



Hall County Regional Planning Commission

Wednesday, May 2, 2018
Regular Meeting Packet

Commission Members:

Judd Allan	Hall County	
Tony Randone	Grand Island	
Derek Apfel	Grand Island	
Hector Rubio	Grand Island	
Leonard Rainforth	Hall County	
Carla Maurer	Doniphan	
Dean Kjar	Wood River	
Robin Hendricksen	Grand Island	
Jaye Monter	Cairo	Vice Chairperson
Pat O'Neill	Hall County	Chairperson
Greg Robb	Hall County	
Leslie Ruge	Alda	Secretary

Regional Planning Director: Chad Nabity

Planning Technician:
Rashad Moxey

Administrative Assistant:
Norma Hernandez

6:00 PM
City Hall

Call to Order

Roll Call

A - SUBMITTAL OF REQUESTS FOR FUTURE ITEMS

Individuals who have appropriate items for City Council consideration should complete the Request for Future Agenda Items form located at the Information Booth. If the issue can be handled administratively without Council action, notification will be provided. If the item is scheduled for a meeting or study session, notification of the date will be given.

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.

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, May 2, 2018
Regular Meeting

Item A1

Agenda

Staff Contact:

AGENDA AND NOTICE OF MEETING

Wednesday, May 2, 2018

6:00 p.m.

City Hall Council Chambers — Grand Island

1. Call to Order.

This is a public meeting subject to the open meetings laws of the State of Nebraska. The requirements for an open meeting are posted on the wall in this room and anyone who would like to find out what those are is welcome to read through them.

The Planning Commission may vote to go into Closed Session on any Agenda Item as allowed by State Law.

The Commission will discuss and may take action on any item listed on this agenda.

The order of items on the agenda may be reorganized by the Chair to facilitate the flow of the meeting to better accommodate the public.

2. Minutes of the April 4, 2018.

3. Request Time to Speak.

4. Public Hearing – Blight and Substandard Study – Grand Island –

Concerning a blight and substandard study for Area 26 comprising 28.42 acres on located west of the Central Nebraska Railroad tracks between Capital Avenue and 12th Street (extended) in the City of Grand Island, Nebraska. (C-19-2018GI)

5. Public Hearing Redevelopment Plan Grand Island Area 12 - Concerning a redevelopment plan amendment for Phase 2 of Copper Creek in CRA Area 12 south of Old Potash Highway and east of Engleman Road for the construction of streets, sewer, water and storm sewer and 80 additional houses and Substandard Study and Generalized Redevelopment Plan for the City of Grand Island including various areas of the community as shown in the study and plan. (C-20-2018GI)

Consent Agenda:

6. Subdivision – New Northwest Subdivision Hall County Final Plat-

Located north of One-R Road and west of North Road in the jurisdiction of Hall County, Nebraska. (1 lots, .81 acres). This property is zoned A1 Primary Agricultural Zone.

7. Subdivision – JTL Subdivision Hall County Final Plat- Located north of Platte River Drive and west of Alda Road in the jurisdiction of Hall County,

Nebraska. (1 lots, 2.979 acres). This property is zoned A1 Primary Agricultural Zone.

- 8. Subdivision – Bosselville Subdivision Grand Island ETJ Final Plat-** Located south of Wood River Road and west of U.S. Highway 281 in the jurisdiction of Grand Island, Nebraska. (2 lots, 25.591 acres). This property is zoned B2 General Business Zone.
- 9. Subdivision – Copper Creek 10th Estates Subdivision Grand Island Final Plat-** Located south of Indian Grass Road and west of Brome Grass Road in the jurisdiction of Grand Island, Nebraska. (9 lots, 2.08 acres). This property is zoned R2 Low Density Residential.
- 10. Subdivision – Fonner View Estates Subdivision Grand Island Preliminary Plat-** Located south of Stolley Park Road and west of Stuhr Road in the jurisdiction of Grand Island, Nebraska. (6 lots, 34.848 acres). This property is zoned LLR Large Lot Residential.
- 11. Subdivision – Critel Subdivision Wood River Final Plat-** Located north of Eleventh Street and west of Elm Street in the jurisdiction of Wood River, Nebraska. (2 lots, 1.378 acres). This property is zoned TA Transitional Agriculture Zone.
- 12. Subdivision – Fugate Subdivision Grand Island Final Plat-** Located north of State Road, west of U.S. Highway 281 and east of Diers Ave. in the jurisdiction of Grand Island, Nebraska. (2 lots, 1.44 acres). This property is zoned B2 General Business Zone.
- 13. Subdivision- Stander Subdivision Grand Island Final Plat –** Located south of 13th Street and west of North Road in the jurisdiction of Grand Island, Nebraska. (4 lots, 20.063 acres). This property is zoned R1 Suburban Residential.
- 14. Discussion- Text Amendment of Hall County Zoning Resolution.**
Concerning proposed amendments to various parts of Article 2 Section 2.03 Definition of Terms, and Article 4 Section 4.02 Agricultural – Primary District and Section 4.03 A-2 Secondary Agricultural District relative to livestock production. (C-06-2017HC)

15. Directors Report

16. Next Meeting June 6, 2018.

17. Adjourn.

PLEASE NOTE: This meeting is open to the public, and a current agenda is on file at the office of the Regional Planning Commission, located on the

second floor of City Hall in Grand Island, Nebraska.

**Staff Recommendation Summary
For Regional Planning Commission Meeting
May 2, 2018**

- 4. Public Hearing – Blight and Substandard Study - Grand Island**
Commissioned by Fred Hoppe on 28.42 acres of property between Capital Avenue and 12th Street west of the Central Nebraska Railroad line in northeast Grand Island., This area is largely vacant and undeveloped despite the proximity long time developed property. Hoppe is seeking to have the area declared blighted and substandard. A redevelopment project could then be brought forward. Resolution No. 2018-08 is before the commission for possible approval. (C-19-2018GI) (Hearing, Discussion, Action)
- 5. Public Hearing – Redevelopment Plan – Grand Island –** Concerning an amendment to the redevelopment plan for Community Redevelopment Authority Area 12. This redevelopment plan amendment is for the Phase 2 of the Copper Creek development and would permit the use of TIF for 80 additional single family homes within the development. The home will have an initial sales price of \$185,000 for 1300 to 1500 square foot homes with unfinished basements. The tax increment created by the new homes would be used to offset the costs of streets, sewer, water, storm sewer and site grading for the development. A motion on Resolution 2018-09 is in order. (C-20-2018GI) (Hearing, Discussion, Action)
- 6. Subdivision – New Northwest Subdivision Hall County Final Plat-** Located north of One-R Road and west of North Road in the jurisdiction of Hall County, Nebraska. (1 lots, .81 acres). This is a proposed site for an electric substation. This property is zoned A1 Primary Agricultural Zone
- 7. Subdivision – JTL Subdivision Hall County Final Plat-** Located north of Platte River Drive and west of Alda Road in the jurisdiction of Hall County, Nebraska. (1 lots, 2.979 acres). This splits an existing farmstead from a tract of 20 acres or more. This property is zoned A1 Primary Agricultural Zone.
- 8. Subdivision – Bosselville Subdivision Grand Island ETJ Final Plat-** Located south of Wood River Road and west of U.S. Highway 281 in the jurisdiction of Grand Island, Nebraska. (2 lots, 25.591 acres). This will separate the parking lot west of the truck center from the truck center. Private water is available from the Bosselman water system. Sewer is available either from the city through the tap district or through the private system maintained by Bosselmans. This property is zoned B2 General Business Zone

- 9. Subdivision – Copper Creek 10th Estates Subdivision Grand Island Final Plat-** Located south of Indian Grass Road and west of Brome Grass Road in the jurisdiction of Grand Island, Nebraska. (9 lots, 2.08 acres). This property is served by city sewer and water and the streets are 37' residential streets. This property is zoned R2 Low Density Residential.
- 10. Subdivision – Fonner View Estates Subdivision Grand Island Preliminary Plat-** Located south of Stolley Park Road and west of Stuhr Road in the jurisdiction of Grand Island, Nebraska. (6 lots, 34.848 acres). This development is proposed with individual well and septic systems. Access onto Stuhr Road will be limited with the subdivision agreement at the time of the final plat. This property is zoned LLR Large Lot Residential. The property is adjacent to the Grand Island City limits and is being submitted as an addition to the City of Grand Island.
- 11. Subdivision – Critel Subdivision Wood River Final Plat-** Located north of Eleventh Street and west of Elm Street in the jurisdiction of Wood River, Nebraska. (2 lots, 1.378 acres). This property is zoned TA Transitional Agriculture Zone.
- 12. Subdivision – Fugate Subdivision Grand Island Final Plat-** Located north of State Road, west of U.S. Highway 281 and east of Diers Ave. in the jurisdiction of Grand Island, Nebraska. (2 lots, 1.44 acres). This property is zoned B2 General Business Zone.
- 13. Subdivision- Stander Subdivision Grand Island Final Plat –** Located south of 13th Street and west of North Road in the jurisdiction of Grand Island, Nebraska. (4 lots, 20.063 acres). This development proposed has 4 lots, 3 of which the City is considering for purchase. The fourth lot may have additional subdivision. This property is zoned R1 Suburban Residential. The property is adjacent to the Grand Island City limits and is being submitted as an addition to the City of Grand Island.
- 14. Text Amendment of Hall County Zoning Resolution.** Concerning proposed amendments to various parts of Article 2 Section 2.03 Definition of Terms, and Article 4 Section 4.02 Agricultural – Primary District and Section 4.03 A-2 Secondary Agricultural District relative to livestock production. This is a continuation of the discussion of potential changes to the Hall County zoning regulations regarding livestock. No action is expected. This is an opportunity for the whole commission to discuss proposed changes in an open session prior to public hearing. (C-06-2017HC) (Discussion)



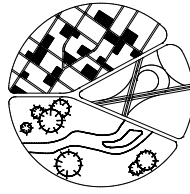
Hall County Regional Planning Commission

**Wednesday, May 2, 2018
Regular Meeting**

Item E1

Minutes of the April 4, 2018 Meeting

Staff Contact:



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

Minutes
for
April 4th, 2018

The meeting of the Regional Planning Commission was held Wednesday, April 4th, 2018, at City Hall – Grand Island, Nebraska. Notice of this meeting appeared in the "Grand Island Independent" on **March 23rd, 2018.**

Present: Pat O'Neill,	Leonard Rainforth	Hector Rubio
Les Ruge	Dean Kjar	Tony Randone
Judd Allan	Greg Robb	
Carla Maurer	Derek Apfel	

Absent: Robin Hendricksen, Jaye Monter

Other: Hall County Public Works Director Steve Riehle

Staff: Chad Nabity, Rashad Moxey.

Press: Julie Blum, Grand Island Independent.

1. Call to order.

Chairman O'Neill called the meeting to order at 6:00 p.m.

O'Neill 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 are posted on the wall in the room and easily accessible to anyone who may be interested in reading them.

O'Neill also noted the Planning Commission may vote to go into Closed Session on any agenda item as allowed by State Law.

The Commission will discuss and may take action on any item listed on this agenda.

The order of items on the agenda may be reorganized by the Chair to facilitate the flow

of the meeting to better accommodate the public.

2. Minutes of the March 14th, 2018 meeting.

A motion was made Rainforth and seconded by Kjar to approve the minutes of the March 14th, 2018 meeting.

The motion carried with ten members in favor (O'Neill, Apfel, Allan, Ruge, Maurer, Robb, Rainforth, Rubio, Randone and Kjar) and no members voting no or abstaining.

3. Request Time to Speak.

The following requested time to speak during discussion: *Kim Bockmann* 5537 N Webb Rd., Item 5; *Zachary Zoul*, 2723 Brentwood Blvd., Item 5; *Frank Doland* 825 M St., Lincoln, NE, Item 7; *Arend Baack*, P.O. Box 790, G.I, Item 8; *Greg Baxter*, 2121 N. Monitor Rd., Item 8.

4. Public Hearing Rezoning- Concerning the rezone of Lot One (1) Block Nine (9) of the Second Amendment to Lot1 Block 9 of Continental Gardens Subdivision, in the City of Grand Island, Hall County, Nebraska from CD Commercial Development to Amended Commercial Development Zone. This property is located east of Webb Road and south of Rue de College. (C-16-2018GI)

O'Neill opened the public hearing.

Nabity explained an application has been made to change zoning (amend the approved development plan) for the property where Arby's is located on Webb Road.

The Development Plan for approved in 1997 shows the Arby's building at the south end of Lot 1 Block 9 of Continental Gardens Subdivision. The Developers are requesting changes to the plan as approved to allow a new Arby's store to be built at the north end of the lot. After building the new store the existing store will be demolished and paved for parking.

The CD Zone allows for up to 50% of the property to be covered with buildings. The proposed coverage within this development at full development as shown is well below the maximum coverage.

O'Neill closed the Public Hearing.

A motion was made by Maurer and seconded by Apfel to recommend approval of the amended development plan and request to rezone as presented.

A roll call vote was taken and the motion passed with 10 members present voting in favor (O'Neill, Ruge, Maurer, Robb, Kjar, Rainforth, Apfel, Allan, Rubio, and Randone) and no members voting no or abstaining.

5. Public Hearing – Rezoning – Hall County – Request to rezone 33.57 acres from A-1 Agriculture Primary to PUD Planned Unit Development for the Prairie Creek Meadows Second Subdivision located south of One-R Road and east of Webb Road in Hall County, Nebraska. (C-17-2018HC)

O'Neill opened the public hearing.

Nabity explained that the application brought forth is a request to a zoning change from A1 to PUD for the Prairie Creek Meadows Second Subdivision. He went onto say that the proposed development would consist of 9 lots; 1 lot for a proposed private street, 1 lot with an existing house and 6 lots which would be available for future development. Also, 1 lot which was initially apart of Prairie Creek Meadows first Subdivision but is being extended into the 2nd subdivision to change the configuration of the lot square up the property lines.

Nabity stated that all lots within Prairie Creek Meadows Second Subdivision are more than 3 acres which qualify them for well and septic and city utilities are not extended to this particular location as yet. He also explained that the addition of these properties will not be a significant impact on the County public services. Nabity noted that the addition of these properties would generate revenue for the County and School District and provide rural housing.

O'Neill asked if we would need to require no net fill on this development like we did on the development to the west. Nabity stated that the property is in the flood plain and while the floodway is not delineated across this site it would be prudent to impose the same requirements. If specific types of soil are needed for construction purposes the same amount of soil must be removed from the property as is brought in. This item will be discussed further with the final development plan if the County Board approves the preliminary plan and rezoning.

Kim Bockmann, a resident in the area expressed her concern of the proposed development, stating that the existing subdivision Prairie Creek Meadows First has created nuisance conditions at her property adjacent to the first subdivision. She noted that lights from the construction site are an issue late into the night and that debris from construction sites are being blown onto her property. She also, expressed her concerns about safety, lack of privacy, lack of peace and quiet. Bockmann explained that the loud noises are causing stress to the horses and that she no longer feel safe at home at night due to the number of workers being around late.

Zachary Zoul, spoke in favor of the development noting that the design is compatible to the existing houses in the area and expressing that it has a low impact on the existing public services provided to the area. Zoul noted that the development would have no demands on public services. He went on to explain that the design of the lots took into consideration the protection of the ecosystem and the area's natural resources.

Commissioner Maurer asked if lots in the future can be subdivided and create smaller lots for development. Nabity explained that it is possible however the owners would have to go through the same process as Prairie Creek Meadows as well as meet DEQ

requirements.

O'Neill closed the Public Hearing.

A motion was made by Randone and seconded by Robb to recommend approval to rezone 33.57 acres from A-1 Agriculture Primary to PUD Planned Unit Development for the Prairie Creek Meadows Second Subdivision

A roll call vote was taken and the motion passed with 9 members present voting in favor (O'Neill, Ruge, Robb, Kjar, Rainforth, Apfel, Allan, Rubio, and Randone) and 1 member voting no (Maurer).

6. Public Hearing Blight Study and Redevelopment Plan –Wood River - Concerning a Blight and Substandard Study and Generalized Redevelopment Plan for the City of Wood River including various areas of the community as shown in the study and plan. (C-18-2018WR)

O'Neill opened the public hearing.

Nabity introduced Wood River's Blight Study and Redevelopment Plan and explained that the study was conducted by Hanna:Keelan Associates based out of Lincoln, NE. Nabity noted that the Wood River city Council passed a resolution to forward the blight study to the Regional Planning commission for review and recommendation for approval. Nabity noted that the study indicated that the area can be considered blight and substandard and he would recommend approval of the study.

No members of the public spoke for or against the study and plan.

O'Neill closed the public hearings.

A motion was made by Rainforth and seconded by Allan to recommend approval for the Blight and Substandard Study and Generalized Redevelopment Plan for the City of Wood River and approve Resolution 2018-07

A roll call vote was taken and the motion passed with 10 members present voting in favor (O'Neill, Ruge, Maurer, Robb, Kjar, Rainforth, Apfel, Allan, Rubio, and Randone) and no members voting no or abstaining.

7. Subdivision – Wilkinson Subdivision Hall County Preliminary and Final Plat– Located north of Interstate 80 and west of U.S. Highway 281 in the jurisdiction of Hall County, Nebraska. (3 lots, 8.69 acres). This property is zoned RC Restricted Commercial.

O'Neill opened the public hearing.

Nabity introduced the proposed development explaining that it intends on creating 3 lots on an 8.69 acre parcel of land located north of I-80 and west of U.S. Highway 281 and east of Bluff Center Road in Hall County. Nabity noted that the property is zoned RC-Restricted Commercial and the intended development is in compliance of the RC

zone. He also stated that RC zone was specifically designed for the Interstate interchange within Hall County. Nabity explained that permitted uses in the RC zones consist of Gas station, Truck stops, Hotels, and/or other uses which specifically support the traveling public.

Nabity also explained that the property will hook up to the city sewer and the sewer line will be extended across the property to make it accessible to the property to the west of the proposed subdivision. He also, stated that there will be an easement around the edge of the property to allow access to the property to the west of the proposed area. He also noted that parts of the property are located in the floodway and that these areas are proposed to be used as parking spaces.

Nabity also explained, Nebraska Department of Transportation (NDOT) has approved the access to US 281 as it is proposed.

Commissioner Ruge expressed concerns about traffic flow and safety at the proposed access point. Frank Doland project Civil Engineer, explained that they have worked closely with NDOT District 4. He explained that a traffic impact study was conducted at the request of NDOT. Based on the results NDOT approved the access contingent on intersection improvements such as the existing left turn lanes being offset for better opposing views, southbound a right turn lane must be created to gain access into the development to eliminate the chances of backing up traffic.

Commissioner O'Neil asked who was going to fund the improvements; Doland stated that the developer will pay for all improvements to this area.

Commissioner Ruge asked about traffic signals being placed at the access point. Doland's response was no there will not be any traffic signals installed until they are warranted. He also noted that there is a clause in the contract with NDOT that when signals are warranted the developer is responsible in paying for them to be placed at the access point. Doland went onto explained that the developer has offered to put traffic signals in during the development stage, however NDOT turned it down stating that they were not warranted.

Nabity then explained that NDOT does not allow traffic control devices unless they meet warrants. If they started doing that they could have to do it at every location where the lower threshold met is without meeting the warrants. He explained that using traffic engineers' guidelines when it meets warrants help with justifying putting them in.

O'Neill closed the public hearing

A motion was made by Robb and seconded by Randone to recommend approval for Wilkinson Subdivision Hall County Preliminary and Final Plat– Located north of Interstate 80 and west of U.S. Highway 281 in the jurisdiction of Hall County, Nebraska.

A roll call vote was taken and the motion passed with 10 members present voting in favor (O'Neill, Ruge, Maurer, Robb, Kjar, Rainforth, Apfel, Allan, Rubio, and

Randone) and no members voting no or abstaining.

- 8. Discussion - Text Amendment of Hall County Zoning Resolution -** Concerning proposed amendments to various parts of Article 2 Section 2.03 Definition of Terms, and Article 4 Section 4.02 Agricultural – Primary District and Section 4.03 A-2 Secondary Agricultural District relative to livestock production. (C-06-2017HC)

O'Neill opened a public discussion and explained that no action will be taken.

Nabity walked commissioners through the proposed changes. The subcommittee members agreed that the changes as proposed are consistent with their vision and understanding of the changes. Some minor areas for cleanup were noted as the review occurred. Nabity stated that he would make those changes prior to bringing them back for review. Arend Baack expressed concern with removing the distance requirement between livestock operations and presented diagrams of the potential impact of that change. He also brought up some of the minor clean up issues that were previously discussed.

- 9. Director's Report.**

Nabity reported that he would be attending the APA National Conference in New Orleans at the end of April.

- 10. Next Regular Meeting May 2nd, 2018**

- 11. Adjourn**

O'Neill adjourned the meeting at 7:40 p.m.

Leslie Ruge, Secretary
By Chad Nabity, and Rashad Moxey



Hall County Regional Planning Commission

Wednesday, May 2, 2018

Regular Meeting

Item F1

Blight and Substandard Study Grand Island Area 26

Staff Contact:

Agenda Item # 4

PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

April 16, 2018

SUBJECT: *CRA Blight Study (Proposed CRA Area 26) C-19-2018GI*

PROPOSAL: Attached is a copy of a Substandard and Blight Study as prepared by Marvin Planning Consultants entitled “Grand Island NE, Blighted and Substandard Study Area 26”. This area as defined by the study will be referred to as Community Redevelopment Authority (CRA) Area 26. The study as prepared and submitted indicates that this property could be considered substandard and blighted. This only includes property that is located within the municipal limits of Grand Island. The study as presented shows that this property meets the criteria to be declared blighted and substandard of its own accord. If the Planning Commission does not make a recommendation within 30 days Council can proceed with a decision on the declaration without recommendation from Planning Commission.

OVERVIEW

This study is for approximately 28.42 acres of property in northeast Grand Island located west of the Central Nebraska Railroad tracks and between Capital Avenue and 12th Street (extended).

The Statutory authority and direction to the Planning Commission is referenced below to explain the Planning Commission purpose in reviewing the study:

Section 18-2109

Redevelopment plan; preparation; requirements.

An authority shall not prepare a redevelopment plan for a redevelopment project area unless the governing body of the city in which such area is located has, by resolution adopted after a public hearing with notice provided as specified in section 18-2115, declared such area to be a substandard and blighted area in need of redevelopment. The governing body of the city shall submit the question of whether an area is substandard and blighted to the planning commission or board of the city for its review and recommendation prior to making its declaration. The planning commission or board shall submit its written recommendations within thirty days after receipt of the request. Upon receipt of the recommendations or after thirty days if no recommendation is received, the governing body may make its declaration.

~Reissue Revised Statutes of Nebraska

The attached study does not include a redevelopment plan. If this study is approved subsequent action will be necessary by both the Planning Commission and the City Council prior to any action involving Tax Increment Financing or the expenditure of tax dollars from the CRA budget within this area.

It is appropriate for the planning commission in conducting its review and considering its recommendation regarding the substandard and blighted designation to:

1. review the study,
2. take testimony from interested parties,
3. make findings of fact, and
4. Include those findings of fact as part of its recommendation to Council.

Blighted and Substandard Defined

The terms blighted and substandard have very specific meanings within the context of the Community Redevelopment Statutes. Those terms as defined by Statute are included below:

Section 18-2103

Terms, defined.

For purposes of the Community Development Law, unless the context otherwise requires:

*(10) **Substandard areas** shall mean an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or welfare;*

*(11) **Blighted area** shall mean an area, which (a) by reason of the presence of a substantial number of deteriorated or deteriorating structures, existence of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility, or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title, improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use and (b) in which there is at least one of the following conditions: (i) Unemployment in the designated area is at least one hundred twenty percent of the state or national average; (ii) the average age of the residential or commercial units in the area is at least forty years; (iii) more than half of the plotted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time; (iv) the per capita income of the area is lower than the average per capita income of the city or village in which the area is designated; or (v) the area has had either stable or decreasing population based on the last two decennial censuses. In no event shall a city of the metropolitan, primary, or first class designate more than thirty-five percent of the city as blighted, a city of the second class shall not designate an area larger than fifty percent of the city as blighted, and a village shall not designate an area larger than one hundred percent of the village as blighted;*

ANALYSIS-Blight and Substandard Study

The following findings are copied directly from the Study. The analysis of the substandard and blighted factors is conducted on pages 5 to 11 of the study.

FINDINGS FOR GRAND ISLAND

Study Area 26 has several items contributing to the Blight and Substandard Conditions. These conditions include:

Blighting Summary

These conditions are contributing to the blighted conditions of the study area.

- **Substantial number of deteriorating structures**
 - Within the study are 50.0% of the primary structures were deemed to be in worn out condition.
- **Deterioration of site or other improvements**
 - Sidewalk is missing along Capital Avenue within the study area
 - Curb and Gutter is missing along Capital Avenue within the study area
- **Combination of factors which are impairing and/or arresting sound growth.**
 - The study area abuts a railroad spur
 - The study area has a drainage ditch through its middle.
 - The 11+ acres to the south has limited to no access to public rights-of-way
- **Insanitary and Unsafe Conditions**
 - The western most property within the study area contains numerous accessory structures on site that are in a worn-out state and are unsafe
- **Dangerous conditions to life or property due to fire or other causes**
 - The western most property within the study area contains numerous accessory structures on site that present a dangerous condition relating to life or property due to fire or other causes.
- **Diversity of Ownership**
 - There are three different property owners in the study area including the City of Grand Island.
 - The diversity of ownership may be a barrier to future development.
- **Faulty Lot Layout**
 - A portion of the study area has limited access to public rights-of-way.
 - Three lots, along the eastern edge, abut a railroad spur.
- **Defective/Inadequate Street layouts**
 - There is very limited access to the vacant land at the southern portion of the study area.
- **Stable or decreasing population based on the last two decennial censuses**
 - The population of the Study Area has remained stable over the past two decennial censuses.

Criteria under Part B of the Blight Definition

- **The average age of the residential or commercial units in the area is at least forty years**
 - 1 (50.0%) buildings or improvements were determined to be 40 years of age or older
 - 1 (50.0%) buildings or improvements were determined to be less than 40 years of age
 - The average age based upon a cumulative age calculation is 51.0 years.

The other criteria for Blight were not present in the area, these included:

- Improper Subdivision or Obsolete Platting
- Tax or special assessment delinquency exceeding fair value of the land.
- Defective or unusual condition of title,
- Unemployment in the designated area is at least 120% of the state or national average.
- One-half of unimproved property is over 40 years old.
- The per capita income of the area is lower than the average per capita income of the city or village in which the area is designated.

These issues were either not present or were limited enough as to have little impact on the overall condition of the study area

Substandard Summary

Nebraska State Statute requires that “...an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by reason of dilapidation, deterioration, **age** or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or **the existence of conditions which endanger life or property by fire and other causes**, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or welfare;”

This Study Area in Grand Island meets the definition of Substandard as defined in the Revised Nebraska State Statutes.

FINDINGS FOR GRAND ISLAND BLIGHT STUDY AREA #26

Blight Study Area #26 has several items contributing to the Blight and Substandard Conditions. These conditions include:

Blighted Conditions

- Substantial number of deteriorating structures
- Deterioration of site or other improvements
- Combination of factors which are impairing and/or arresting sound growth.
- Insanitary and Unsafe Conditions
- Dangerous conditions to life or property due to fire or other causes
- Diversity of Ownership
- Faulty Lot Layout
- Defective/Inadequate Street layouts
- Stable or decreasing population based on the last two decennial censuses
- The average age of the residential or commercial units in the area is at least forty years

Substandard Conditions

Average age of the structures in the area is at least forty years

RECOMMENDATION:

Blight and Substandard Designation

Planning Commission staff is recommending consideration of the following questions as a starting point in the analysis of this Study and in making a recommendation on the question of whether the property in question is blighted and substandard.

Recommend Questions for Planning Commission

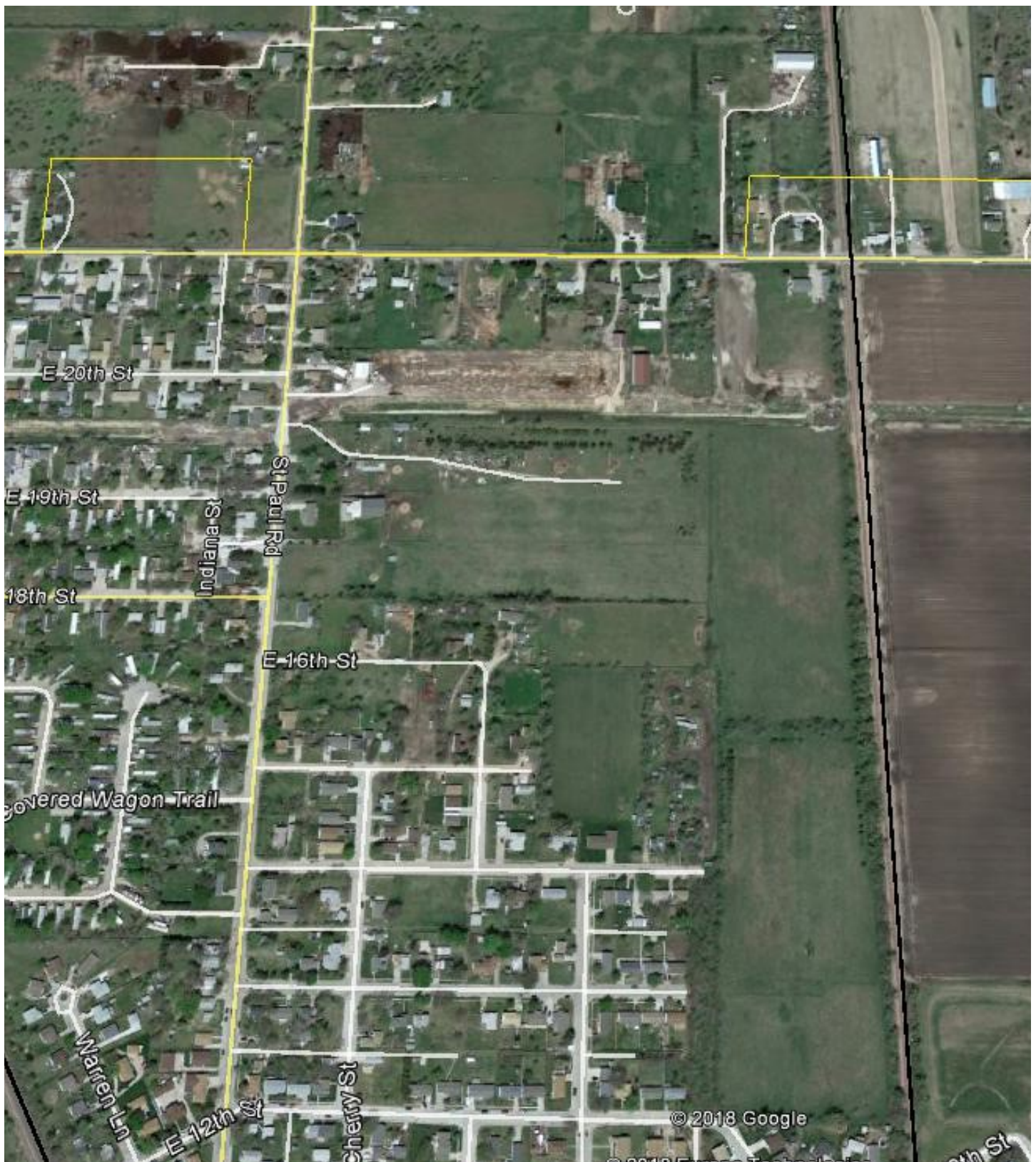
- Does this property meet the statutory requirements to be considered blighted and substandard? (See the prior statutory references.)
- Are the blighted and substandard factors distributed throughout the Redevelopment Area, so basically good areas are not arbitrarily found to be substandard and blighted simply because of proximity to areas which are substandard and blighted? Is development of adjacent property necessary to eliminate blighted and substandard conditions in the area?
- Is public intervention appropriate and/or necessary for the redevelopment of the area?
- Will a blight declaration increase the likelihood of development/redevelopment in the near future and is that in the best interest of the City?
- What is the policy of the City toward increasing development and redevelopment in this area of the City?

Findings of fact must be based on the study and testimony presented including all written material and staff reports. The recommendation must be based on the declaration, not based on any proposed uses of the site. All of the testimony, a copy of the study and this memo along with any other information presented at the hearing should be entered into the record of the hearing.

If the Regional Planning Commission concludes that the area in question meets the definition of blighted and substandard and supports such conclusion with findings of fact they should move to recommend **approval** of the declaration as blighted and substandard based on the facts presented and identified at this meeting.

If the Regional Planning Commission concludes that the area in question does not meet the definition of blighted and substandard and supports such conclusions with findings of fact, they should move to recommend **denial** of the declaration as blighted and substandard based on the facts identified.

_____ Chad Nabity AICP, Planning Director



Grand Island, Nebraska Blight and Substandard Study - Area 26



PURPOSE OF THE BLIGHT AND SUBSTANDARD STUDY

The purpose of completing this Blight and Substandard study is to examine existing conditions within a specific part of Grand Island. This study has been commissioned by Grand Island Habitat for Humanity and Mr. Fred Hoppe in order to analyze the possibility of declaring the area as blighted and substandard.

The City of Grand Island, when considering conditions of Blight and Substandard, will be looking at those issues and definitions provided for in the Nebraska Community Redevelopment Law as found in Chapter 18, Section 2104 of the Revised Nebraska State Statutes, as follows:

"The governing body of a city, to the greatest extent it deems to be feasible in carrying out the provisions of Sections 18-2101 to 18-2144, shall afford maximum opportunity, consistent with sound needs of the city as a whole, to the rehabilitation or redevelopment of the community redevelopment area by private enterprises. The governing body of a city shall give consideration to this objective in exercising its powers under sections 18-2101 to 18-2144, including the formulation of a workable program, the approval of community redevelopment plans consistent with the general plan for the development of the city, the exercise of its zoning powers, the enforcement of other laws, codes, and regulations relating to the use and occupancy of buildings and improvements, the disposition of any property acquired, and providing of necessary public improvements".

The Nebraska Revised Statutes §18-2105 continues by granting authority to the governing body for formulation of a workable program. The statute reads,

"The governing body of a city or an authority at its direction for the purposes of the Community Development Law may formulate for the entire municipality a workable program for utilizing appropriate private and public resources to eliminate or prevent the development or spread of urban blight, to encourage needed urban rehabilitation, to provide for the redevelopment of substandard and blighted areas, or to undertake such of the aforesaid activities or other feasible municipal activities as may be suitably employed to achieve the objectives of such workable program. Such workable program may include, without limitation, provision for the prevention of the spread of blight into areas of the municipality which are free from blight through diligent enforcement of housing, zoning, and occupancy controls and standards; the rehabilitation or conservation of substandard and blighted areas or portions thereof by replanning, removing congestion, providing parks, playgrounds, and other public improvements by encouraging voluntary rehabilitation and by compelling the repair and rehabilitation of deteriorated or deteriorating structures; and the clearance and redevelopment of substandard and blighted areas or portions thereof."

Blight and Substandard are defined as the following:

"Substandard areas means an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by reason of dilapidation, deterioration, age or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or welfare;"

"Blighted area means an area, which (a) by reason of the presence of a substantial number of deteriorated or deteriorating structures, existence of defective or inadequate street layout, faulty lot layout in relation to size, adequacy, accessibility, or usefulness, insanitary or unsafe conditions, deterioration of site or other improvements, diversity of ownership, tax or special assessment delinquency exceeding the fair value of the land, defective or unusual conditions of title,

improper subdivision or obsolete platting, or the existence of conditions which endanger life or property by fire and other causes, or any combination of such factors, substantially impairs or arrests the sound growth of the community, retards the provision of housing accommodations, or constitutes an economic or social liability and is detrimental to the public health, safety, morals, or welfare in its present condition and use and (b) in which there is at least one of the following conditions: (i) Unemployment in the designated area is at least one hundred twenty percent of the state or national average; (ii) the average age of the residential or commercial units in the area is at least forty years; (iii) more than half of the plotted and subdivided property in an area is unimproved land that has been within the city for forty years and has remained unimproved during that time; (iv) the per capita income of the area is lower than the average per capita income of the city or village in which the area is designated; or (v) the area has had either stable or decreasing population based on the last two decennial censuses. In no event shall a city of the metropolitan, primary, or first class designate more than thirty-five percent of the city as blighted, a city of the second class shall not designate an area larger than fifty percent of the city as blighted, and a shall not designate an area larger than one hundred percent of the as blighted;"

The Study is intended to give the Hall County Regional Planning Commission and Grand Island City Council the basis for identifying and declaring Blighted and Substandard conditions existing within the City's jurisdiction and as allowed under Chapter 18, Section 2123.01. Through this process, the City and property owners will be attempting to address economic and/or social liabilities which are harmful to the well-being of the entire community.

The study area can be seen in Figure 1 of this report. A Redevelopment Plan to be submitted in the future containing, in accordance with the law, definite local objectives regarding appropriate land uses, improved traffic, public transportation, public utilities and other public improvements, and the proposed land uses and building requirements in the redevelopment area and shall include:

- The boundaries defining the blighted and substandard areas in question (including existing uses and conditions of the property within the area), and
- A list of the conditions present, qualifying the area as blighted and substandard.

