



# Hall County Regional Planning Commission

**Wednesday, June 06, 2007**  
**Regular Meeting Packet**

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## **Commission Members:**

<b>John Amick</b>	<b>Hall County</b>	
<b>Karen Bredthauer</b>	<b>Grand Island</b>	
<b>Scott Eriksen</b>	<b>Grand Island</b>	
<b>Mark Haskins</b>	<b>Hall County</b>	<b>Vice Chairperson</b>
<b>Bill Hayes</b>	<b>Doniphan</b>	
<b>Dianne Miller</b>	<b>Grand Island</b>	
<b>Jaye Montor</b>	<b>Cairo</b>	
<b>Robert (Bob) Niemann</b>	<b>Grand Island</b>	
<b>Pat O'Neill</b>	<b>Hall County</b>	<b>Chairperson</b>
<b>Deb Reynolds</b>	<b>Hall County</b>	
<b>Leslie Ruge</b>	<b>Alda</b>	<b>Secretary</b>
<b>Don Snodgrass</b>	<b>Wood River</b>	

**Regional Planning Director: Chad Nabity**

**Technician:**

**Edwin Maslonka**

**Secretary:**

**Barbara Quandt**

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**6:00:00 PM**  
**Council Chambers - City Hall**  
**100 East First Street**

## **Call to Order**

## **Roll Call**

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### **A - SUBMITTAL OF REQUESTS FOR FUTURE ITEMS**

Individuals who have appropriate items for Commission consideration should complete the Request for Future Agenda Items form located at the Regional Planning Office on the second floor of City Hall. If the issue can be handled administratively without Commission action, notification will be provided. If the item is scheduled for a meeting, notification of the date will be given.

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### **B - RESERVE TIME TO SPEAK ON AGENDA ITEMS**

This is an opportunity for individuals wishing to provide input on any of tonight's agenda items to reserve time to speak. Please come forward, state your name and address, and the Agenda topic on which you will be speaking.

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### **DIRECTOR COMMUNICATION**

This is an opportunity for the Director to comment on current events, activities, and issues of interest to the commission.



# Hall County Regional Planning Commission

Wednesday, June 06, 2007  
Regular Meeting

## Item .A1

### Summary Page

*Summary of the meeting Agenda*

Staff Contact: Chad Nabity

**Staff Recommendation Summary  
For Regional Planning Commission Meeting  
June 6, 2007**

4. **Public Hearing** - Concerning amendments to the Zoning Ordinance for the City of Grand Island and its 2 mile extra-territorial jurisdiction. Amendments to be considered pertain to the §36-27 Accessory Building and Uses; to incorporate definitions and regulations for portable storage units in the City of Grand Island. A PODS unit (Portable On Demand Storage) is sitting out at 13<sup>th</sup> and U.S. 281 next to Red Lobster. It will not be long before we start to see these in residential areas. These regulations put some limitations on the use in residential areas. (C-19-2007GI) (See full recommendation)

**CONSENT AGENDA**

5. **Final Plat** - Sheeks Subdivision, located on the east side of Highway 11 between Prairie Road and Chapman Road in Hall County, Nebraska. This is a 1 time split from an 80 acre tract. This land consists of approximately 3.000 acres.
6. **Final Plat** – Westgate Ninth Subdivision located east of North Road, between Old Potash Highway and Stolley Park Road, in the City of Grand Island, Hall County, Nebraska. This is consistent with the approved preliminary plat. This land consists of approximately 8.912 acres.

**It is recommended the Planning Commission Approve the consent agenda items as presented.**



# Hall County Regional Planning Commission

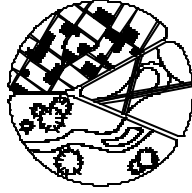
Wednesday, June 06, 2007  
Regular Meeting

## Item E1

### Minutes of May 2, 2007 RPC Meeting

*Minutes of the May 2, 2007 Regional Planning Commission Meeting*

Staff Contact: Chad Nabity



THE REGIONAL PLANNING COMMISSION OF HALL COUNTY, GRAND ISLAND,  
WOOD RIVER AND THE VILLAGES OF ALDA, CAIRO, AND DONIPHAN, NEBRASKA

Minutes  
for  
May 2, 2007

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The meeting of the Regional Planning Commission was held Wednesday, May 2, 2007, in the Council Chamber - City Hall - Grand Island, Nebraska. Notice of this meeting appeared in the "Grand Island Independent" April 21, 2007.

