



City of Grand Island

Tuesday, April 14, 2009

Council Session

Item G19

**#2009-87 - Approving Intent to Annex Property Located South of
Case New Holland and West of Highway 281**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Hall County Regional Planning Department

Meeting: April 14, 2009

Subject: Annexation of Property Located in the SE ¼ of the NE ¼
Section 25, Township 11, and Range 10 West of U.S.
Highway 281 and South of Case New Holland

Item #'s: G-19

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

Background

A request has been received to consider annexation of property located in the SE 1/4 of the NE 1/4, Section 25, Township 11, Range 10, located west of U.S. Highway 281 and south of Case New Holland. City sewer and water are available. This action came before the City Council at their March 10, 2009 City Council meeting and was approved. A public hearing date of April 14, 2009 was set. State statutes require a publication date of not less than 10 days before the public hearing. The publication date was missed for the April 14, 2009 meeting, so council is requested to approve a new resolution setting April 28, 2009 for the public hearing on the proposed annexation.

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 hearing on annexation for property located south of Case New Holland and west of Highway 281.
2. Choose not to approve the resolution of intent to annex, the attached annexation plan, and set public hearing.
3. Modify the resolution of intent to annex, the attached annexation plan, and/or the public hearing date.
4. Postpone the issue

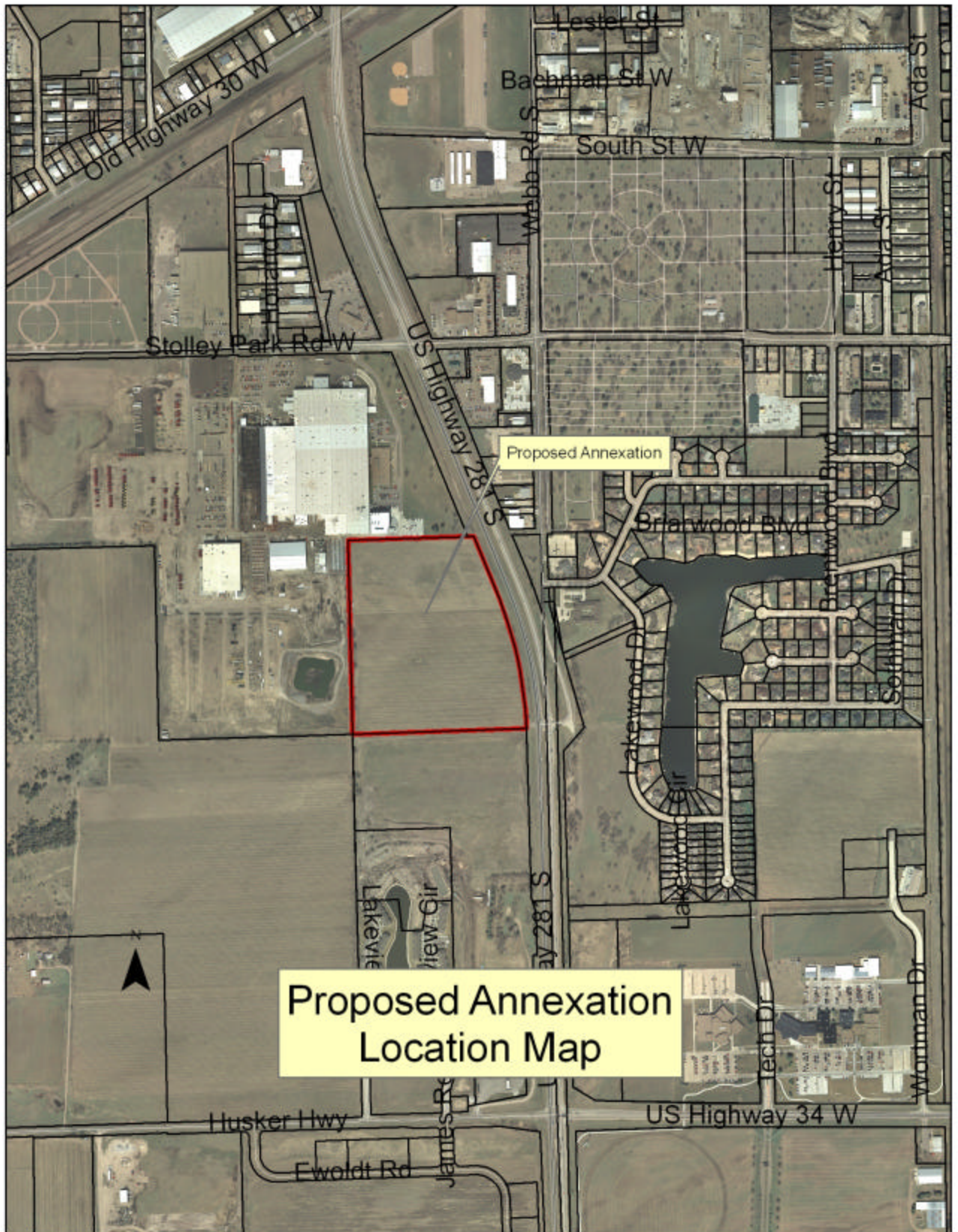
Recommendation

At the March 4, 2009 meeting of the Hall County Regional Planning Commission a public hearing was held to take comment on this request for annexation and no members of the public presented testimony. A motion was made by Haskins to approve the annexation request and seconded by Aquilar. A roll call vote was taken and the motion passed with 7 members present (Aguilar, Amick, Ruge, Hayes, Haskins, Bredthauer, Snodgrass) all voting in favor.

City staff also recommends that the Council approve the resolution of intent to annex, the attached annexation plan, and set public hearings on annexation for.

Sample Motion

Move to approve the resolution of intent to annex, the attached annexation plan, and set public hearing on annexation requests for Case New Holland.



ANNEXATION PLAN –February 2009

February 13, 2009

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.
9. Increase number of street or lane miles while increasing gas tax dollars received from the Nebraska Department of Roads.
10. Provide long term visioning abilities as it relates to growth and provision of services.

Other Factors

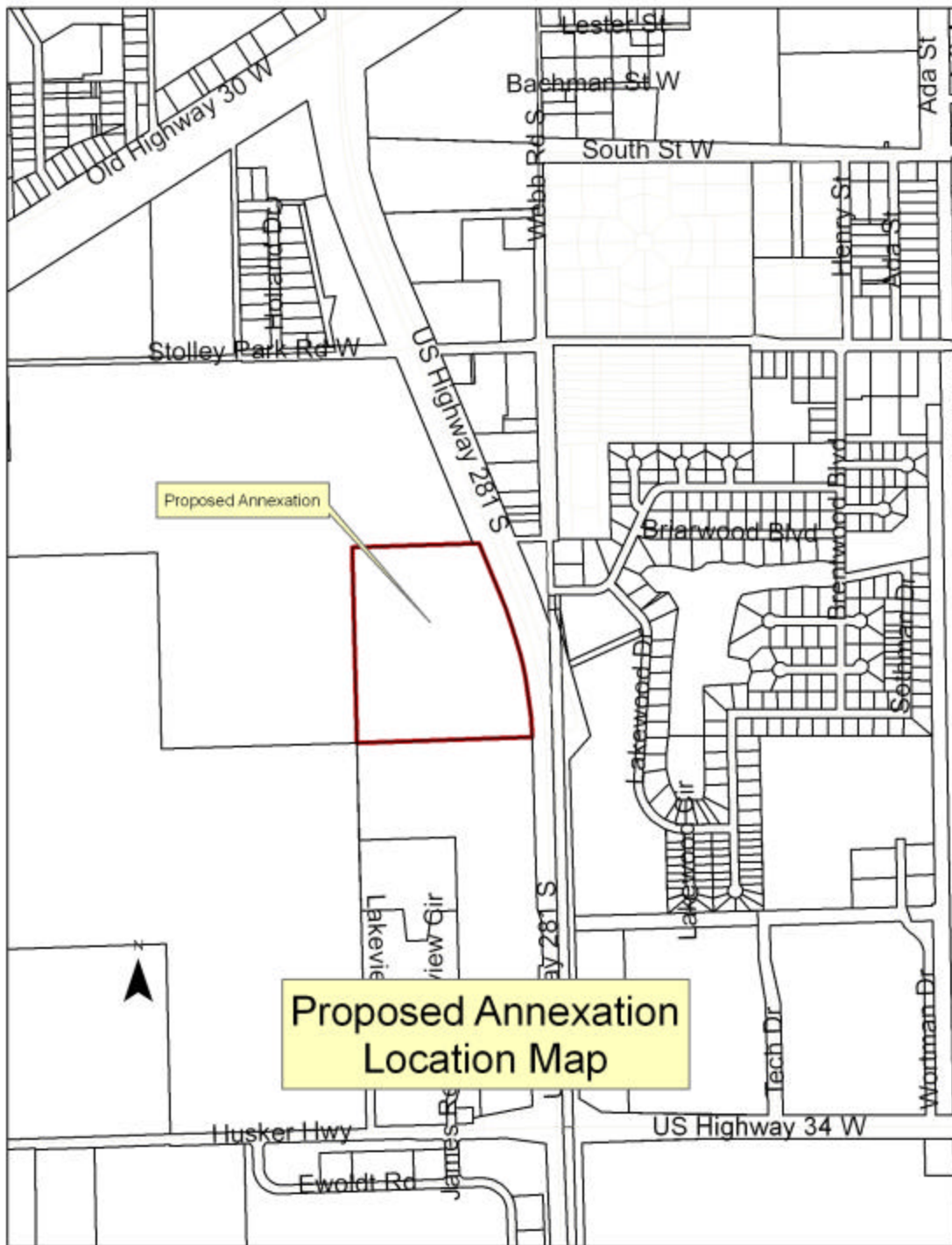
Annexation of adjacent properties can also be considered upon the request of the owner(s) of the property. Case New Holland has requested that the City annex its property in the SE ¼ of the NE ¼ of 25-11-10. They have also requested that this property be rezoned from TA Transitional Agriculture to M1 Light Manufacturing.

