



Hall County Regional Planning Commission

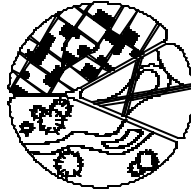
Wednesday, October 10, 2007
Regular Meeting

Item E1

Minutes of September 5, 2007

Minutes of the September 5, 2007 RPC 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
September 5, 2007

The meeting of the Regional Planning Commission was held Wednesday, September 5, 2007, in the Council Chamber - City Hall - Grand Island, Nebraska. Notice of this meeting appeared in the "Grand Island Independent" August 25, 2007.

Present:	Pat O'Neill Debra Reynolds Don Snodgrass Karen Bredthauer Lisa Heineman Bill Hayes	Leslie Ruge Mark Haskins Scott Eriksen John Amick Dianne Miller
Absent:	Jaye Monter	
Other:	Mitch Nickerson, Craig Lewis, Paul Briseno	
Staff:	Chad Nabity, Barbara Quandt	
Press:	Grand Island Independent, Tracy Overstreet	

1. Call to order.

Chairman O'Neill called the meeting to order at 6:00 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 August 1, 2007 meeting.

A motion was made by Ruge, and seconded by Reynolds to approve the Minutes of the August 1, 2007 meeting.

The motion carried with 11 members present voting in favor (Miller, O'Neill, Ruge, Hayes, Reynolds, Monter, Haskins, Eriksen, Bredthauer, Heineman, Snodgrass) and 1 member present abstaining (Amick).

3. Request time to speak.

James Truell requested a time to speak regarding Agenda Item #5.

3a.UNL Students.

Nabity introduced Professor N. Brito Mutunayagam and the group of ten graduate students from the University of Nebraska-Lincoln College of Architecture, Community and Regional Planning Department. This group will be meeting to begin a project to develop concept plans for the South Locust Gateway into Grand Island as a part of a studio course at the University. The Planning Department is paying \$1200, which helps cover student expenses, for this study. Brito thanked the Planning Commission for the opportunity that this project affords the students. He also thanked the Grand Island Independent for their coverage of the project. He introduced the two team captains from the group of students. Brito stated that this project is a good one for students because it looks at an area with new commercial growth, potential residential and existing agriculture along an area recently rezoned for industrial use. In addition, this area includes land that has been dedicated to the city's well field. This well field needs to be protected, and environmental easements set aside for wildlife. The team captains stated that most of their prepared questions had been answered by Nabity during their tour of the project area.

4. Public Hearing – Concerning a Blight/Substandard Study for Redevelopment Area No. 6 as blighted and substandard in accordance with Section 18-2116 Reissue Revised Statutes of Nebraska, Nebraska Community Development Act, as amended. The property includes Five Points, Eddy Street north of 1st Street and the north side of 1st Street from Clark Street to Ada Street extending to North Front Street from Avenue to Broadwell Avenue. (C-25-2007GI)

Chairman O'Neill opened the above mentioned Public Meeting. Nabity reported that the Grand Island Area Community Redevelopment Authority (CRA) commissioned a Blight/Substandard Study for Redevelopment Area Number 6 to be prepared by RDG Planning and Design of Omaha, Nebraska. Nabity explained that the study area includes approximately 412 acres and that this property is referred to as CRA Area #6. He stated that this study

focused on four sub-areas described as Five Points, Eddy Street, Broadwell Avenue and Second Street West in central and north central Grand Island. City Council has referred this study to the Planning Commission for review and for a RPC recommendation. Should this area be declared blighted/substandard, Grand Island would have 16.66 percent of the City declared blighted/substandard. Thirty-five percent is allowed to be declared as such under State Statutes. Nabity discussed the Statutory authority and direction as referenced in Section 18-2109 of the Reissue Revised Statutes of Nebraska. A flow chart of the blight declaration process was shown and discussed. He explained that the terms blighted and substandard have been defined by Statute in Section 18-2103 of the Reissue Revised Statutes of Nebraska. Nabity stated that, at this time, the RPC and Council are only concerned with determining if the property is blighted and substandard. The appropriate Redevelopment Plan would only be considered by the CRA following a declaration of blighted and substandard by the City Council. Nabity reported that, based on the study, these areas meet the thresholds to qualify as blighted based on unemployment, age of units and per capita income. Table two in the study deals with the more subjective qualities of a blighted area. The consultants identified the area as having seven of the 11 qualities of a blighted area. The qualities of a substandard area were specifically identified in Table 3 of the study. All four sub-areas qualify on three of the 11 qualities. He stated that a number of the sub-areas also exhibit other substandard qualities according to the study. Nabity stated that all of this property is located inside the Grand Island City Limits and has been for a minimum of 40 years. Tax increment financing would potentially be available for redevelopment projects on any of the property included in the study.