Present:	Pat O'Neill	Dianne Miller
	Bob Niemann	Leslie Ruge
	Scott Eriksen	Don Snodgrass
	Bill Hayes	Karen Bredthauer
	John Amick	

Absent: Jaye Monter, Debra Reynolds, Mark Haskins

Other: Mitch Nickerson

Staff: Chad Nabity, Barbara Quandt

Press:

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**1. Call to order.**

Chairman O'Neill called the meeting to order at 6:02 p.m. He stated that this was a public meeting subject to the open meetings laws of the State of Nebraska. He noted that the requirements for an open meeting were posted on the wall in the room and easily accessible to anyone who may be interested in reading them.

**2. Minutes of April 4, 2007 meeting.**

A motion was made by Miller and seconded by Hayes to approve the Minutes of the April 4, 2007.

The motion carried with 6 members present voting in favor (O'Neill, Miller, Niemann, Ruge, Hayes, Bredthauer) and 3 members present abstaining (Amick, Eriksen, Snodgrass).

### **3. Request time to speak.**

No one requested a time to speak.

### **4. Public Hearing - Concerning a change in zoning for Lot 1 of Grand Island Mall 12<sup>th</sup> Subdivision, located south of State Street, and west of Webb Road, from CD Commercial Development to Amended CD Commercial Development. (C-18-2007GI)**

Chairman O'Neill opened the above mentioned Public Hearing. Nabity presented. This proposed development would increase the building envelopes and allow larger buildings for two buildings (Ballz Sports Bar and El Toro Restaurant) on the lot. El Toro would be expanded and further expansion within the building envelope would also be allowed if approved. Ballz would be allowed to expand within the building envelope at some point in the future. Nabity reported that this change would be consistent with the City's Comprehensive Land Use Plan, since the subject property is designated for commercial development. This development is using property that is within the existing functional and legal boundaries of the City. Water and sewer services are available to service the area. This change would allow for changes to the market caused by legislation (smoking ban), which may lead to the need for Ballz to expand with an outdoor venue. El Toro has outgrown their existing space and will either need to move, or expand on site. It appears that there is enough parking on the site for the proposed expansions, even though the parking may not be immediately adjacent to these buildings. It would be on the entire property, which includes multiple buildings. Consideration of this amended CD Zone is required due to the change in building sizes. A change of up to 10 percent can be approved administratively; however, the expansion of the El Toro building will almost double the size of that building. Commercial development zones allow up to 30 percent of the property within the CD Zone to be covered with buildings. Total coverage of the property is substantially below the 30 percent allowed even with the additional building area. No changes will be made to the platted lot 1 of Conestoga North 12<sup>th</sup> Subdivision. Staff recommends this zoning change as requested.

Chairman O'Neill closed the public meeting.

A motion was made by Amick, and seconded by Eriksen, to recommend the approval of the change of zoning as proposed.

A roll call vote was taken and the motion passed with 9 members present (O'Neill, Ruge, Hayes, Niemann, Miller, Amick, Eriksen, Bredthauer, Snodgrass) voting in favor.

### **CONSENT AGENDA**

- 5. Final Plat** - Siemers Subdivision located on the east side of Engleman Road between One R Road and White Cloud Road in Hall County, Nebraska. (1 lot)
- 6. Final Plat** – Marion Francis Subdivision located on the east side of Monitor Road, between White Cloud Road and Abbott Road in Hall County, Nebraska. (1 lot)
- 7. Final Plat** - Cooper Subdivision located south of 1<sup>st</sup> Street, and east of Kimball, in the City of Grand Island, Hall County, Nebraska. (2 lots)

The Consent Agenda was considered by the Commission members.

A motion was made by Ruge and seconded by Hayes, to approve Consent Agenda Items 5, 6 and 7 as presented.

A roll call vote was taken and the motion passed with 9 members present (O'Neill, Ruge, Hayes, Eriksen, Snodgrass, Bredthauer, Niemann, Miller, Reynolds) voting in favor.

### **8. Planning Director's Report**

Nabity reported on his recent trip to Philadelphia. He also noted that members on the Interjurisdictional Planning Commission need to be reappointed annually. Due to Tom Brown's appointment to the City Council, Scott Eriksen volunteered to replace him on the Interjurisdictional Planning Commission.

Meeting dates for the months of July and October were discussed. The July regularly scheduled date falls on the 4<sup>th</sup> of July holiday and Chad will be out of town at a conference during the first week of October.