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.*



Case New Holland Property

The Case New Holland property is located in the southwest part of the community. It is west of US Highway 281 and south of Case New Holland building. The City of Grand Island provides electric services to the area. Sewer and water are both available to this property.

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 #3 located on Webb Road, across U.S. 281 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)

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.

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

U.S. Highway 281 is maintained by the State of Nebraska.

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 Case New Holland Properties Annexation

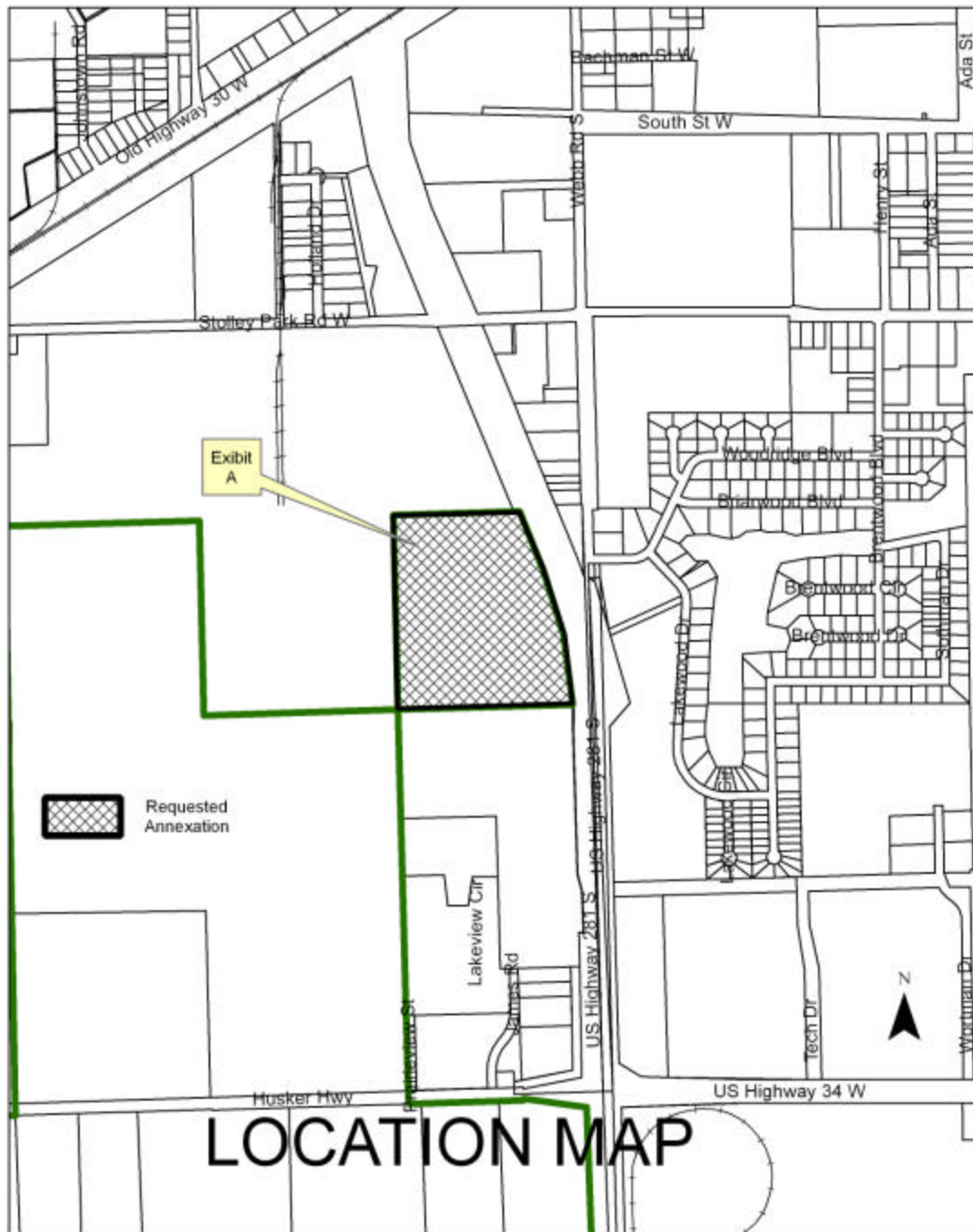
Financial Impact	Before Annex	After Annex
Property Valuation	\$73,382	\$73,382
City sales tax now applicable		
Assume \$73,382 Value		
2008 City property taxes	0	0.250000/\$183.46.
Community Redevelopment Authority	0	0.020790/\$15.26
Rural fire services	0.056115/\$41.18	0/\$0
Fire Bond	0.0111665/\$8.56	0.0111665/\$8.56*
Northwest to GIPS	1.09358/\$802.49	1.071196/\$786.65
CH Bond	0.057563/\$42.24	0.057563/\$42.24*
NW Bond	0.059063/\$43.34	0.059063/\$43.34*

