



# City of Grand Island

Tuesday, December 20, 2005

Council Session

## Item G7

**#2005-349 - Approving Intent to Annex Land Located South of Old Potash Highway and East of Engleman Road and Schedule Public Hearing**

Staff Contact: Chad Nabity

# **Council Agenda Memo**

**From:** Hall County Regional Planning Department

**Meeting:** December 20, 2005

**Subject:** Annexation of Property Adjacent to City Limits per Owners Request

**Item #'s:** G-7

**Presenter(s):** Chad Nabity, AICP Hall County Regional Planning Director

## **Background**

A request has been received to consider annexation of property located south of Old Potash Highway and east of Engleman Road. The owners of this property are anticipating development of the property and requesting that the city bring it into the corporate limits. This property is surrounded by the Grand Island Municipal limits on all sides.

## **Discussion**

Nebraska Revised Statute §16-117 provides for the process of annexation. In following the schedule set out when this matter was referred to the Regional Planning Commission for recommendation. The second action in this process for Council is to pass a resolution stating their intent to annex, approve an annexation plan and set public hearing for comment on the annexation request before council.

## **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Approve the resolution of intent to annex, the attached annexation plan, and set public hearings on annexation for January 24, 2006.
2. Choose not to approve the resolution of intent to annex, the attached annexation plan, and set public hearings on annexation for January 24, 2005.

3. Modify the resolution of intent to annex, the attached annexation plan, and/or the public hearing date.
4. Table the issue

### **Recommendation**

City Administration recommends that the Council Approve the resolution of intent to annex, the attached annexation plan, and set public hearing on annexation for January 24, 2006.

### **Sample Motion**

Approve the resolution of intent to annex, the attached annexation plan, and set public hearings on annexation requests for January 24, 2006.

# **ANNEXATION PLAN –November 2005**

November 14, 2005

## **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. Specifically, changes in October, 1999 to Nebraska Department of Environmental Quality Regulation Title 124 concerning on site waste water treatment systems impacts new and replacement private septic systems.
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

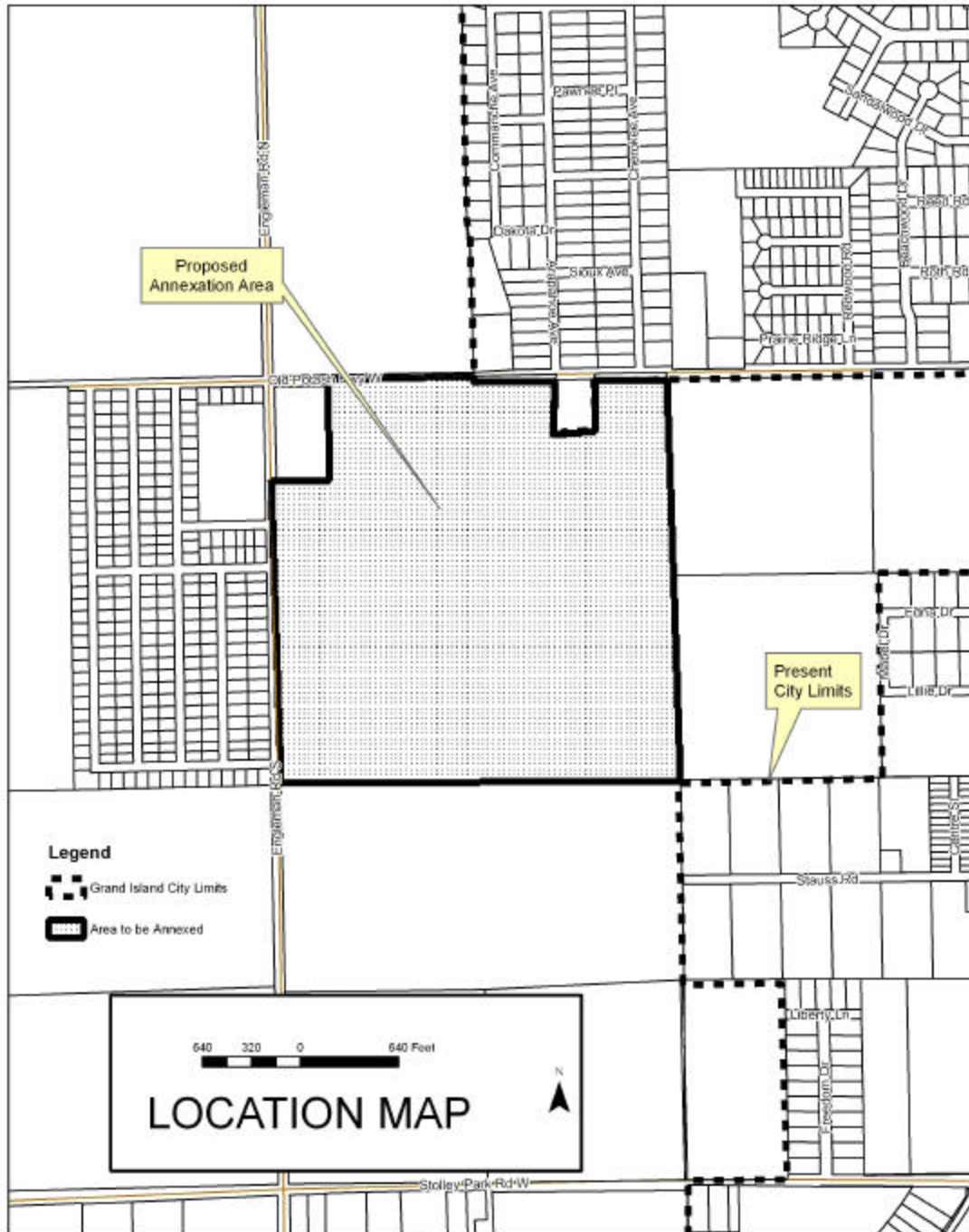
Annexation of adjacent properties can also be considered upon the request of the owner(s) of the property. Glenwood Hargens has requested that the City annex his property in the NW ¼ of 23-11-10. It is anticipated that this property will develop for residential purposes in the near future. The proposed developer, Copper Creek Estates LLC, has also submitted a request for annexation of this property.