Chairman O'Neill invited those requesting a time to speak on this Agenda item to do so at this time. Heineman asked if there was a City-wide comprehensive blight/substandard study. Nabity answered that there was not a City-wide study done, due to the high costs involved in obtaining such a study.

No one from the audience spoke.

Chairman O'Neill closed the public meeting.

A motion was made by Amick, and seconded by Hayes, to recommend approval of the declaration as blighted and substandard based on the facts, both quantitative and qualitative, presented and identified at this meeting.

Findings of Fact included entering the Blight Area Designation For Redevelopment Area #6 in Grand Island City of Grand Island, Nebraska as prepared by RDG Planning & Design into record; the declaration that this area meets all the definitions as outlined in State Statutes; street layout is such that the blighted and substandard factors are distributed throughout the redevelopment area; and, public intervention is appropriate and/or necessary for the redevelopment of the area.

A roll call vote was taken and the motion passed with 11 members present (Miller, Amick, O'Neill, Ruge, Hayes, Reynolds, Haskins, Eriksen, Bredthauer, Heineman, Snodgrass).

5. 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 36-96 Off-Street Parking Requirements; to modify parking lot surfacing requirements and clean up language relative to changes in zoning districts that were made with the adoption of the Large Lot Residential Zone in 2004. (C-26-2007GI)

Nabity reported. This hearing concerns amendments to the Zoning Ordinance for the City of Grand Island and its 2 mile extra-territorial jurisdiction. The Amendments to be considered pertain to the modification of parking lot surfacing requirements, as well as a change to the language relative to changes in zoning districts that were made with the adoption of the Large Lot Residential Zone in 2004.

Nabity stated that the language change, relative to the zoning districts, should have been made at the time of that adoption in 2004, but was overlooked. The portion of 36-96 of the Off-Street Parking Requirements regulations affected is contained in "(G) Design Standards" in the second paragraph, the first sentence which should read "Large Lot Residential" Zoning District rather than "Transitional Agricultural" Zoning District.

Nabity suggested that the proposed change to modify parking lot surfacing requirements would make a limited list of permanent type surfaces, as opposed to an open ended list of acceptable surfaces. The last sentence of 36-96 "Off-Street Parking Requirements" which reads, "All facilities shall be provided with a permanent type, dust-free surface such as (suggested change would revise "such as" to "meaning") asphaltic cement concrete, Portland cement concrete, or paving brick" is the language up for review. James Truell, on behalf of his client, Jerold Ross of YAP Auction, has asked the Grand Island City Council to consider changes to the permanent type surface to include use of "cold rolled asphalt millings with an oil overlay" in the above mentioned sentence.

Chairman O'Neill invited James Truell, who had requested a time to speak, to come forward. He stated that he was here regarding property located at 801 West Anna Street and leased by Jerold Ross for his YAP Auction business. Mr. Ross was issued a conditional permit with a provision of paving the parking lot. Truell made the case that this property is unique in that it is surrounded by a concrete foundation. Since there is a gravel base, provision is made for drainage. The cold rolled asphalt millings with an oil overlay would serve as a dust-free surface. Any holes in the surface are easily repaired and the cost of such a surface is far less expensive than the other listed permanent type surfaces. He also stated that the recycling of the cold rolled asphalt

millings would be a good use of that material. Truell also noted that this business is a small business which would not generate the vehicle traffic of larger businesses. He requested that Mr. Ross be allowed to use this surface on an experimental basis for one year. If, after one year this surface is not suitable, Mr. Ross would then be required to add the hot asphalt surface. In the discussion that followed, it was pointed out that the occupancy permit called for an April 28, 2007 deadline in which the parking lot was to be paved. Jerold Ross spoke stating that he is the owner of the business; however, he is not the property owner. Mr. Ross stated that the property owner would not pay for the paving of the parking lot. Ruge stated that his opinion is that an ordinance change for an individual issue is not a good idea. O'Neill stated that cold rolled asphalt millings have been used many times unsuccessfully. In the discussion, it was also noted that the oil overlay was not used successfully due to the tracking of that material into the business. Craig Lewis, Building Director, stated that in 1988 the City Council experimented with cold crushed asphalt millings. The test results revealed that the surface did not hold up. He also stated that the City tested the product more recently in the paving of Garland Street, as well as the paving of some of the hike and bike trails. According to City Public Works Director, Steve Riehle, the product failed this test also. Lewis also stated that a permit had been issued to YAP Auction in December of 2006, with the condition that the off-street, 30 stall, parking lot would be completed by April 28, 2007. This property currently has a gravel surface, which is not allowed by City ordinance for business occupancy. After various discussions with Truell and commissioners, Lewis continued, stating that previous discussions with Mr. Ross had been held prior to the issuance of the permit. When the Building Department and an individual owner cannot agree, an independent board is consulted and the board makes the final decision. In this situation, the Board of Adjustment met and determined that the cold rolled asphalt millings with an oil overlay would not be appropriate. Nabity reiterated that the issue before the Regional Planning Commission is a change to the regulations, and not just an experiment for this particular case. Other discussion followed from commissioners regarding less expensive alternatives for parking lots. A suggestion was made by Eriksen, since the RPC had received advice from professionals such as Lewis and Riehle, that commissioners take that advice. Lewis recommended that the RPC be specific when making the addition to the regulations in order to lessen the burden on departments. He stated that he would recommend not making a lot changes to the regulations since they have been proven to work fairly well historically as they are written. O'Neill commented that there is not a definition for cold rolled asphalt; therefore, it is not a consistent product. He had a concern with paving brick being included in the regulations.