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

Total property tax levy	1.892471/\$1388.73	2.092073/\$1535.21
-------------------------	--------------------	--------------------

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



Agenda Item #5

PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

February 19, 2009

SUBJECT: *Annexation of Properties (C-11-2009GI)*

PROPOSAL: To annex property as shown on the attached annexation plan.

OVERVIEW:

This property is contiguous with (surrounded by) the Grand Island City Limits. The owners have requested annexation.

These properties are within the Grand Island Utilities Electrical Service District. These properties are all within the Cedar Hollow/Northwest School District. These annexations will not impact the two-mile extraterritorial jurisdiction of Grand Island.

RECOMMENDATION:

That the Regional Planning Commission recommend that the Grand Island City Council annex these properties as presented.

_____ Chad Nabity AICP, Planning Director

RESOLUTION 2009-87

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 is urban or suburban in character and legally described as follows and shown on Exhibit "A" attached hereto and incorporated herein by this reference:

A tract of land located in part of the southeast quarter of the northeast quarter (se1/4, ne1/4) of section twenty-five (25), township eleven (11), north, range ten (10) west of the 6th p.m., in Hall County, Nebraska, except a certain tract more particularly described in quit claim deed recorded to the state of Nebraska in book 141, page 258, and except a certain tract more particularly described in appraiser's report recorded in book 9, page 67, and more particularly described as follows:

Commencing at the east quarter corner section 25-T11N-R10W; thence on an assumed bearing of S88°08'57"W upon and along the south line of the SE1/4, NE1/4 a distance of 132.51 feet to the northeast corner of Lot 2, Pedcor Second Subdivision, an addition to the City of Grand Island, Nebraska, said point also being the westerly right-of-way (ROW) line of US Highway #281 and the point of beginning; thence S88°09'55"W upon and along the south line of SE1/4, NE1/4, said line also being the north line of said Lot 2 a distance of 1189.55 feet to the southwest corner of said SE1/4, NE1/4, said point also being the northwest corner of said Lot 2; thence N01°24'18"W upon and along the west line of said SE1/4, NE1/4 a distance of 1322.52 feet to the northwest corner of said SE1/4, NE1/4; thence N88°18'32"E upon and along the north line of said SE1/4, NE1/4 a distance of 860.86 feet to said westerly row line of US Highway #281; thence S21°57'28"E along and upon said west row line a distance of 398.06 feet to a point of curvature; thence upon and along said westerly row line around a curve in a clockwise direction having a delta angle 20°00'15", an arc length 968.79 feet, a radius 2774.79, a chord bearing S12°42'30"E with a chord distance of 963.87 feet to the point of beginning. Said tract contains a calculated area of 1,412,514.37 square feet or 32.427 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 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) a map drawn to scale clearly delineating the land proposed for annexation, (d) a map showing the current boundaries of the city, (e) a map showing the proposed boundaries of the City after the annexation, and (f) a map 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 April 28, 2009, or as

Approved as to Form	<input type="checkbox"/>
April 9, 2009	<input type="checkbox"/> City Attorney

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.