Miller made the motion, and Eriksen seconded it, to reschedule the July 4<sup>th</sup> meeting to July 11th and the October meeting to October 10<sup>th</sup>. A voice vote was taken and passed unanimously.

### **9. Next meeting June 6, 2007**



## **10. Adjourn**

Chairman O'Neill adjourned the meeting at 6:22 p.m.

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Leslie Ruge, Secretary

by Barbara Quandt



# Hall County Regional Planning Commission

Wednesday, June 06, 2007  
Regular Meeting

## Item F1

### Public Hearing - C-19-2007GI

*Concerning amendments to the Zoning Ordinance for the City of Grand Island and its 2 mile extra-territorial jurisdiction.*

Staff Contact: Chad Nabity

## **Agenda Item #4**

### **PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:**

May 2, 2006

### **SUBJECT:**

*Concerning amendments to the Zoning Ordinance for the City of Grand Island and its 2 mile extra-territorial jurisdiction. Amendments to be considered pertain to the §36-27 Accessory Building and Uses; to incorporate definitions and regulations for portable storage units in the City of Grand Island.. (C-19-2007GI)*

### **PROPOSAL:**

City staff is suggesting the following additions to the Grand Island Zoning regulations pertaining to Portable Storage Units

#### **§36-27.01 Portable Storage Units**

For the purposes of this section the following definitions shall apply:

#### **Definitions:**

Portable storage unit means any container designed for the storage of personal property which is typically rented to owners or occupants of residential (single or multi-family) property for their temporary use and which is delivered and removed by truck.

Site means a piece, parcel, tract, lot, or plot of land occupied or to be occupied by one or more residential buildings or uses and their accessory buildings and accessory uses which are generally considered to be one unified parcel.

#### **Number, Duration and Removal**

Portable storage units for on-site storage. There shall be no more than one portable storage unit per site; said unit shall be no larger than eight (8) feet wide, sixteen (16) feet long and eight (8) feet high. No portable storage unit shall remain at a site in a residential district in excess of fifteen (15) consecutive days.

The building official may permit the placement of a portable storage container on a residential property for more than fifteen (15) days, subject to the building setback requirements, provided that the property owner has a valid building permit or can demonstrate that extenuating circumstances exist to justify the extension. Extenuating circumstances shall include but not be limited to: disaster such as tornado; flood, or fire.

### **Placement**

Portable storage units shall be placed only in the driveway or back yard and be set back a minimum of ten (10) feet from the front property line or five (5) feet from the rear property line.

### **Signage**

Signs on any portable storage container shall not exceed two (2) in number not more than six (6) square feet each, not to exceed one (1) per side. In the event that a building official grants an extension to the fifteen (15) day time limit, all signs must be removed or covered.

### **Placard**

All portable storage containers must include a "placard" not to exceed one (1) square foot in area which is clearly visible from the right-of-way which includes the container Identification Number, date of placement on the property, date that removal is required, and a local or toll free telephone number of the company.

## **OVERVIEW:**

Portable Storage Units have been used across the United States for the past several years. They inevitably lead to issues with zoning as people leave them on their property too long and the neighbors get annoyed. Omaha dealt with the issue of Portable Storage Units last fall. These units are designed to be delivered to a property where the property owner can load them with stuff; call the company back and have their stuff hauled off in the container to a warehouse for storage. They can also be used by people moving from one place to another. A person can fill their unit at their old house and have it delivered to their new house. During remodeling/recarpeting projects these can be used to store furniture and other things on site while the work is being done. In general, they do not seem to have caused problems in other communities except when they take up permanent or semi-permanent residence.

The above regulations are designed to establish a set of operating parameters for portable storage units. I reviewed a variety of regulations from across the country and chose things that are likely to be issues in Grand Island. Hastings will likely adopt similar regulations and I have shared these regulations with Kearney as well.

One brand of portable storage unit PODS (Portable On Demand Storage) has made an appearance at Red Lobster by the Conestoga Mall. See the picture below.



That is one of the primary reasons to bring this forward at this point in time. It is likely that we will need to revisit this section of the code as we discover what will and will not work in Grand Island. This is a place to start and will not leave us in the situation of not having any regulations in place to deal with portable storage units.

#### **RECOMMENDATION:**

That the Regional Planning Commission recommend that the Grand Island City Council **approve** the changes to the Grand Island Zoning Ordinance as requested.