BLIGHT AND SUBSTANDARD ELIGIBILITY STUDY

This study targets a specific area within an established part of the community for evaluation. The area is indicated in Figure 1 of this report. The existing uses in this Blighted and Substandard Area include residential uses including accessory uses within the corporate limits of Grand Island.

Through the redevelopment process the City of Grand Island can guide future development and redevelopment throughout the area. The use of the Community Redevelopment Act by the City of Grand Island is intended to redevelop and improve the area. Using the Community Redevelopment Act, the City of Grand Island can assist in the elimination of negative conditions and implement different programs/projects identified for the City.

The following is the description of the designated area within Grand Island.

The study area is defined as follows: the Point of beginning is located at the NE corner of a lot described as Lassonde Sub Lot 1; thence, southerly along the east property line of same said lot and continuing to the SE corner of a lot described as Miscellaneous Tracts 10-11-9 PT E ½ NW ¼ W of RR and S of Co Road XC City; thence, westerly along the south property line of same said lot to the intersection with the SW corner of a lot described; thence, northerly along the west property line of same said lot and continuing to SE corner of a tract described as Miscellaneous Tracts 10-11-9 PT W ½ NW ¼; thence, westerly along the southern property line of said tract to the SW corner of said tract; thence northerly along the to the NW corner of a lot described as; thence, westerly along the west property line of said lot to the NW corner of said lot (assumed centerline of E. Capital Avenue); thence easterly along said centerline of E. Capital Avenue to a point in line with the extended east property line of a lot described as

Study Area
Figure 1: Study Area Map



Source: Google Earth and Marvin Planning Consultants 2018
Note: Lines and Aerial may not match.



Figure 2: Existing Land Use



Source: Hall County GIS and Marvin Planning Consultants 2018
Note: Lines and Aerial may not match



Lassonde Sub Lot1; thence, southerly along the east property line of said lot to the POB; plus Lot 1 of Lincoln Heights Subdivision and the east 75 feet of Lots 4 and 5 of Norwood Subdivision.

EXISTING LAND USES

The term "Land Use" refers to the developed uses in place within a building or on a specific parcel of land. The number and type of uses are constantly changing within a community and produce a number of impacts either benefitting or detracting from the community. Existing patterns of land use are often fixed in older communities and neighborhoods, while development in newer areas is often reflective of current development practices.

Existing Land Use Analysis within Study Area

As part of the planning process, a survey was conducted through both in-field observations, as well as data collection online using the Hall County Assessors website. This survey noted the use of each parcel of land within the study area. These data from the survey are analyzed in the following paragraphs.

TABLE 1: EXISTING LAND USE, GRAND ISLAND - 2018

Type of Use	Acres	Percent of Developed land within the Study Area	Percent of Study Area
Residential	1.26	49.6%	4.4%
Single-family	0.83	32.7%	2.9%
Multi-family	0.43	16.9%	1.5%
Manufactured Housing	0	0.0%	0.0%
Commercial	0	0.0%	0.0%
Industrial	0	0.0%	0.0%
Quasi-Public/Public	.78	30.7%	2.7%
Parks/Recreation	0	0.0%	0.0%
Transportation	0.50	19.7%	1.8%
Total Developed Land	2.54	100.0%	
Vacant/Agriculture	25.88		91.1%
Total Area	28.42		100.0%

Source: Marvin Planning Consultants 2018

Table 1 includes the existing land uses for the entire study area. The table contains the total acres determined per land use from the survey; next is the percentage of those areas compared to the total developed land; and finally, the third set of data compare the all land uses to the total area within the Study Area. The Study Area is made up of single-family (4.4%) and land considered vacant accounts for 91.1% of the total area.

FINDINGS OF BLIGHT AND SUBSTANDARD CONDITIONS ELIGIBILITY STUDY

This section of the study examines the conditions found in the study area. The Findings Section will review the conditions based upon the statutory definitions.

CONTRIBUTING FACTORS

There were a number of conditions examined and evaluated in the field and online. There are a number of conditions that will be reviewed in detail, on the following pages, while some of the statutory conditions are not present.

Structural Conditions

Structural conditions were evaluated, structures were either rated as: Very Good, Good, Fair, Average, badly worn or worn out. The data and rating system comes from the Hall County Assessor's database and is the same database used to value properties in the area. Based upon the data provided to the planning team, the following is the breakdown for structures in the study area:

- 0 (0.0%) structures rated as very good
- 1 (50.0%) structures rated as good
- 0 (0.0%) structure rated as fair
- 0 (0.0%) structures rated as average

- 1 (50.0%) structure rated as badly worn or worn out

Based upon these data, an assumption has been made that average condition and less would constitute less than desirable conditions due to age and conditions. It is common for older structures to get more maintenance and upkeep in order to maintain a good or higher condition. Even an average structure will show some signs of deteriorating which in turn can become a dilapidated structure in the future if it is not addressed over time. Overall, 50.0% of the structures in this study area are average condition or worse.

Due to the stated conditions found in the Hall County Assessor's data, the condition of the structure is a contributing factor.

Deterioration of Site or Other Improvements

Sidewalk Conditions

Sidewalks, regardless of the area and uses within a community, should provide a safe means of movement for pedestrians. Sidewalks become increasingly more important along transportation routes considered to be arterials and highways. A sidewalk allows for pedestrian movement while keeping people off heavily traveled streets.

The sidewalk conditions were analyzed in the Study Area. The sidewalks were rated on four categories; adequate, deteriorating, dilapidating, and missing completely.

Within the study area there is approximately 500 lineal feet of area where sidewalk could or should be located. After reviewing the conditions in the field, the following is how the sidewalk conditions breakdown within the study area:

- 0 (0.0%) lineal feet of adequate sidewalk
- 0 (0.0%) lineal feet of deteriorating sidewalk
- 500 (100.0%) lineal feet of no sidewalk.

There are no sidewalks present within the study area accessible to pedestrian traffic. Considering the uses along Capital Avenue there should be sidewalk in place. However, this is considered a County Highway and was developed as a rural section road. At some point in the future, sidewalk would be a nice improvement.

The lack of sidewalk is likely due to the fact that this part of Grand Island was once outside the corporate limits and Capital in places is still functioning similar to a rural section roadway. This is something that will need to be undertaken in the future.

Curb and Gutter

Curb and Gutters have a number of direct and indirect roles in neighborhoods. Their primary functions is to be a barrier to collect and direct water to be drained away. On a secondary level, they can help define where the streets start and stop, and they act as a physical barrier between pedestrian and vehicular traffic.

Curb and gutter for the Study Area were examined similarly to sidewalks. The curb and gutter were graded as either adequate, deteriorating, dilapidated, or missing.

Within the study area there is approximately 500 lineal feet of curb and gutter possible. After reviewing the conditions in the field, the following is how the curb and gutter conditions breakdown within the corporate limits:

- 0 (0.0%) lineal feet of adequate curb and gutter
- 0 (0.0%) lineal feet of deteriorating curb and gutter
- 500 (100.0%) lineal feet of no curb and gutter or rural section.
- There was no curb and gutter deemed to be dilapidated.

In total, 100% of the study area has no curb and gutter present.

The lack of curb and gutter is likely due to the fact that this part of Grand Island was once outside the corporate limits and Capital in places is still functioning similar to a rural section roadway. This is something that will need to be undertaken in the future. However, this is

Figure 3: Structural Condition Map



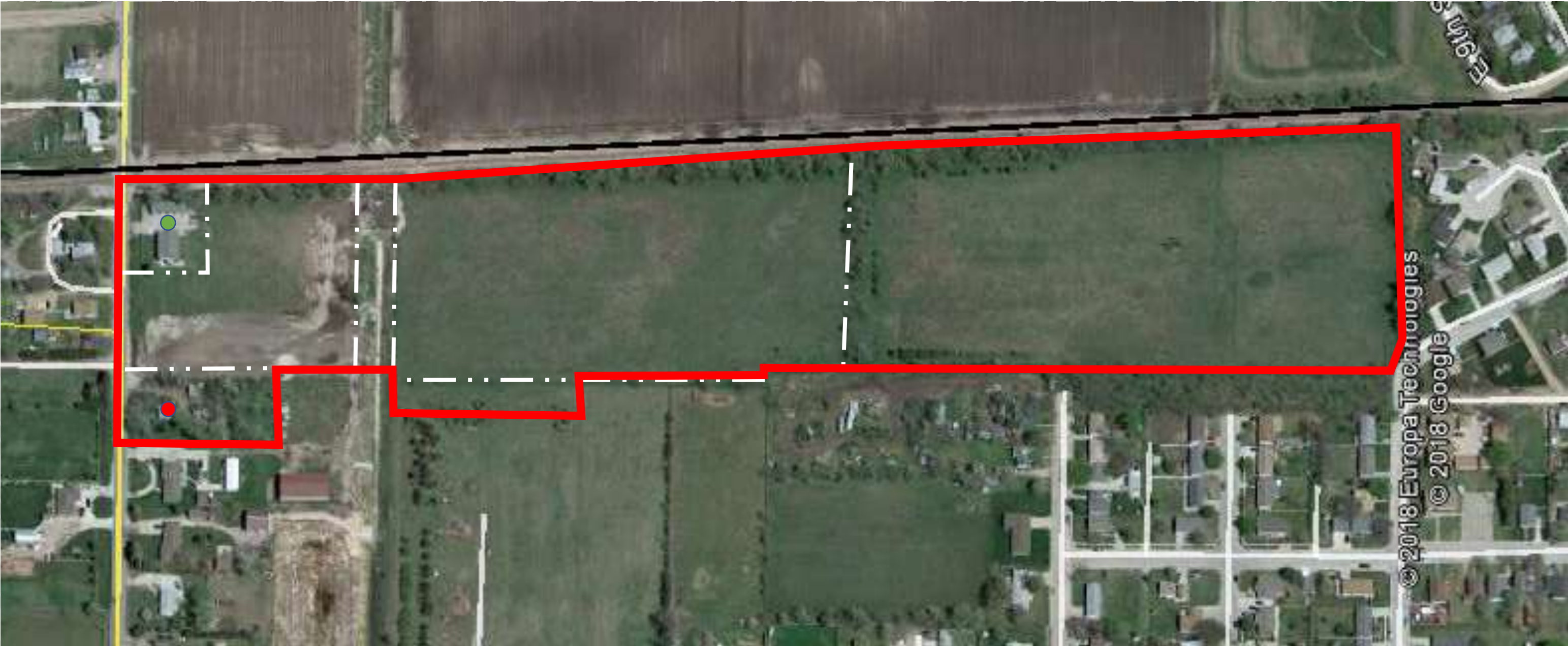
Source: Google Earth, Hall County Assessor and Marvin Planning Consultants 2018
Note: Lines and Aerial may not match.



- Good Conditions
- Badly Worn Out



Figure 4: Structural Age Map



Source: Google Earth, Hall County Assessor and Marvin Planning Consultants 2018
Note: Lines and Aerial may not match.



- Less than 40 years of age
- 40 years old or older



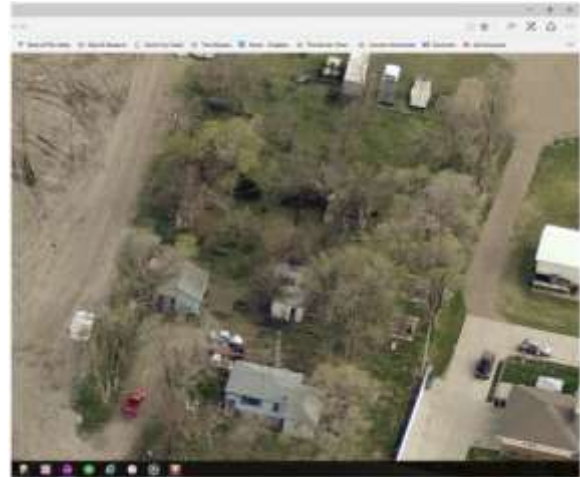
considered a County Highway and was developed as a rural section road. At some point in the future, when the area becomes more urbanized, curb and gutter may become a necessity.

Due to the large amount of deteriorating and missing curb and gutter, the curb and gutter conditions would be a direct contributing factor.

Insanitary and Unsafe Conditions

The property on the immediate western edge of the study area has a considerable number of dilapidated structures (old dog kennels) behind the primary structure. The observations have been made from Capital Avenue and the use of aerial photography.

The condition of these structures a direct contributing factor to the area being considered blighted.



Dangerous conditions to life or property due to fire or other causes

The property on the immediate western edge of the study area has a considerable number of dilapidated structures (old dog kennels) behind the primary structure. The observations have been made from Capital Avenue and the use of aerial photography.

The condition of these structures a direct contributing factor to the area being considered blighted.

Stable or decreasing population based on the last two decennial censuses

Over the past 20 years the population within the study area has been stable or decreasing. The population within the Study Area has had limited population for the past two decennial censuses. Therefore, it meets the criteria for a stable or decreasing population.

Age of Structure

Age of structures can be a contributing factor to the blighted and substandard conditions in an area. Statutes allow for a predominance of structures 40 years of age or older to be a contributing factor regardless of their condition. The following paragraphs document the structural age of the structures within the Study Area. Note the age of structure was determined from the Appraisal data within the Hall County Assessor's website data.

TABLE 2: AVERAGE STRUCTURAL AGE, BY METHOD - 2017

	Number of Structures	Construction date	Age	Cumulative Age
	1	1952	65	65
	1	1980	37	37
	0			
Total Cumulative	2			102
Average Age				51.0

Source: Hall County Assessor's and Marvin Planning Consultants 2017

Within the study area there are two primary structures. After researching the structural age on the Hall County Assessor's and Treasurer's websites, the following breakdown was determined:

- 1 (50.0%) unit was determined to be 40 years of age or older
- 1 (50.0%) unit was determined to be less than 40 years of age

However, when examining the age based upon a cumulative approach, as in Table 2, the average age of the primary structures is equal to 51.0 years; thus, meeting the requirements of the statutes.

The age of the structures would be a direct contributing factor.

Blighting Summary

These conditions are contributing to the blighted conditions of the study area.

- **Substantial number of deteriorating structures**
 - Within the study area 50.0% of the primary structures were deemed to be in worn out condition.
- **Deterioration of site or other improvements**
 - Sidewalk is missing along Capital Avenue within the study area
 - Curb and Gutter is missing along Capital Avenue within the study area
- **Combination of factors which are impairing and/or arresting sound growth.**
 - The study area abuts a railroad spur
 - The study area has a drainage ditch through its middle.
 - The 11+ acres to the south has limited to no access to public rights-of-way
- **Insanitary and Unsafe Conditions**
 - The western most property within the study area contains numerous accessory structures on site that are in a worn-out state and are unsafe
- **Dangerous conditions to life or property due to fire or other causes**
 - The western most property within the study area contains numerous accessory structures on site that present a dangerous condition relating to life or property due to fire or other causes.
- **Diversity of Ownership**
 - There are three different property owners in the study area including the City of Grand Island.
 - The diversity of ownership may be a barrier to future development.
- **Faulty Lot Layout**
 - A portion of the study area has limited access to public rights-of-way.
 - Three lots, along the eastern edge, abut a railroad spur.
- **Defective/Inadequate Street layouts**
 - There is very limited access to the vacant land at the southern portion of the study area.
- **Stable or decreasing population based on the last two decennial censuses**
 - The population of the Study Area has remained stable over the past two decennial censuses.

Criteria under Part B of the Blight Definition

- **The average age of the residential or commercial units in the area is at least forty years**
 - 1 (50.0%) buildings or improvements were determined to be 40 years of age or older
 - 1 (50.0%) buildings or improvements were determined to be less than 40 years of age
 - The average age based upon a cumulative age calculation is 51.0 years.

The other criteria for Blight were not present in the area, these included:

- Improper Subdivision or Obsolete Platting
- Tax or special assessment delinquency exceeding fair value of the land.
- Defective or unusual condition of title,
- Unemployment in the designated area is at least 120% of the state or national average.
- One-half of unimproved property is over 40 years old.

- The per capita income of the area is lower than the average per capita income of the city or village in which the area is designated.

These issues were either not present or were limited enough as to have little impact on the overall condition of the study area

Substandard Conditions

Average age of residential or commercial units in the area is at least 40 years

Age of structures can be a contributing factor to the blighted and substandard conditions in an area. Statutes allow for a predominance of units that are 40 years of age or older to be a contributing factor regardless of their condition. Note the age of structure was determined from the Appraisal data within the Hall County Assessor's website data.

Within the study area there is a total of two primary structures. After researching the structural age on the Hall County Assessor's and Treasurer's websites, the following breakdown was determined:

- 1 (50.0%) units were determined to be more than 40 years of age
- 1 (50.0%) units were determined to be less than 40 years of age
- In addition, the cumulative approach gives this area an average age of 51.0 years.

There is a predominance of units 40 years of age or older.

Substandard Summary

Nebraska State Statute requires that "...an area in which there is a predominance of buildings or improvements, whether nonresidential or residential in character, which, by reason of dilapidation, deterioration, **age** or obsolescence, inadequate provision for ventilation, light, air, sanitation, or open spaces, high density of population and overcrowding, or **the existence of conditions which endanger life or property by fire and other causes**, or any combination of such factors, is conducive to ill health, transmission of disease, infant mortality, juvenile delinquency, and crime, (which cannot be remedied through construction of prisons), and is detrimental to the public health, safety, morals, or welfare;"

This Study Area in Grand Island meets the definition of Substandard as defined in the Revised Nebraska State Statutes.

FINDINGS FOR GRAND ISLAND BLIGHT STUDY AREA #26

Blight Study Area #26 has several items contributing to the Blight and Substandard Conditions. These conditions include:

Blighted Conditions

- **Substantial number of deteriorating structures**
- **Deterioration of site or other improvements**
- **Combination of factors which are impairing and/or arresting sound growth.**
- **Insanitary and Unsafe Conditions**
- **Dangerous conditions to life or property due to fire or other causes**
- **Diversity of Ownership**
- **Faulty Lot Layout**
- **Defective/Inadequate Street layouts**
- **Stable or decreasing population based on the last two decennial censuses**
- **The average age of the residential or commercial units in the area is at least forty years**

Substandard Conditions

- **Average age of the structures in the area is at least forty years**

Resolution Number 2018-08

HALL COUNTY REGIONAL PLANNING COMMISSION

**A RESOLUTION RECOMMENDING APPROVAL OF A BLIGHT AND
SUBSTANDARD STUDY BY THE CITY OF GRAND ISLAND, NEBRASKA;
AND APPROVAL OF RELATED ACTIONS**

WHEREAS, the Grand Island City Council at its April 10, 2018 meeting, referred **the Blight and Substandard Study commissioned by Fred Hoppe** to the Hall County Regional Planning Commission, (the “**Commission**”) for review and recommendation as to its conformity with the general plan for the development of the City of Grand Island, Hall County, Nebraska, pursuant to the Nebraska Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the “**Act**”); and

WHEREAS, the Commission has reviewed said Blight and Substandard Study and confirmed the following findings:

- This property as presented in the study meets the requirements to be declared substandard,
- This property as presented in the study meets the requirements to be declared blighted,
- The factors are necessary to declare the property blighted and substandard are sufficiently distributed to impact development across the entire site,
- This property despite its proximity to other developed parts of the city has not experienced development in large part because of the lack of public infrastructure in and around the site,
- That development of this property to its full potential is in the best interest of the City of Grand Island and the entire region,
- That there are projects ready to develop at this site if they can meet the financial goals of the developers,

NOW, THEREFORE, BE IT RESOLVED BY THE HALL COUNTY REGIONAL PLANNING COMMISSION AS FOLLOWS:

Section 1. The Commission hereby recommends approval of the Blight and Substandard Study.

Section 2. All prior resolutions of the Commission in conflict with the terms and provisions of this resolution are hereby expressly repealed to the extent of such conflicts.

Section 3. This resolution shall be in full force and effect from and after its passage as provided by law.

DATED: May 2, 2018.

**HALL COUNTY REGIONAL PLANNING
COMMISSION**

ATTEST:

By: _____
Chair

By: _____
Secretary



Hall County Regional Planning Commission

**Wednesday, May 2, 2018
Regular Meeting**

Item F2

**Redevelopment Plan Amendment Grand Island Area 12 Copper
Creek Phase 2**

Staff Contact:

Agenda Item #4

PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

December 6, 2017

SUBJECT:

Redevelopment plan amendment for property located in Blight and Substandard Area 12 for a Site Specific Redevelopment Plan for property located south of Old Potash Highway and west of Engleman Road, Copper Creek Phase 2 in Grand Island, in Hall County, Nebraska to support this development. (C-20-2018GI)

PROPOSAL:

The Guarantee Group LLC is proposing to build 80 additional 1300 to 1500 square foot home in the next phase of the Copper Creek development. The property is zoned R-2 Low Density Residential and the proposed lot sizes are appropriate for single family home development at a density consistent with the R-2 zoning district.

OVERVIEW:

The purpose of the CRA and the designated blight and substandard area is to provide incentives for development in underdeveloped areas of the community. This proposed plan encourages a mix of commercial and residential uses that has been identified as a priority for development in the downtown area. This area has already been declared blighted and substandard by the CRA, the Hall County Regional Planning Commission and the Grand Island City Council.

This project is **consistent** with the **existing zoning** and the **future land use plan** for this area within the City of Grand Island. This is evident by the fact that the property is zoned R-2 Low Density Residential. The R-2 zone allows for a residential units at a density of 1 unit per 6000 square feet of lot space and requires a minimum lot size of 6000 square feet.

The Regional Planning Commission recommendation is limited to the appropriateness of the proposed use at this location. The Grand Island Comprehensive Plan calls low to medium density residential uses here.

The Planning Commission is required to comment on these applications to confirm that expenditure of public funds through TIF is not supporting uses that would be inconsistent with the comprehensive plan. The proposed use for a mixed use development at this location appears to be supported by the plan.

RECOMMENDATION:

That the Regional Planning Commission recommends that City Council **approve** of the redevelopment plan amendment as submitted. A resolution is attached for your consideration.

_____ Chad Nabity AICP, Planning Director

**Redevelopment Plan Amendment
Grand Island CRA Area #12
April 2018**

The Community Redevelopment Authority (CRA) of the City of Grand Island intends to approve a Redevelopment Plan for Area #12 within the city, pursuant to the Nebraska Community Development Law (the “Act”) and provide for the financing of a specific infrastructure related project in Area #12.

**Executive Summary:
Project Description**

THE ORIGINAL PLAN FOR THIS DEVELOPMENT CALLED FOR THE COSTRUCTION OF UP TO 620 UNITS OF SINGLE FAMILY HOUSING WITH UP TO 239 WITH THE FIRST PHASE TO BE DEVELOPED AT MARKET DEMAND ESTIMATED AT 15 TO 30 UNITS PER YEAR. THE FINAL COUNT OF THE FIRST PHASE WILL BE 208 INSTEAD OF 239 AS THE LOT SIZES WERE INCREASED SLIGHTLY. AS OF APRIL 1, 2018 PERMITS HAVE BEEN PULLED FOR 193 HOUSES IN THIS PROJECT, 15 MORE LOTS ARE AVAILABLE AS PART OF THE FIRST PHASE. THE SECOND PHASE OF THIS DEVELOPMENT ANTICIPATES THE USE OF TAX INCREMENT FINANCING FOR THE NEXT 80 UNITS OF SINGLE FAMILY HOUSING. IT WAS ANTICIPATED AT THE BEGINNING OF THIS PROJECT THAT THERE WOULD BE ADDITIONAL PHASES THAT WOULD NEED APPROVAL. THE DEVELOPER HAS INDICATED THAT

THE CONSTRUCTION OF 80 UNITS OF SINGLE FAMILY HOMES. THE HOMES TO BE CONSTRUCTED WILL HAVE AN INTIAL SALE PRICE \$185,000 FOR THE BASE LEVEL HOME IN 2018 THAT MEETS THESE MINIMUM SPECIFICATIONS:

1300 SQUARE FEET FINISHED FIRST FLOOR, FULL UNFINISHED BASEMENT, 2 CAR ATTACHED GARAGE, KITCHEN APPLIANCES, CENTRAL HEATING AND AIR CONDITIONING, LANDSCAPING AND SPRINKLED LAWN.

THE HOUSES WILL BE CONSTRUCTED WITHIN THE COPPER CREEK SUBDIVISION LOCATED SOUTH OF OLD POTASH HIGHWAY AND EAST OF ENGLEMAN ROAD. THE PROJECT WILL INCLUDE THE PUBLIC IMPROVEMENTS NECESSARY TO SUPPORT THIS DEVELOPMENT INCLUDING BUT NOT LIMITED TO INSTALLATION OF STREET, STORMWATER FACILITIES, WATER AND SANITARY SEWER UTILITIES, ENGINEERING, SURVENYING, LANDSCAPING AND OTHER IMPROVEMENTS AS NECESSARY. THE CONSTRUCTION OF ADDITIONAL UNITS AND ANY AD VALORUM REVENUE GENERATED BY THOSE ADDITIONAL UNITS SHALL BE SUBJECT TO APPROVAL OF THE CITY AND SUBSEQUENT CONTRACTS BETWEEN THE CRA AND THE DEVELOPER.

The developer intends to use Tax Increment Financing to aid in site development including necessary site work, installation of streets, storm sewer, sanitary sewer, water, other utilities and engineering, surveying and other consultant costs associated with and necessary for the redevelopment of this property. The developer intends to build single family homes ranging from 1300 to 1500 square feet with an attached garage on each lot. The 2018 sale price of these homes will be \$185,000. The developer expects to build 80 units with five phases of development. The original approved preliminary plat for this project anticipated 620 homes. Some changes have been made to the proposed development. Phase 1 was reduced from 239 homes (plus the 5 house from the first attempt at developing this property) to 213 homes by increasing the lot sizes. Phase two anticipates 80 additional lots, the water tower site has reduced the number of lots in the southwest corner. The current approved preliminary plat shows plat an additional 244 lots that could be developed. The total number of lots based on current plans in the development is 537 lots for homes, 2 lots for utility purposes, 1 lot for detention and 1 for on-site storage of campers and boats belonging to residents of the subdivision.

The developer intends to install the infrastructure for phase two of this project in five intervals to create the 80 additional lots south of the existing streets. The second phase is designed to serve the next 80 lots and set the property up for development of up to 244 additional lots in the future. The tax increment from the new home construction will be used to make necessary site improvements and utility extensions to support this development. This project would not be possible in an affordable manner without the use of TIF.

The site is owned by Guarantee Group, LLC. All site work, demolition, streets and utilities will be paid for by the developer. The developer is responsible for and will provide evidence that they can secure adequate debt financing to cover the costs associated with the acquisition, site work, engineering, surveying and utility and street infrastructure. The Grand Island Community Redevelopment Authority (CRA) intends to pledge the ad valorem taxes generated beginning January 1, 2019 towards the allowable costs and associated financing for the acquisition, site work, streets and utility infrastructure. The CRA also intends to continue pledging ad valorem taxes generated by future phases of this development in future contracts for Tax Increment Financing during the life of this project.

TAX INCREMENT FINANCING TO PAY FOR THE ACQUISITION OF THE PROPERTY AND RELATED SITE WORK WILL COME FROM THE FOLLOWING REAL PROPERTY:

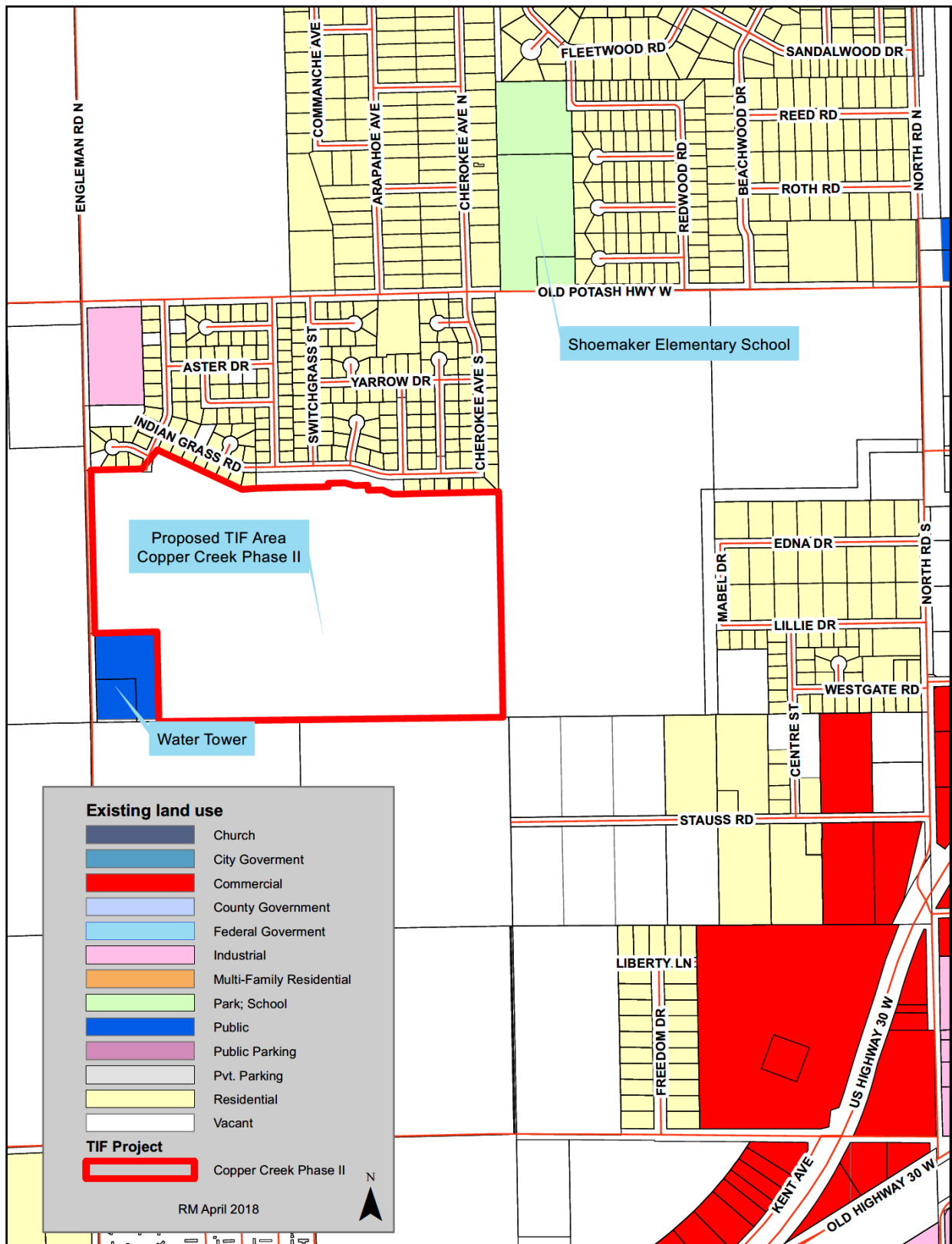
Property Description (the “Redevelopment Project Area”)

This property is located south of Old Potash Highway and east of Engleman Road in northwest Grand Island. The attached map identifies the subject property and the surrounding land uses:

Legal Descriptions

A TRACT LOCATED IN PART OF THE NORTHWEST QUARTER OF SECTION 23, TOWNSHIP 11 NORTH, RANGE 23 WEST OF THE 6TH PM, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS:

BEGINNING AT A POINT 1,059.29' FEET SOUTH OF THE NORTHWEST CORNER OF SECTION 23 TOWNSHIP 11 NORTH, RANGE 10 WEST, HALL COUNTY, NEBRASKA ALSO BEING THE SOUTHWEST CORNER OF COPPER CREEK ESTATES EIGHTH SUBDIVISION; THENCE EASTERLY ALONG THE SOUTH LINE OF SAID COPPER CREEK ESTATES EIGHTH SUBDIVISION TO THE SOUTHEAST CORNER OF LOT 17, COPPER CREEK ESTATES EIGHTH SUBDIVISION; THENCE NORTH ALONG THE EASTERLY LINE OF SAID LOT 17 TO THE NORTHEAST CORNER OF LOT 17, COPPER CREEK ESTATES SUBDIVISION, ALSO BEING A POINT ON THE SOUTH LINE OF INDIAN GRASS ROAD AND THE SOUTH WEST CORNER OF COPPER CREEK ESTATES SUBDIVISION; THENCE EAST ALONG THE SOUTH LINE OF SAID INDIAN GRASS ROAD TO THE NORTHWEST CORNER OF LOT 1, COPPER CREEK ESTATES SUBDIVISION; THENCE SOUTH ALONG THE WEST LINE OF SAID LOT 1, TO THE SOUTHWEST CORNER OF LOT 1 COPPER CREEK SUBDIVISION; THENCE EAST ALONG THE SOUTH LINE OF LOTS 1-7 OF SAID COPPER CREEK ESTATES SUBDIVISION TO THE SOUTHEAST CORNER OF LOT 7 COPPER CREEK SUBDIVISION; THENCE SOUTH PARALLEL AND 35' WESTERLY OF THE EAST LINE OF THE NORTHWEST QUARTER OF SAID SECTION 23 TOWNSHIP 11 NORTH RANGE 10 WEST TO A POINT ON THE SOUTH LINE OF SAID NORTHWEST QUARTER AND 35' FEET WESTERLY OF THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER; THENCE WESTERLY TO THE SOUTHEAST CORNER OF LOT 2, COPPER CREEK ESTATES NINTH SUBDIVISION; THENCE WESTERLY ALONG THE SOUTH LINE OF LOTS 1 & 2, COPPER CREEK ESTATES NINTH SUBDIVISION AND THE SOUTH LINE OF SAID NORTHWEST QUARTER TO SOUTHWEST CORNER OF SAID NORTHWEST QUARTER OF SECTION 23; THENCE NORTHERLY ALONG THE WESTERLY LINE OF SAID NORTHWEST QUARTER TO THE PLACE OF BEGINNING. LESS AND EXCEPT ALL OF COPPER CREEK NINTH SUBDIVISION.



The tax increment will be captured for the tax years the payments for which become delinquent beginning in years 2020 and ending upon expiration of the final contract for construction of affordable housing.

The increase will come from the development single family homes on this property. Increases are anticipated from the next 80 houses to be building. The anticipated taxable valuation of this project at completion of the phase two 80 homes is \$18,400,000. The actual final valuation will be subject to appreciation and inflationary forces over the course of the development timeframe.

Statutory Pledge of Taxes.

Pursuant to Section 18-2147 of the Act, any ad valorem tax levied upon real property in the Redevelopment Project Area shall be divided, for the period not to exceed 15 years after the effective date of the provision, which effective date shall be January 1, 2019 and the effective date of each subsequent contract and or contract amendment associated with this redevelopment plan.

a. That portion of the ad valorem tax which is produced by levy at the rate fixed each year by or for each public body upon the redevelopment project valuation shall be paid into the funds, of each such public body in the same proportion as all other taxes collected by or for the bodies; and

b. That portion of the ad valorem tax on real property in the redevelopment project in excess of such amount, if any, shall be allocated to and, when collected, paid into a special fund of the Authority to pay the principal of; the interest on, and any premiums due in connection with the bonds, loans, notes, or advances on money to, or indebtedness incurred by, whether funded, refunded, assumed, or otherwise, such Authority for financing or refinancing, in whole or in part, a redevelopment project. When such bonds, loans, notes, advances of money, or indebtedness including interest and premium due have been paid, the Authority shall so notify the County Assessor and County Treasurer and all ad valorem taxes upon real property in such redevelopment project shall be paid into the funds of the respective public bodies.

Pursuant to Section 18-2150 of the Act, the ad valorem tax so divided is hereby pledged to the repayment of loans or advances of money, or the incurring of any indebtedness, whether funded, refunded, assumed, or otherwise, by the CRA to finance or refinance, in whole or in part, the redevelopment project, including the payment of the principal of, premium, if any, and interest on such bonds, loans, notes, advances, or indebtedness.

Redevelopment Plan Amendment Complies with the Act:

The Community Development Law requires that a Redevelopment Plan and Project consider and comply with a number of requirements. This Plan Amendment meets the statutory qualifications as set forth below.

1. The Redevelopment Project Area has been declared blighted and substandard by action of the Grand Island City Council on May 14, 2013. [§18-2109] Such declaration was made after a public hearing with full compliance with the public notice requirements of §18-2115 of the Act.

2. Conformation to the General Plan for the Municipality as a whole. [§18-2103 (13) (a) and §18-2110]

Grand Island adopted a Comprehensive Plan on July 13, 2004. This redevelopment plan amendment and project are consistent with the Comprehensive Plan, in that no changes in the Comprehensive Plan elements are intended. This plan merely provides funding for the developer to install the required public infrastructure needed to develop the property in a manner consistent with the comprehensive plan and previously approved development plans.