Adopted by the City Council of the City of Grand Island, Nebraska, April 14, 2009.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk

P:\ANNEXATION\CNH.dwg, 2/26/2009 10:41:03 AM, HP_PSC 750xi

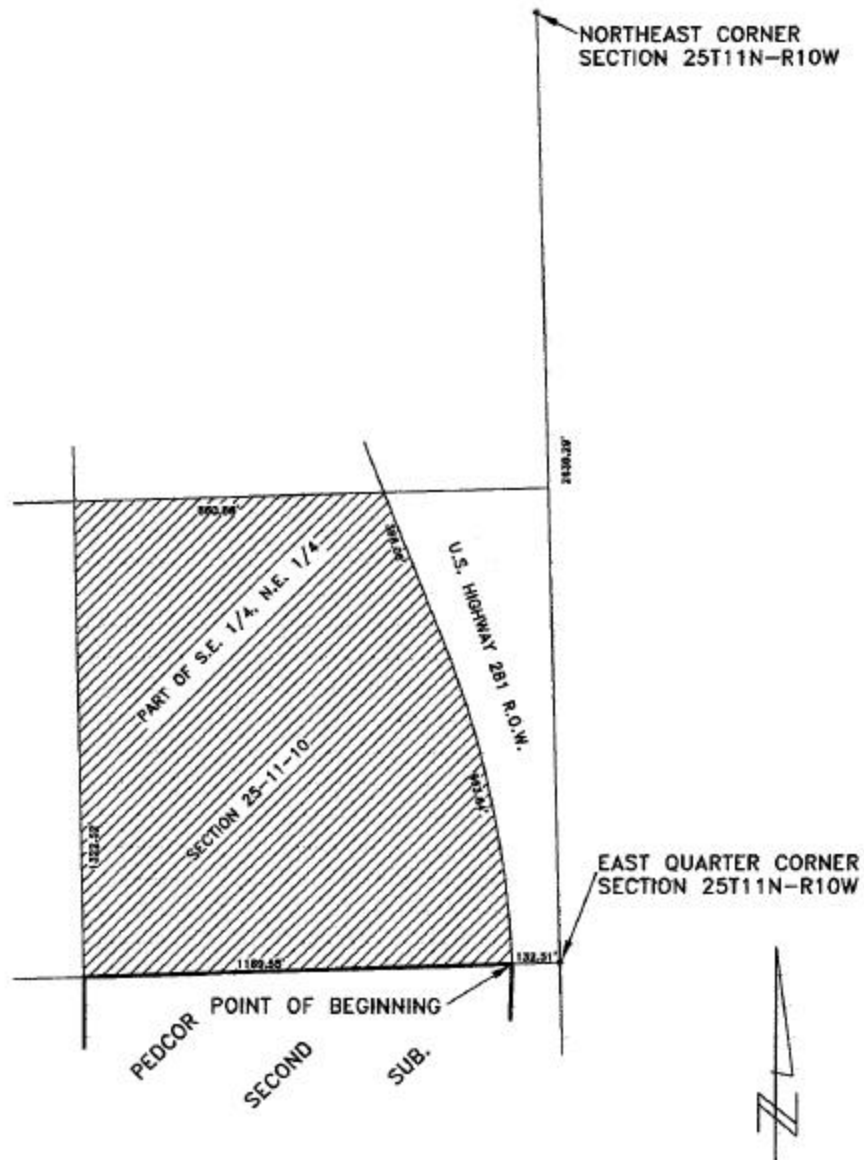


EXHIBIT "A"

CITY OF
GRAND ISLAND
PUBLIC WORKS DEPARTMENT

DATE: 2/26/09
DRN BY: L.D.C.
SCALE: 1" = 400'

AREA ANNEXED

Approved as to Form ☐ _____
April 9, 2009 ☐ City Attorney