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

The inventory includes general information concerning:

- Existing infrastructure in affected area(s)
- Summary of expenditures to extend existing infrastructure
- Summary of operating expenditures associated with increased services
- Emergency 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 will take place over a 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. The service plan provides for extending the trunk water and sanitary sewer lines to the annexed area. Individual property owners will be responsible for the cost of extending services through neighborhoods and for connecting their properties to the public systems.***



## **General Description of the Property**

This property is located in the western part of the community. It is south of Old Potash Highway and west of Engleman Road. The City of Grand Island provides electric services to the area. Sewer and water are both available to this property. The property is currently being farmed. There are no structures on the property. The proximity to the existing city limits and municipal infrastructure makes this property suburban in character and ready for development.

## **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 89.75 employees. The Police Department is staffed at a rate of 1.72 officers per one thousand population. No additional officers will be necessary to maintain this ratio if all 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 incident response
- 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 station is Station #4 located on State Street east of North Road.

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)

The City of Grand Island Fire Department provides these services, on a city-wide basis. Fire personnel are emergency medical technicians and 27 are certified paramedics.

4. Wastewater (Sanitary Sewer). The City of Grand Island will provide sanitary sewer services in the area through existing sewer lines. No city costs would be anticipated. The developers are proposing to extend the sewer line along the south side of Old Potash Highway from North Road.

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
- Asphalt resurfacing

Portions of Old Potash Highway are already maintained by the City of Grand Island

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.

8. Maintenance of Parks, Playgrounds, and Swimming Pools No impact 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.

9. Building Regulations. The City of Grand Island, Building Department, will 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.

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	In Cedar Hollow/Northwest School District

## Financial Impacts of Capital Avenue Properties Annexation

Financial Impact	Before Annex	After Annex
Property Valuation	\$235,839	\$235,839
City sales tax now applicable	none	1.5%
<b>Assume \$235,839 Value</b>		
2004 City property taxes	0	0.250001/\$589.60.
Community Redevelopment Authority	0	0.024287/\$57.28
Rural fire services	0.06034/\$142.31	0/\$0
Fire Bond	0.014679/\$34.62	0.014679/\$34.62*
Cedar Hollow to GIPS	1.120223/\$2641.92	1.075781/\$2537.11
CH Bond	0.076716/\$180.93	0.076716/\$180.93*
NW Bond	0.067911/\$160.16	0.067911/\$160.16*

Hall County, ESU, Community College, NRD and other levies will not change.

Total property tax levy	1.880403/\$4434.72	2.041857/\$4834.48
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

Depending on development these properties will connect to city water and sewer services and generate revenue for those enterprise funds based on the rate structure and usage.