3. The Redevelopment Plan must be sufficiently complete to address the following items: [§18-2103(13) (b)]

a. Land Acquisition:

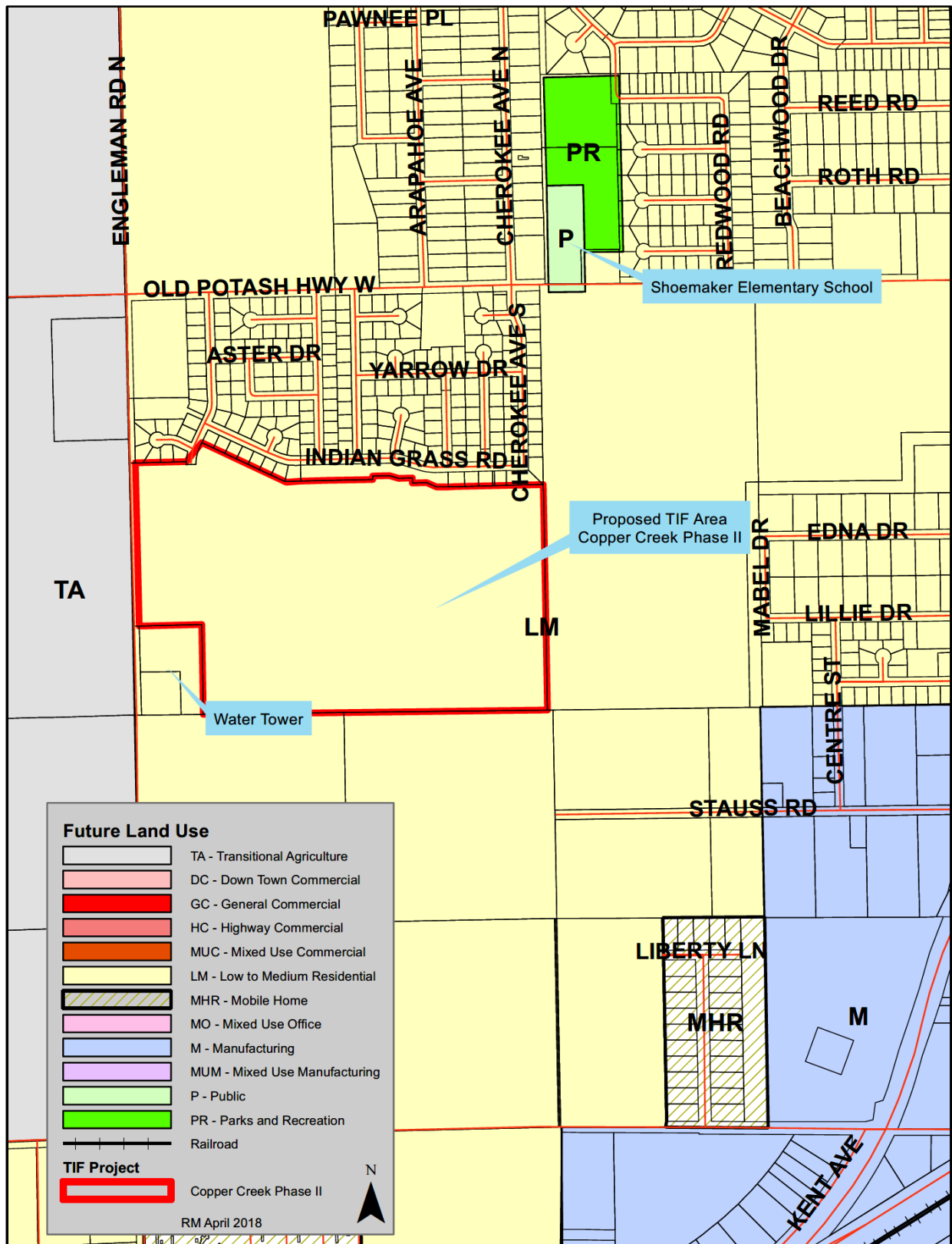
This amended Redevelopment Plan for Area #12 does not provide for real property acquisition. There is no proposed acquisition by the authority. The developer acquired the property as an expense included in the first redevelopment plan after approval of the first TIF contract.

b. Demolition and Removal of Structures:

The project to be implemented with this plan amendment does not call for the demolition and removal of any existing structures.

c. Future Land Use Plan

See the attached map from the 2004 Grand Island Comprehensive Plan. The site is planned for residential use consistent with R2 zoning district and the approved preliminary and final plats for this site. [§18-2103(b) and §18-2111] The attached map also is an accurate site plan of the area after redevelopment. [§18-2111(5)]



City of Grand Island Future Land Use Map

d. Changes to zoning, street layouts and grades or building codes or ordinances or other Planning changes.

The area is zoned R2 Low Density Residential. No zoning changes are anticipated with this project. Additional streets will be constructed in a manner consistent with the approved preliminary and final plats for the property. No changes are anticipated in street layouts or grades. No changes are anticipated in building codes or ordinances. Nor are any other planning changes contemplated. The single family residential is permitted in the current zoning district. [§18-2103(b) and §18-2111]

e. Site Coverage and Intensity of Use

The R2 zoning district allows for the development of 1 dwelling unit per 6000 square foot of lot area. The platted and proposed lots are more than 6000 square feet in size but less than the 12,000 square feet that would be required for a 2 family dwelling. [§18-2103(b) and §18-2111]

f. Additional Public Facilities or Utilities

This site has full service to municipal utilities. No utilities would be impacted by the development. Water and sewer will need to be extended throughout the site. Extension of utilities is one of the planned uses for Tax Increment Financing.

Electric, gas, phone and cable utilities will be extended through the site as necessary to serve the development through agreements between those providers and the developer.

No other utilities would be impacted by the development. [§18-2103(b) and §18-2111]

4. The Act requires a Redevelopment Plan provide for relocation of individuals and families displaced as a result of plan implementation.

This property is in private ownership. This is vacant property that has been used for agricultural purposes. No individuals or families will be relocated as a result of this project. Additional housing will be created by the project. [§18-2103.02]

5. No member of the Authority, nor any employee thereof holds any interest in any property in this Redevelopment Project Area. [§18-2106]

Tom Gdowski a member of the CRA Board does not hold any interest in this property but works for Equitable Bank in Grand Island and may be involved in the financing of this project or houses sold within the project.

6. Section 18-2114 of the Act requires that the Authority consider:

a. Method and cost of acquisition and preparation for redevelopment and estimated proceeds from disposal to redevelopers.

The developer owns the entire site. The developer is estimating the costs TIF eligible for Phase 2 activities as shown below:

Cost for Tax Increment Financing Eligible Activities		
Planning (Architecture and Engineering)		245,000
Land	Acquired with Phase 1	
Legal/Developer/Audit Fees		275,000
City Fees		2,100
Subtotal		522,100
Grading and Infrastructure Phase 2		
Sanitary Sewer	732,346.5	
Water Main	794,191	
Paving and Storm	2,119,710.2	
Fill	586,500	
Subtotal		4,232,748
Total Eligible Expenses		4,754,848

The estimated costs for the eligible activities of this project are \$4,754,748. Site improvements including: utility improvements and site grading and fill of \$4,232,748 Architectural and Engineering planning services of \$245,000 and are included as a TIF eligible expense. Legal, Developer and Audit Fees including a reimbursement to the City and the CRA of \$277,100 are included as TIF eligible expense. The total of eligible expenses for this project is \$4,754,748.

No property will be transferred to redevelopers by the Authority. The developer will provide and secure all necessary financing.

b. Statement of proposed method of financing the redevelopment project.

The developer will provide all necessary financing for the project. The Authority will assist the project by granting an estimated sum of \$4,754,848 from the proceeds of the TIF Indebtedness issued by the Authority. This indebtedness will be repaid from the Tax Increment Revenues generated from the project. TIF revenues shall be made available to repay the original debt and associated interest after January 1, 2019 for a period that may extend through 15 years from the date of the final contract for this project.

c. Statement of feasible method of relocating displaced families.

No families will be displaced as a result of this plan.

7. Section 18-2113 of the Act requires:

Prior to recommending a redevelopment plan to the governing body for approval, an authority shall consider whether the proposed land uses and building requirements in the redevelopment project area are designed with the general purpose of accomplishing, in conformance with the general plan, a coordinated, adjusted, and harmonious development of the city and its environs which will, in accordance with present and future needs, promote health, safety, morals, order, convenience, prosperity, and the general welfare, as well as efficiency and economy in the process of development, including, among other things, adequate provision for traffic, vehicular parking, the promotion of safety from fire, panic, and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the provision of adequate transportation, water, sewerage, and other public utilities, schools, parks, recreational and community facilities, and other public requirements, the promotion of sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of insanitary or unsafe dwelling accommodations or conditions of blight.

The Authority has considered these elements in proposing this Plan Amendment. This amendment, in and of itself will promote consistency with the Comprehensive Plan, in that it will allow for development consistent with the future land use plan for the City of Grand Island and the previously approved development of this site. The development of single family residential on this property is consistent with the property development along the north side of Old Potash Highway. This will have the intended result of preventing recurring elements of unsafe buildings and blighting conditions such as incomplete infrastructure.

8. Time Frame for Development

Development of this project is anticipated to begin in June 2018. Infrastructure for this phase of the development, including the next 80 lots is expected to be complete with the phasing of the development. The developer expects to complete between 15 and 30 affordable single family dwelling units each year until completion of the subdivision. Expected completion of Phase two of the project will occur sometime between 2022 and 2030. Excess valuation should be available for this project beginning with the 2019 tax year.

9. Justification of Project

The housing vacancy rate in Grand Island has been hovering between 2% and 3% since at least 2000. Since the late 1980's, every housing study done in Grand Island has indicated a lack of housing and housing options in Grand Island. The market is providing for houses in the \$220,000 plus price range and almost 300 market rate apartments have been built in the last 2 years and there are currently plans for upwards of 250 new additional market rate apartments. Providers of elderly housing supported by Low Income Housing

Tax Credits all have waiting lists and applications for new projects are submitted to NIFA every year.

As of today (April 3, 2018), there 73 housing units (single family and condominium) on the market based on the Multiple Listing Service, at all price ranges (\$59,900 to \$499,000). Grand Island has almost 13,000 single family housing units, so less than 0.56% of the total units are currently available and on the market.

The projected price range of the houses to be built with this project puts them within the reach of people earning a family income of \$22 an hour and above. This price puts these houses within reach of people working at JBS Swift, many of the retail stores in the community, incoming teachers and many others that have trouble finding housing in Grand Island. The cost to develop lots in Grand Island, even the smaller lots that are proposed in this subdivision makes the development and sale of houses in this price range prohibitive without some kind of public private partnership.

10. Cost Benefit Analysis Section 18-2113 of the Act, further requires the Authority conduct a cost benefit analysis of the plan amendment in the event that Tax Increment Financing will be used. This analysis must address specific statutory issues.

As authorized in the Nebraska Community Development Law, §18-2147, *Neb. Rev. Stat.* (2012), the City of Grand Island has analyzed the costs and benefits of the proposed Redevelopment Project, including:

Project Sources and Uses. Public funds from tax increment financing in the amount of \$4,754,848 provided by the Grand Island Community Redevelopment Authority will be required to complete the project. This investment by the Authority will leverage \$14,852,962 in private sector financing and equity investment; a private investment of \$3.12 for every TIF dollar invested.

Use of Funds.			
Description	TIF Funds	Private Funds	Total
Site Acquisition	Acquired with Phase I		
Site Improvements/Utilities	\$4,232,747.7		\$4,232,747.7
New Construction Costs		\$13,360,000	\$13,360,000
Legal and Plan	\$275,000		\$275,000
Engineering/Arch	\$245,000		\$245,000
City Fees/Reimbursements	\$2,100		\$2,100
Financing Fees		\$1,492,962	\$1,492,962
TOTALS	\$4,754,848	\$14,852,962	\$19,607810

Tax Revenue. The property to be redeveloped has January 1, 2018, valuation of approximately \$504,382 for the 82 acres of undeveloped land. Based on the 2017 levy this would result in a real property tax of approximately \$11,360. It is anticipated that the assessed value will increase by \$18,400,000 upon full completion, as a result of the site

redevelopment. This development will result in an estimated tax increase of over \$414,450 annually. The tax increment gained from this Redevelopment Project Area would not be available for use as city general tax revenues, for a period of 15 years, or such shorter time as may be required to amortize the TIF bond, but would be used for eligible private redevelopment costs to enable this project to be realized.

Estimated 2018 assessed value:	\$ 504,382
Estimated taxable value after completion	\$ 18,904,382
Increment value	\$ 18,400,000
Annual TIF generated (estimated)	\$ 6,217,000
TIF bond issue	\$ \$4,754,848

(a) Tax shifts resulting from the approval of the use of Tax Increment Financing;

The proposed development of these houses will result in an estimated additional \$18,400,000 of taxable valuation based on an initial 2018 sale price of homes at \$185,000 including the value of the lot to bring total valuation to \$230,000 per unit. No tax shifts are anticipated from the project. The project creates additional valuation that will support taxing entities for life of those homes after the completion of the TIF contracts.

(b) Public infrastructure and community public service needs impacts and local tax impacts arising from the approval of the redevelopment project;

No additional public service needs have been identified. Existing water and waste water facilities will need to be extended through the site but have sufficient capacity to support the development. The electric utility has sufficient capacity to support the development. **This development will have an impact on the Grand Island School system as it will likely result in increased attendance at all grade levels.** The average number of persons per household in Grand Island for 2012 to 2016 according to the American Community Survey is 2.65. Eighty additional household would house 212 people. According to the 2010 census 19.2% of the population of Grand Island was between the ages of 5 and 18. If the averages hold it would be expected that there would be an additional 41 school age children generated by this development. According to the National Center for Educational Statistics¹ the 2015-16 enrollment for GIPS was 9,698 students and the cost per student in 2013-14 was \$12,343 of that \$5,546 is generated locally. The Grand Island Public School system has indicated that they will not oppose the development of this phase of the project and can accommodate the increase in enrollment. It is likely that they would not be able to absorb additional development without adding to school facilities. Fire and police protection are available and should not be impacted by this development.

(c) Impacts on employers and employees of firms locating or expanding within the boundaries of the area of the redevelopment project;

¹ https://nces.ed.gov/ccd/districtsearch/district_detail.asp?ID2=3100016

The proposed development will provide jobs for persons employed by the contractors that will be involved with the project. In 2015 the National Association of Home Builders estimated the impacts of each single family home built in a community at 3.94 FTE's 2.37 of which are direct impact employees. (NAHB Housing Policy Department, 2015). Using that number and an estimated construction schedule of 15 units per year, the direct impact of this project is the equivalent of a manufacturing facility employee base of 35.55 FTE's. This project will also supply housing at a price point that is affordable to those at or below the median income in Grand Island. The median income in Grand Island for 2016 according to the U.S. Census is \$49,118.

(d) Impacts on other employers and employees within the city or village and the immediate area that are located outside of the boundaries of the area of the redevelopment project; and

This should not have any measurable negative impacts on other employers or employees in the city.

(e) Any other impacts determined by the authority to be relevant to the consideration of costs and benefits arising from the redevelopment project.

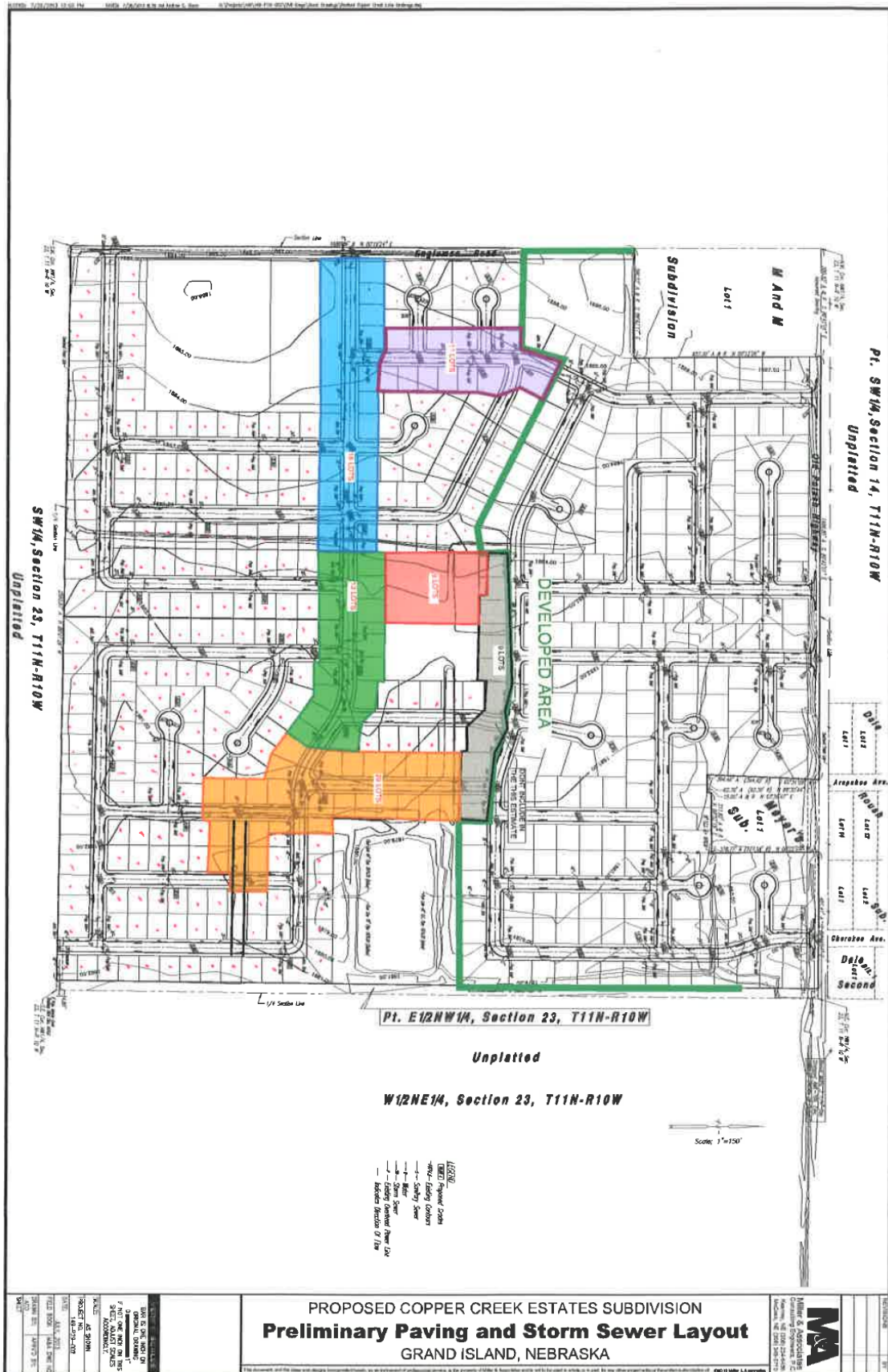
This will provide housing for residents of Grand Island in a much needed price range that is not being provided by the housing market. The 2014 housing study identified a need for over 1,700 new housing units including over 1000 owner occupied units. In 2015, 2016 and 2017 a total of 348 permits were issued for new single family homes in Grand Island. Without the use of TIF this project will not move forward. The cost for the required infrastructure for these 80 lots is estimated at \$4,232,748 or \$52,900 per lot. Portions of this development will potentially serve additional development in the future but all of the infrastructure is necessary to serve these 80 lots. The estimated cost of construction of these houses is \$167,000 (approximately \$130 per square foot) it is not possible to sell these houses for \$185,000 without a public private partnership. This project is not economically feasible without the use of TIF and can positively impact persons at or below the median income level within the City of Grand Island.

Time Frame for Development

Development of this project is anticipated to begin in June 2018. Infrastructure for this phase of the development, including completing streets and utilities for these 80 lots is expected to be complete by January 1, 2024. The base tax year should be calculated beginning in 2018 and each subsequent contract should be set in the year during which it is anticipated construction on the houses will begin. The developer expects to complete between 15 and 30 affordable single family dwelling units each year until completion of the subdivision. Expected completion of this project will occur sometime between 2022 and 2025. Excess valuation should be available for this project beginning with the 2019 tax year. Excess valuation will be used to pay the TIF Indebtedness issued by the CRA per each contract between the CRA. Contract periods shall not exceed 15 years. The amount of TIF excess distributed shall not exceed the actual cost of the TIF eligible

expenses incurred for this project including streets, storm sewer, sanitary sewer, water, other necessary utilities, engineering, architecture and surveying, legal fees and interest associated with the TIF bonds.

Proposed Development Attached Subject to Final Platting and Approval



**COMMUNITY REDEVELOPMENT AUTHORITY
OF THE CITY OF GRAND ISLAND, NEBRASKA**

RESOLUTION NO. 269

RESOLUTION OF THE COMMUNITY REDEVELOPMENT AUTHORITY OF THE CITY
OF GRAND ISLAND, NEBRASKA, SUBMITTING A PROPOSED
REDEVELOPMENT CONTRACT TO THE HALL COUNTY REGIONAL PLANNING
COMMISSION FOR ITS RECOMMENDATION

WHEREAS, this Community Redevelopment Authority of the City of Grand Island, Nebraska ("Authority"), pursuant to the Nebraska Community Development Law (the "Act"), prepared a proposed redevelopment plan (the "Plan") a copy of which is attached hereto as Exhibit 1, for redevelopment of an area within the city limits of the City of Grand Island, Hall County, Nebraska; and

WHEREAS, the Authority is required by Section 18-2112 of the Act to submit said to the planning board having jurisdiction of the area proposed for redevelopment for review and recommendation as to its conformity with the general plan for the development of the City of Grand Island, Hall County, Nebraska;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

The Authority submits to the Hall County Regional Planning Commission the proposed Plan attached to this Resolution, for review and recommendation as to its conformity with the general plan for the development of the City of Grand Island, Hall County, Nebraska.

Passed and approved this 11th day of April, 2018

COMMUNITY REDEVELOPMENT
AUTHORITY OF THE CITY OF
GRAND ISLAND, NEBRASKA.

By


Chairperson

ATTEST:


Secretary

Guarantee Group L.L.C. Copper Creek Phase 2

Resolution Number 2018-09

HALL COUNTY REGIONAL PLANNING COMMISSION

**A RESOLUTION RECOMMENDING APPROVAL OF A SITE SPECIFIC
REDEVELOPMENT PLAN OF THE CITY OF GRAND ISLAND, NEBRASKA;
AND APPROVAL OF RELATED ACTIONS**

WHEREAS, the Chairman and Board of the Community Redevelopment Authority of the City of Grand Island, Nebraska (the “**Authority**”), referred **the Redevelopment Plan for Copper Creek Phase 2 for Guarantee Group LLC** to the Hall County Regional Planning Commission, (the “**Commission**”) for review and recommendation as to its conformity with the general plan for the development of the City of Grand Island, Hall County, Nebraska, pursuant to Section 18-2112 of the Community Development Law, Chapter 18, Article 21, Reissue Revised Statutes of Nebraska, as amended (the “**Act**”); and

WHEREAS, the Commission has reviewed said Redevelopment Plan as to its conformity with the general plan for the development of the City of Grand Island, Hall County;

NOW, THEREFORE, BE IT RESOLVED BY THE HALL COUNTY REGIONAL PLANNING COMMISSION AS FOLLOWS:

Section 1. The Commission hereby recommends approval of the Redevelopment Plan.

Section 2. All prior resolutions of the Commission in conflict with the terms and provisions of this resolution are hereby expressly repealed to the extent of such conflicts.

Section 3. This resolution shall be in full force and effect from and after its passage as provided by law.

DATED: May 2, 2018.

**HALL COUNTY REGIONAL PLANNING
COMMISSION**

ATTEST:

By: _____
Chair

By: _____
Secretary



Hall County Regional Planning Commission

Wednesday, May 2, 2018

Regular Meeting

Item J1

Subdivision- Final Plat New Northwest Subdivision Hall County

Staff Contact:

April 19th, 2018

Dear Members of the Board:

RE: Final Plat – New Northwest Subdivision.

For reasons of Section 19-923 Revised Statutes of Nebraska, as amended, there is herewith submitted a final plat of New Northwest Subdivision, located in Hall County, Nebraska.

This final plat proposes to create 1 lot, in a tract of land being part of the Southeast Quarter of the Southeast Quarter (SE1/4, SE1/4) of Section Fourteen (14), Township Twelve (12) North, Range Ten (10) West of the 6th P.M., in, Hall County, Nebraska, containing .81 acres

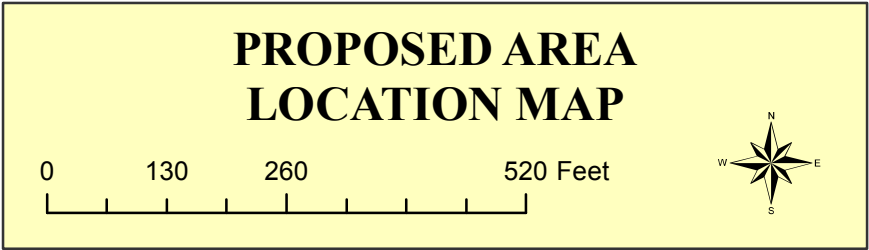
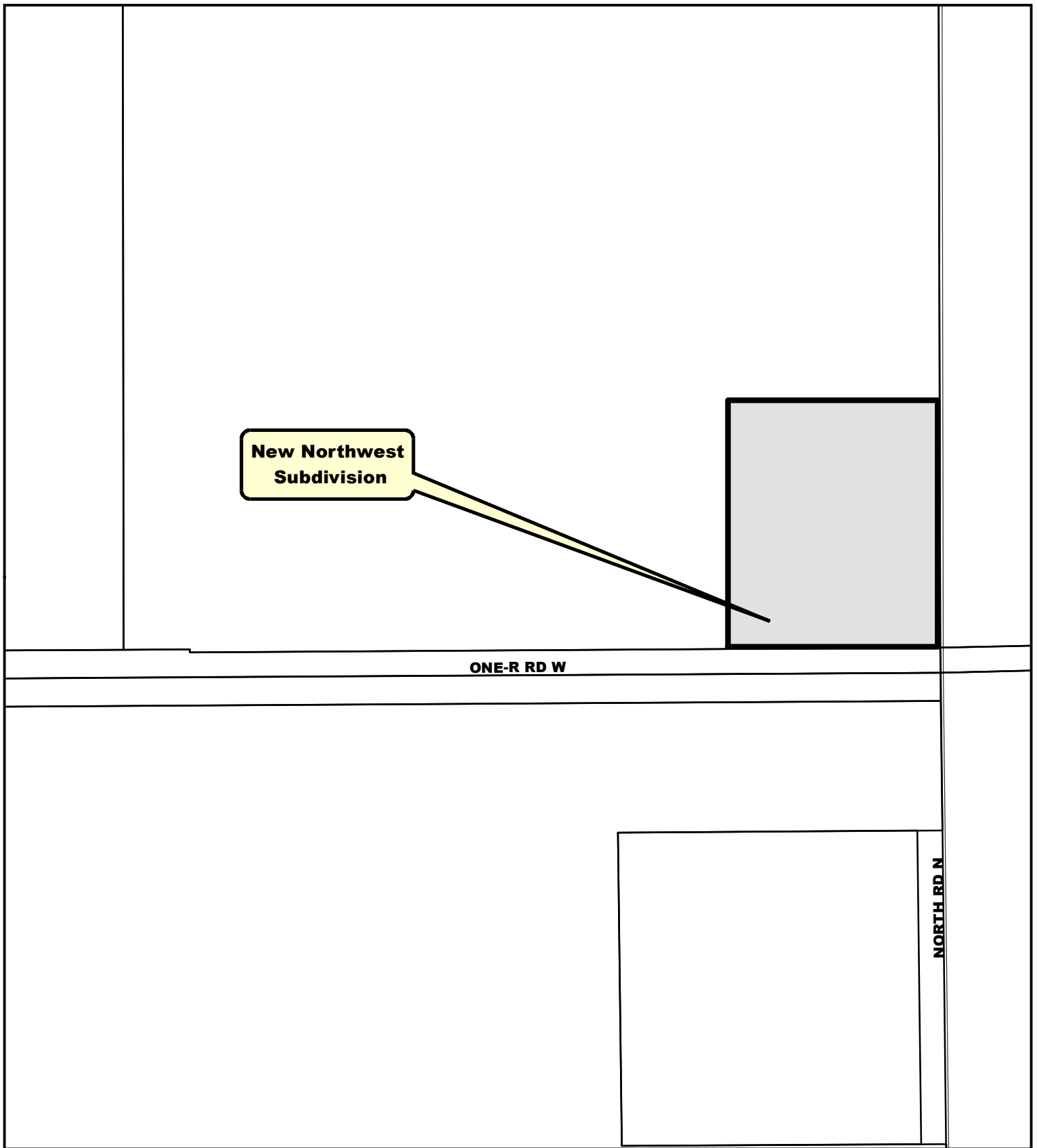
You are hereby notified that the Regional Planning Commission will consider this final plat at the next meeting that will be held at 6:00 p.m. on May 2nd, 2018, in the Council Chambers located in Grand Island's City Hall.

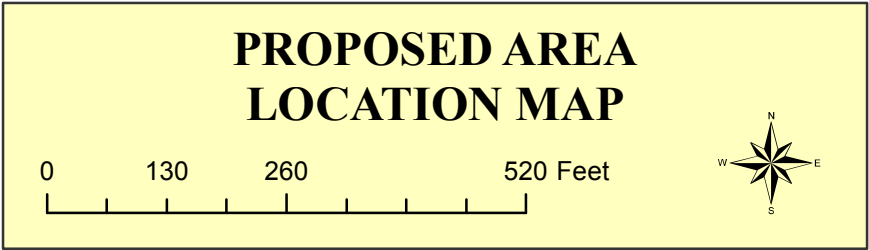
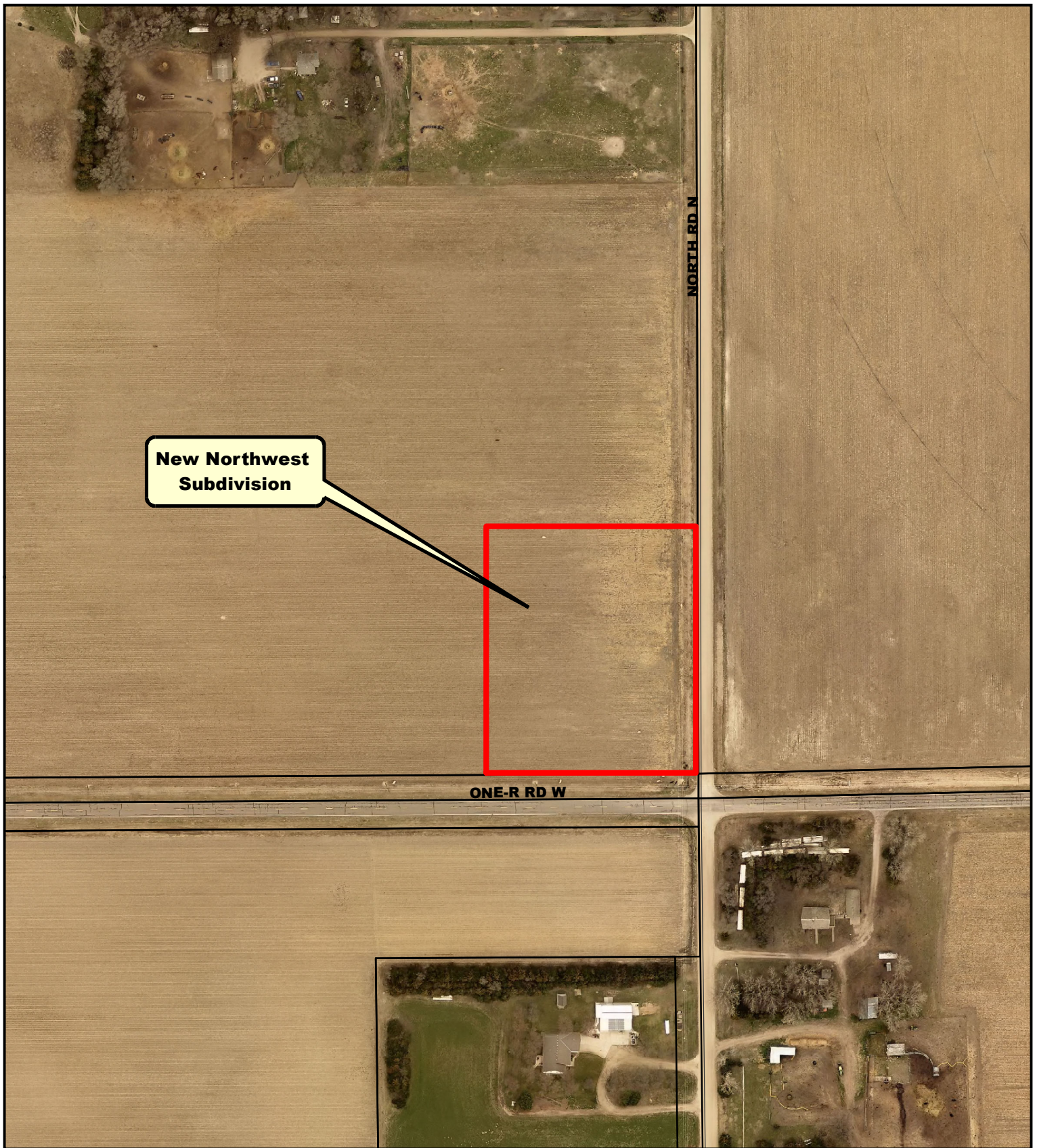
Sincerely,

Chad Nabity, AICP
Planning Director

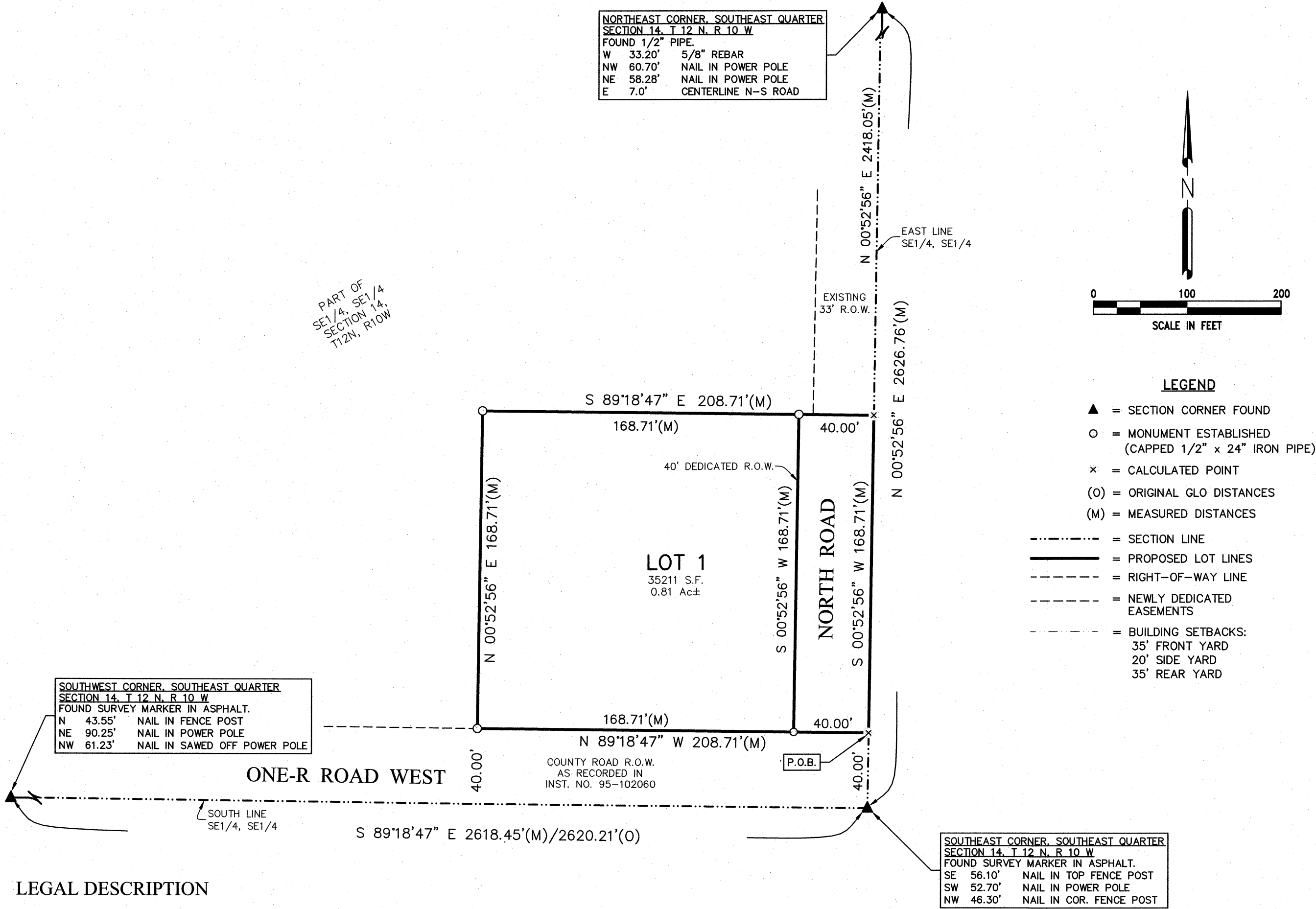
Cc: City Clerk
City Attorney
City Public Works
City Utilities
City Building Director
County Assessor/Register of Deeds
Manager of Postal Operations
Stevens Land Surveying
Brian McMahon

This letter was sent to the following School Districts 2, 19, 82, 83, 100, 126.