\_\_\_\_\_ Chad Nabity AICP, Planning Director



# Hall County Regional Planning Commission

Wednesday, June 06, 2007  
Regular Meeting

## Item J1

### Sheeks Subdivision HC

*Sheek's Subdivision, located on the east side of Highway 11 between Prairie Road and Chapman Road in Hall County, Nebraska. This is a 1 time split from an 80 acre tract. This land consists of approximately 3.000 acres.*

Staff Contact: Chad Nabity

May 22, 2007

Dear Members of the Board:

**RE: Final Plat – Sheeks Subdivision**

For reasons of Section 19-923 Revised Statutes of Nebraska, as amended, there is herewith submitted a final plat of Sheeks Subdivision, located on the east side of Highway 11 between Prairie Road and Chapman Road, Hall County Nebraska.

This subdivision proposes to create 1 lot on a tract of land comprising a part of the South Half of the Southwest Quarter (S1/2 SW1/4) of Section Seven (7), Township Twelve (12) North, Range Eleven (11) West of the 6<sup>th</sup> P.M., Hall County, Nebraska. This subdivision consists of 3.000 acres, more or less.

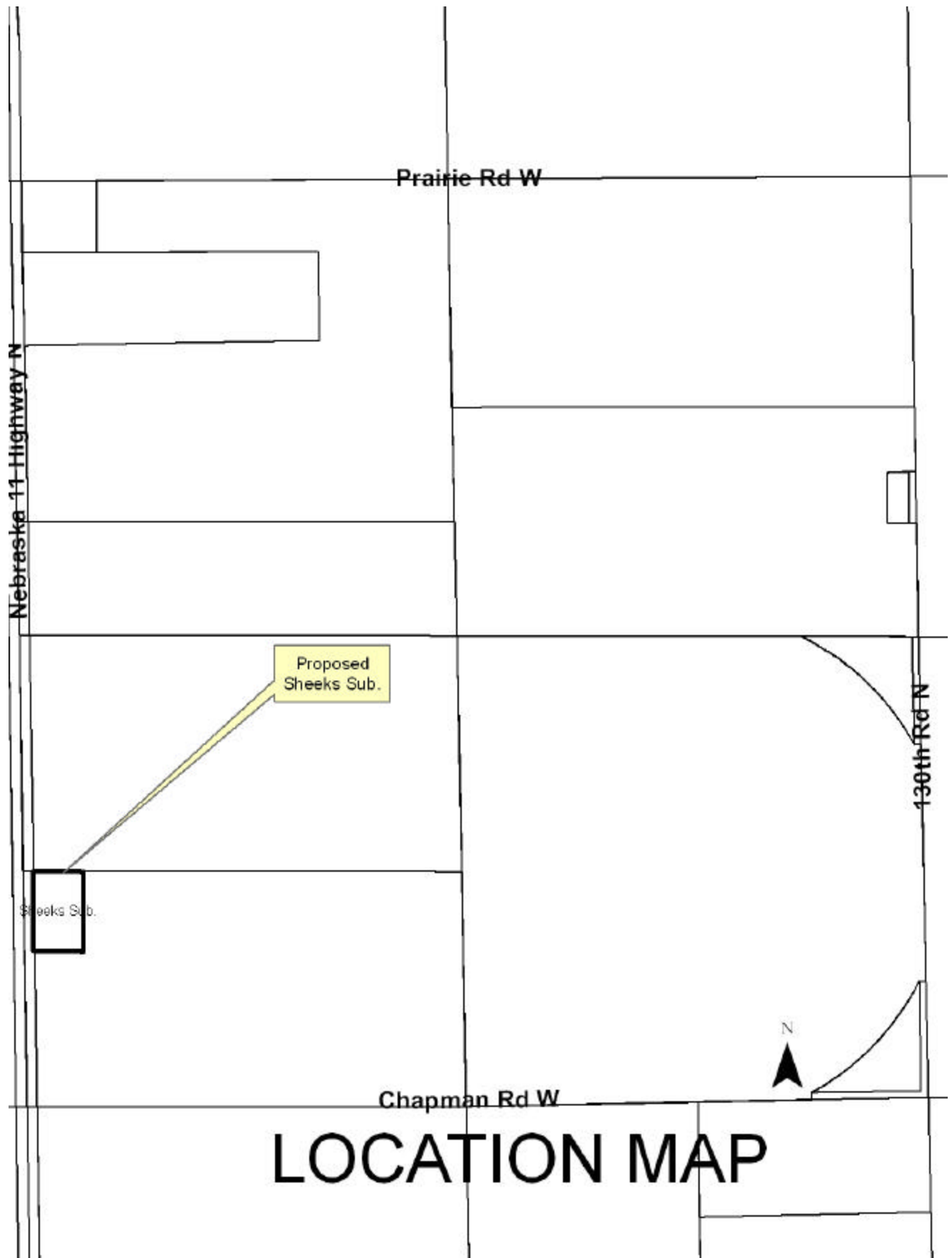
You are hereby notified that the Regional Planning Commission will consider this final plat at the next meeting that will be held at 6:00 on June 6, 2007, in the Council Chambers located in Grand Island's City Hall.