Ruge made the motion, and Haskins seconded the motion, to recommend striking the words "such as" and inserting the word "meaning" and striking the words "Transitional Agricultural and inserting "Large Lot Residential" in 36-96 Off-Street Parking Requirements of the Grand Island Zoning regulations, leaving out the words "cold rolled asphalt millings with an oil overlay" as proposed.

A roll call vote was taken and the motion passed with 10 members present (Miller, O'Neill, Ruge, Reynolds, Haskins, Eriksen, Bredthauer, Heineman, Snodgrass) voting in favor and 1 member present (Amick) voting against.

Amick made the motion, and Miller seconded the motion, to appoint a subcommittee to study whether cold-rolled asphalt millings are a viable product from which to build parking lots.

A roll call vote was taken and the motion passed with 6 members present (Miller, Amick, Ruge, Reynolds, Haskins, Snodgrass) voting in favor and 5 members present (O'Neill, Hayes, Eriksen, Bredthauer, Heineman) voting against.

6. Final Plat – Doniphan – Trumbull Sports Activities Subdivision located east of Hwy. 281, between Walnut St. and Pine St., Village of Doniphan, Hall County, Nebraska. (2 lots)

Nabity reported. This property is located east of Highway 281, between Walnut Street and Pine Street, in the Village of Doniphan, Hall County, Nebraska. These parcels both exist as unplatted tracts. Nabity stated that the school is purchasing a portion of the east parcel from Linda Eihusen. This will plat both lots in conformance with current regulations. Nabity recommended approval since this will be appropriate for the school.

A motion was made by Amick, and seconded by Haskins, to recommend approval as presented.

A roll call vote was taken and the motion passed with 11 members present (Miller, Amick, O'Neill, Ruge, Hayes, Reynolds, Haskins, Eriksen, Bredthauer, Heineman, Snodgrass).

7. Final Plat – Prairie Creek View Subdivision located east of Hwy. 281, between Walnut St. and Pine St., Village of Doniphan, Hall County, Nebraska. (2 lots)

Nabity reported. This property is located at the northwest corner of Highway 11 and Capital Avenue. The owners of this tract wish to split a historic farmstead from a property of more than 20 acres. The farmstead is no longer on the site; however, the area where the farmstead stood remains unfarmed and undisturbed. Nabity recommended that the 80 acre requirement be waived since this would allow one brother to build a house and solely own the property on which it stands.

A motion was made by Haskins, and seconded by Miller, to recommend approval as presented, waiving the requirement of the property being part of an existing 80 acre plot.

A roll call vote was taken and the motion passed with 9 members present (Miller, Amick, Hayes, Reynolds, Haskins, Eriksen, Bredthauer, Heineman, Snodgrass) voting in favor, and 2 members present (O'Neill, Ruge), voting against.

8. Planning Director's Report

Nabity reported that the anticipated new flood maps had arrived. Amick inquired as to when the tweaking process would begin. Nabity said that the process is currently underway. A public meeting is expected to be held during the first, or second, week of October, 2007.

Nominations for the Community Beautification awards are currently being accepted through September 14th.

Snodgrass discussed weed control issues on undeveloped lots in subdivisions. After a brief discussion, it was concluded that Code Enforcement should be notified for those properties located within the City jurisdiction.

A sub-committee was appointed to look into possible alternative parking lots in Grand Island. Those appointed to serve on that committee are O'Neill, Hayes, Amick and Snodgrass.

9. Next meeting is October 10, 2007

10. Adjourn

Chairman O'Neill adjourned the meeting at 8:18 p.m.

Leslie Ruge, Secretary

by Barbara Quandt