FINAL PLAT
-NEW NORTHWEST SUBDIVISION-
PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE1/4 SE1/4)
OF SECTION FOURTEEN (14), TOWNSHIP TWELVE (12) NORTH, RANGE TEN (10) WEST
OF THE SIXTH PRINCIPAL MERIDIAN, HALL COUNTY, NEBRASKA



LEGAL DESCRIPTION

A tract of land being part of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Section Fourteen (14), Township Twelve (12) North, Range Ten (10) West of the Sixth Principal Meridian, Hall County, Nebraska, and more particularly described as follows:

Referring to a survey marker at the Southeast corner of the Southeast Quarter of the Southeast Quarter of Section 14 and assuming the East line of said Southeast Quarter of the Southeast Quarter as bearing N 00°52'56" E and all bearings contained herein are relative thereto; thence N 00°52'56" E on said East line a distance of 40.00 feet to the ACTUAL POINT OF BEGINNING;
thence N 89°18'47" W parallel with and 40.00 feet Northerly, as measured at right angles, to the South line of said Southeast Quarter of the Southeast Quarter a distance of 208.71 feet to a 1/2" iron pipe with cap;
thence N 00°52'56" E parallel with said East line a distance of 168.71 feet to a 1/2" iron pipe with cap;
thence S 89°18'47" E parallel with said South line a distance of 208.71 feet to said East line;
thence S 00°52'56" W on said East line a distance of 168.71 feet to the Point of Beginning. Containing 0.81 acres more or less, of which 0.15 acres more or less are being dedicate for road right of way along the East side.

SURVEYOR'S CERTIFICATE

I hereby certify that on _____, 2018, I completed an accurate survey (made under my supervision) of "NEW NORTHWEST SUBDIVISION", Hall County, Nebraska as shown on the accompanying plat thereof; that the Lots, Blocks, Streets, Avenues, Alleys, Parks, Commons and other grounds as contained in said Subdivision as shown on the accompanying plat thereof, are well and accurately staked off and marked; that iron markers were placed at all corners as shown on the plat; that each Lot bears its own number; and that said survey was made with reference to know and recorded monuments.

Brent D. Cyboron
Nebraska Professional Registered Land Surveyor No. 727

DEDICATION

KNOWN ALL MEN BY THESE PRESENTS, that, TRACIE J. POLLOCK, a single person, and FARM SERVICE AGENCY, UNITED STATES DEPARTMENT OF AGRICULTURE, Trustee and Beneficiary, being the sole owners of the land described hereon, had caused some to be surveyed, subdivided, platted and designated as "NEW NORTHWEST SUBDIVISION", Hall County, Nebraska, as shown on the accompanying plat thereof, and do hereby dedicate the streets as shown thereon to the public for their use forever, and the Easements as shown thereon for the location, construction and maintenance of public service utilities, together with the right of ingress and egress there to, and hereby prohibiting the planting of trees, bushes and shrubs, or placing other obstructions upon, over, along or underneath the surface of such easements; and that the foregoing subdivision as more particularly described in the description hereon as appears on the plat is made with the free consent and in accordance with the desires of the undersigned owner and proprietor.

IN WITNESS WHEREOF, we have affixed our signatures hereto, at Grand Island, Nebraska,

This _____ day of _____, 2018.

Tracie J. Pollock

Farm Service Agency,
United States Department of Agriculture

Print Name/Title

ACKNOWLEDGEMENT

STATE OF NEBRASKA
COUNTY OF HALL

On the ____ day of _____, 2018, before me _____ a Notary Public within and for said County, personally appeared TRACIE J. POLLOCK, a single person, to me personally known to be the identical person whose signature is affixed hereto, and that each did acknowledge the execution thereof to be his or her voluntary act and deed.
IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal at Grand Island, Nebraska, on the date last above written.
My commission expires _____.

Notary Public

(Seal)

ACKNOWLEDGEMENT

STATE OF NEBRASKA
COUNTY OF HALL

On the ____ day of _____, 2018, before me _____ a Notary Public within and for said County, personally appeared FARM SERVICE AGENCY, UNITED STATES DEPARTMENT OF AGRICULTURE, Trustee and Beneficiary, to me personally known to be the identical person whose signature is affixed hereto, and that each did acknowledge the execution thereof to be his or her voluntary act and deed.
IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal at Grand Island, Nebraska, on the date last above written.
My commission expires _____.

Notary Public

(Seal)

APPROVALS

Submitted to and approved by the Regional Planning Commission of Hall County, Grand Island, Wood River and the Villages of Alda, Cairo and Doniphan, Nebraska.

Chairman

Date

Approved and accepted by Hall County Board of Supervisors, this _____ day of _____, 2018.

Chairman of the Board

County Clerk

(Seal)

MA Miller & Associates	PARTY CHIEF: BRENT D. CYBORON	SURVEY COMPLETED: FEBRUARY 13, 2018
	DRAWN BY: A. OLSON	REVISION
	1111 CENTRAL AVENUE KEARNEY, NE 68847-6833 Tel: 308-234-9468 Fax: 308-234-1146 www.miller-engineers.com	DATE & REASON
	HALL CO - NEW NORTHWEST SUBDIVISION	F.B.#



Hall County Regional Planning Commission

Wednesday, May 2, 2018

Regular Meeting

Item J2

Subdivision – Final Plat JTL Subdivision Hall County

Staff Contact:

April 19th, 2018

Dear Members of the Board:

RE: Final Plat – JTL Subdivision.

For reasons of Section 19-923 Revised Statutes of Nebraska, as amended, there is herewith submitted a final plat of JTL Subdivision, located in Hall County, Nebraska.

This final plat proposes to create 1 lot, in a tract of land comprising a part of the West Half of the Northwest Quarter of the Northeast Quarter (W1/2, NW1/4, NE1/4) of Section Thirteen (13), Township Nine (9) North, Range Eleven (11) West of the 6th P.M., in, Hall County, Nebraska, containing 2.979 acres.

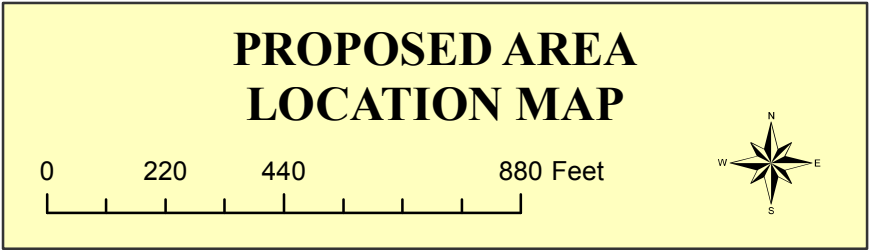
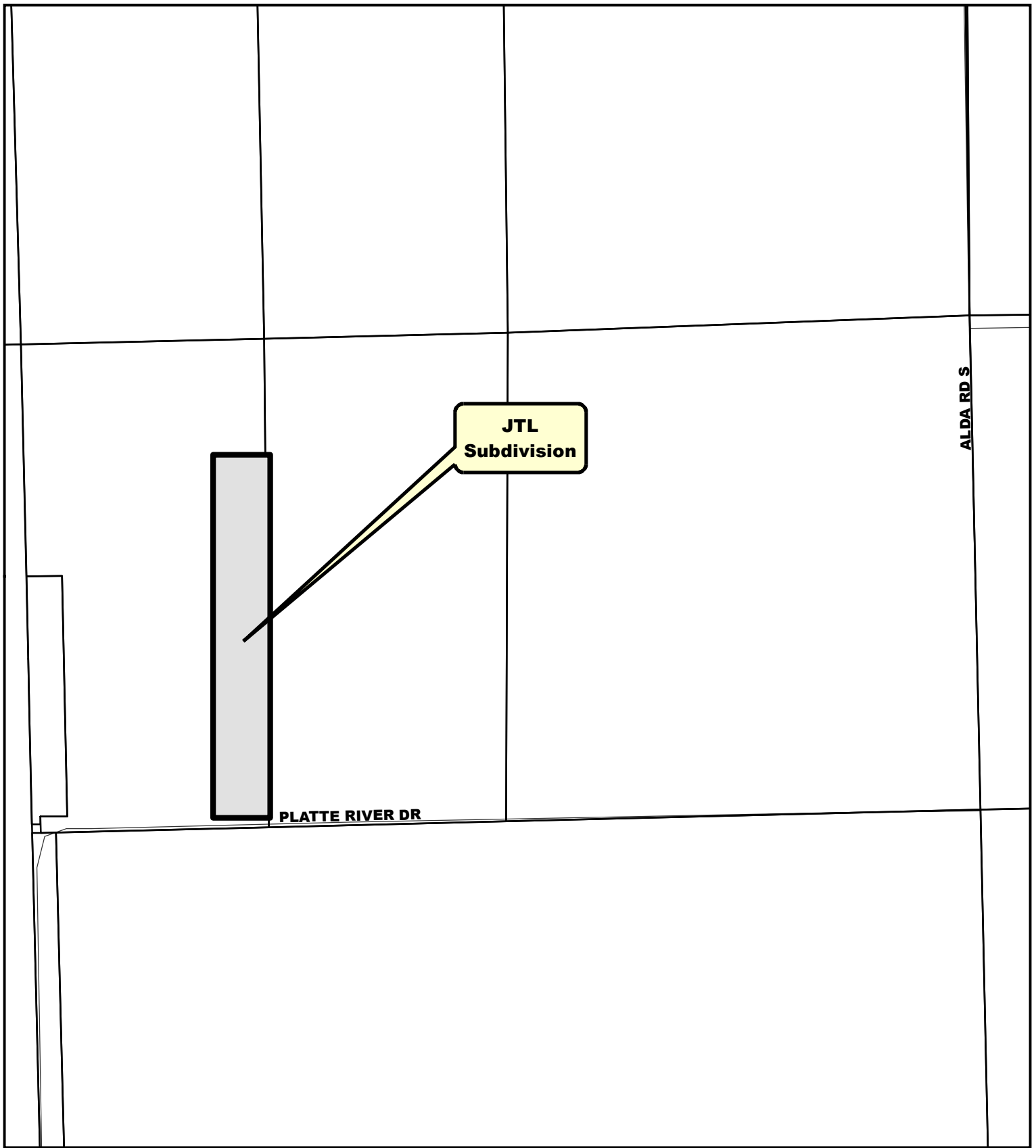
You are hereby notified that the Regional Planning Commission will consider this final plat at the next meeting that will be held at 6:00 p.m. on May 2nd, 2018, in the Council Chambers located in Grand Island's City Hall.

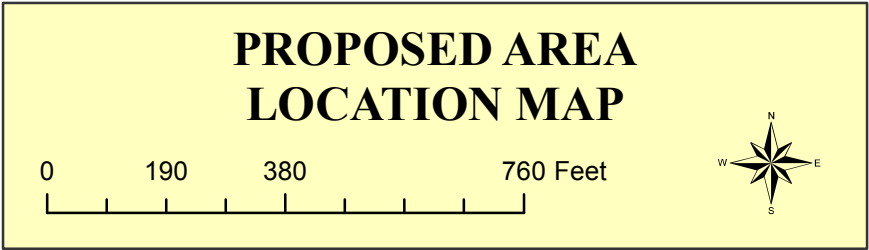
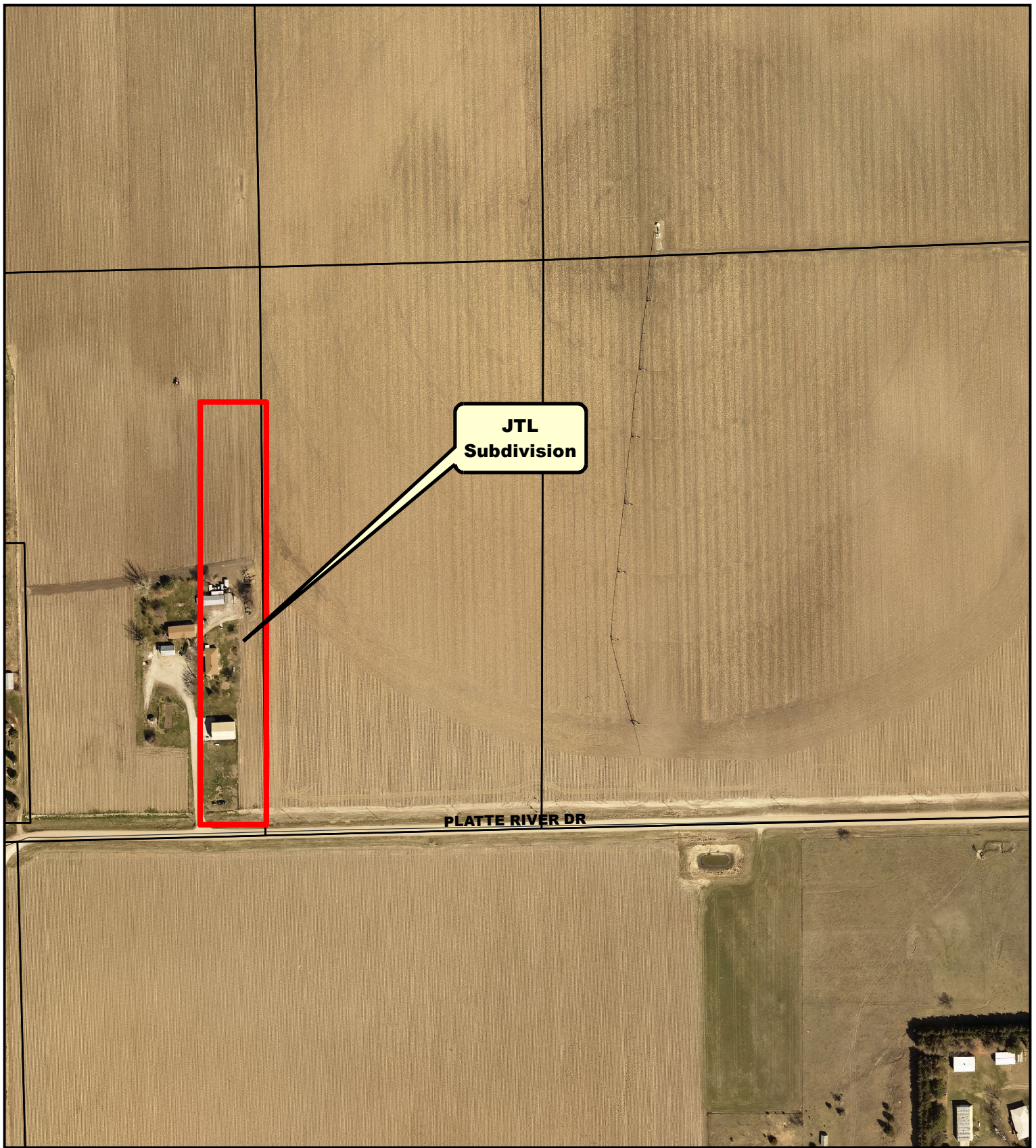
Sincerely,

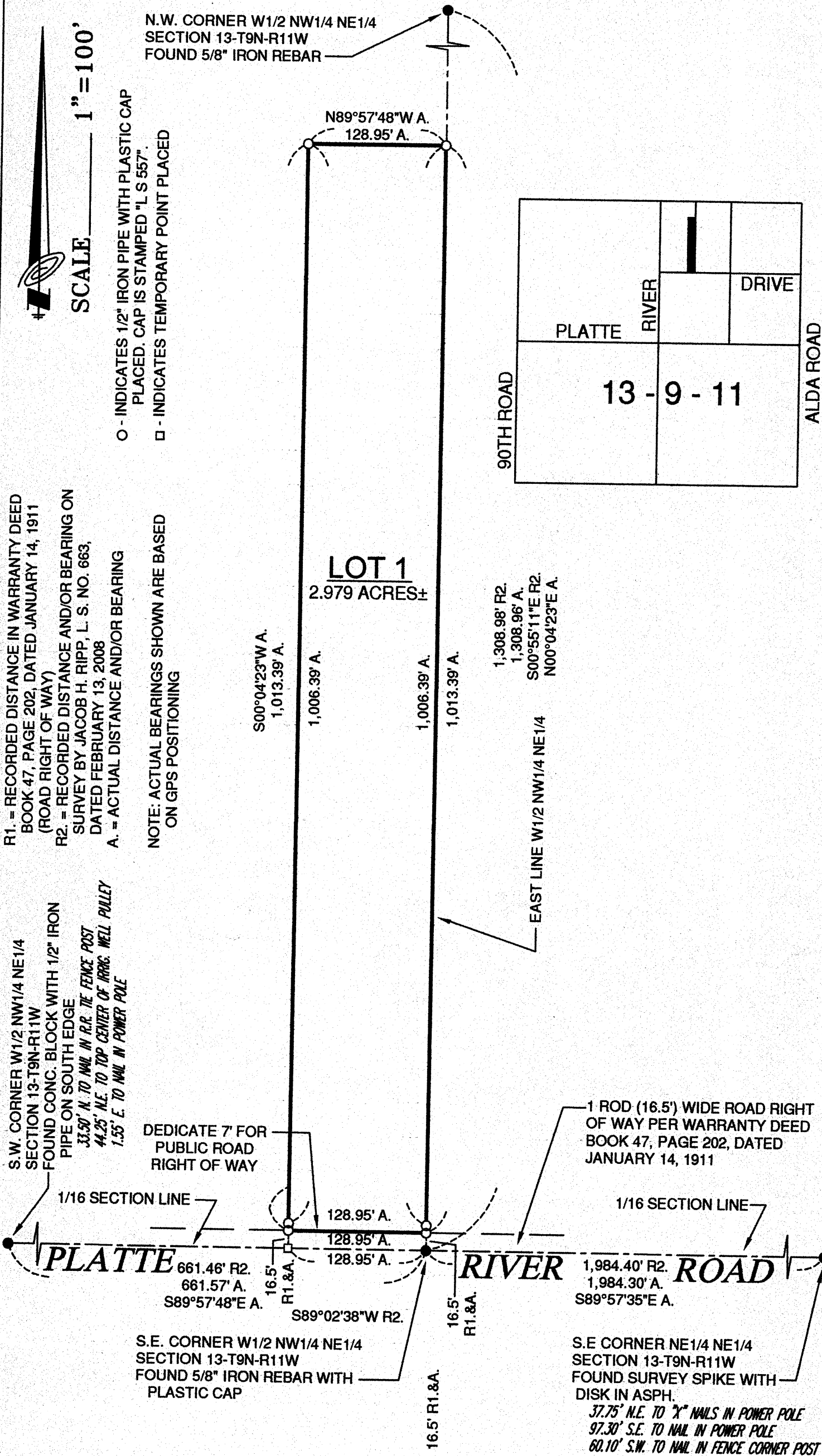
Chad Nabity, AICP
Planning Director

Cc: City Clerk
City Attorney
City Public Works
City Utilities
City Building Director
County Assessor/Register of Deeds
Manager of Postal Operations
Stevens Land Surveying
Brian McMahon

This letter was sent to the following School Districts 2, 19, 82, 83, 100, 126.







LEGAL DESCRIPTION

A tract of land comprising a part of the West Half of the Northwest Quarter of the Northeast Quarter (W1/2 NW1/4 NE1/4) of Section Thirteen (13), Township Nine (9) North, Range Eleven (11) West of the 6th P.M., Hall County, Nebraska, and more particularly described as follows:

First to ascertain the point of beginning, start at the southeast corner of said West Half of the Northwest Quarter of the Northeast Quarter (W1/2 NW1/4 NE1/4); thence N00°04'23"E, along and upon the east line of said West Half of the Northwest Quarter of the Northeast Quarter (W1/2 NW1/4 NE1/4), a distance of Sixteen and Five Tenths (16.50) feet to a point on the northerly right of way line of Platte River Road, said point being the ACTUAL point of beginning; thence continuing N00°04'23"E, along and upon the previously described course, a distance of One Thousand Thirteen and Thirty Nine Hundredths (1013.39) feet; thence N89°57'48"W, parallel with the south line of said West Half of the Northwest Quarter of the Northeast Quarter (W1/2 NW1/4 NE1/4), a distance of One Hundred Northeast Quarter (W1/2 NW1/4 NE1/4), a distance of One Thousand Thirteen and Thirty Nine Hundredths (1,013.39) feet to a point on the northerly right of way line of said Platte River Road, said point being Sixteen and Five Tenths (16.50) feet north of the south line of said West Half of the Northwest Quarter of the Northeast Quarter (W1/2 NW1/4 NE1/4); thence S89°57'48"E, along and upon said road right of way and being Sixteen and Five Tenths (16.50) feet north of and parallel with the south line of said West Half of the Northwest Quarter of the Northeast Quarter (W1/2 NW1/4 NE1/4), a distance of One Hundred Twenty Eight and Ninety Five Hundredths (128.95) feet to the ACTUAL point of beginning and containing 3.000 acres, more or less.

SURVEYOR'S CERTIFICATE

I hereby certify that on _____, 2018, I completed an accurate survey (made under my supervision) of "JTL SUBDIVISION", Hall County, Nebraska, as shown on the accompanying plat thereof; that the lots, blocks, streets, avenues, alleys, parks, commons and other grounds as contained in said subdivision as shown on the accompanying plat thereof, are well and accurately staked off and marked; that iron markers were placed at all corners as shown on the plat; that each lot bears its own number and that said survey was made with reference to known and recorded monuments.

Lee D. Wagner, Registered Land Surveyor No. 557

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that I, Frederick R. Weavers, a single person, being the owner of the land described hereon, have caused same to be subdivided, platted and designated as "JTL SUBDIVISION", Hall County, Nebraska, as shown on the accompanying plat thereof, and do hereby dedicate the road as shown thereon, to the public for their use forever, and the easements, if any, for the location, construction and maintenance of public service utilities forever, together with the right of ingress and egress thereto, and hereby prohibiting the planting of trees, bushes and shrubs, or placing other obstructions upon, over, along or underneath the surface of such easements, and that the foregoing subdivision as more particularly described in the description hereon as appears on this plat, is made with the free consent and in accordance with the desires of the undersigned owner and proprietor.

IN WITNESS WHEREOF, I have affixed my signature hereto at _____, Nebraska, this _____ day of _____, 2018.

Frederick R. Weavers

ACKNOWLEDGEMENT

State of Nebraska ss
County of _____

On the _____ day of _____, 2018, before me, _____, a Notary Public within and for said County, personally appeared Frederick R. Weavers, a single person, to me personally known to be the identical person whose signature whose signature is affixed hereto, and he did acknowledge the execution thereof to be his voluntary act and deed.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal at _____, Nebraska, on the date last above written.
My commission expires _____.

Notary Public

(SEAL)

APPROVALS

Submitted to and approved by the Regional Planning Commission of Hall County, Grand Island and Wood River, and the Villages of Alda, Cairo and Doniphan, Nebraska.

Chairman

Date

Approved and accepted by the Hall County Board of Supervisors, this _____ day of _____, 2018.

Chairman of the Board

County Clerk

JTL SUBDIVISION
HALL COUNTY, NEBRASKA

BENJAMIN & ASSOCIATES, INC. - ENGINEERS & SURVEYORS - GRAND ISLAND, NEBRASKA



Hall County Regional Planning Commission

**Wednesday, May 2, 2018
Regular Meeting**

Item J3

Subdivision – Final Plat Bosselville Subdivision Grand Island ETJ

Staff Contact:

April 19th, 2018

Dear Members of the Board:

RE: Final Plat – Bosselville 4th Subdivision.

For reasons of Section 19-923 Revised Statutes of Nebraska, as amended, there is herewith submitted a final plat of Bosselville 4th Subdivision, located in Hall County, Nebraska.

This final plat proposes to re-plat all of 1 lot, Bosselville 3rd Subdivision in, Hall County, Nebraska, containing 25.591 acres.

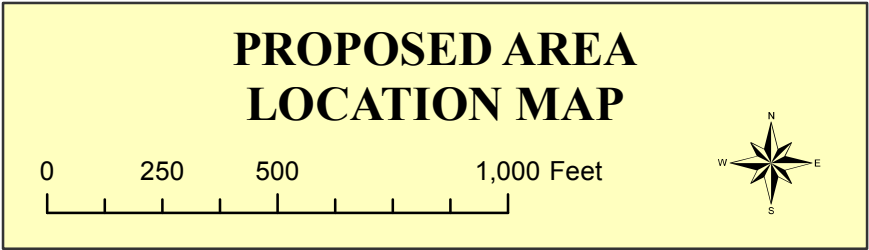
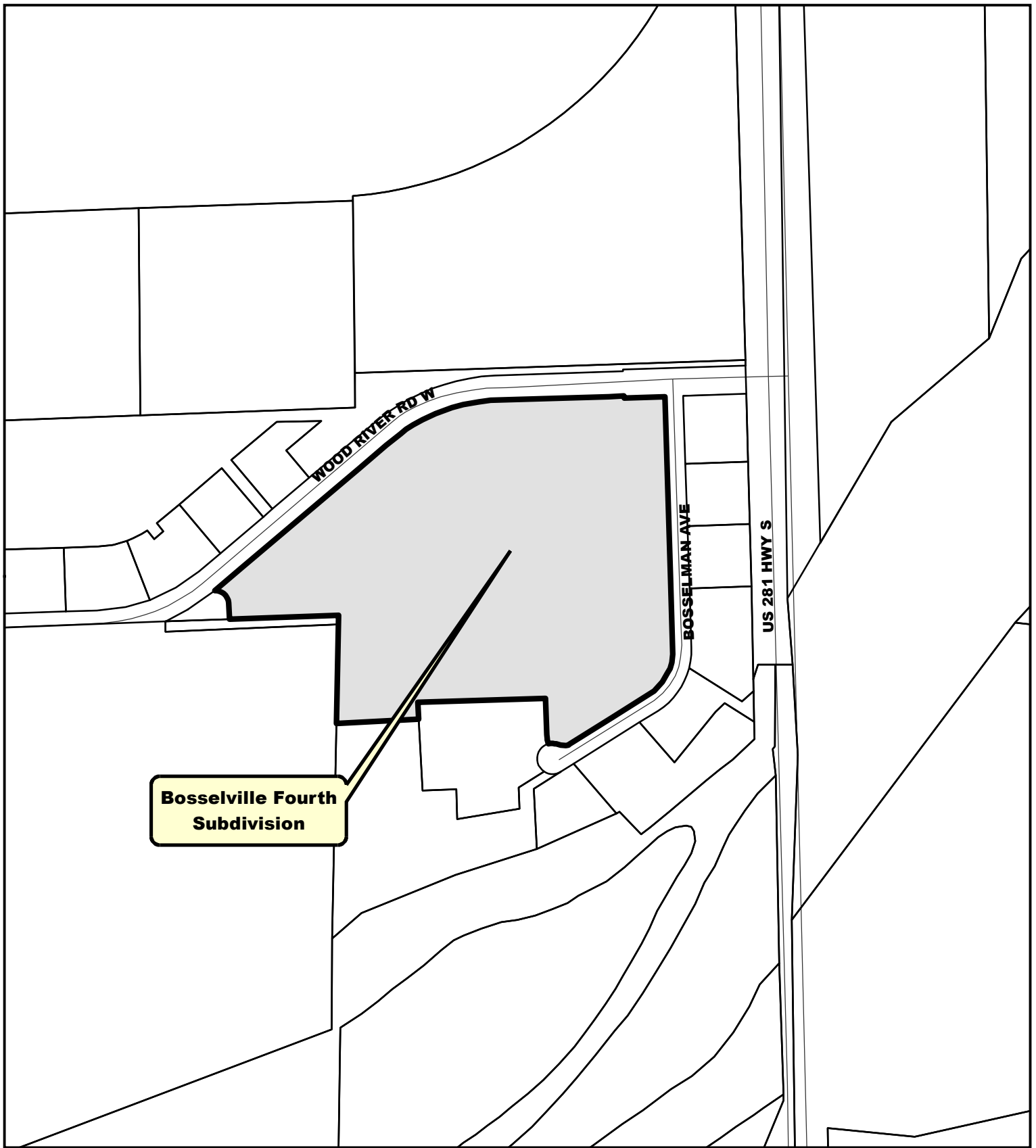
You are hereby notified that the Regional Planning Commission will consider this final plat at the next meeting that will be held at 6:00 p.m. on May 2nd, 2018, in the Council Chambers located in Grand Island's City Hall.

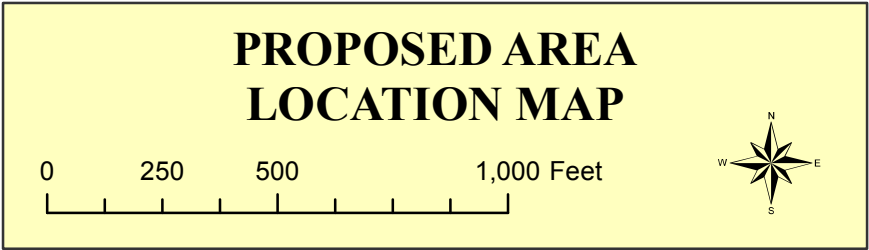
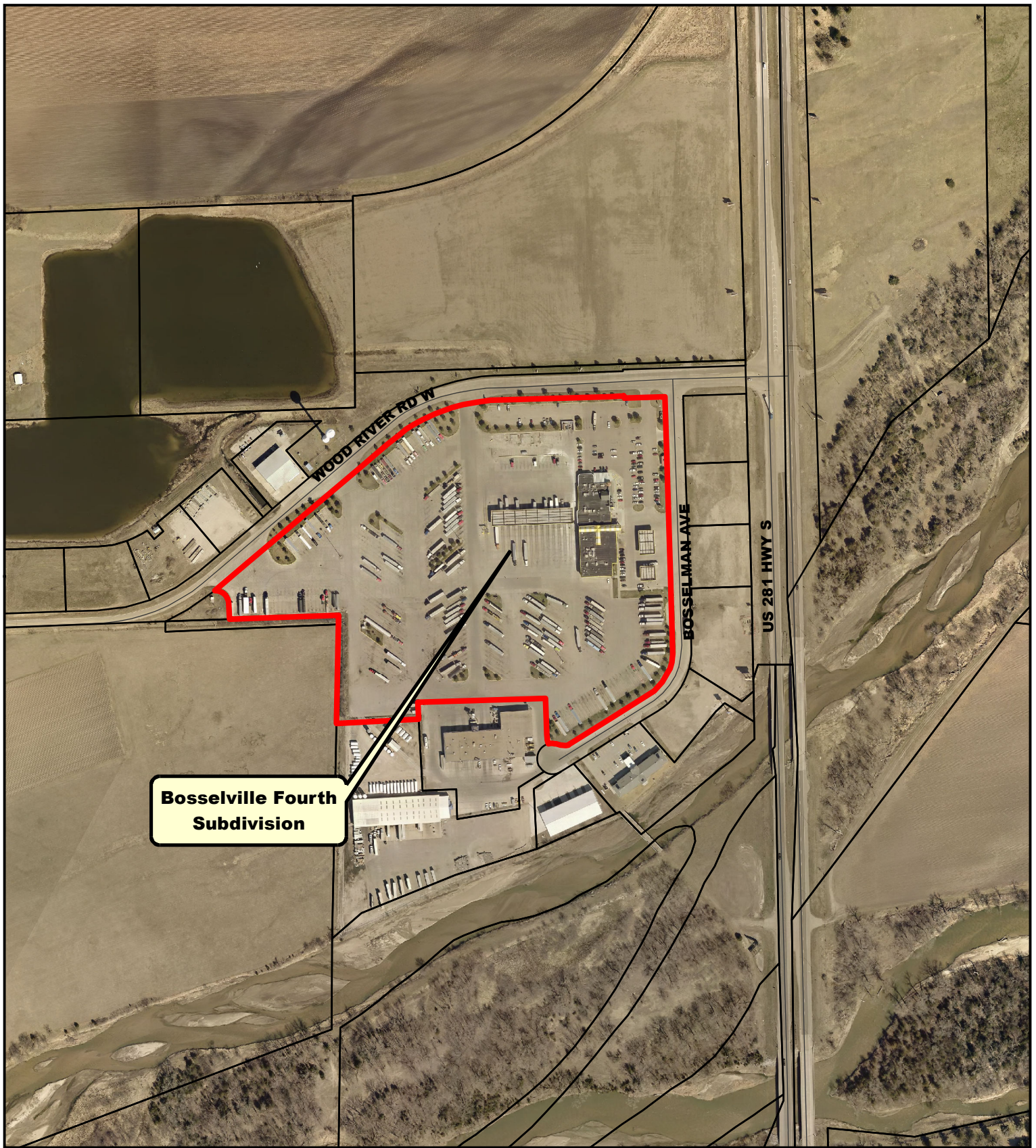
Sincerely,

Chad Nabity, AICP
Planning Director

Cc: City Clerk
City Attorney
City Public Works
City Utilities
City Building Director
County Assessor/Register of Deeds
Manager of Postal Operations
Stevens Land Surveying
Brian McMahon

This letter was sent to the following School Districts 2, 19, 82, 83, 100, 126.





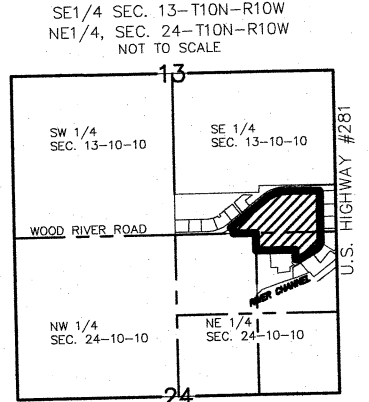
BOSSELVILLE FOURTH SUBDIVISION

A REPLAT OF ALL OF LOT 1, BOSSELVILLE THIRD SUBDIVISION

HALL COUNTY, NEBRASKA

SITE PLAT

LOCATION MAP

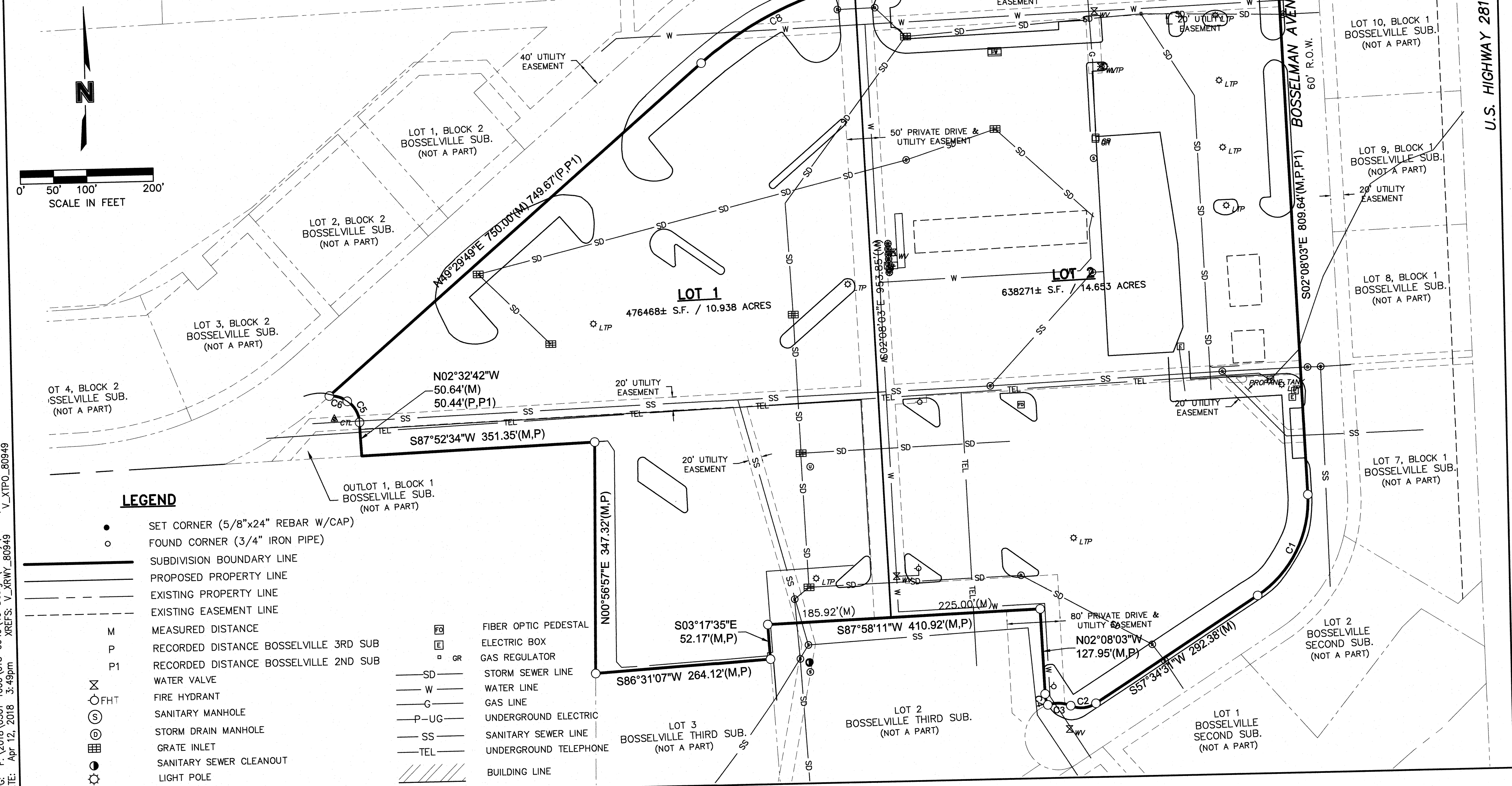


CURVE TABLE					
CURVE ID	RADIUS (FT)	DELTA	LENGTH (FT)	CHORD BEARING	CHORD LENGTH (FT)
C1	170.00 (M,P,P1)	59°42'34"	177.16(M,P)	S27°43'14"W	169.25 (M,P,P1)
C2	40.00 (M,P)	56°57'38"	39.77(M) 39.27(P)	S85°42'18"W	38.15(M) 37.71(P)
C3	50.00 (M,P)	40°23'37"	35.25(M,P)	N86°39'31"W	34.52(M,P)
C4	40.00 (M,P)	24°32'34"	17.13 (M) 17.04(P)	N12°43'07"W	17.00(M) 16.91'(P)
C5	40.00 (M,P,P1)	54°25'30"	38.00(M) 39.27(P)	N29°16'54"W	36.58(M) 36.6(P,P1)
C6	40.87 (M,P,P1)	40°17'53"	28.75(M) 28.78(P)	N72°26'16"W	28.16(M) 28.19(P,P1)
C7	532.98(M,P,P1)	38°24'08"	357.23(M) 357.13(P)	N68°42'22"E	350.58(M) 350.49'(P,P1)
C8	532.98(M)	28°14'24"	262.70(M)	N63°37'30"E	260.04 (M)
C9	532.98(M)	10°09'44"	94.53(M)	N82°49'34"E	94.41(M)

LEGAL DESCRIPTION

A REPLAT OF ALL OF LOT 1, BOSSELVILLE THIRD SUBDIVISION, HALL COUNTY, NEBRASKA.