Sincerely,

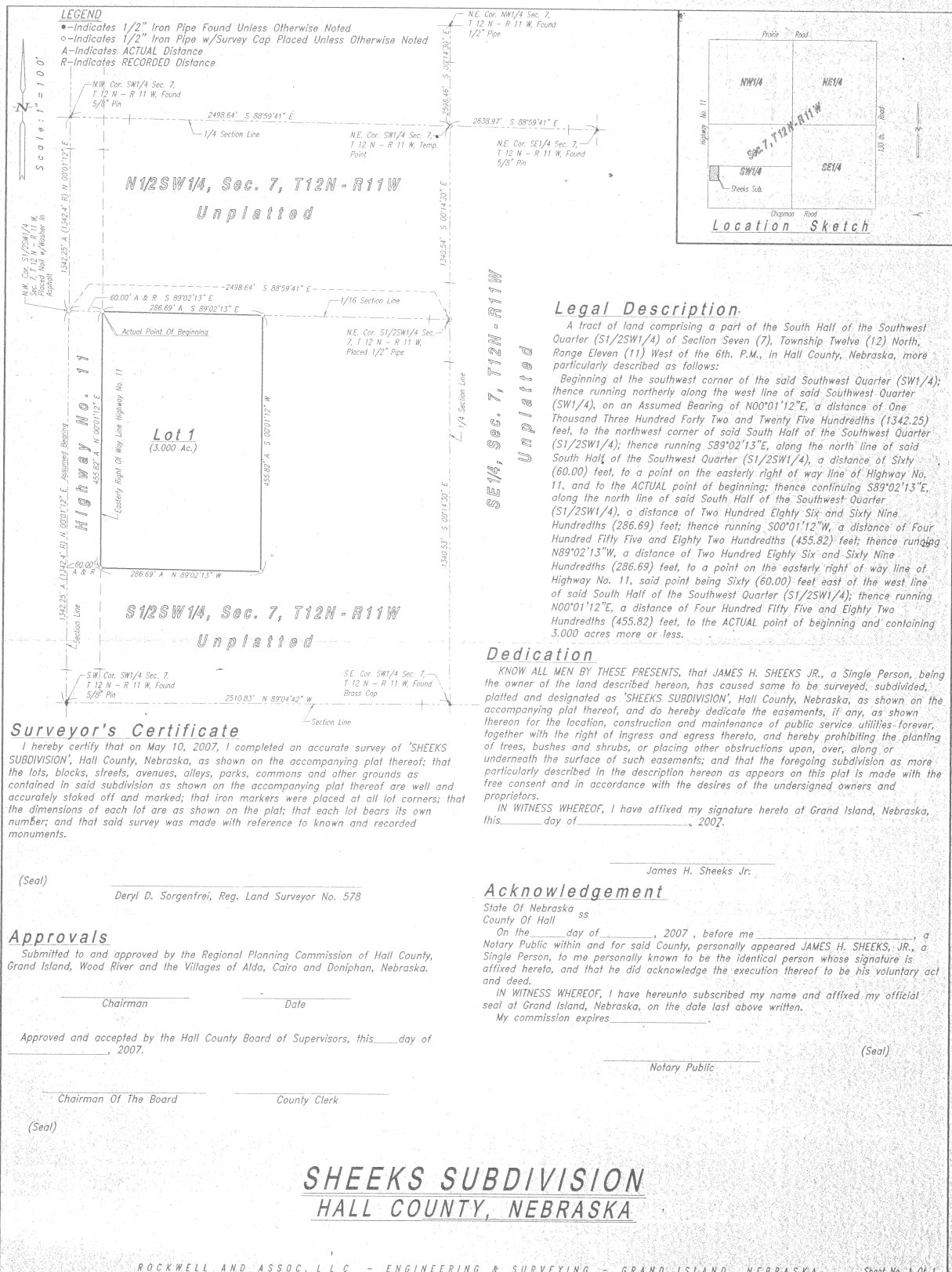
Chad Nabity, AICP  
Planning Director

cc: County Clerk  
County Attorney  
County Public Works Director  
County Building Director  
Manager of Postal Operations  
Rockwell & Associates

This letter was sent to the following School Districts 1R, 2, 3, 8, 12, 16, 19, 82, 83, 100, 126.









