°44'36" left a distance of 371.01 feet to a point; thence southwesterly deflecting 9°32'13" right a distance of 83.17 feet to a point; thence southerly deflecting 9°32'12" left a distance of 449.13 feet to a point; thence westerly deflecting 92°55'41" right a distance of 41.98 feet to a point on the east right-of-way line of Locust Street; thence northerly deflecting 88°12'36" right along the east right-of-way line of Locust Street a distance of 1001.77 feet to a point; thence northeasterly deflecting 10°16'12" right along the east right-of-way line of Locust Street a distance of 151.44 feet to a point; thence northerly deflecting 10°16'13" left along the east right-of-way line of Locust Street a distance of 34.774 meters to a point; thence northeasterly deflecting 27°58'30" right along the east right-of-way line of Locust Street a distance of 24.50 feet to a point on the south right-of-way line of Highway 34; thence easterly deflecting 63°48'42" right, a distance of 56.16 feet to the point of beginning, containing 38.38 acres, more or less.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that a plan outlining the city services available to the above-described land and showing or including: (a) the cost impact of providing the services to such land, (b) the method by which the city is financing the extension of services to the land and how such services will be maintained, (c) a map drawn to scale clearly delineating the land proposed for annexation, the current boundaries of the city, the proposed boundaries of the City after the annexation, and the general land-use pattern in the land proposed for annexation is hereby adopted and approved and shall be available for inspection during regular business hours in the office of the City Clerk.

BE IT FURTHER RESOLVED, that a public hearing on the proposed annexation shall be held at 7:00 p.m. on February 10, 2004, or as soon thereafter as the matter may be heard, in the Council Chambers at City Hall, 100 East First Street, Grand Island, Nebraska, to receive testimony from interested persons.

BE IT FURTHER RESOLVED, that the City Clerk be, and hereby is, authorized and directed to publish in the *Grand Island Independent* at least once, not less than ten days preceding the date of the public hearing, a copy of this Resolution and a map drawn to scale delineating the land proposed for annexation.

BE IT FURTHER RESOLVED, that the City Clerk be, and hereby is, authorized and directed to send by first-class mail, a copy of the resolution providing for the public hearing to the school board of the school district in the land proposed for annexation.

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Adopted by the City Council of the City of Grand Island, Nebraska, January 13, 2004.

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RaNae Edwards, City Clerk