SAID TRACT CONTAINS A CALCULATED AREA OF 1,114,742.24 SQUARE FEET OR 25.591 ACRES MORE OR LESS.



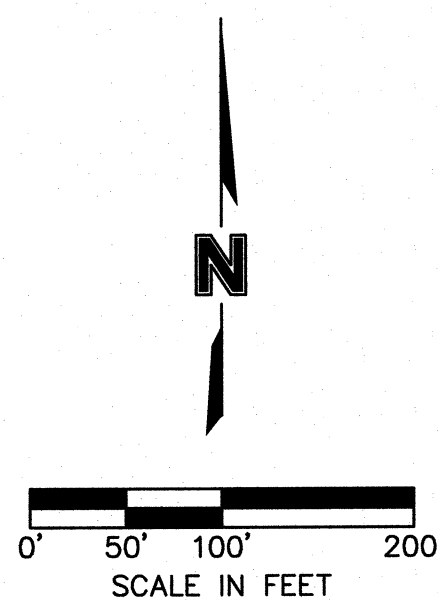
USER: jjimenez

DWG: F:\2018\0501-1000\018-0949\40-Design\Survey\SRV\Sheets\V_FPT_80949.dwg
DATE: Apr 12, 2018 3:49pm
XREFS: V_XRWY_80949 V_XTPO_80949

BOSSELVILLE FOURTH SUBDIVISION

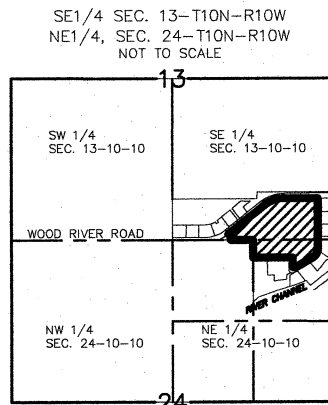
A REPLAT OF ALL OF LOT 1, BOSSELVILLE THIRD SUBDIVISION
HALL COUNTY, NEBRASKA
FINAL PLAT

CURVE TABLE					
CURVE ID	RADIUS (FT)	DELTA	LENGTH (FT)	CHORD BEARING	CHORD LENGTH (FT)
C1	170.00 (M,P,P1)	59°42'34"	177.16(M,P)	S27°43'14"W	169.25 (M,P,P1)
C2	40.00 (M,P)	56°57'38"	39.77(M) 39.27(P)	S85°42'18"W	38.15(M) 37.71(P)
C3	50.00 (M,P)	40°23'37"	35.25(M,P)	N86°39'31"W	34.52(M,P)
C4	40.00 (M,P)	24°32'34"	17.13 (M) 17.04(P)	N12°43'07"W	17.00(M) 16.91'(P)
C5	40.00 (M,P,P1)	54°25'30"	38.00(M) 39.27(P)	N29°16'54"W	36.58(M) 36.6(P,P1)
C6	40.87 (M,P,P1)	40°17'53"	28.75(M) 28.78(P)	N72°26'16"W	28.16(M) 28.19(P,P1)
C7	532.98(M,P,P1)	38°24'08"	357.23(M) 357.13(P)	N68°42'22"E	350.58(M) 350.49'(P,P1)
C8	532.98(M)	28°14'24"	262.70(M)	N63°37'30"E	260.04(M)
C9	532.98(M)	10°09'44"	94.53(M)	N82°49'34"E	94.41(M)



USER: jlmenez
DWG: F:\2018\0501-1000\018-0949\40-Design\Survey\SRVY\Sheets\V_FPT_80949.dwg
DATE: Apr 12, 2018 3:35pm
XREFS: V_XRWY_80949 V_XIPO_80949

LOCATION MAP



LEGEND

- SET CORNER (5/8"x24" REBAR W/CAP)
- FOUND CORNER
- SUBDIVISION BOUNDARY LINE
- PROPOSED PROPERTY LINE
- - - EXISTING PROPERTY LINE
- - - EXISTING EASEMENT LINE
- M MEASURED DISTANCE
- P RECORDED DISTANCE BOSSELVILLE 3RD SUB
- P1 RECORDED DISTANCE BOSSELVILLE 2ND SUB

SHEET 1 OF 2

OUTLOT 1, BLOCK 2
BOSSELVILLE SUB.
(NOT A PART)

20' DRAINAGE EASEMENT
INST NO 99-107167
FILED 7/16/1999

INGRESS/EGRESS EASEMENT
INST NO 200007737
FILED 9/20/2000
UNPLATTED
(NOT A PART)

WOOD RIVER ROAD

90' R.O.W.

U.S. HIGHWAY 281

LOT 1

476468± S.F. / 10.938 ACRES

LOT 2

638271± S.F. / 14.653 ACRES

LOT 1, BLOCK 2
BOSSELVILLE SUB.
(NOT A PART)

LOT 2, BLOCK 2
BOSSELVILLE SUB.
(NOT A PART)

LOT 3, BLOCK 2
BOSSELVILLE SUB.
(NOT A PART)

BLOCK 2
ALLE SUB.
A PART)

N02°32'42"W
50.64'(M)
50.44'(P,P1)

S87°52'34"W 351.35'(M,P)

OUTLOT 1, BLOCK 1
BOSSELVILLE SUB.
(NOT A PART)

N00°56'57"E 347.32'(M,P)

S03°17'35"E
52.17'(M,P)

S86°31'07"W 264.12'(M,P)

LOT 3
BOSSELVILLE THIRD SUB.
(NOT A PART)

LOT 2
BOSSELVILLE THIRD SUB.
(NOT A PART)

185.92'(M) 225.00'(M)
S87°58'11"W 410.92'(M,P)

80' PRIVATE DRIVE &
UTILITY EASEMENT
N02°08'03"W
127.95'(M,P)

S57°34'31"W 292.38'(M)

LOT 1
BOSSELVILLE
SECOND SUB.
(NOT A PART)

LOT 2
BOSSELVILLE
SECOND SUB.
(NOT A PART)

LOT 7, BLOCK 1
BOSSELVILLE SUB.
(NOT A PART)

LOT 8, BLOCK 1
BOSSELVILLE SUB.
(NOT A PART)

LOT 9, BLOCK 1
BOSSELVILLE SUB.
(NOT A PART)

LOT 10, BLOCK 1
BOSSELVILLE SUB.
(NOT A PART)

S02°08'03"E 809.64'(M,P,P1)

S02°10'05"E
5.05'(M) 5.0'(P,P1)

N87°50'56"E
130.92'(M) 130.95'(P,P1)

CHLSD X

25' UTILITY
EASEMENT

20' UTILITY
EASEMENT

25' UTILITY
EASEMENT

20' UTILITY
EASEMENT

20' UTILITY
EASEMENT

20' UTILITY
EASEMENT

BOSSELVILLE FOURTH SUBDIVISION
A REPLAT OF ALL OF LOT 1, BOSSELVILLE THIRD SUBDIVISION
HALL COUNTY, NEBRASKA
FINAL PLAT

LEGAL DESCRIPTION

A REPLAT OF ALL OF LOT 1, BOSSELVILLE THIRD SUBDIVISION, HALL COUNTY, NEBRASKA.

SAID TRACT CONTAINS A CALCULATED AREA OF 1,114,742.24 SQUARE FEET OR 25.591 ACRES MORE OR LESS.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT ON _____, 2018, I COMPLETED AN ACCURATE SURVEY, UNDER MY PERSONAL SUPERVISION, OF ALL OF LOT 1, BOSSELVILLE THIRD SUBDIVISION, HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING PLAT THEREOF; THAT IRON MARKERS, EXCEPT WHERE INDICATED, WERE FOUND AT ALL CORNERS; THAT THE DIMENSIONS ARE AS SHOWN ON THE PLAT; AND THAT SAID SURVEY WAS MADE WITH REFERENCE TO KNOWN AND RECORDED MONUMENTS.

JAI JASON ANDRIST, REGISTERED LAND SURVEYOR NUMBER, LS-630

DEDICATION OF PLAT

KNOW ALL MEN BY THESE PRESENTS, THAT BOSSELMAN TRAVEL CENTERS, INC., BEING THE OWNER OF THE LAND DESCRIBED HEREON, HAVE CAUSED SAME TO BE SURVEYED, SUBDIVIDED, PLATTED AND DESIGNATED AS "**BOSSELVILLE FOURTH SUBDIVISION**" IN ALL OF LOT 1, BOSSELVILLE THIRD SUBDIVISION, HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING PLAT THEREOF AND DO HEREBY DEDICATE THE ROAD RIGHT OF WAY, AS SHOWN THEREON TO THE PUBLIC FOR THEIR USE FOREVER: AND HEREBY DEDICATE THE EASEMENTS, AS SHOWN THEREON TO THE PUBLIC FOR THEIR USE FOREVER FOR THE LOCATION, CONSTRUCTION AND MAINTENANCE FOR PUBLIC SERVICE UTILITIES, TOGETHER WITH THE RIGHTS OF INGRESS AND EGRESS HERETO, AND HEREBY PROHIBITING THE PLANTING OF TREES, BUSHES AND SHRUBS, OR PLACING OTHER OBSTRUCTIONS UPON, OVER, ALONG OR UNDERNEATH THE SURFACE OF SUCH EASEMENTS; AND THAT THE FOREGOING ADDITION AS MORE PARTICULARLY DESCRIBED IN THE DESCRIPTION HEREON AS APPEARS ON THIS PLAT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS AND PROPRIETORS.

IN WITNESS WHEREOF, I HAVE AFFIXED MY SIGNATURE HERETO, AT _____, NEBRASKA,
THIS ____ DAY OF _____, 2018.

BOSSelman TRAVEL CENTERS, INC.

BY: _____
CHARLES D. BOSSELMAN, Jr., PRESIDENT

ACKNOWLEDGMENT

STATE OF NEBRASKA
COUNTY OF HALL

ON THIS ____ DAY OF _____, 2018, BEFORE ME _____, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED CHARLES D. BOSSELMAN, Jr., PRESIDENT, BOSSELMAN TRAVEL CENTERS, INC., 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 HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL AT _____, NEBRASKA, ON THE DATE LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

APPROVAL

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.

CHAIRPERSON

DATE _____

APPROVED AND ACCEPTED BY THE CITY OF GRAND ISLAND, NEBRASKA

THIS _____ DAY OF _____, 2018.

MAYOR

CITY CLERK

APPROVED AND ACCEPTED BY THE HALL COUNTY BOARD OF SUPERVISORS
THIS _____ DAY OF _____, 2018.

CHAIRPERSON

COUNTY CLERK



Hall County Regional Planning Commission

**Wednesday, May 2, 2018
Regular Meeting**

Item J4

**Subdivision – Final Plat Copper Creek 10th Estates Subdivision
Grand Island**

Staff Contact:

April 19th, 2018

Dear Members of the Board:

RE: Final Plat – Copper Creek 10th Estates Subdivision.

For reasons of Section 19-923 Revised Statutes of Nebraska, as amended, there is herewith submitted a final plat of Copper Creek 10th Estates Subdivision, located in Hall County, Nebraska.

This final plat proposes to create 1 lot, in a tract of land being part of the Northeast Quarter of the Northwest Quarter (NE1/4, NW1/4) and apart of the of Northwest Quarter of the Northwest Quarter (NW1/4, NW1/4) Section Twenty-three (23), Township Eleven (11) North, Range Ten (10) West of the 6th P.M., in, Hall County, Nebraska, containing 2.08 acres.

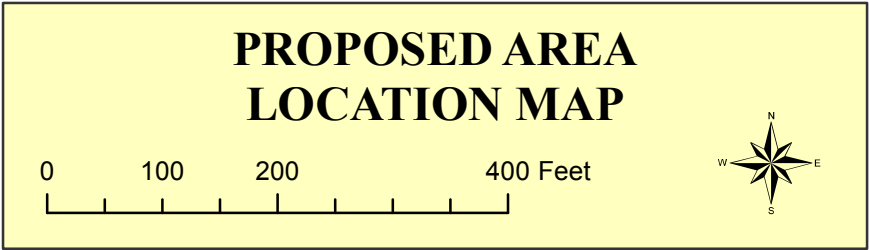
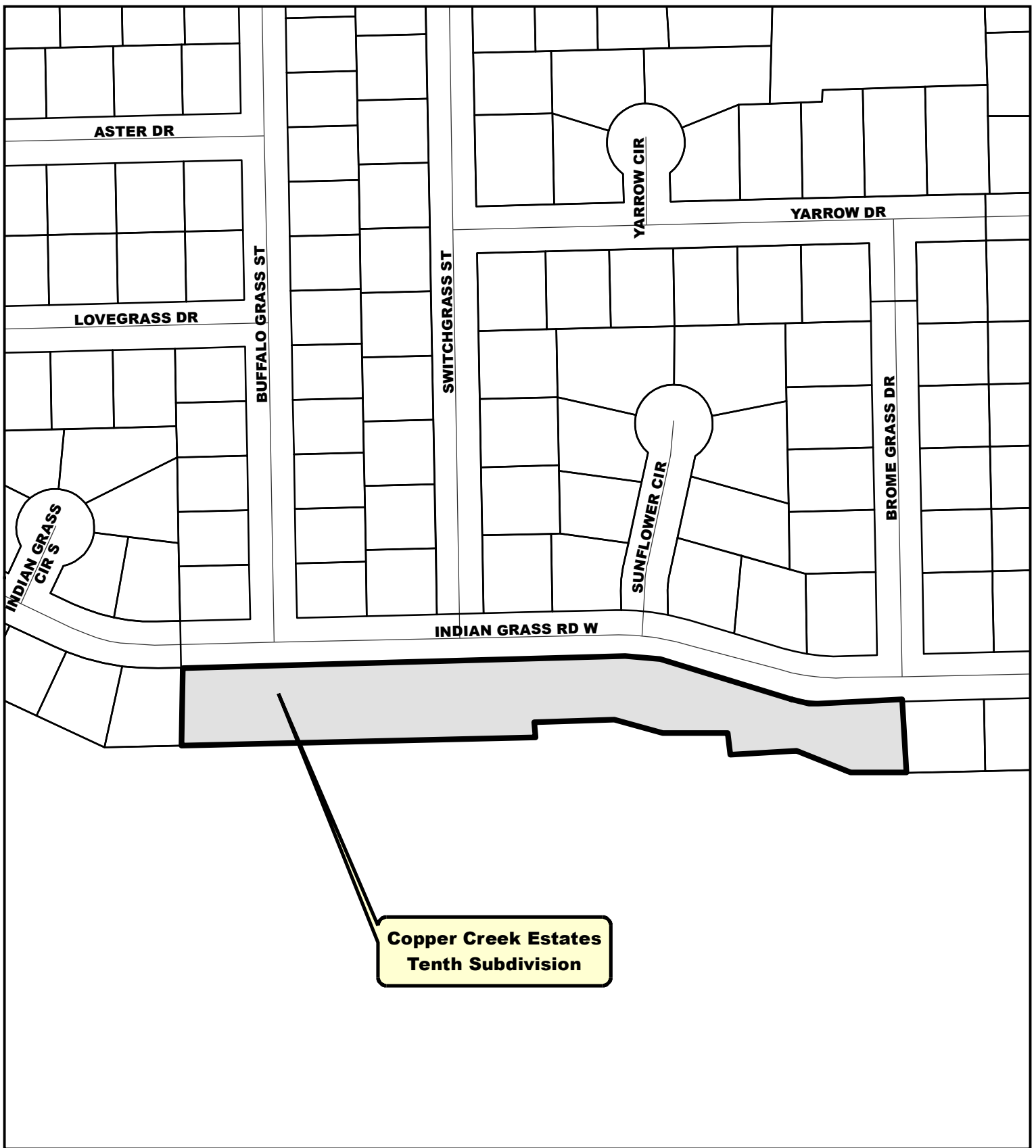
You are hereby notified that the Regional Planning Commission will consider this final plat at the next meeting that will be held at 6:00 p.m. on May 2nd, 2018, in the Council Chambers located in Grand Island's City Hall.

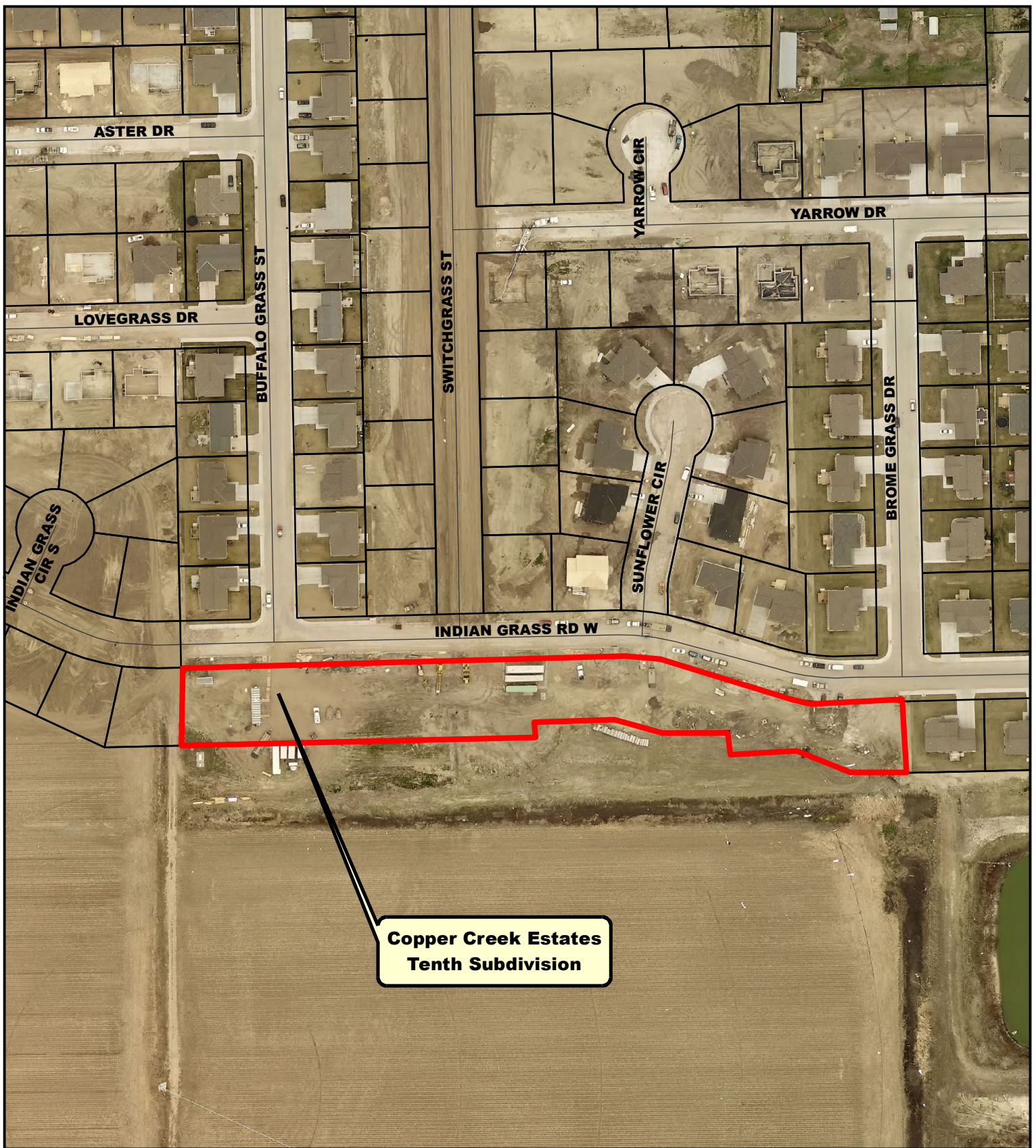
Sincerely,

Chad Nabity, AICP
Planning Director

Cc: City Clerk
City Attorney
City Public Works
City Utilities
City Building Director
County Assessor/Register of Deeds
Manager of Postal Operations
Stevens Land Surveying
Brian McMahon

This letter was sent to the following School Districts 2, 19, 82, 83, 100, 126.





PROPOSED AREA LOCATION MAP

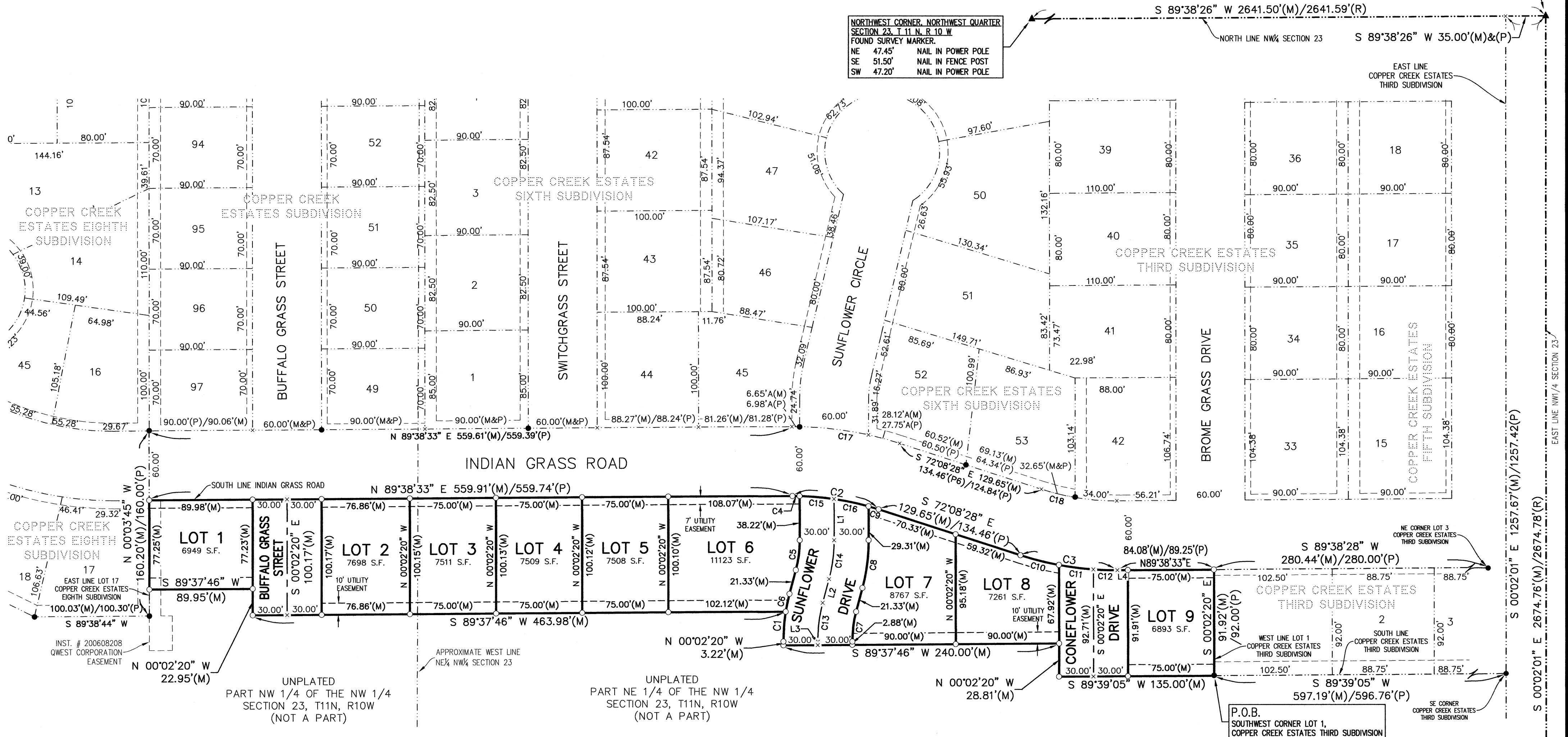
0 100 200 400 Feet



FINAL PLAT
-COPPER CREEK ESTATES TENTH SUBDIVISION-
IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA

NORTHEAST CORNER, NORTHWEST QUARTER
SECTION 23, T 11 N, R 10 W
FOUND ALUMINUM CAP.
NE 75.25' NAIL IN POWER POLE
S 31.19' NAIL IN GUY POLE
SW 48.23' 1/2" IRON PIPE

NORTHWEST CORNER, NORTHWEST QUARTER
SECTION 23, T 11 N, R 10 W
FOUND SURVEY MARKER.
NE 47.45' NAIL IN POWER POLE
SE 51.50' NAIL IN FENCE POST
SW 47.20' NAIL IN POWER POLE



CURVE DATA

NUMBER	CENTRAL ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD DISTANCE
C1	9°19'29"	160.00'	26.04'	N 04°37'25" E	26.01'
C2	18°12'59"	239.72'	76.21'	S 81°14'58" E	75.89'
C3	18°12'58"	270.00'	85.84'	S 81°14'58" E	85.48'
C4	1°29'49"	239.72'	6.26'	S 89°36'32" E	6.26'
C5	14°58'09"	100.00'	26.13'	N 07°26'45" E	26.05'
C7	14°58'09"	100.00'	26.13'	N 07°26'45" E	26.05'
C8	14°58'09"	160.00'	41.80'	N 07°26'45" E	41.68'
C9	2°10'56"	239.71'	9.13'	S 73°13'56" E	9.13'
C10	7°21'03"	269.99'	34.64'	S 75°48'59" E	34.61'

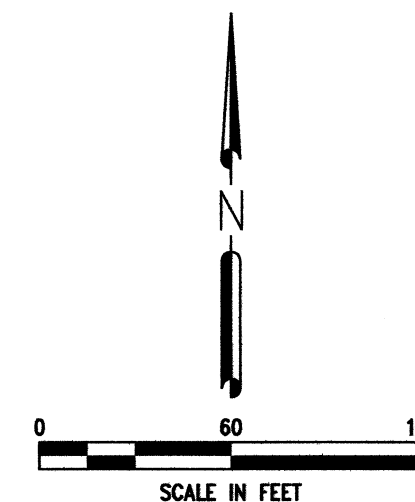
CURVE DATA

NUMBER	CENTRAL ANGLE	RADIUS	ARC LENGTH	CHORD BEARING	CHORD DISTANCE
C11	6°25'19"	270.00'	30.26'	S 82°42'10" E	30.25'
C12	4°26'39"	269.98'	20.94'	S 88°08'08" E	20.94'
C13	14°58'09"	130.00'	33.96'	N 07°26'45" E	33.87'
C14	14°58'09"	130.00'	33.96'	N 07°26'45" E	33.87'
C15	7°12'01"	239.72'	30.12'	S 85°15'37" E	30.10'
C16	7°20'13"	239.72'	30.70'	S 77°59'31" E	30.68'
C17	18°12'59"	299.72'	95.29'	S 81°14'58" E	94.89'
C18	8°14'00"	210.00'	30.18'	S 76°15'28" E	30.15'

LINE TABLE

LINE	BEARING	DISTANCE
L1	S0°02'20"E	35.71'
L2	N14°55'49"E	21.33'
L3	S0°02'20"E	3.05'
L4	N89°38'33"E	9.08'

- SECTION LINE
PROPOSED LOT LINES
EXISTING LOT LINES
EXISTING EASEMENTS
NEWLY DEDICATED EASEMENTS
- ▲ = SECTION CORNER MONUMENT FOUND
● = MONUMENT FOUND 1/2" I.P. (UNLESS NOTED)
○ = MONUMENT ESTABLISHED (CAPPED 5/8" x 24" REBAR)
x = TEMPORARY POINT
(P) = PLATTED DISTANCES
(P6) = PLATTED DISTANCES COPPER CREEK SIXTH
(M) = MEASURED DISTANCES



SOUTHEAST CORNER, NORTHWEST QUARTER
SECTION 23, T 11 N, R 10 W
FOUND 1/2" IRON PIPE.
W 34.76' 1/2" IRON PIPE
SE 18.30' NOTCH IN END OF IRON PIPE CULVERT
SW 10.43' NOTCH IN END OF IRON PIPE CULVERT


NOTES
This plat prepared March 2018 for:

The Guarantee Group LLC
PO Box 139
Grand Island, NE 68802

BY: Miller & Associates
1111 Central Avenue
Kearney, NE 68847

Current Zoning: R2
Proposed Zoning: R2
Minimum Setbacks:
25' Front Yard
20' Rear Yard
5' Side Yard

SHEET 1 OF 2 SHEETS

 Miller & Associates	PARTY CHIEF: BRENT D. CYBORON	SURVEY COMPLETED: MARCH 30, 2018
	DRAWN BY: CHAD A. DIXON	REVISION
	2510 N WEBB RD., GRAND ISLAND, NE 68803	DATE & REASON
	Tel: 308-365-9229	
	Fax: 308-234-1146	
	www.miller-engineers.com	
		F.S. #
HALL CO-GRAND ISLAND-COPPER CREEK ESTATES TENTH SUBDIVISION		

FINAL PLAT
-COPPER CREEK ESTATES TENTH SUBDIVISION-
IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that

THE GUARANTEE GROUP, L.L.C., a Nebraska Limited Liability Company, by Sean P. O'Connor, Member

Exchange Bank, Beneficiary and Trustee, by (print name) _____, (print title) _____

being the owner of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as 'COPPER CREEK ESTATES TENTH SUBDIVISION' in the City of Grand Island, Nebraska, as shown on the accompanying plat thereof, and do hereby dedicate the streets as shown thereon to the public for their use forever, and the easements as shown thereon for the location, construction and maintenance of public service utilities, together with the right of ingress and egress thereto, and hereby prohibiting the planting of trees, bushes and shrubs, or placing other obstructions upon, over, along or underneath the surface of such easements; and that the foregoing subdivision as more particularly described in the description hereon as appears on the plat is made with the free consent and in accordance with the desires of the undersigned owner and proprietor.

IN WITNESS WHEREOF, I have affixed our signatures hereto, at Grand Island, Nebraska, this ____ day of _____, 2017.

(signature) _____
THE GUARANTEE GROUP, L.L.C.,
a Nebraska Limited Liability Company
by Sean P. O'Connor, a Member

(signature) _____
Exchange Bank, Beneficiary and Trustee

by, (print name) _____
(print title) _____

ACKNOWLEDGMENTS

STATE OF NEBRASKA)
 } S.S.
COUNTY OF _____)

On the ____ day of _____, 20____, before me _____ a Notary Public within and for said County, personally appeared Sean P. O'Connor, Member of THE GUARANTEE GROUP, L.L.C., a Nebraska Limited Liability Company, and to me personally known to be the identical person whose signature is affixed hereto, and that he did acknowledge the execution thereof to be his voluntary act and deed of said Company and that he was empowered to make the above dedication for and in behalf of said Company.

My commission expires _____
Notary Public

STATE OF _____)
 } S.S.
COUNTY OF _____)
On the ____ day of _____, 20____, before me _____ a Notary Public within and for said County, personally

appeared (print name) _____, (print title) _____ of Exchange Bank, Beneficiary and Trustee, and to me personally known to be the identical person whose signature is affixed hereto, and that he did acknowledge the execution thereof to be his voluntary act and deed and the voluntary act and deed of said Company and that he was empowered to make the above dedication for and in behalf of said Company.

My commission expires _____
Notary Public

APPROVALS

Submitted to and approved by the Regional Planning Commission of Hall County, Grand Island, Wood River and the Villages of Alda, Cairo and Doniphan, Nebraska.

CHAIRMAN (signature) _____ (date) _____

Approved and accepted by the City of Grand Island, Nebraska, this ____ day of _____, _____. (SEAL)

MAYOR _____ CITY CLERK _____

LEGAL DESCRIPTION

A tract of land being part of the Northeast Quarter of the Northwest Quarter (NE 1/4 NW 1/4), and part of the Northwest Quarter of the Northwest Quarter (NW 1/4 NW 1/4), Section Twenty-three (23), Township Eleven (11) North, Range Ten (10) West of the 6th Principal Meridian, Hall County, Nebraska, and more particularly described as follows:

Referring to an aluminum cap at the Northeast Corner of the Northeast Quarter of the Northwest Quarter of Section 23 and assuming the North line of said Northwest Quarter as bearing S 89°38'26" W and all bearings contained herein are relative thereto; thence S 89°38'26" W on said North line a distance of 35.00 feet to the Northeast corner of Copper Creek Estates Subdivision in the City of Grand Island Nebraska; thence S 00°02'01" E on the East line of said Copper Creek Estates Subdivision and on the East line of Copper Creek Estates Third Subdivision in the City of Grand Island, Nebraska a distance of 1257.67 feet to a 1/2" iron pipe with cap at the Southeast corner of said Copper Creek Estates Third Subdivision; thence S 89°39'05" W on the South line of said Copper Creek Estates Third Subdivision a distance of 597.19 feet to a 1/2" iron pipe with cap at the Southwest Corner of Lot 1 of said Copper Creek Estates Third Subdivision and the ACTUAL POINT OF BEGINNING; thence continuing S 89°39'05" W a distance of 135.00 feet to a 5/8" rebar with cap; thence N 00°02'20" W a distance of 28.81 feet to a 5/8" rebar with cap; thence S 89°37'46" W a distance of 240.00 feet to a 5/8" rebar with cap; thence N 00°02'20" W a distance of 3.22 feet to a 5/8" rebar with cap; thence Northerly on a tangent curve to the Right, having a central angle of 09°19'29", a radius of 160.00 feet, an arc length of 26.04 feet, and a chord bearing of N 04°37'25" E, a distance of 26.01 feet to a 5/8" rebar with cap; thence S 89°37'46" W a distance of 463.98 feet to a 5/8" rebar with cap; thence N 00°02'20" W a distance of 22.95 feet to a 5/8" rebar with cap; thence S 89°37'46" W a distance of 89.95 feet to a 5/8" rebar with cap on the East line of Lot 17 of Copper Creek Estates Eighth Subdivision in the City of Grand Island Nebraska; thence N 00°03'45" W on said East line of Lot 17 a distance of 77.25 feet to a 5/8" rebar with cap at the Northeast corner of said Lot 17 and on the South line of Indian Grass Road as platted in said Copper Creek Estates Subdivision; thence N 89°38'33" E on said South line of Indian Grass Road a distance of 559.91 feet to a 5/8" rebar with cap; thence Easterly continuing on said South line of Indian Grass Road and on a tangent curve to the Right, having a central angle of 18°12'59", a radius of 239.72 feet, an arc length of 76.21 feet, a chord bearing of S 81°14'58" E, a distance of 75.89 feet to a 5/8" rebar with cap; thence S 72°08'28" E continuing on said South line of Indian Grass Road a distance of 129.65 feet to a 5/8" rebar with cap; thence Easterly continuing on said South line of Indian Grass Road and on a tangent curve to the Left, having a central angle of 18°12'58", a radius of 270.00 feet, an arc length of 85.84 feet, a chord bearing of S 81°14'58" E, a distance of 85.48 feet to a 5/8" rebar with cap; thence N 89°38'33" E continuing on said South line of Indian Grass Road a distance of 84.08 feet to a 5/8" rebar with cap at the Northwest Corner of said Lot 1 of Copper Creek Estates Third Subdivision; thence S 00°02'20" E on the West line of said Lot 1 a distance of 91.92 feet to the Point of Beginning. Containing 2.08 acres more or less.