# Hall County Regional Planning Commission

Wednesday, June 06, 2007

Regular Meeting

## Item J2

### Westgate Ninth Subdivision

*Westgate Ninth Subdivision located east of North Road, between Old Potash Highway and Stolley Park Road, in the City of Grand Island, Hall County, Nebraska. This is consistent with the approved preliminary plat. This land consists of approximately 8.912 acres.*

Staff Contact: Chad Nabity

May 22, 2007

Dear Members of the Board:

**RE: Final Plat – Westgate Ninth Subdivision**

For reasons of Section 19-923 Revised Statutes of Nebraska, as amended, there is herewith submitted a final plat of Westgate Subdivision, located east of North Road, between Old Potash Highway and Stolley Park Road Hall County Nebraska.

This subdivision proposes to create 9 lots on a tract of land comprised of Lot 12, Westgate Subdivision, in the City of Grand Island, Hall County, Nebraska. This subdivision consists of 8.912 acres, more or less.

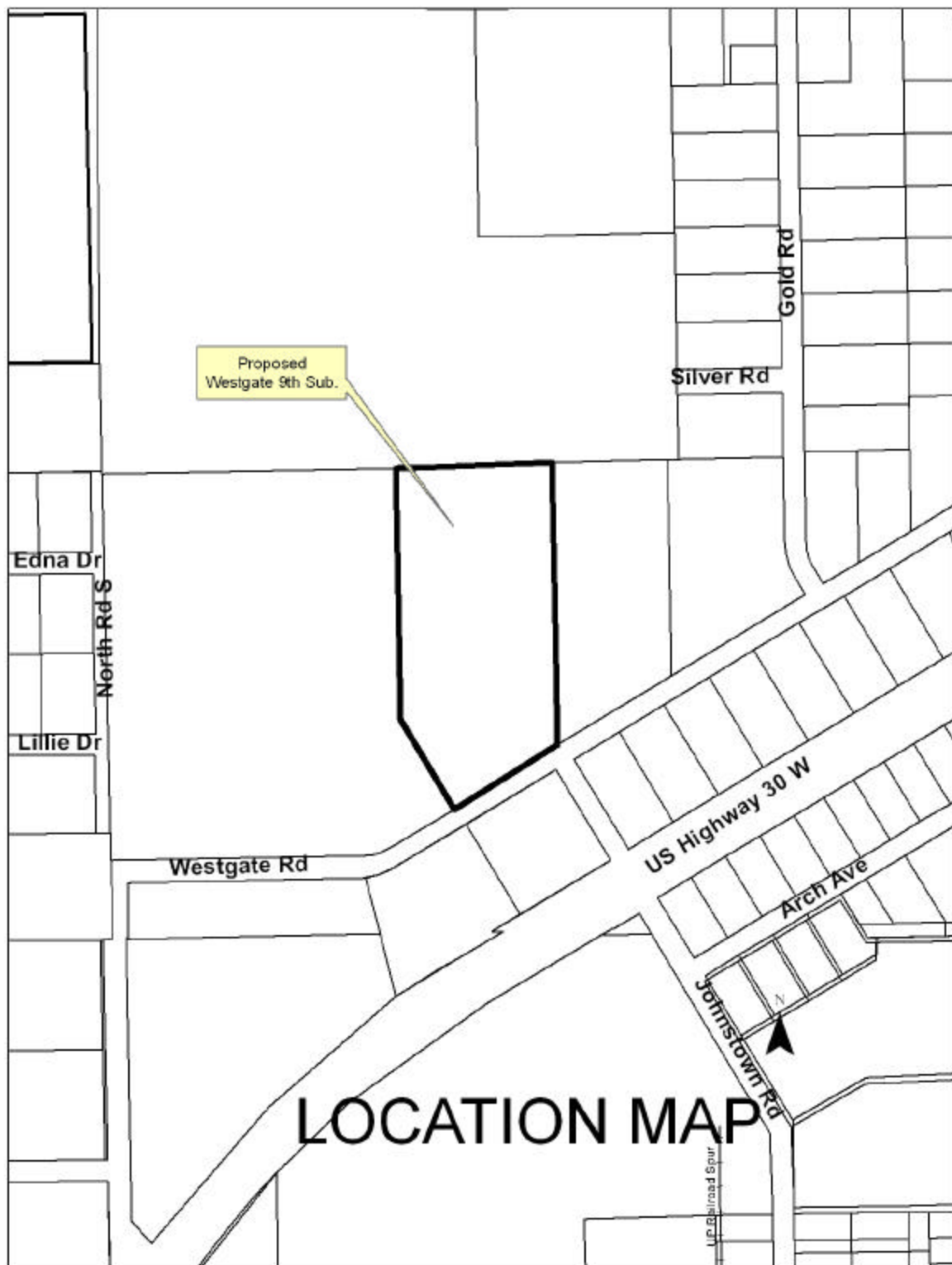
You are hereby notified that the Regional Planning Commission will consider this final plat at the next meeting that will be held at 6:00 on June 6, 2007, in the Council Chambers located in Grand Island's City Hall.