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

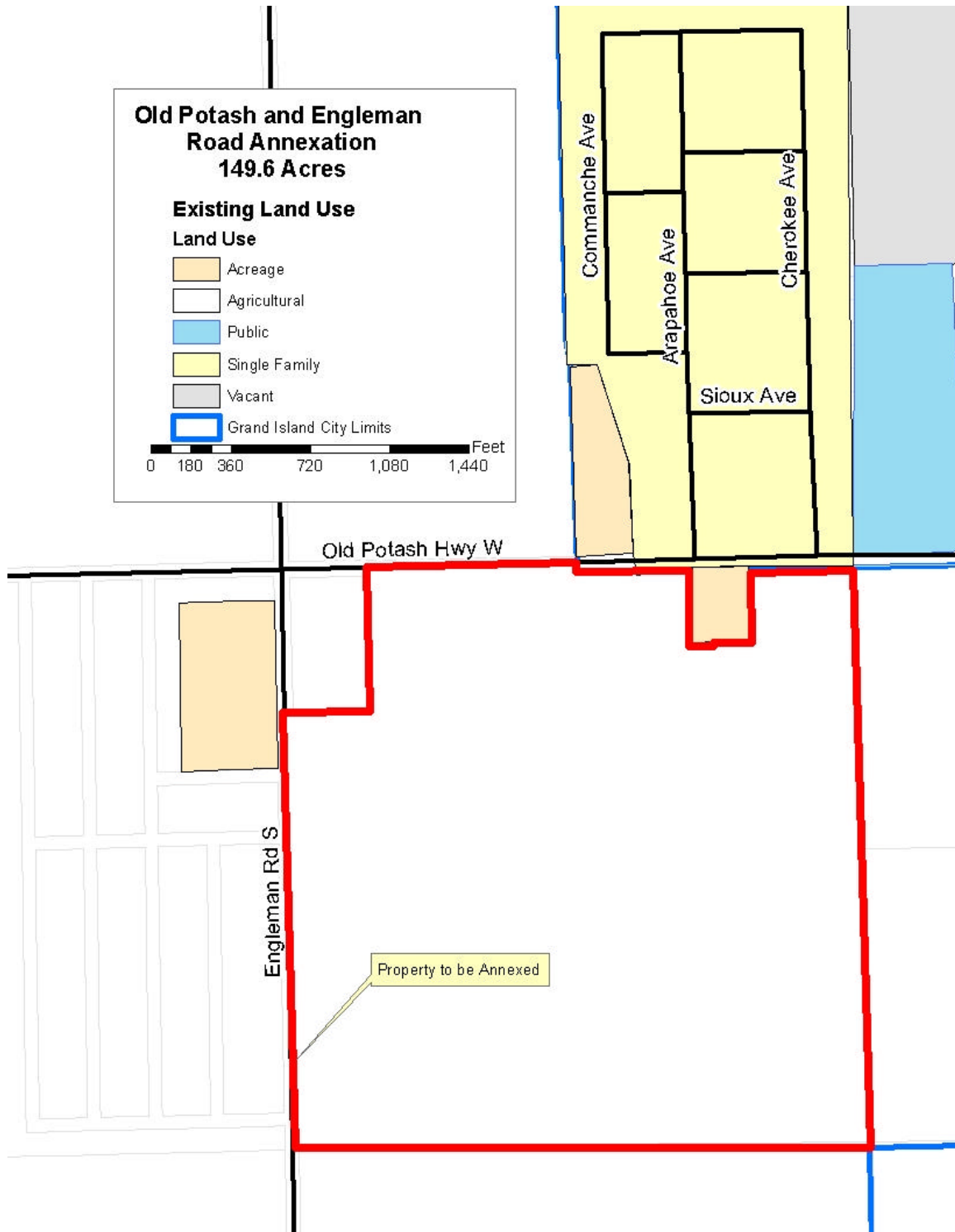
**Old Potash and Engleman  
Road Annexation  
149.6 Acres**

**Existing Land Use**

**Land Use**

-  Acreage
-  Agricultural
-  Public
-  Single Family
-  Vacant
-  Grand Island City Limits

0 180 360 720 1,080 1,440 Feet



## RESOLUTION 2005-349

WHEREAS, the City of Grand Island, in accordance with Neb. Rev. Stat. §16-117, et seq., is considering the annexation of the land and a plan for extending city services to the adjacent and contiguous land which are urban or suburban in character and legally described as follows and containing approximately 149.6 acres, as shown on Exhibit A attached hereto and incorporated herein by this reference:

A tract of land comprising the Northwest Quarter (NW1/4) of Section Twenty Three (23), Township Eleven (11) North, Range Ten (10) West of the 6<sup>th</sup> P.M. in Hall County, Nebraska; excepting therefrom:

1. All of M and M Subdivision, located in part of the Northwest Quarter of the Northwest Quarter (NW1/4, NW1/4) of Section Twenty Three (23), Township Eleven (11) North, Range Ten (10) West of the 6<sup>th</sup> P.M. in Hall County, Nebraska.
2. All of Meyer's Subdivision, located in part of the Northeast Quarter of the Northwest Quarter (NE1/4, NW1/4) of Section Twenty Three (23), Township Eleven (11) North, Range Ten (10) West of the 6<sup>th</sup> P.M. in Hall County, Nebraska.
3. The easterly Thirty Five (35.0) feet of the East Half of the East Half of the Northwest Quarter (E1/2, E1/2, NW1/4) of Section Twenty Three (23), Township Eleven (11) North, Range Ten (10) West of the 6<sup>th</sup> P.M. in Hall County, Nebraska.

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 estimated 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 services already provided will be maintained, (c) maps drawn to scale clearly delineating the land proposed for annexation, (d) maps showing the current boundaries of the city, (e) maps showing the proposed boundaries of the City after the annexation, and (f) maps showing 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 before the Mayor and City Council on the proposed annexation shall be held at 7:00 p.m. on January 24, 2006, 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 boards of the school districts including the lands proposed for annexation.

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Adopted by the City Council of the City of Grand Island, Nebraska, December 20, 2005.

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RaNae Edwards, City Clerk