SURVEYOR'S CERTIFICATE

I, Chad Dixon, Nebraska Professional Registered Land Surveyor No. 672, do hereby certify that on March 30th, 2018, I completed an accurate survey (made by Brent D. Cyboron, NE RLS 727, under my supervision) of 'COPPER CREEK ESTATES TENTH SUBDIVISION', in the City of Grand Island, Hall County, Nebraska, as shown on the accompanying plat thereof; that the lots, blocks, streets, avenues, alleys, parks, commons and other grounds as contained in said subdivision as shown on the accompanying plat thereof, are well and accurately staked off and marked; that iron markers were placed at all lot corners as shown on the plat; that the dimensions of each lot are as shown on the plat; that each lot bears its own number; and that said survey was made with reference to known and recorded monuments.

(SEAL)
Chad Dixon
Nebraska Professional Registered Land Surveyor No. 672




NOTES
This plat prepared March 2018 for:

The Guarantee Group LLC
PO Box 139
Grand Island, NE 68802

BY: Miller & Associates
1111 Central Avenue
Kearney, NE 68847

Current Zoning: R2
Proposed Zoning: R2

SHEET 2 OF 2 SHEETS

 Miller & Associates 2510 N WEBB RD., GRAND ISLAND, NE 68802 Tel: 308-335-8729 Fax: 308-234-1146 www.miller-engineers.com	PARTY CHIEF: BRENT D. CYBORON	SURVEY COMPLETED: MARCH 30, 2018
	DRAWN BY: CHAD A. DIXON	REVISION: DATE & REASON
	2510 N WEBB RD., GRAND ISLAND, NE 68802 Tel: 308-335-8729 Fax: 308-234-1146 www.miller-engineers.com	
		F.R. #

HALL CO-GRAND ISLAND-COPPER
CREEK ESTATES TENTH SUBDIVISION



Hall County Regional Planning Commission

**Wednesday, May 2, 2018
Regular Meeting**

Item J5

**Subdivision – Preliminary Plat Fonner View Estates Subdivision
Grand Island**

Staff Contact:

April 19th, 2018

Dear Members of the Board:

RE: Final Plat – Fonner View Estates Subdivision.

For reasons of Section 19-923 Revised Statutes of Nebraska, as amended, there is herewith submitted a final plat of Fonner View Estates Subdivision, located in Hall County, Nebraska.

This final plat proposes to create 6 lots, in a tract of land being part of the East Half of the Southeast Quarter (E1/2, SE1/4) of Section Twenty-Seven (27), all in Township Eleven (11) North, Range Nine (9) West of the 6th P.M., in, in the jurisdiction of Grand Island, Hall County, Nebraska, containing 34.848 acres

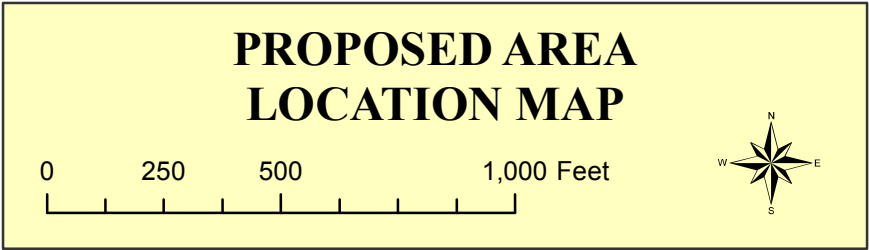
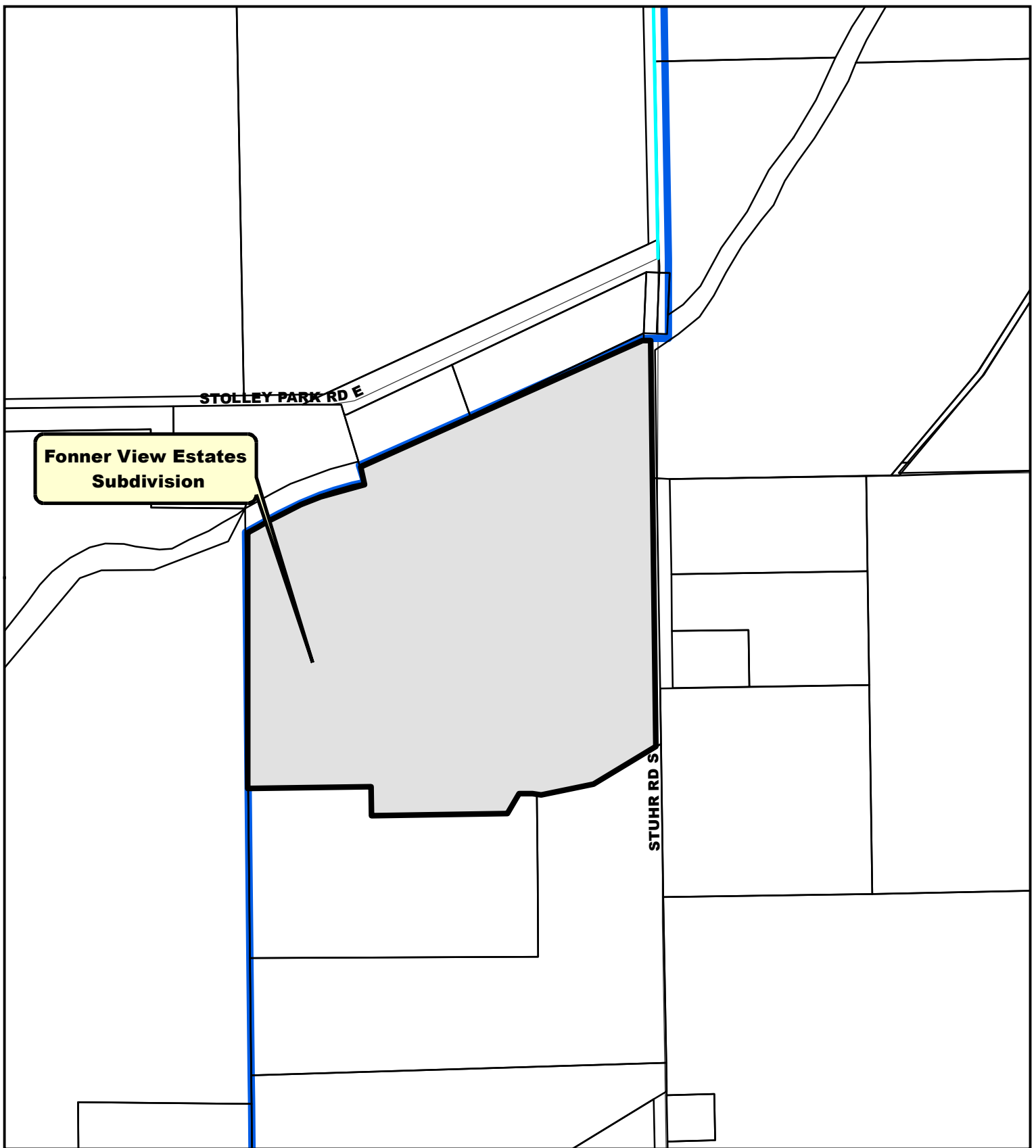
You are hereby notified that the Regional Planning Commission will consider this final plat at the next meeting that will be held at 6:00 p.m. on May 2nd, 2018, in the Council Chambers located in Grand Island's City Hall.

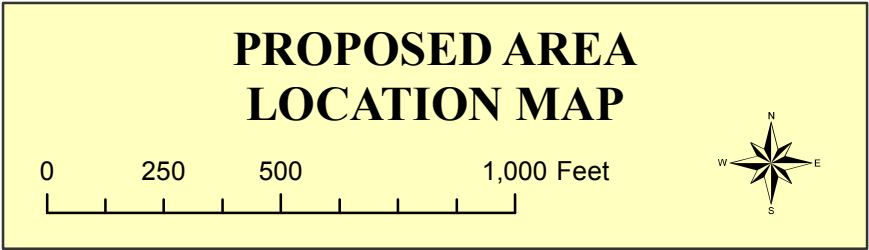
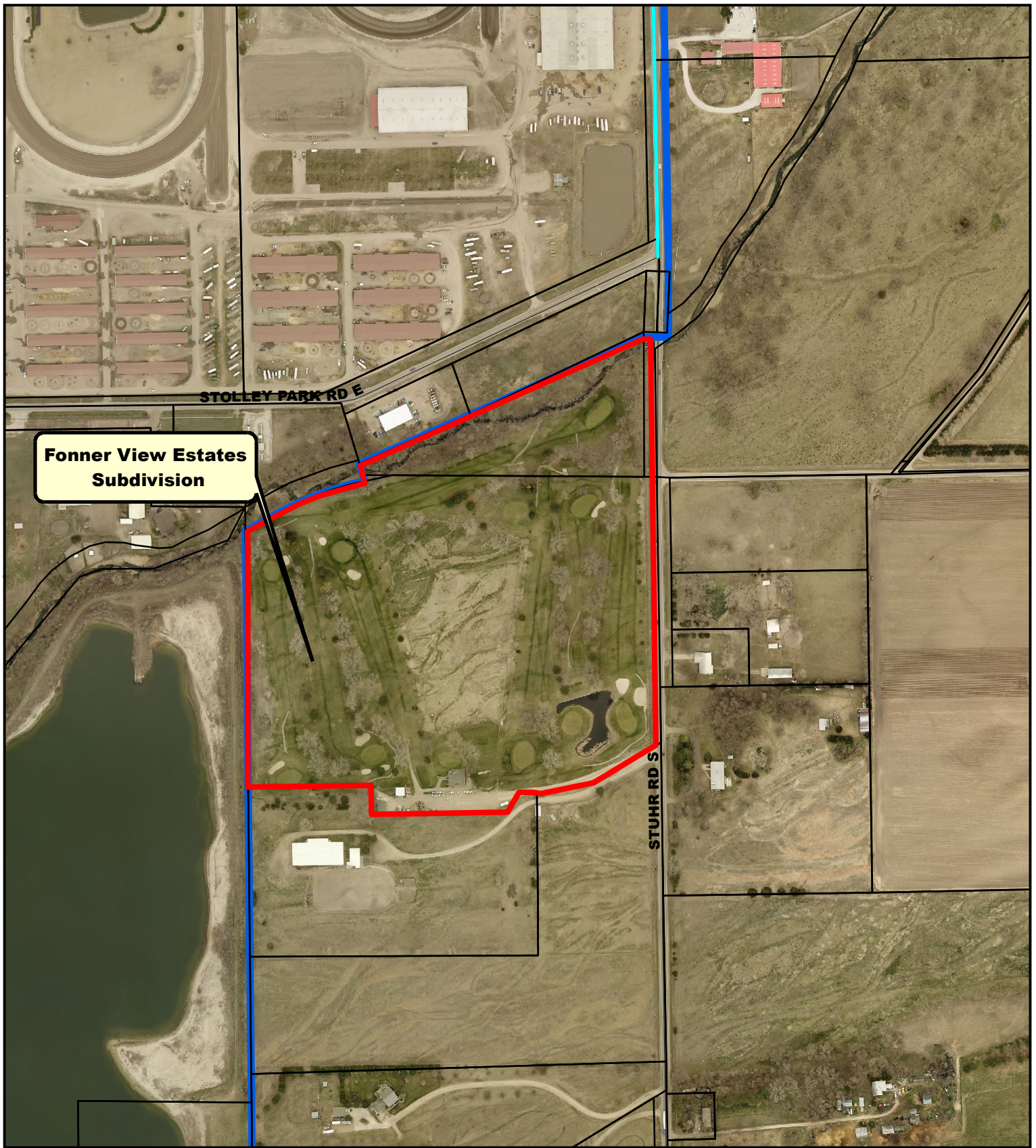
Sincerely,

Chad Nabity, AICP
Planning Director

Cc: City Clerk
City Attorney
City Public Works
City Utilities
City Building Director
County Assessor/Register of Deeds
Manager of Postal Operations
Stevens Land Surveying
Brian McMahon

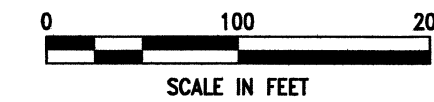
This letter was sent to the following School Districts 2, 19, 82, 83, 100, 126.





PRELIMINARY PLAT
FONNER VIEW ESTATES SUBDIVISION
AN ADDITION TO THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA

CURVE DATA					
NUMBER	DELTA	RADIUS	LENGTH	CHORD LENGTH	BEARING
C1	96°20'09"	60.00'	100.88'	89.41'	N47°56'47"W
C2	89°41'49"	60.00'	93.93'	84.63'	S45°04'12"W



LINE DATA		
NUMBER	LENGTH	BEARING
L3	45.84'	N60°58'55"E
L4	45.84'	N60°58'55"E
L5	45.84'	N60°58'55"E
L1	34.38'	N00°13'18"E
L2	34.38'	N00°13'18"E
L6	34.38'	N00°13'18"E
L7	34.38'	N00°13'18"E
L8	20.00'	N00°13'18"E
L9	20.00'	N00°13'18"E
L12	40.00'	N89°55'07"E
L11	40.00'	N89°55'07"E
L10	40.00'	N89°55'07"E
L13	20.00'	N00°13'18"E
L14	20.00'	N00°13'18"E

- LEGEND**
- ▲ = SECTION CORNER MONUMENT FOUND
 - = MONUMENT FOUND
 - = MONUMENT ESTABLISHED (CAPPED 5/8" x 24" REBAR)
 - x = TEMPORARY POINT
 - (P) = PLATTED DISTANCES
 - (M) = MEASURED DISTANCES
 - = SECTION LINE
 - = PROPOSED LOT LINES
 - = RIGHT-OF-WAY LINE
 - = NEWLY DEDICATED EASEMENTS
 - = FLOODWAY BOUNDARY LINES
 - = HIGH BANK WOOD RIVER
 - ☐ = ELECTRIC BOX
 - ☐ = TELEPHONE BOX
 - ⊗ = WATER VALVE
 - ⊗ = FIRE HYDRANT
 - ⊗ = SIGN
 - = BOLLARD
 - ⊗ = LIGHT POLE
 - ⊗ = POWER POLE
 - OHE --- = OVERHEAD ELECTRICAL LINE
 - T --- = TELEPHONE LINE
 - X --- = FENCE LINE
 - GAS --- = NATURAL GAS LINE

LEGAL DESCRIPTION

A Tract of land being part of the East Half of the Southeast Quarter (E1/2 SE1/4) of Section Twenty-Two (22), also being part of the East Half of the Northeast Quarter (E1/2 NE1/4) of Section Twenty-Seven (27), all in Township Eleven (11) North, Range Nine (9) West of the Sixth Principal Meridian, Hall County, Nebraska, and more particularly described as follows:

Beginning at the Northeast corner of said East Half of the Northeast Quarter of Section 27 and assuming the East line of said East Half of the Northeast Quarter as bearing S00°13'18"W and all bearings contained herein are relative thereto;
Thence S00°13'18"W on the East line of said East Half of the Northeast Quarter a distance of 843.45 feet;
Thence S60°58'55"W leaving the East line of said East Half of the Northeast Quarter a distance of 279.57 feet;
Thence S83°53'08"W a distance of 156.96 feet;
Thence S72°18'21"W a distance of 60.15 feet;
Thence S55°43'05"W a distance of 75.02 feet;
Thence S89°28'15"W a distance of 388.97 feet;
Thence N02°13'13"E a distance of 71.46 feet;
Thence S89°54'16"W a distance of 400.43 feet to a point on the West line of said East Half of the Northeast Quarter;
Thence N00°29'07"E on the West line of said East Half of the Northeast Quarter a distance of 849.80 feet, to a point on the centerline of the Wood River (formerly known as the North Channel of the Platte River);
Thence N65°12'44"E a distance of 412.41 feet to a point on the North line of said East Half of the Northeast Quarter of Section 27 and the South line of said East Half of the Southeast Quarter of Section 22;
Thence N08°48'40"W a distance of 37.00 feet to the Southwest corner of B & C Subdivision, an addition to the City of Grand Island;
Thence N66°26'09"E on the Southerly line of said B & C Subdivision a distance of 982.34 feet to a point on the West right-of-way line of Stuhr Road;
Thence S03°31'47"W on said West right-of-way line of Stuhr Road a distance of 80.62 feet;
Thence S00°15'16"W continuing on said West right-of-way line a distance of 382.23 feet to a point on the North line of said East Half of the Northeast Quarter of Section 27 and the South line of said East Half of the Southeast Quarter of Section 22;
Thence S89°52'41"E on the North line of said East Half of the Northeast Quarter a distance of 40.00 feet to the Point of Beginning. Containing 34.848 acres more or less, of which 0.785 acres more or less are being dedicated for road right-of-way on the East side.

SURVEYOR'S CERTIFICATE

I hereby certify that on _____, 2018, I completed an accurate survey (made under my supervision) of "FONNER VIEW ESTATES SUBDIVISION", Hall County, Nebraska as shown on the accompanying plat thereof; that the Lots, Blocks, Streets, Avenues, Alleys, Parks, Commons and other grounds as contained in said Subdivision as shown on the accompanying plat thereof, are well and accurately staked off and marked; that iron markers were placed at all corners as shown on the plat; that each Lot bears its own number; and that said survey was made with reference to know and recorded monuments.

Brent D. Cyboron
Nebraska Professional Registered Land Surveyor No. 727

NOTE:
Entire property is located in Flood Zone AE.
Flood Zone AE is defined as 1% chance of annual flood (100 year flood).

ZONING:
Currently Zoned: LLR
(Large Lot Residential)

PLAT PREPARED FOR:
William H. Barge
113 Ridge View Drive
Lakchills, TX 78063

MA Miller & Associates	PARTY CHIEF: BRENT D. CYBORON	SURVEY COMPLETED: MARCH 14, 2018
	DRAWN BY: A. OLSON	REVISION: DATE & REASON
1111 CENTRAL AVENUE NEARBY, NE 68947-6833 Tel: 308-234-8456 Fax: 308-234-1146 www.miller-engineers.com		F.B. #

FONNER VIEW ESTATES SUBDIVISION



Hall County Regional Planning Commission

Wednesday, May 2, 2018

Regular Meeting

Item J6

Subdivision – Final Plat Critel Subdivision Wood River

Staff Contact:

April 19th, 2018

Dear Members of the Board:

RE: Final Plat – Critel Subdivision.

For reasons of Section 19-923 Revised Statutes of Nebraska, as amended, there is herewith submitted a final plat of Critel Subdivision, located in Hall County, Nebraska.

This final plat proposes to create 2 lots, in a tract of land being part of the Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4) of Section Nineteen (19), Township Ten (10) North, Range Eleven (11) West of the 6th P.M., in, Wood River, Hall County, Nebraska, containing 1.378 acres

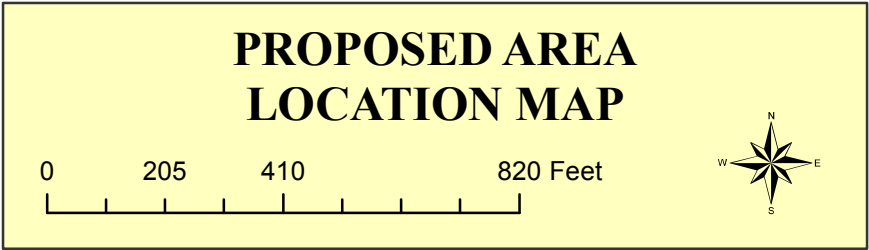
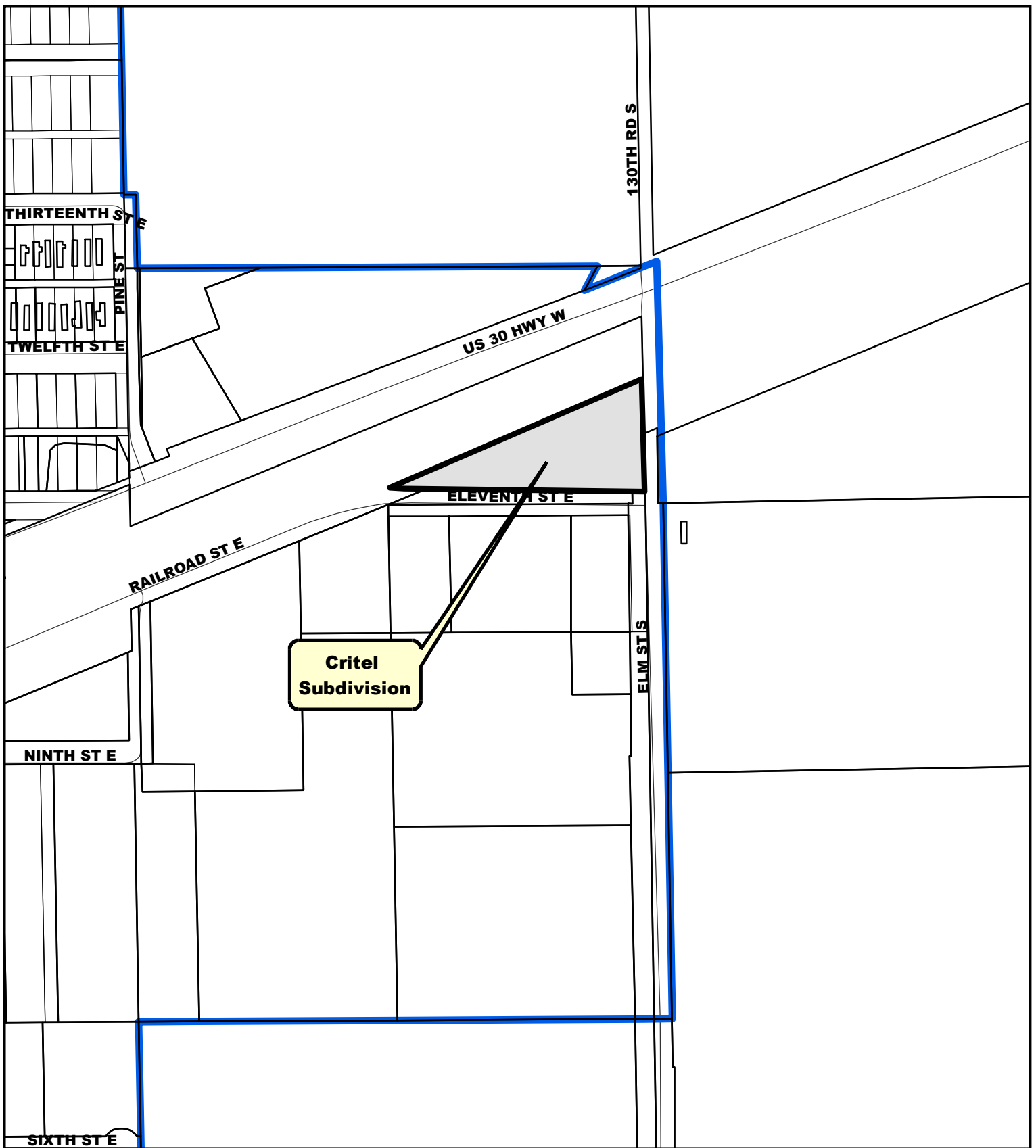
You are hereby notified that the Regional Planning Commission will consider this final plat at the next meeting that will be held at 6:00 p.m. on May 2nd, 2018, in the Council Chambers located in Grand Island's City Hall.

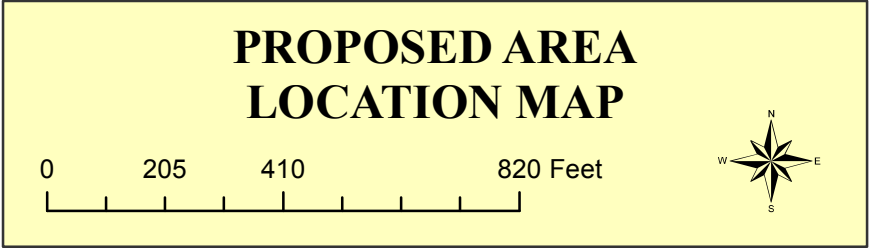
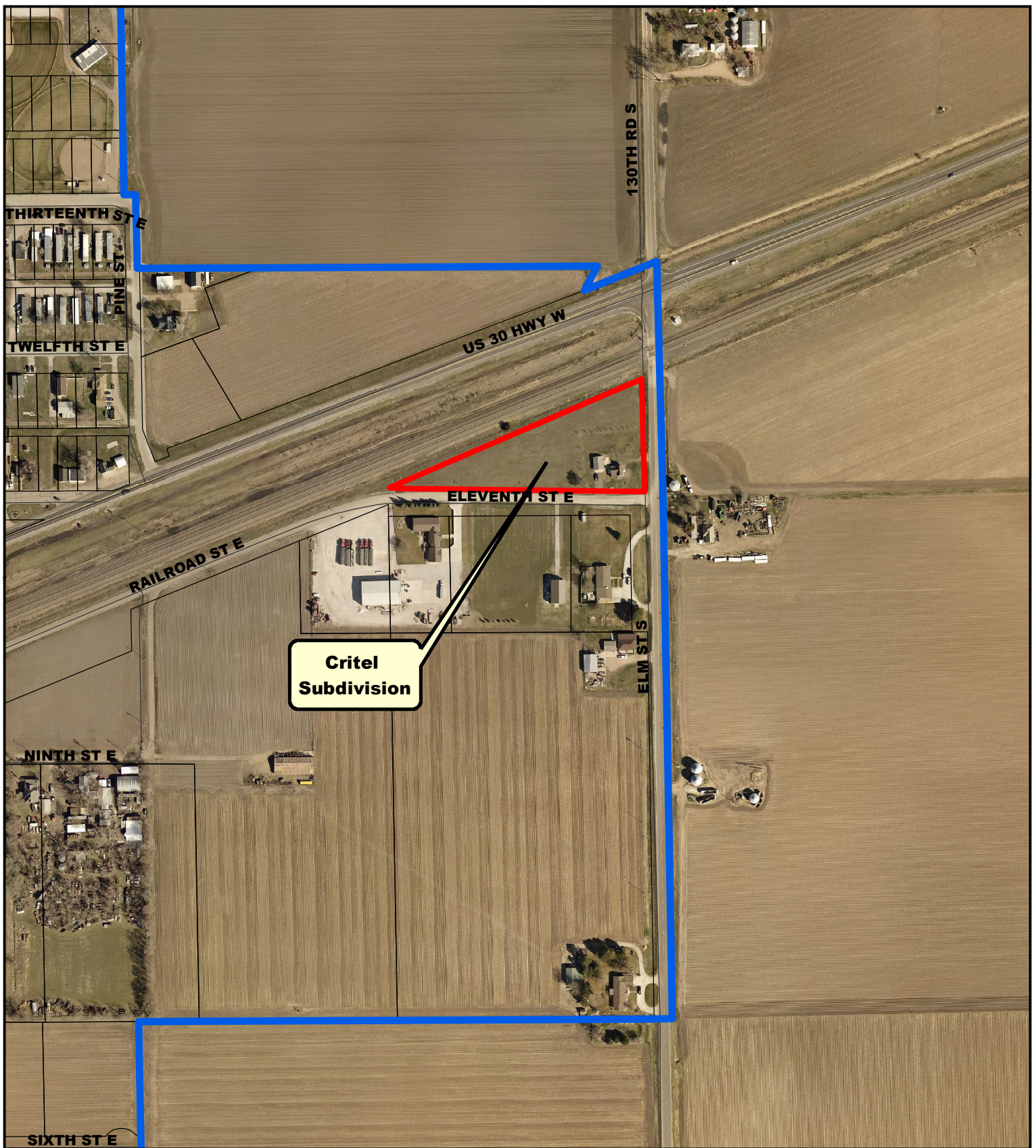
Sincerely,

Chad Nabity, AICP
Planning Director

Cc: City Clerk
City Attorney
City Public Works
City Utilities
City Building Director
County Assessor/Register of Deeds
Manager of Postal Operations
Stevens Land Surveying
Brian McMahon

This letter was sent to the following School Districts 2, 19, 82, 83, 100, 126.

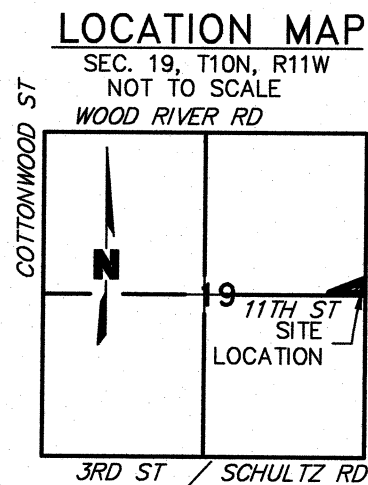




DWG: F:\2017\3501-4000\017-3648\40-Design\Survey\SRVY\Sheets\VPPT_73648.dwg
DATE: Apr 12, 2018 4:16pm
XREFS: V_RWAY_73648

USER: jjimenez

0' 20' 40' 80'
SCALE IN FEET



LEGEND

- SET CORNER (5/8"x24" REBAR W/CAP)
- FOUND CORNER (AS NOTED)
- ▲ CALCULATED CORNER
- RIGHT-OF-WAY LINE
- PROPERTY LINE
- SECTION LINE
- SUBDIVISION BOUNDARY LINE
- M MEASURED DISTANCE

OWNERS: LESTER H. CRITEL JR.
SUBDIVIDER: LESTER H. CRITEL JR.
SURVEYOR: OLSSON ASSOCIATES
ENGINEER: OLSSON ASSOCIATES
NUMBER OF LOTS: 2

CRITEL SUBDIVISION

AN ADDITION TO THE CITY OF WOOD RIVER, HALL COUNTY, NEBRASKA

FINAL PLAT

UNION PACIFIC RAILROAD
(RIGHT-OF-WAY)

N67°43'26"E 594.36'(M)
586.85'(M)

LOT 2
37,452± S.F.
0.860 ACRES

LOT 1
22,585± S.F.
0.518 ACRES

S89°40'45"W 554.25'(M)

ELEVENTH STREET

ELM STREET

S01°05'34"E 222.24'(M)

P.O.B.
N01°05'34"W
30.00'(M,P)

S89°40'45"W
33.00'(M)

7' RIGHT-OF-WAY
TO BE DEDICATED
WITH THIS PLAT

N01°05'34"W
30.00'(M)

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.

CHAIRPERSON

DATE

APPROVED AND ACCEPTED BY THE CITY OF WOOD RIVER, NEBRASKA THIS ____ DAY OF _____, 2018.

MAYOR

CITY CLERK

DEDICATION OF PLAT

KNOW ALL MEN BY THESE PRESENTS, THAT LESTER H. CRITEL JR., SINGLE PERSON, BEING THE OWNERS OF THE LAND DESCRIBED HEREON, HAVE CAUSED SAME TO BE SURVEYED, SUBDIVIDED, PLATTED AND DESIGNATED AS "**CRITEL SUBDIVISION**" A TRACT OF LAND LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4 NE1/4) OF SECTION NINETEEN (19), TOWNSHIP TEN (10) NORTH, RANGE ELEVEN (11) WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING PLAT THEREOF; AND THAT THE FOREGOING SUBDIVISION AS MORE PARTICULARLY DESCRIBED IN THE DESCRIPTION HEREON AS APPEARS ON THIS PLAT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS AND PROPRIETORS.

IN WITNESS WHEREOF, I HAVE AFFIXED MY SIGNATURE HERETO, AT _____, NEBRASKA, THIS ____ DAY OF _____, 2018.

LESTER H. CRITEL JR.

ACKNOWLEDGMENT

STATE OF NEBRASKA SS
COUNTY OF HALL

ON THIS ____ DAY OF _____, 2018, BEFORE ME _____, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED LESTER H. CRITEL JR., SINGLE PERSON, TO ME PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE SIGNATURE IS AFFIXED HERETO AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE THEIR VOLUNTARY ACT AND DEED. IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL AT _____, NEBRASKA, ON THE DATE LAST ABOVE WRITTEN.

NOTARY PUBLIC

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4 NE1/4) OF SECTION NINETEEN (19), TOWNSHIP TEN (10) NORTH, RANGE ELEVEN (11) WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SECTION 19-T10N-R11W; THENCE ON AN ASSUMED BEARING OF S89°40'45"W, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER (NE1/4), A DISTANCE OF 33.00 FEET; THENCE N01°05'34"W A DISTANCE OF 30.00 FEET TO THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF ELEVENTH STREET AND THE WEST RIGHT-OF-WAY LINE OF ELM STREET, SAID POINT BEING THE POINT OF BEGINNING; THENCE S89°40'45"W, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID ELEVENTH STREET, A DISTANCE OF 554.25 FEET TO A POINT ON THE SOUTHEASTLY LINE OF UNION PACIFIC RAILROAD; THENCE N67°43'26"E, ALONG SAID SOUTHEASTLY RIGHT-OF-WAY LINE, A DISTANCE OF 594.36 FEET TO THE WEST RIGHT-OF-WAY LINE OF ELM STREET; THENCE S01°05'34"E, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 222.24 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 61,583.00 SQUARE FEET OR 1.414 ACRES MORE OR LESS OF WHICH 0.355 ACRES ARE NEW DEDICATED RIGHT-OF-WAY.

SURVEYOR'S CERTIFICATE

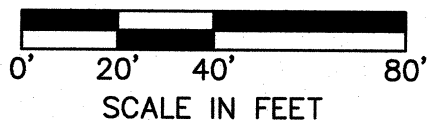
I HEREBY CERTIFY THAT ON _____, 2018, I COMPLETED AN ACCURATE SURVEY, UNDER MY PERSONAL SUPERVISION, OF A TRACT OF LAND LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4 NE1/4) OF SECTION NINETEEN (19), TOWNSHIP TEN (10) NORTH, RANGE ELEVEN (11) WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING PLAT THEREOF; THAT IRON MARKERS, EXCEPT WHERE INDICATED, WERE FOUND AT ALL CORNERS; THAT THE DIMENSIONS ARE AS SHOWN ON THE PLAT; AND THAT SAID SURVEY WAS MADE WITH REFERENCE TO KNOWN AND RECORDED MONUMENTS.

JAI JASON ANDRIST, REGISTERED LAND SURVEYOR NUMBER, LS-630

OLSSON
ASSOCIATES

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

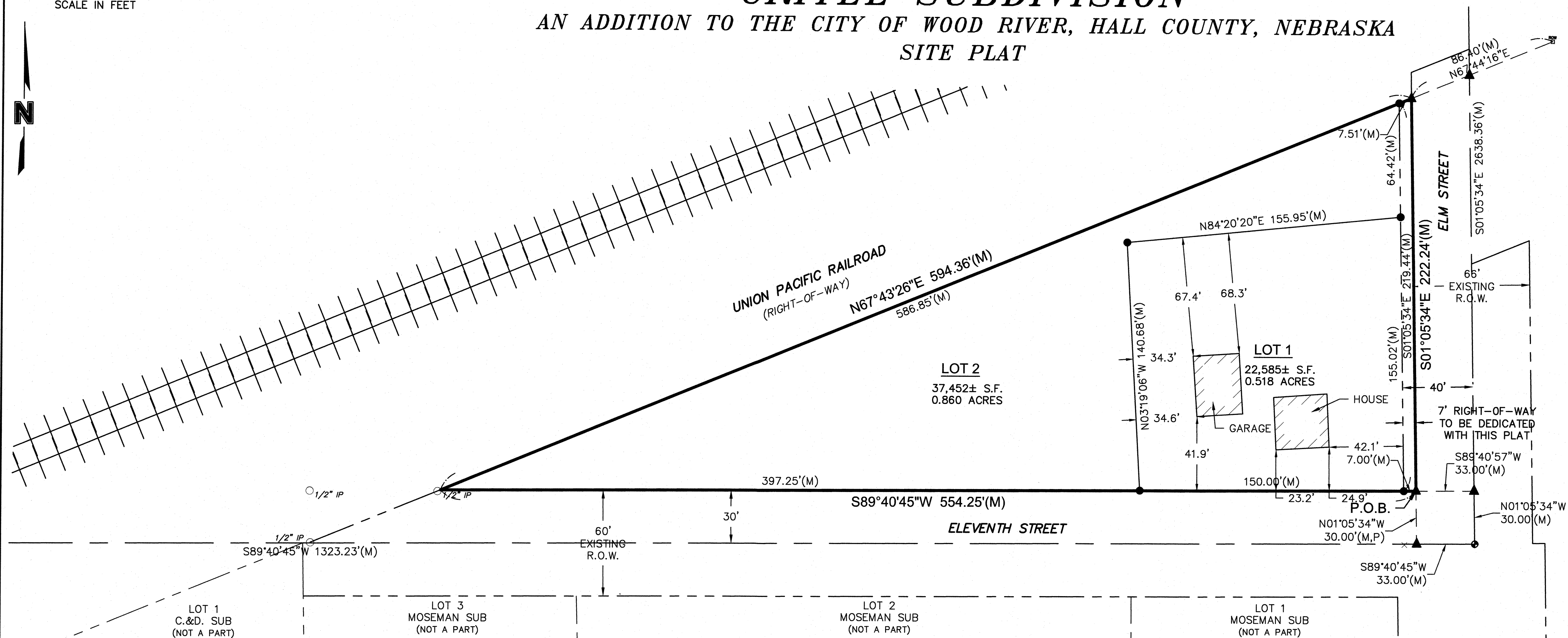
PROJECT NO. 2017-3648
CRITEL SURVEY
WOOD RIVER
FB: HALL CO #4



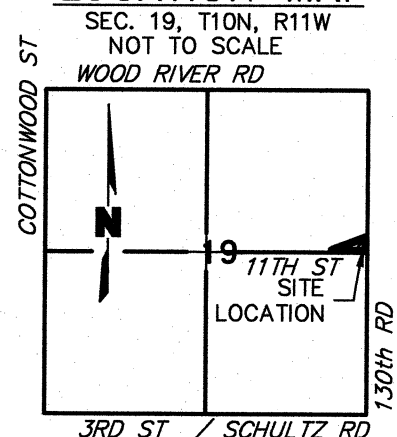
CRITEL SUBDIVISION

AN ADDITION TO THE CITY OF WOOD RIVER, HALL COUNTY, NEBRASKA

SITE PLAT



LOCATION MAP



LEGEND

- SET CORNER (5/8"x24" REBAR W/CAP)
- FOUND CORNER (AS NOTED)
- ▲ CALCULATED CORNER
- RIGHT-OF-WAY LINE
- PROPERTY LINE
- SECTION LINE
- SUBDIVISION BOUNDARY LINE
- M MEASURED DISTANCE
- /// BUILDING LINE
- + + + RAILROAD TRACK

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN PART OF THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE1/4 NE1/4) OF SECTION NINETEEN (19), TOWNSHIP TEN (10) NORTH, RANGE ELEVEN (11) WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE EAST 1/4 CORNER OF SECTION 19-T10N-R11W; THENCE ON AN ASSUMED BEARING OF S89°40'45"W, ALONG THE SOUTH LINE OF THE NORTHEAST QUARTER (NE1/4), A DISTANCE OF 33.00 FEET; THENCE N01°05'34"W A DISTANCE OF 30.00 FEET TO THE INTERSECTION OF THE SOUTH RIGHT-OF-WAY LINE OF ELEVENTH STREET AND THE WEST RIGHT-OF-WAY LINE OF ELM STREET, SAID POINT BEING THE POINT OF BEGINNING; THENCE S89°40'45"W, ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID ELEVENTH STREET, A DISTANCE OF 554.25 FEET TO A POINT ON THE SOUTHEASTLY LINE OF UNION PACIFIC RAILROAD; THENCE N67°43'26"E, ALONG SAID SOUTHEASTLY RIGHT-OF-WAY LINE, A DISTANCE OF 594.36 FEET TO THE WEST RIGHT-OF-WAY LINE OF ELM STREET; THENCE S01°05'34"E, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 222.24 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 61,583.00 SQUARE FEET OR 1.414 ACRES MORE OR LESS OF WHICH 0.355 ACRES ARE NEW DEDICATED RIGHT-OF-WAY.