Sincerely,

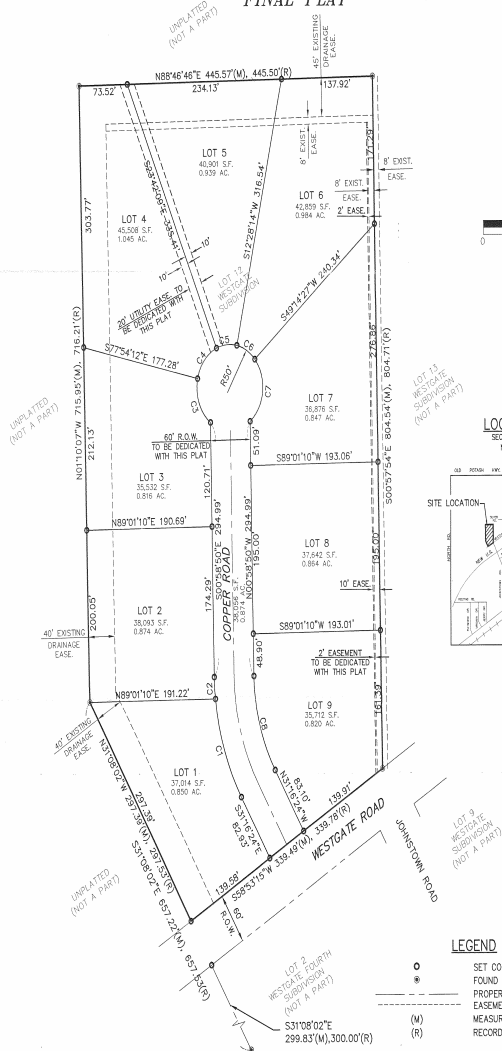
Chad Nabity, AICP  
Planning Director

cc: County Clerk  
County Attorney  
County Public Works Director  
County Building Director  
Manager of Postal Operations  
Benjamin & Associates

This letter was sent to the following School Districts 1R, 2, 3, 8, 12, 16, 19, 82, 83, 100, 126.



**WESTGATE NINTH SUBDIVISION**  
IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA  
FINAL PLAT



LEGAL DESCRIPTION

A TRACT OF LAND COMPRISED OF LOT 12, WESTGATE SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA. SAID TRACT CONTAINS 388,194 SQUARE FEET OR 8.912 ACRES MORE OR LESS OF WHICH 38,056 SQUARE FEET OR 0.874 ACRES IS NEW DEDICATED COPPER ROAD RIGHT OF WAY.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007, UNDER MY PERSONAL SUPERVISION, I COMPLETED AN ACCURATE SURVEY OF "WESTGATE NINTH SUBDIVISION" IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING PLAT THEREOF; THAT THE LOTS CONTAINED IN SAID SUBDIVISION ARE SHOWN ON THE ACCOMPANYING PLAT THEREOF ARE WELL AND ACCURATELY STAKED AND MARKED; THAT IRON PIPE MARKERS, EXCEPT WHERE INDICATED WERE FOUND OR PLACED AT ALL LOT CORNERS; THAT THE DIMENSIONS OF THE LOTS ARE SHOWN ON THE PLAT; THAT THE LOTS BEAR THEIR OWN NUMBER; AND THAT SAID SURVEY WAS MADE WITH REFERENCE TO KNOWN AND RECORDED MONUMENTS.