OWNERS: LESTER H. CRITEL JR.
SUBDIVIDER: LESTER H. CRITEL JR.
SURVEYOR: OLSSON ASSOCIATES
ENGINEER: OLSSON ASSOCIATES
NUMBER OF LOTS: 2

OLSSON ASSOCIATES

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

PROJECT NO. 2017-3648

CRITEL SURVEY

WOOD RIVER

FB: HALL CO #4



Hall County Regional Planning Commission

Wednesday, May 2, 2018

Regular Meeting

Item J7

Subdivision – Final Plat Fugate Subdivision Grand Island

Staff Contact:

April 19th, 2018

Dear Members of the Board:

RE: Final Plat – Fugate Subdivision.

For reasons of Section 19-923 Revised Statutes of Nebraska, as amended, there is herewith submitted a final plat of Fugate Subdivision, located in Hall County, Nebraska.

This final plat proposes to create 2 lots, in a tract of land comprising of Lot Three (3) of Menard Subdivision in the city of Grand Island, Hall County, Nebraska, containing 1.44 acres

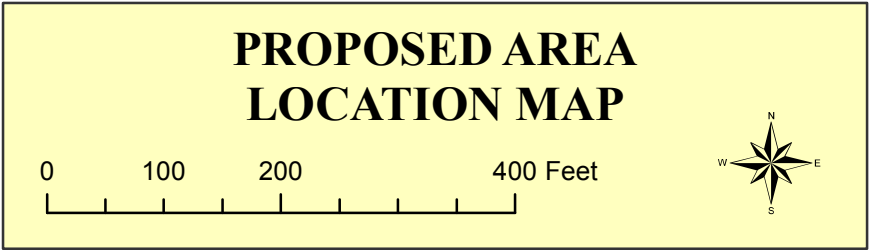
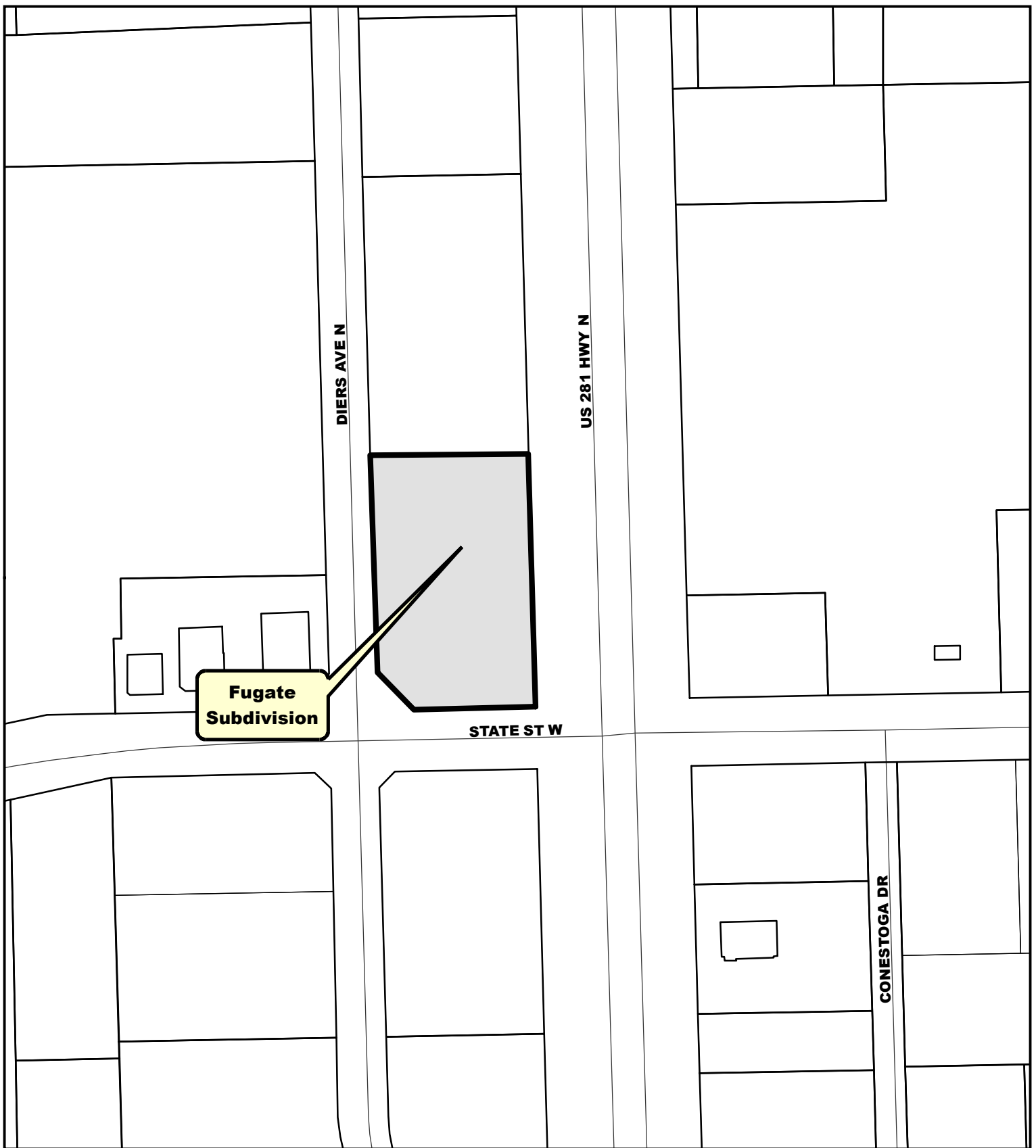
You are hereby notified that the Regional Planning Commission will consider this final plat at the next meeting that will be held at 6:00 p.m. on May 2nd, 2018, in the Council Chambers located in Grand Island's City Hall.

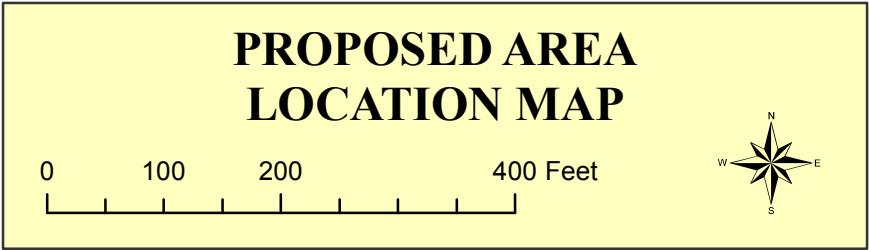
Sincerely,

Chad Nabity, AICP
Planning Director

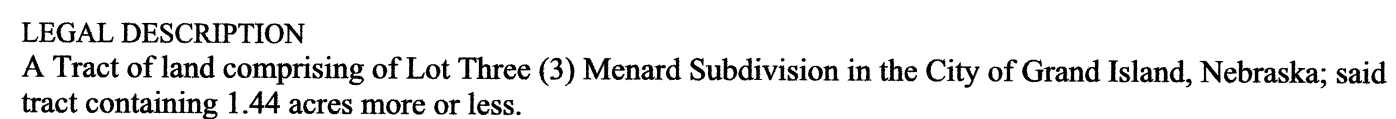
Cc: City Clerk
City Attorney
City Public Works
City Utilities
City Building Director
County Assessor/Register of Deeds
Manager of Postal Operations
Stevens Land Surveying
Brian McMahon

This letter was sent to the following School Districts 2, 19, 82, 83, 100, 126.





PLOTTED: 4/13/2018 11:55 AM SAVED: 4/13/2018 11:54 AM -----
 G:\Projects\149\149-P60-001\Civil-Dwgs\Design Drawings\Survey Design\Ex_Confederated Builders Plat.dwg



I hereby certify that on March 29, 2018, I completed an accurate survey (Made under my Supervision) of Fugate Subdivision in the City of Grand Island, Hall County, Nebraska as shown on the Accompanying Plat thereof; that the Lots, Blocks, Streets, Avenues, Alleys, Parks, Commons and other Grounds as contained in said subdivision as shown on the accompanying plat thereof, are well and accurately staked off and marked; that iron pipes were placed at all corners as shown on the plat; that each lot bears its own number; and that said survey made reference to known and recorded monuments.

NOTES:
This Plat Prepared April 2018 for:
Owner:
J. Larry Fugate, as Trustee of the J. Larry
Fugate Revocable Trust dated March 25, 2010
208 South Maize Road
Wichita, KS 67209

By:
Miller & Associates
11 Central Ave.
Kearney, NE 68847

Current Zoning:
B-2 (General Business Zone)

Flood Zone:
X (0.2% Annual Chance of flood)

 Miller & Associates	PARTY CHIEF:	SURVEY COMPLETED:
	BRENT D. CYBORON	MARCH 29, 2018
	DRAWN BY:	REVISION
	LISA AMEN	DATE & REASON
	1111 CENTRAL AVENUE KEARNEY, NE 68847-8833 Tel: 308-234-6456 Fax: 308-234-1146 www.miller-engineers.com	F.B. #

FINAL PLAT
-FUGATE SUBDIVISION-
REPLAT OF LOT 3 MENARD SUBDIVISION, GRAND ISLAND
HALL COUNTY, NEBRASKA.

SURVEYOR'S CERTIFICATE
I hereby certify that on March 29, 2018, I completed an accurate survey (Made under my supervision) of Fugate Subdivision in the City of Grand Island, Hall County, Nebraska as shown on the Accompanying Plat thereof; that the Lots, Blocks, Streets, Avenues, Alleys, Parks, Commons and other Grounds as contained in said subdivision as shown on the accompanying plat thereof, are well and accurately staked off and marked; that iron pipes were placed at all corners as shown on the plat; that each lot bears its own number; and that said survey made reference to known and recorded monuments.

Brent D. Cyboron
Nebraska Professional Registered Land Surveyor No. 727

DEDICATION

KNOWN ALL MEN BY THESE PRESENTS, that, J. LARRY FUGATE, AS TRUSTEE OF THE J. LARRY FUGATE REVOCABLE TRUST DATED MARCH 25, 2010, being the sole owner of the land described hereon, had caused some to be surveyed, subdivided, platted and designated as "FUGATE SUBDIVISION", City of Grand Island, Nebraska, as shown on the accompanying plat thereof, and do hereby dedicate the streets as shown thereon to the public for their use forever, and the Easements as shown thereon for the location, construction and maintenance of public service utilities, together with the right of ingress and egress there to, and hereby prohibiting the planting of trees, bushes and shrubs, or placing other obstructions upon, over, along or underneath the surface of such easements; and that the foregoing subdivision as more particularly described in the description hereon as appears on the plat is made with the free consent and in accordance with the desires of the undersigned owner and proprietor.

IN WITNESS WHEREOF, we have affixed our signatures hereto, at Grand Island, Nebraska,
This _____ day of _____, 2018.

J. Larry Fugate, as Trustee of the
J. Larry Fugate Revocable Trust
dated March 25, 2010

ACKNOWLEDGEMENT

STATE OF NEBRASKA
COUNTY OF HALL

On the ____ day of _____, 2018, before me _____ a Notary Public within and for said County, personally appeared J. LARRY FUGATE, AS TRUSTEE OF THE J. LARRY FUGATE REVOCABLE TRUST DATED MARCH 25, 2010, to me personally known to be the identical person whose signature is affixed hereto, and that each did acknowledge the execution thereof to be his or her voluntary act and deed.
IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal at Grand Island, Nebraska, on the date last above written.
My commission expires _____.

Notary Public (Seal)

APPROVALS

Submitted to and approved by the Regional Planning Commission of Hall County, 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 _____, 2018.

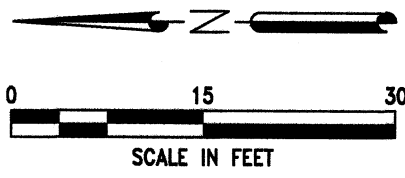
Mayor City Clerk (Seal)

NOTES:
This Plat Prepared April 2018 for:
Owner:
J. Larry Fugate, as Trustee of the J. Larry Fugate Revocable Trust dated March 25, 2010
208 South Maize Road
Wichita, KS 67209

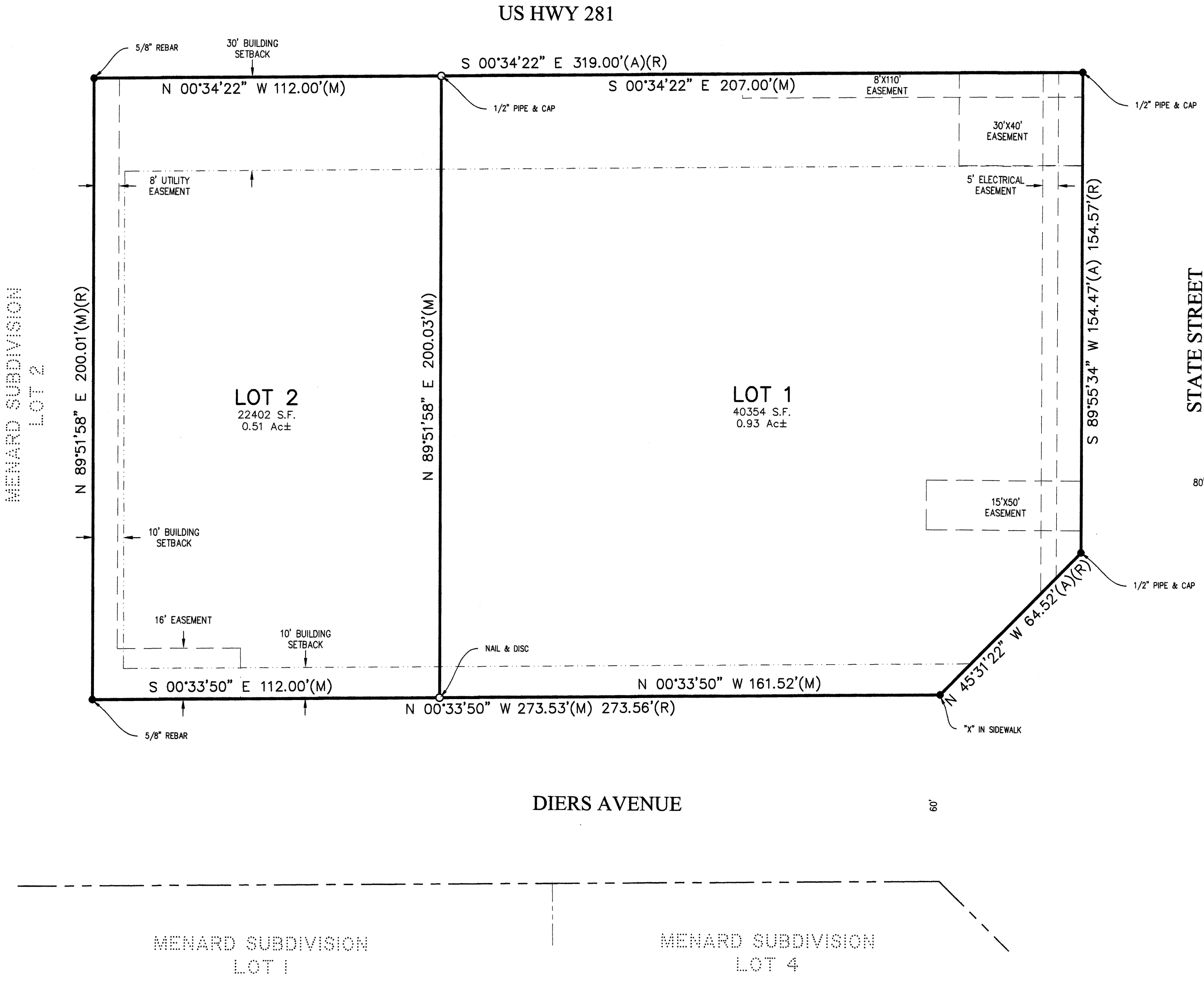
By:
Miller & Associates
11 Central Ave.
Kearney, NE 68847

Current Zoning:
B-2 (General Business Zone)

Flood Zone:
X (0.2% Annual Chance of flood)



MA Miller & Associates 1111 CENTRAL AVENUE KEARNEY, NE 68847-5833 Tel: 308-234-8456 Fax: 308-234-1146 www.miller-engineers.com	PARTY CHIEF: BRENT D. CYBORON	SURVEY COMPLETED: MARCH 29, 2018
	DRAWN BY: LISA AMEN	REVISION: DATE & REASON
HALL CO-MENARD SUB LT 3		F.B. #



LEGEND

- ▲ = SECTION CORNER MONUMENT FOUND
- = MONUMENT FOUND
- = MONUMENT ESTABLISHED
- x = TEMPORARY POINT
- (P) = PLATTED DISTANCES
- (A) = ACTUAL DISTANCES
- (M) = MEASURED DISTANCES
- (R) = RECORDED DISTANCES
- SECTION LINE
- PROPOSED LOT LINES
- RIGHT-OF-WAY LINE
- EXISTING LOT LINES
- EXISTING EASEMENTS
- NEWLY DEDICATED EASEMENTS
- BUILDING SETBACKS:
30.00' FRONT YARD
00.00' SIDE YARD
30.00' REAR YARD
- x-x-x-x-x- FENCE LINE
- /// BUILDING
- CONCRETE

SURVEYOR'S NOTE

A perpetual non-exclusive easement exists over all parking spaces now existing or from time to time existing located at Lot 1 and Lot 2, as well as over the use of the drive aisles and driveways located at Lot 1 and Lot 2 for the purpose of pedestrian and vehicular access.

LEGAL DESCRIPTION

A Tract of land comprising of Lot Three (3) Menard Subdivision in the City of Grand Island, Nebraska; said tract containing 1.44 acres, more or less.

G:\Projects\149\149-P60-001\Civil-Dwg\Design\Survey Design\Ex-Confederated Builders Plat.dwg
SAVED: 4/13/2018 5:40 PM
PLOTTED: 4/16/2018 8:14 AM



Hall County Regional Planning Commission

Wednesday, May 2, 2018

Regular Meeting

Item J8

Subdivision – Final Plat Stander Subdivision Grand Island ETJ

Staff Contact:

April 19th, 2018

Dear Members of the Board:

RE: Final Plat –Stander Subdivision.

For reasons of Section 19-923 Revised Statutes of Nebraska, as amended, there is herewith submitted a final plat of Stander Subdivision, located in Hall County, Nebraska.

This final plat proposes to create 3 lots, in a tract of land being part of the North Half of the Northeast Quarter (N1/2, NE1/4) of Section Fourteen (14), Township Ten (10) North, Range Eleven (11) West of the 6th P.M., in, jurisdiction of Grand Island, Hall County, Nebraska, containing 20.063 acres

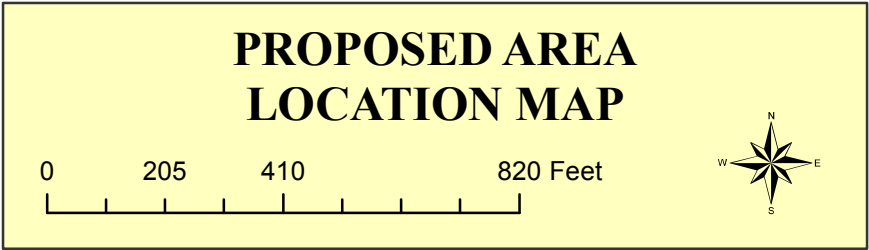
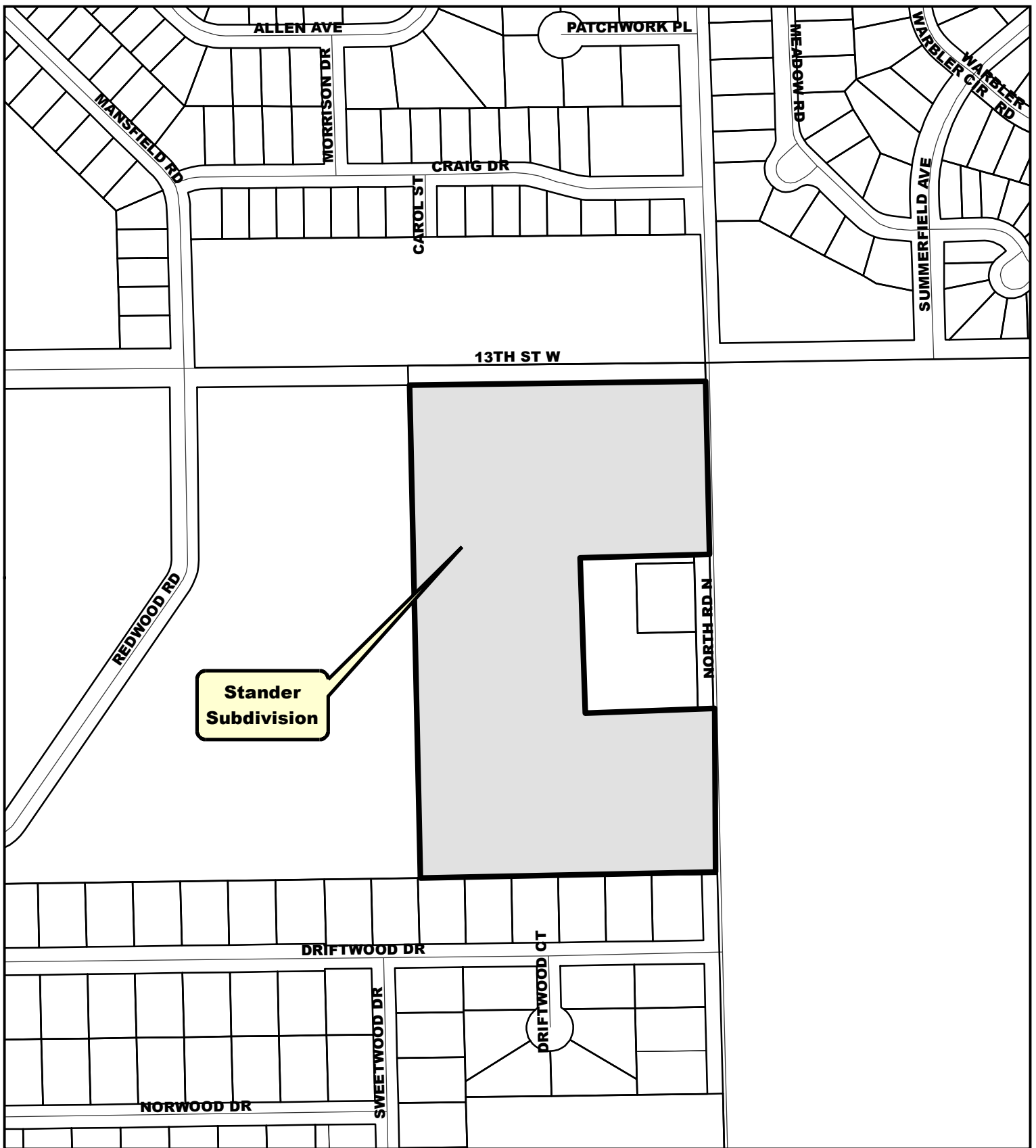
You are hereby notified that the Regional Planning Commission will consider this final plat at the next meeting that will be held at 6:00 p.m. on May 2nd, 2018, in the Council Chambers located in Grand Island's City Hall.

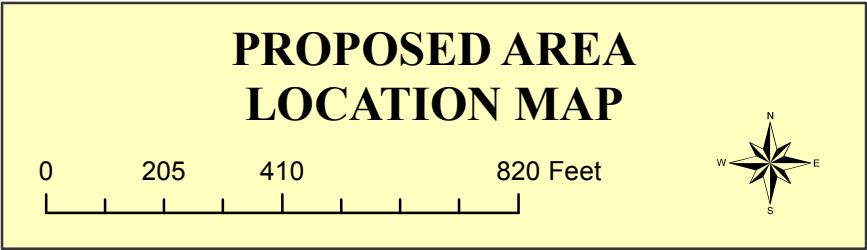
Sincerely,

Chad Nabity, AICP
Planning Director

Cc: City Clerk
City Attorney
City Public Works
City Utilities
City Building Director
County Assessor/Register of Deeds
Manager of Postal Operations
Stevens Land Surveying
Brian McMahon

This letter was sent to the following School Districts 2, 19, 82, 83, 100, 126.





LEGAL DESCRIPTION

A TRACT OF LAND COMPRISING A PART OF THE NORTH HALF OF THE NORTHEAST QUARTER (N1/2 NE1/4) OF SECTION FOURTEEN (14), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., IN HALL COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHEAST CORNER OF SAID NORTH HALF OF THE NORTHEAST QUARTER (N1/2 NE1/4), SAID POINT BEING THE POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF S01°24'11"E, ALONG THE EAST LINE OF SAID N1/2 NE1/4, A DISTANCE OF 492.04 FEET, TO THE NORTHEAST CORNER OF HANOVER SUBDIVISION; THENCE S88°36'51"W, ALONG THE NORTH LINE OF HANOVER SECOND SUBDIVISION, A DISTANCE OF 330.07 FEET, TO THE NORTHWEST CORNER OF LOT 2, HANOVER SECOND SUBDIVISION; THENCE S01°24'37"E, ALONG THE WEST LINE OF SAID LOT 2, HANOVER SECOND SUBDIVISION, A DISTANCE OF 395.80 FEET TO THE SOUTHWEST CORNER OF SAID LOT 2, HANOVER SECOND SUBDIVISION; THENCE N88°34'41"E, ALONG THE SOUTH LINE OF SAID LOT 2, HANOVER SECOND SUBDIVISION, A DISTANCE OF 330.02 FEET TO THE SOUTHEAST CORNER OF HANOVER SUBDIVISION, ALSO BEING A POINT ON SAID EAST LINE OF N1/2 NE1/4; THENCE S01°24'11"E, ALONG SAID EAST LINE, A DISTANCE OF 431.58 FEET TO THE NORTHEAST CORNER OF WESTWOOD PARK SUBDIVISION; THENCE S89°40'39"W, ALONG THE NORTH LINE OF SAID WESTWOOD PARK SUBDIVISION, A DISTANCE OF 762.43 FEET TO THE SOUTHEAST CORNER OF LOT 1, BLOCK 2, NEUMANN SECOND SUBDIVISION; THENCE N01°24'29"W, ALONG THE EAST LINE OF SAID LOT 1, BLOCK 2, NEUMANN SECOND SUBDIVISION, A DISTANCE OF 1316.20 FEET TO A POINT ON THE NORTH LINE OF SAID N1/2 NE1/4; THENCE N89°27'02"E, ALONG THE NORTH LINE OF SAID N1/2 NE1/4, A DISTANCE OF 762.49 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 873,953.61 SQUARE FEET OR 20.063 ACRES MORE OR LESS OF WHICH 1.511 ACRES ARE NEW DEDICATED ROAD RIGHT-OF-WAY.

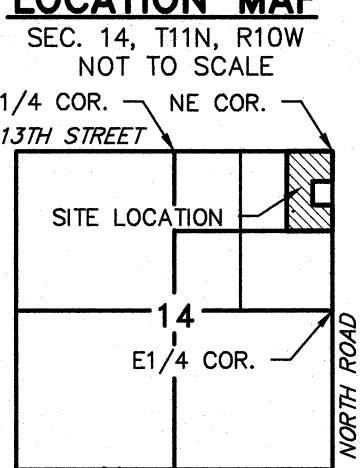
STANDER SUBDIVISION

AN ADDITION TO THE CITY OF GRAND ISLAND

HALL COUNTY, NEBRASKA

SITE PLAT

LOCATION MAP



LEGEND

- SECTION CORNER
- FOUND CORNER
- SET CORNER (5/8"x24" REBAR W/CAP)
- SECTION LINE
- SUBDIVISION BOUNDARY LINE
- PROPOSED PROPERTY LINE
- EXISTING PROPERTY LINE
- RIGHT-OF-WAY LINE
- M MEASURED DISTANCE
- R RECORDED DIST. D.D. SORGENFREI 1/6/2003
- P PLATTED DISTANCE HANOVER SUBD
- P1 PLATTED DISTANCE HANOVER 2ND SUBD
- POWER POLE W/ LIGHT
- POWER POLE
- EM ELECTRIC METER
- E ELECTRIC BOX
- ER ELECTRICAL RISER
- EC ELECTRIC CABINET
- TR TELEPHONE RISER
- F FIBER OPTIC BOX
- G GAS METER
- S SANITARY MANHOLE
- WATER VALVE
- FHT FIRE HYDRANT
- W WATER WELL
- SIGN
- BOLLARD
- WOOD POST
- MAILBOX
- FFE FINISHED FLOOR ELEVATION
- BUSH
- DECIDUOUS TREE
- CONIFEROUS TREE
- TREE STUMP
- SD STORM SEWER LINE
- W WATER LINE
- G GAS LINE
- P-UG UNDERGROUND ELECTRIC
- P-OH OVERHEAD ELECTRIC
- SS SANITARY SEWER LINE
- TEL UNDERGROUND TELEPHONE
- CATV UNDERGROUND CABLE
- FO UNDERGROUND FIBER OPTIC
- X WIRE FENCE
- WOODEN FENCE
- BUILDING LINE
- CONCRETE
- GRAVEL

LOT 1, BLOCK 2
NEUMANN
SECOND SUBDIVISION
(NOT A PART)

PT. NE1/4, NE1/4,
SEC. 14, T11N, R10W
UNPLATTED
(NOT A PART)

LOT 1
HANOVER
SECOND
SUBDIVISION
(NOT A PART)

LOT 2
HANOVER
SECOND
SUBDIVISION
(NOT A PART)

W1/2 NW1/4
SEC. 13, T11N, R10W
UNPLATTED
(NOT A PART)

LOT 4
477340± S.F.
10.958 ACRES

EXISTING 20'
UTILITY EASEMENT
INST. #200305499
FILED 05/02/03

LOT 7
WESTWOOD PARK
SUBDIVISION
(NOT A PART)

LOT 6
WESTWOOD PARK
SUBDIVISION
(NOT A PART)

LOT 5
WESTWOOD PARK
SUBDIVISION
(NOT A PART)

LOT 4
WESTWOOD PARK
SUBDIVISION
(NOT A PART)

LOT 3
WESTWOOD PARK
SUBDIVISION
(NOT A PART)

LOT 2
WESTWOOD PARK
SUBDIVISION
(NOT A PART)

LOT 1
WESTWOOD PARK
SUBDIVISION
(NOT A PART)

OWNERS: THE MEADOWS
APARTMENT HOMES, L.L.C.
SUBDIVIDER: THE MEADOWS
APARTMENT HOMES, L.L.C.
SURVEYOR: OLSSON ASSOCIATES
ENGINEER: OLSSON ASSOCIATES
NUMBER OF LOTS: 4

SE CORNER, N1/2 NE1/4
(EAST 1/4 CORNER)
SEC 14, T11N, R10W

OLSSON ASSOCIATES

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

PROJECT NO. 2017-2905
GI 911 CENTER
FB GI 2017-2

DWG: F:\2017\2501-3000\017-2905\40-Design\Survey\SRVY\Sheets\VFPT_72905.dwg
DATE: Apr 13, 2018 1:00pm XREFS: V_RWAY_72905 V_XTP0_72905

USER: jjimenez



Hall County Regional Planning Commission

Wednesday, May 2, 2018

Regular Meeting

Item 1

14. Discussion- Text Amendment of Hall County Zoning Resolution. Livestock Regulations

Staff Contact:

Agenda Item # 14

PLANNING DIRECTOR MEMO TO REGIONAL PLANNING

April 18, 2018

SUBJECT: Proposed changes regarding livestock operations in Hall County.

In January of 2017 the Hall County Regional Planning Commission appointed a committee to review livestock zoning regulations within Hall County. The committee was composed of five planning commissioners - all four of those appointed by Hall County, Pat O'Neill, Len Rainforth, Judd Allan, and Greg Robb, and Les Ruge of Alda, who was appointed in 1990 and is the longest-serving planning commissioner. The Planning Commission requested that the Hall County Board assign one or two members of the board to the committee as well and Steve Schuppan and Karen Bredthauer were appointed. The committee began meeting in the latter part of January and has met several times since then to review the A-1 zoning regulations, livestock definitions, livestock operation siting matrix as developed for the Nebraska Department of Agriculture (NDA) and the Livestock Friendly County designation through the Nebraska Department of Agriculture.

The committee began with a review of the current Hall County agriculture regulations and a comparison of those regulations with regulations from the surrounding counties. It was concluded that Hall County's regulations, allowing 1,000 animal units as a permitted use on a farming operation were less strict than Adams, Buffalo and Howard Counties. Hamilton County regulations do not provide any guidance regarding the size of operation and Merrick County regulations would permit 2,500 animal units without a conditional use permit. Hamilton, Merrick, Howard and Adams counties have all been designated as Livestock Friendly by the Nebraska Department of Agriculture.

The ag zoning regulation changes as proposed add a localized version of the Livestock Siting Matrix into the decision-making process. They do not propose to change size categories within the livestock operation mix although earlier versions did contemplate adding a size between 1001 and 5000. They do address newer confinement technologies, such as hoop buildings. The committee did review the Nebraska Department of Agriculture definitions of types of feeding operations based on the manure management and the setbacks proposed by the NDA. The committee is recommending that Hall County continue to divide Livestock Feeding Operations (LFOs) by open lots and environmentally-controlled housing. It is recommended that the separation distances between LFOs and other uses remain as they are in the current regulations. The required separation for environmentally-controlled housing would remain the same for all classes.

The Livestock Siting Matrix is a major change to the regulations. As proposed, the LFO Class II and above (1,001 animal units or more) would need to score at least 75 points to be considered as a permitted use. The first 25 point would come from approval and compliance with Nebraska Department of Environmental Quality (NDEQ) permits and regulations that apply to all LFOs with more than 1,000 animal units. The second 25 points would come from meeting the county separation distances or having impact easements that waive the separation distance. Those 50 points would be required. The other 25 points would be based on management practices including, but not limited to, environmental compliance, water quality protection, odor and dust control, manure application practices, traffic, economic impact and aesthetics.

Another significant change that has been suggested is that the county would recognize impact easements that could be agreed upon by all property owners that would allow feeding operations to locate closer to a neighboring use than the regulations would allow or allow a house to locate closer to a feeding operation than would otherwise be allowed. The Nebraska courts have validated these mutually agreed upon impact easements for livestock operations.