TIMOTHY J. AITKEN, REGISTERED LAND SURVEYOR NUMBER, LS-458

## DEDICATION

KNOW ALL MEN BY THESE PRESENTS, THAT COPPERTON, L.L.C., A NEBRASKA LIMITED LIABILITY COMPANY, BEING THE OWNER OF THE LAND DESCRIBED HEREIN, HAVE CAUSED SAME TO BE SURVEYED, SUBDIVIDED, PLATTED AND DESIGNATED AS "NESTATE 21N SUBDIVISION", IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING PLAT THEREOF AND DO HEREBY DECREE, CITE, CONFIRM AND GIVE FORCE AND EFFECT TO THE SAME, IN ACCORDANCE WITH THE NEBRASKA SUBDIVISION ACT, CH. 20-10, NEB. REV. STAT. 1976, AS AMENDED, AND TO THE PUBLIC FOR THEIR USE FOREVER FOR THE LOCATION, CONSTRUCTION AND MAINTENANCE OF PUBLIC SERVICE UTILITIES, TOGETHER WITH THE RIGHTS OF INGRESS AND EGRESS THEREON, AND HEREBY PROHIBITING THE PLANTING OF TREES, BUSHES AND OTHER SHRUBS, OR PLACING OTHER OBSTRUCTIONS UPON, OVER, ALONG OR UNDERNEATH THE SURFACE OF SUCH UTILITIES, OR THE FENCED ENCLOSURE AS HEREIN PARTICULARLY DESCRIBED, IN DESCRIPTION HEREON AS APPEARS ON THIS PLAT, IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNER AND PROPRIETOR.

IN WITNESS WHEREOF, I HAVE AFFIXED MY SIGNATURE HERETO, AT \_\_\_\_\_, NEBRASKA,

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007.

COPPERTON, L.L.C., A NEBRASKA LIMITED LIABILITY COMPANY  
E. MARSDEN GAREY, OWNER

### ACKNOWLEDGMENT

STATE OF NEBRASKA  
26

COUNTY OF HALL

ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007, BEFORE ME, \_\_\_\_\_, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED E. MARSDEN GAREY, OWNER, COPPERTON, LLC, TO ME PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE SIGNATURE IS AFFIXED HERETO AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS VOLUNTARY ACT AND DEED. IN WITNESS WHEREOF, I HAVE HERETO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL AT \_\_\_\_\_, NEBRASKA, ON THE DATE LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES \_\_\_\_\_

NOTARY PUBLIC

APPROVALS

SUBMITTED TO AND APPROVED BY THE REGIONAL PLANNING COMMISSION OF HALL COUNTY, CITIES OF GRAND ISLAND, WOOD RIVER, AND THE VILLAGES OF ALDA, CAIRO, AND DONIPHAN, NEBRASKA.

CHAIRMAN \_\_\_\_\_ DATE \_\_\_\_\_

APPROVED AND ACCEPTED BY THE CITY OF GRAND ISLAND, NEBRASKA

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2007

MAYOR \_\_\_\_\_ CITY CLERK \_\_\_\_\_

CURVE TABLE						
CURVE	DELTA	LENGTH	RADIUS	TANGENT	BEARING	CHORD
C1	25:00"47	122.24	280.00	62.11	S38°46'00"E	121.27
C2	5:16"46"	25.80	280.00	12.99	S03°37'51"E	25.78
C3	86:17"26"	57.78	50.00	32.80	S21°08'23"E	54.62
C4	54:37:04"	47.30	50.00	25.59	S39°11'36"W	45.56
C5	36:16:13"	31.57	50.00	16.33	S84°23'03"W	31.05
C6	36:46"13"	32.09	50.00	16.62	N59°08'39"W	31.54
C7	92:53"31"	81.08	50.00	52.85	N05°41'45"E	71.48
C8	30:17"34"	116.32	220.00	59.51	N16°07'37"W	112.97

OWNER: COPPERTON, LLC, E. MARSDEN GAREY, OWNER  
SUBDIVIDER: COPPERTON, LLC, E. MARSDEN GAREY, OWNER  
LAND SURVEYOR: OLSSON ASSOCIATES  
ENGINEER: OLSSON ASSOCIATES  
NUMBER OF LOTS: 9

**OLSSON**  
ASSOCIATES

201 East 2nd Street  
P.O. Box 1072  
Grand Island, NE 68802-1072  
TEL 308.384.8750  
FAX 308.384.8752

MZ: P:\Projects\200973\F\000733\figs\PJA1\250733\_PJA1PLAT.dwg US&C procedures