The Planning department did receive a number of comments on the proposed regulations after the meeting in April of 2017 many of the comments referenced both the Livestock Friendly County Designation and the proposed

changes. Copies of those comments were included in the March 14 Regional Planning Commission packet and are available online or from the office.

In May of 2017, the Hall County Board authorized the Planning Department to make an application to the State of Nebraska Department of Agriculture for Hall County to be designated as Livestock Friendly. The Livestock Friendly County Designation was officially awarded to the Hall County during the Governor's Breakfast the first Sunday of the 2017 Nebraska State Fair.

At the March 2018 Regional Planning Commission meeting a hearing was held on the proposed changes. The commission chose to take no action on the proposed changes and referred them back to the committee for further discussion. The commission specifically directed the committee to consider expanding the number of classifications to allow a classification between the type I and type II operations as had been previously considered and to eliminate the need for conditional use permit for at least some of the operations with more than 1000 animal units. The commission also wanted to clarify the ability of people living in the primary agricultural zone to house animals for 4-H projects and similar activities.

The committee decided to recommend no changes to the minimum size for the type I operation. Their suggestion is that operations with between 301 and 1000 animal units continue to be classified as a type I LFO. The previous version would have classified any operation with less than 1001 animal units as a type I LFO. This should also help address 4-H projects and other activities.

At the meeting on April 4, 2018, the planning commission discussed the proposed changes. Some areas were identified that needed slight rewording. Andy Baack spoke and identified some areas that appear to create conflicts, changes have been made to address those conflicts.

At the May 2, 2018 meeting the Planning Commission will again review and discuss the proposed changes. The committee agreed that this should be brought back to the Commission for discussion purposes. Prior to making a final recommendation to the Hall County Board regarding any proposed changes the planning commission will advertise and hold a public hearing to gather additional public comments. A recommendation will not occur before the June 6, 2018 regular meeting of the Hall County Regional Planning Commission.

_____ Chad Nabity AICP, Planning Director

HALL COUNTY, NEBRASKA

ZONING RESOLUTION

A resolution, consistent with the Comprehensive Development Plan, Adopted for the purpose of promoting health, safety, morals, convenience, order, prosperity, and welfare of the present and future inhabitants of Hall County, Nebraska, to regulate and restrict the location, height, bulk, number of stories, size of buildings and other structures, including tents, cabins, house trailers, and automobile trailers; the percentage of lot areas which may be occupied, building setback lines; size of yards, courts, and other open spaces; the density of population; the uses of buildings; and the uses of the land for agriculture, forestry, recreation, residence, industry, and trade, after considering factors relating to soil conservation, water supply conservation, surface water drainage and removal, or other uses; to divide the County into districts of such number, shape, and area as may be best suited to carry out the purposes of this resolution to regulate, restrict, or prohibit the erection, construction, reconstruction, alteration or use of non-farm buildings or structures, and the use, conditions of use or occupancy of land in the unincorporated areas of the County; to provide for the adoption of a zoning map; to provide for a board of adjustment, its members, powers, and duties; to provide for off-street parking and loading area requirements; to provide for conditional uses by conditional use permit; to provide for the proper subdivision and development of land, as provided in the Subdivision Regulations; to provide for non-conforming uses, to provide for the administration and the enforcement of these provisions, and for the violations of its provisions and the prescribed penalties, and including among others such specific purposes as:

- (1) Developing both urban and non-urban areas;
- (2) Lessening congestion in the streets or roads;
- (3) Reducing the waste of excessive amounts of roads;
- (4) Securing safety from fire and other dangers;
- (5) Lessening or avoiding the hazards to persons and damage to property resulting from the accumulation or run-off of storm or flood waters;
- (6) Providing adequate light and air;
- (7) Preventing excessive concentration of population and excessive and wasteful scattering of population or settlement;
- (8) Promoting such distribution of population, such classification of land uses, and such distribution of land development as will assure adequate provisions for transportation, water flowage, water supply, drainage, sanitation, recreation, soil fertility, food supply, and other public requirements;
- (9) Protecting the tax base;
- (10) Protecting property against blight and depreciation;
- (11) Securing economy in governmental expenditures;
- (12) Fostering the County's agriculture, recreation, and other industries;
- (13) Encouraging the most appropriate use of land in the County; and
- (14) Preserving, protecting, and enhancing historic buildings, places, and districts, all in accordance with the comprehensive plan.

WHEREAS Nebraska Revised Reissued Statutes, 1943, Sections 23-114 through 23-114.05 and 23-164 through 23-174.06 as amended, empowers the County to adopt a zoning and subdivision resolution and to provide for its administration, enforcement, and amendment; and

WHEREAS, the Hall County Board of Supervisors deem it in the interest of the public health, safety, morals, convenience, order, prosperity, and welfare of said County and its present and future residents; and WHEREAS, the Hall County Board of Supervisors has adopted a Comprehensive Development Plan pursuant to Neb. R. R. S. 1943, Sections 23-114 through 23-114.03, as amended, and known as Hall County Comprehensive Development Plan, 2003, as amended; and

WHEREAS, the Hall County Planning Commission has recommended the division of the unincorporated areas of the County into districts and recommended regulations pertaining to such districts consistent with the adopted Comprehensive Development Plan based on a future land use plan designed to lessen congestion on roads and highways, to secure safety from fire, panic and other dangers, to provide adequate light and air, to prevent the

overcrowding of land, to avoid undue concentration of population, to conserve agricultural land and values, to facilitate sewerage, schools, parks, and other public needs; and

WHEREAS, the County Planning Commission has given reasonable consideration, among other things, to the prevailing agricultural and rural characteristics now predominant in the County, to the character of the districts and their peculiar suitability for the particular permitted uses, with a reasonable understanding of the objective to conserve the value of lands and improvements while encouraging the development of the most appropriate uses of land throughout the County; and

WHEREAS, the County Planning Commission has made a preliminary report, held public hearings, submitted its recommended final report to the County Board of Supervisors; and the County Board of Supervisors have given due public notice of hearings relating to the Comprehensive Development Plan, to the zoning districts, regulations, subdivision regulations, and restrictions, and has held such public hearing; and

WHEREAS, The County Board of Supervisors have deemed it necessary to adopt the Comprehensive Development Plan, the zoning districts, regulations, subdivision regulations, and restrictions for the purpose of the conservation of the existing rural agricultural developments and land uses, of providing for the harmonious development and orderly expansion of urban areas radiating outwardly from existing rural communities, for the orderly extension and planned arrangements of county roads, utilities, for adequate sanitary facilities, for safe and health drinking water, and for reducing flood damage potentials; and

WHEREAS, the requirements of Neb. R.R.S. 1943, Section s 23-114 through 23-124.05, Sections 23-164 through 23-174, and Section 23-174.02, as amended, with regard to the recommendations of the Planning Commission, the Comprehensive Development Plan, the zoning districts, regulations, subdivision regulations and restrictions and the subsequent action of the County Board of Supervisors have been met;

NOW THEREFORE BE IT RESOLVED BY THE COUNTY BOARD OF SUPERVISORS OF HALL COUNTY, NEBRASKA.

Definitions

- 2.03.09 **ACREAGE** shall mean any tract or parcel of land that does not qualify as a farm or development.
- 2.03.23 **AGRICULTURAL AND FARM BUILDINGS AND STRUCTURES** shall mean any building or structure which is necessary or incidental to the normal conduct of a farm including but not limited to residence of the operator, residence of hired men, barns, buildings and sheds for housing livestock, poultry and farm machinery, buildings for the storage or shelter of grain, hay and other crops, silos, windmills and water storage tanks.
- 2.03.24 **AGRICULTURAL OPERATIONS** (see “Farming”)
- 2.03.25 **AGRICULTURE** shall mean the use of land for agricultural purposes, of obtaining a profit by raising, harvesting, and selling crops or by the feeding, breeding, management, and sale of, or the produce of, livestock, poultry, fur-bearing animals, or honeybees, or for dairying and the sale of dairy products, or any other agricultural or horticultural use. Agricultural use shall not be construed to include any parcel of land of less than twenty acres or any non-agricultural commercial or industrial development.
- 2.03.79 **BUFFER ZONE** shall mean an area of land that separates two zoning districts and/or land uses that acts to soften or mitigate the effects of one use on the other.
- 2.03.92 **CEMETERY** shall mean land used or intended to be used for the burial of the dead and dedicated for such purposes, including columbariums, crematoriums, and mausoleums.
- 2.03.104 **COMMERCIAL FEEDING OPERATION** (See Livestock Feeding Operation)
- 2.03.112 **COMPATIBLE USES** shall mean a land use that is congruous with, tolerant of, and has no adverse effects on existing neighboring uses. Incompatibility may be affected by pedestrian or vehicular traffic generation, volume of goods handled and environmental elements such as noise, dust, odor, air pollution, glare, lighting, debris generated, contamination of surface or ground water, aesthetics, vibration, electrical interference, and radiation.
- 2.03.114 **CONDITIONAL USE** shall mean a use allowed by the district regulations that would not be appropriate generally throughout the entire zoning district without special restrictions. However, said use if controlled as to number, size, area, location, relation to the neighborhood or other minimal protective characteristics would not be detrimental to the public health, safety, and general welfare.
- 2.03.115 **CONDITIONAL USE PERMIT** shall mean a permit issued by the **Planning Commission and** County Board that authorizes the recipient to make conditional use of property in accordance with the provisions of Article 5 and any additional conditions placed upon, or required by said permit.

2.03.117 CONFINED ANIMAL FEEDING OPERATION, LARGE shall mean an farming operation which meets the following minimum numbers:

700 mature dairy cows

1,000 beef cattle or heifers

2,500 swine (each 55lbs or more)

10,000 swine (each under 55 lbs.)

30,000 ducks (other than liquid manure handling system)

5,000 ducks (liquid manure systems)

30,000 chickens (liquid manure systems)

125,000 chickens except laying hens (other than liquid manure handling system)

82,000 laying hens (other than liquid manure handling system)

1,000 veal calves

500 horses

10,000 sheep

55,000 turkeys

Any combination of animals shall follow the definition of Animal Units in order to establish the intensity of Confined Animal Feeding Operation

2.03.122 CONFINED ANIMAL FEEDING OPERATION, MEDIUM shall mean an farming operation which meets the following minimum numbers:

200 mature dairy cows

300 beef cattle or heifers

750 swine (each 55lbs or more)

3,000 swine (each under 55 lbs.)

10,000 ducks (other than liquid manure handling system)

1,500 ducks (liquid manure systems)

9,000 chickens (liquid manure systems)

37,500 chickens except laying hens (other than liquid manure handling system)

25,000 laying hens (other than liquid manure handling system)

300 veal calves

150 horses

3,000 sheep or lambs

16,500 turkeys

Any combination of animals shall follow the definition of Animal Units in order to establish the intensity of Confined Animal Feeding Operation

2.03.123 CONFINEMENT shall mean totally roofed buildings, which may be open-sided (for ventilation purposes only) or completely enclosed on the sides, wherein animals or poultry are housed over solid concrete or dirt floors, or slatted (partially open) floors over pits or manure collection areas in pens, stalls, cages, or alleys, with or without bedding materials and mechanical ventilation. The word "confinement" shall not mean the temporary confined feeding of livestock during seasonal adverse weather.

2.03.124 CONFLICTING LAND USE shall mean the use of property that transfers over neighboring property lines, negative economic or environmental effects. Including, but not limited to, noise, vibration, odor, dust, glare, smoke, pollution, water vapor, mismatched land uses and/or density, height, mass, mismatched layout of adjacent uses, loss of privacy, and unsightly views.

2.03.135 DAIRY FARM shall mean any place or premises upon which milk is produced for sale or other distribution.

2.03.170 ENVIRONMENTALLY CONTROLLED HOUSING shall mean any livestock operation meeting the definition of a Livestock Feeding Operation (LFO) and is contained within a building which is roofed, and may or may not have open sides and contains floors which are hard surfaced, earthen, slatted or other type of floor. The facility is capable of maintaining and regulating the environment in which the livestock are kept. Does not include Hoop Houses with dry bedding.

2.03.179 FARM shall mean an area containing at least 20 acres or more which is used for growing of the usual farm products such as vegetables, fruit, and grain, and the storage on the area, as well as for the raising thereon of the usual farm poultry and farm animals. The term farming includes the operating of such area for one or more of the above uses with the necessary accessory uses for treating or storing the produce and the feeding of livestock as hereinafter prescribed; provided such accessory uses do not include the feeding of garbage or offal to swine or other animals.

2.03.180 FARMING shall mean the planting, cultivating, harvesting and storage of grains, hay or plants commonly grown in Nebraska with the necessary accessory uses for treating or storing the produce and the feeding of livestock as prescribed hereunder, provided such accessory uses do not include the feeding of garbage or offal to swine or other animals.

2.03.181 FARMSTEAD, In contrast to a farmstead dwelling, a tract of land of not less than one (1) acre and not more than 20 acres, upon which a farm dwelling and other outbuildings and barns existed at the time of the adoption of this resolution and was used for single-family resident purposes.

2.03.182 FEED LOT shall mean the confinement of horses, sheep, pigs, and other food animals in buildings, lots, pens, pools or ponds which normally are not used for raising crops or for grazing animals.

HOOP HOUSE shall mean a temporary or permanent structure typically constructed with, but not limited to, piping or other material covered with translucent material. Hoop houses are typically used for the purpose of growing food, ornamental crops and livestock, but not for storage of inorganic materials. A hoop house for raising livestock that uses a dry bedding systems shall be treated as an open feed lot. A hoop house for raising livestock with a slatted floor, deep pit or other liquid manure management system shall be treated as environmentally controlled housing."

IMPACT EASEMENT shall mean an easement or deed restriction recorded in the office of the County Register of Deeds. Impact easements shall run with the land. Impact easements are an agreement between property owners where the grantor shall hold the grantee harmless for odor, smoke, dust, or other legal impacts associated with such use on the grantor's property when such use is operated in accordance with the terms of such easement or deed restriction. Eg. The owner of a home may grant an impact easement to a Livestock Feeding Operation allowing the operation to expand or locate closer to the home than permitted by the County regulations. Conversely, the owner of a Livestock Feeding Operation may grant an impact easement to allow the construction of a house within the separation distance required between the feeding operation and a new residential structure under different ownership than the feeding operation.

2.03.233 **LAGOON** shall mean a wastewater treatment facility that is a shallow, artificial pond where sunlight, bacterial action, and oxygen interact to restore wastewater to a reasonable state of purity. This includes both human and livestock wastes. All lagoons shall meet the minimum design criteria established by the Nebraska Department of Environmental Quality and the Nebraska Department of Health and Human Services. All lagoons shall have the proper permits approved prior to starting construction.

2.03.239 **LIQUID MANURE** shall mean that type of livestock waste that is in liquid form, collected in liquid manure pits or lagoons and which can be sprayed or injected beneath the surface.

2.03.240 **LIQUID MANURE STORAGE PITS** shall mean earthen or lined pits wholly or partially beneath a semi or totally housed (ECH) livestock operation or at some removed location used to collect waste production.

2.03.241 **LIVESTOCK** (See Animals, Farm)

2.03.242 **LIVESTOCK FEEDING OPERATION (LFO)** shall mean any farming operation exceeding the per acre Animal Unit (A.U.) ratio as defined under "farming" or the feeding, farrowing, or raising cattle, swine, sheep, poultry, or other livestock, in a confined area where grazing is not possible, and where the confined area is for more than six (6) months in any one calendar year, and where the number of animals so maintained exceeds ~~three~~ 300 Animal Units as defined below. The confined area of the LFO shall include the pens, corrals, sheds, buildings, feed storage areas, waste disposal ponds, and related facilities. Such facilities shall be constructed and operated in conformance with applicable county, state, and federal regulations. Two (2) or more LFO's under common ownership are deemed to be a single LFO if they are adjacent to each other, or if they utilize a common area ~~of or~~ system for the disposal of livestock wastes and are located within the required setback distance based on class size as further defined within these regulations regardless of ownership.

Animal Units (A.U.) are defined as follows:

- One (1) A.U.= One (1) Cow/Calf combination;
- One (1) A.U.= One (1) Slaughter, Feeder Cattle;
- One (1) A.U.= One-half (1/2) Horse;
- One (1) A.U.= Seven Tenths (.7) Mature Dairy Cattle;
- One (1) A.U.= Two and One Half (2.5) Swine (55 lbs or more);
- One (1) A.U.= Twenty Five (25) Weaned Pigs (less than 55 lbs);
- One (1) A.U.= Two (2) Sows with Litters;
- One (1) A.U.= Ten (10) Sheep;
- One (1) A.U.= One Hundred (100) Chickens;
- One (1) A.U.= Fifty (50) Turkeys;
- One (1) A.U.= Five (5) Ducks.

2.03.242a **LIVESTOCK SITING MATRIX** shall mean the matrix attached to this zoning resolution as **APPENDIX B** as adopted by the Hall County Board of Supervisors for the purpose of determining if a new

livestock operation in classes II, III, and IV should be allowed or if an existing operation should be allowed to expand into classes II, III or IV.

2.03.243 **LIVESTOCK WASTES** shall mean animal and poultry excreta and associated feed losses, bedding, spillage, or overflow from watering systems, wash and flushing waters, sprinkling waters from livestock cooling, precipitation polluted by falling on or flowing onto a livestock operation, and other materials polluted by livestock or their direct product.

2.03.282 **NON-FARM BUILDINGS** are all buildings except those buildings utilized for agricultural purposes on a farmstead of twenty acres or more which produces one thousand dollars or more of farm products each year.

***NON-FARM RESIDENCE** any residential dwelling not located on a farm.*

2.03.289 **OPEN LOTS** shall mean pens or similar concentrated areas, including small shed-type areas or open-front buildings, with dirt, or concrete (or paved or hard) surfaces, wherein animals or poultry are substantially or entirely exposed to the outside environment except for possible small portions affording some protection by windbreaks or small shed-type areas.

2.03.309 **POULTRY, COMMERCIAL FEEDING** shall mean a poultry commercial feed lot, whether the confined feeding operations are enclosed or outdoors.

2.03.438 **WASTE HANDLING SYSTEM** shall mean any and all systems, public or private, or combination of said structures intended to treat human or livestock excrement and shall include the following types of systems

1. **Holding pond** shall mean an impoundment made by constructing an excavated pit, dam, embankment or combination of these for temporary storage of liquid livestock wastes, generally receiving runoff from open lots and contributing drainage area.
2. **Lagoon** shall mean an impoundment made by constructing an excavated pit, dam, embankment or combination of these for treatment of liquid livestock waste by anaerobic, aerobic or facultative digestion. Such impoundment predominantly receives waste from a confined livestock operation.
3. **Liquid manure storage pits** shall mean earthen or lined pits located wholly or partially beneath a semi or totally housed livestock operation or at some removed location used to collect waste production.
4. **Sediment** shall mean a pond constructed for the sole purpose of collecting and containing sediment.

2.03.439 **WASTEWATER LAGOON** (See Lagoon)

2.03.440 **WATERS OF THE STATE** shall mean all waters within the jurisdiction of this state, including all streams, lakes, ponds, impounding reservoirs, marshes, wetlands, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water surface or underground, material or artificial, public or private, situated wholly within or bordering upon the state.

Article 3: General Regulations

Section 3.23 Building Setback

1. The building setback lines shall be determined by measuring the horizontal distance from the property line to the furthest architectural projection of the existing or proposed structure.
2. All new non-farm residences shall locate no less than at the corresponding distances provided in Section 4.02.08 from an Existing *permitted* LFO with more than *100_300* animal units. *located in any affected adjacent Zoning District*

Section 4.02: A-1 Agricultural – Primary District

4.02.01 Intent

The A-1 Agricultural District regulations are intended to provide for the preservation of lands best suited for agricultural uses of all types including feed lots and the commercial feeding of livestock and accessory uses; to prevent encroachment of uses of land that could be mutually incompatible and continue to provide for agricultural uses as a major uses to the economy of the area for the use and conservation of agricultural land, to protect the value of such land, and to protect it from indiscriminate residential and urban development and other incompatible and conflicting land uses. The A-1 Agricultural District is also intended to conserve and protect the value of open space, wooded areas, streams, mineral deposits and other natural resources and to protect them from incompatible land uses and to provide for their timely utilization. The district intends to provide for the location and to govern the establishment and operation of land uses that are compatible with agriculture and are of such nature that their location away from residential, commercial and industrial areas is most desirable. In addition, to provide for the location and to govern the establishment of residential uses which are accessory to and necessary for the conduct of agriculture and to provide for the location and to govern the establishment and use of limited non-agricultural residential uses. Such non-agricultural residential uses shall not be so located as to be detrimental to or conflict with other uses that are named as permitted or conditional uses in this district and are appropriate to other property in the area.

The nature of the A-1 Agricultural District and the uses allowed outright or by conditional use permit precludes the provision of services, amenities and protection from other land uses which are afforded to residential uses by the regulations of other districts, and it is not intended that the A-1 Agricultural District regulations afford such services, amenities and protection to residential uses located therein.

4.02.02 Permitted Principal Uses

The following principal uses are permitted in the Agriculture A-1 District.

- A Agricultural operations, and the usual agricultural and farm buildings and structures, including the residences of the owners and their families and any tenants and employees who are engaged in agricultural operations on the premises.
 - 1. State Agencies shall govern all use of farm chemicals, including application of pesticides and herbicides, and applicants using restricted-use pesticides shall be required to be certified as required by law.
 - 2. The spreading of manure by a “Farming” Operation. (as defined in Article 2 of this Resolution)
 - 3. Agricultural operations having up to 1,000 A.U.’s are considered a farm and are permitted by right, provided other requirements in this district are met and submission of a no-fee livestock registration permit to the Hall County Regional Planning Director is done.
 - 4. Operations having up to 1,000 animal units shall locate at least 1,320 feet from a platted residential area, Public Park, recreational area, church, cemetery, religious area, school, historical site, and Residential District.
 - 5. Mobile homes are permitted only when the land is used or intended to be used only for agricultural operations. ~~All mobile homes require a special one (1) year permit which must be renewed annually and which shall be subject to the conditions of the permit.~~
- B Ranch and farm dwellings, subject to Section 4.02.08.
- C Recreational camps, parks, playgrounds, golf courses, country clubs, tennis courts, riding academies and other similar recreational uses.
- D Single family dwelling subject to Section 4.02.08
- E Utility substation, pumping station, water reservoir and telephone exchange
- F Fire Stations.
- G Churches, seminary and convent.
- H Public and parochial school; college.
- I Publicly owned and operated buildings and facilities such as community centers, auditoriums, libraries, museums.
- J Private kennels and facilities, provided that all buildings and facilities be at least 100 feet from the property line and 300 feet from any neighboring residence.
- K Roadside stands offering agricultural products for sale on the premises.

- L Seed and feed sales, machine repair shop, livestock equipment construction and sales, as a primary occupation in conjunction with an agricultural operation and be operated on the premises.
- M Farm and industrial equipment sales.
- ~~N~~ Public and private riding academies provided that no stable, building or structure in which horses or other animals are kept is no closer than 100 feet from the property line
- ~~O~~ *Keeping of livestock on properties of less than 20 acres at a density not to exceed 2 animal units per acre regardless of other setback requirements*
- ~~NP~~ *Class II Livestock Feeding Operations provided they meet the minimum setback/separation requirements with 25 points (or have impact easements) and NDEQ requirements with 25 points (NDEQ requirements must be met prior to operation) and score at least 25 additional points for a minimum score of 75 points on the Livestock Siting Matrix found in Appendix B*
- OO All other Permitted Uses as indicated as Permitted within the Zoning Matrix.

4.02.03 Conditional Uses

The following uses are subject to any conditions listed in this Resolution and are subject to conditions relating to the placement of said use on a specific tract of ground in the A-1 Agricultural District.

- A Bed and breakfast residence subject to the following conditions in addition to those imposed by the County Board:
 - A. The bed and breakfast residence shall be within a conforming single-family dwelling.
 - B. Guest rooms shall be within the principal residential building only and not within an accessory building.
 - C. Each room that is designated for guest occupancy must be provided with a smoke detector which is kept in good working order.
 - D. Two (2) off-street parking spaces shall be provided for each dwelling unit plus one (1) off-street parking space for each sleeping room designated for guests. Such parking areas shall not be within the required front or side yards.
 - E. One (1) identification sign on not more than four (4) square feet of sign area shall be permitted.
- B Publicly and privately owned dude ranches, forest and conservation areas, and golf driving ranges, motorized cart tracks, or other outdoor recreational areas such as gun clubs, and archery, trap and skeet ranges.
- C Industrial uses as provided in the Zoning Matrix and the following minimum conditions are met:
 - A. Meets minimum lot requirements as established by this Resolution.
 - B. Meets minimum off-street parking requirements as established by this Resolution.
 - C. Meets minimum sanitary sewer requirements for the proposed use.
 - D. The lot(s) takes access from an improved county road or highway or are along a developed public or private road that accesses an improved county road or highway.
- D Commercial uses as provided in the Zoning Matrix and the following minimum conditions are met:
 - A. Meets minimum lot requirements as established by this Resolution.
 - B. Meets minimum off-street parking requirements as established by this Resolution.
 - C. Meets minimum sanitary sewer requirements for the proposed use.
 - D. The lot(s) takes access from an improved county road or highway or are along a developed public or private road that accesses an improved county road or highway.
- E All other Conditional Uses as indicated within the Zoning Matrix, provided the following minimum conditions are met:
 - A. Meets minimum lot requirements as established by this Resolution.
 - B. Meets minimum off-street parking requirements as established by this Resolution.
 - C. Meets minimum sanitary sewer requirements for the proposed use.
 - D. The lot(s) takes access from an improved county road or highway or are along a developed public or private road that accesses an improved county road or highway.
- F Development of natural resources and the extraction of raw materials such as rock, gravel, sand, etc., including gas and oil extraction and exploration, and subject to the requirements of the Supplementary Regulations.
- G Radio, cellular and television towers and transmitters and are subject to the requirements of Section 6.01 of the Supplementary Regulations.
- H Airports.

I	Manufacture of light sheet metal products including heating and ventilation equipment.
J	Manufacture and/or processing of agricultural products including but not limited to ethanol plants and mills.
K	Truck and freight terminals.
L	Commercial mining, quarries, sand and gravel pits and accessory uses.
M	Storage of trucks, tractors, and trailers engaged in the transportation of explosives.
N	Race tracks, drag strips and similar uses and associated accessory uses.
O	Wind Energy devices.
P	Community sewage disposal facilities.
Q	Sanitary landfill siting or expansion conducted in a manner and method approved by the County Board of Supervisors, provided said landfill is not closer than 1,000 feet to a municipal well and/or one mile to any village or city limits or any subdivision, addition or residence platted as of the effective date of this resolution, see Section 6.04 of the Supplemental Regulations.
R	Lawn and Garden Nurseries.
S	Commercial Kennels and facilities for the raising, breeding and boarding of dogs and other small animals, including exotic, non-farm and non-domestic animals, provided that all buildings and facilities be at least 100 feet from the property line and 300 feet from any neighboring residence.
T	The spreading, stockpiling, or composting of dead livestock, sludge, by-products from manufacturing or any processing plant, and/or paunch manure on agricultural land by municipalities or operations inside or outside of the County.
U	The application of livestock manure in Hall County by operations located outside the County.
V	Class III, and IV Livestock Feeding Operations, subject to the license requirements, waste disposal requirements and recommendations of the State of Nebraska and the Land Use specifications in the Hall County Comprehensive Plan.

4.02.04 Standards for Livestock Feeding Operations

1. The following setbacks and design standards are the minimum sanitation and odor practices for Hall County. In addition, the Hall County Board of Supervisors, when considering the health, safety, and general welfare of the public, may impose more restrictive requirements. These requirements should consider such things as:
 - property values,
 - dust,
 - lighting,
 - waste disposal and
 - Dead livestock.
3. A Conditional Use Permit may be approved after public notice has been given and public hearing is conducted as required by law.
4. Agricultural Operations of 1,000 A.U. and under are considered a farm as defined in these Regulations and do not require a Conditional Use Permit
5. All existing LFO's that have been granted a conditional use permit may expand within their designated level; except for the 20,000 and above which requires a new Conditional Use Permit for each expansion beyond 20,000 A.U.'s, as outlined in Table 1, without applying for another conditional use permit. All new LFO's and those expanding to the next level shall require a Conditional Use Permit and shall be located no less than at a distance from non-farm residences or other residences not on an owner's property in any affected Zoning District as hereafter described:
 - A. Livestock Feeding Operations (LFO) will be categorized either as Environmentally Controlled Housing (ECH) Operations or Open Lot Operations. LFOs having more than one type of feeding operation at one location shall be categorized according to the operation which constitutes the majority of the total operation. Each operation type shall be classified in one of four levels according to total number of animal units (A.U.) in the operation at any one time. Levels will include:
 - Class I Facility = 300-1,000 animal units;
 - Class II Facility = 1,001-5,000 animal units;
 - Class III Facility = 5,001-20,000 animal units; and
 - Class IV Facility = 20,001 or more animal units.

LFOs having more than one type feeding operation at one location shall be categorized according to the total number of animal units.

6.

TABLE 1: LFO SPACING AND DISTANCE (Distances given in **feet/miles**)

Size of Proposed LFO in Animal Units.		Non-farm or Other Residence and Other LFOs (feet)
Class I 301-1000	ECH	1,320
	OPEN	1,320
Class II 1001-5000	ECH	5,280
	OPEN	2,640
Class III 5001-20,000	ECH	5,280
	OPEN	2,640
Class IV 20,000+	ECH	7,920
	OPEN	3,960

ECH = Environmentally Controlled Housing

OPEN = Open Lot Operations

- B. LFOs having more than a ~~1,000-300~~ animal units shall also locate at a distance as specified under the ECH or Open Lots, in Table 1 from ~~a house under different ownership than the owner/operator of the LFO~~ a platted, a residential area, public park, recreational area, church, cemetery ~~(excluding abandoned and personal historic cemeteries)~~, religious area, school, ~~state or nationally designated~~ historical site, and ~~Residential District~~. LFO's may locate closer than the specified distance if the owner of said property has granted an impact easement (distance waiver) and filed said documents against the property granting the easement.

- C. All LFO's over 20,000 Animal Units shall be required to obtain a new Conditional Use Permit prior to any expansion, unless it meets the standards of the exceptions in the Exceptions Section.

- D. The producer shall have a Pre-submission meeting with the Hall County Regional Planning Director and Hall County Building Inspector to discuss tentative plans and layouts prior to formal submission of the Conditional Use Permit for Livestock Feeding Operations.
 1. A proposed site plan and conditions or requirements of this regulation pending approval of application for a proposed operation and waste disposal plan from the Nebraska Department of Environmental Quality (NDEQ) or any other applicable State Agency.
 2. The applicant shall submit all pertinent materials and designs, as per the Conditional Use Permit Application for Livestock Feeding Operations.
 3. The applicant shall file a copy of the proposed Operation and Maintenance Plan and proposed Manure Management Plan. The approved plans shall be submitted after NDEQ approval if different from the proposed. Said plans shall be filed with the Hall County Regional Planning Director.
 4. Shall also file a copy of all approved NDEQ plans and permits with the Hall County Regional Planning Director within 30 days after they are issued by the NDEQ.
 5. An annual manure management plan shall be submitted to the Hall County Regional Planning Director which shall follow "best possible management practices" as specified by NDEQ in order to protect the environment, as well as the health, safety and general welfare of the public and their property values.
 6. If stockpiling of animal waste and/or composting of dead carcasses, as per State Statutes, are part of the manure management plan, the waste shall be maintained in an area as outlined in Table 1 of this Section. Said area shall also located on the proposed site plan indicated in number (A) above.
 7. All ground surfaces within outside livestock pens shall be maintained to insure proper drainage of animal waste and storm or surface runoff in such a manner as to minimize

- manure from being carried into any roadway ditch, drainage area or onto a neighbor's property.
8. In no event shall any manure storage unit or system be constructed where the bottom of the unit or system is either in contact with or below the existing water table where the unit or system is to be constructed. Application of manure in flooded areas of standing water shall be prohibited.
 9. All runoff or waste generated by an LFO facility shall be contained within the associated farming operation, or, on the premises upon which the confined feeding facility or feedlot is located. The applicant must verify that all runoff control ponds, lagoons, methods of manure disposal and dust control measures are designed to minimize offer and air pollution, and avoid surface or groundwater contamination as regulated by the State of Nebraska.
 10. The setbacks from an LFO to any non-farm dwelling, other residence or other LFO are as follows in Table 2:
5. Exceptions:
- A. Any Class I Livestock Feeding Operation use in existence as of the effective date of this Resolution, and which is located within the minimum spacing distance in Table 1 to any church, school, public use, other LFO or single-family dwelling within the current class or to the next class, may expand in animal units and/or land area under a Conditional Use Permit, provided the proposed expansion complies with all of the following limitations:
1. Such expansion will not decrease the distance from the LFO use to any church, school, public use, other LFO or single-family dwelling not of the same ownership and not on the same premises with said LFO which is less than the minimum prescribed spacing distance.
 2. Any physical expansion of the existing LFO shall be immediately contiguous with the facilities of the existing LFO.
 3. Such expansion may occur in phases over time, but in no event shall such expansion(s) result in a LFO that is more than 50% larger in animal units than the one-time capacity of the use which existed as of the effective date of this Resolution. Any expansion beyond this limitation is prohibited unless a Conditional Use Permit for expansion that meets all requirements is heard by the Planning Commission and authorized by the County Board of Supervisors.
 4. If such expansion results in such LFO being required to obtain a new construction permit from NDEQ, introduction of additional animals shall be prohibited until said permit is issued by NDEQ or other applicable or successor agency has been issued and such LFO shall be operated at all times in a manner consistent with the requirements of said permit and applicable regulations of this Resolution.

4.02.05. Accessory Uses

The following accessory buildings and uses are permitted in the A-1 District.

1. Buildings and uses customarily incidental to the permitted and conditional uses.
2. Home occupation.
3. Temporary buildings and uses incidental to construction work which shall be removed upon the completion or abandonment of the construction work.

4.02.06 Lot Requirements and Intensity of Use

1. The following table lists the minimum lot requirements and maximum building requirements in an A-1 District. These requirements shall be followed unless otherwise modified by this Resolution

Uses	Min Lot Area (acres)	Min. Lot Width (feet)	Setbacks			Max. Lot Coverage	Min Lot Area per dwelling unit (sq. ft.)	Max. Building Height (feet)
			Front Yard (feet)	Rear Yard (feet)	Side Yard (feet)			
Permitted Uses	20	100	35	35	20	10%	20,000	35 ¹
Conditional Uses	20	100	35	35	20	10%	20,000	35 ¹

ARTICLE 4: DISTRICTS AND INTERPRETATION OF DISTRICT BOUNDARIES

Agricultural uses	1	100	35	35	20	10%	20,000	35¹
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¹for structures intended for human occupancy, all others no restrictions.

2. The following requirements are allowed in specific situations within the jurisdiction of Hall County. These requirements are:

A. ANY PERSON OR PERSONS WHO:

- (1) owns a tract of 80 acres or more may sell one tract per 80 acres for a single family dwelling, providing such sale has not been previously exercised on the large tract; and/or
- (2) owns an existing ranch or farm dwelling that is 10 years old or more may sell a tract containing such dwelling;
- (3) providing the following space limitations are complied with:

Min Lot Area (sq. ft.)	Min. Lot Width (feet)	Setbacks			Max. Lot Coverage	Max. Building Height (feet)
		Front Yard (feet)	Rear Yard (feet)	Side Yard (feet)		
20,000	80	30	25	15	40%	35¹

¹for structures intended for human occupancy, all others no restrictions.

4.02.07 Prohibited Uses

1. Any use not specifically listed as a permitted principal use or permitted accessory use.

4.02.08. Supplementary Regulations

1. Residential dwelling units on non-agricultural land existing at the time of passage of these regulations, may construct accessory structures, make repairs, replace, remodel, rebuild or replace the residential structure in case of damage regardless of the percent of damage or extent of structural change provided the use does not change.

~~A.~~ All new and existing livestock feeding operations and farms with livestock of 300 animal units or ~~less-more~~ shall require a no-fee livestock registration permit. In addition, all new or expanded Livestock Feeding Operations of over ~~35000~~ animal units shall ~~meet the minimum setback/separation requirements with 25 points (or have impact easements) and NDEQ requirements with 25 points (NDEQ requirements can be met after issuance of the conditional use permit but prior to operation) and score at least 25 additional points for a minimum score of 75 points on the Livestock Siting Matrix found in Appendix B and~~ require a Conditional Use Permit ~~as subject to in Section 4.03, subsection B of this Article.~~

~~B-A.~~ New ~~non-farm~~ residences shall be located no less than at the following distances and those shown in Table 2: ~~Non-farm-Residential~~ Spacing and Distance, from an existing ~~permitted~~ agricultural operation having ~~between more than 50 and 300~~ animal units and an LFO based upon the type of operation. ~~New residences may be located closer to an LFO if the owner of such residence has been granted an impact easement from the owner of the LFO and the owner of the residence has granted an impact easement to the LFO.. Both easements shall be filed with the Register of Deeds.~~

TABLE 2: ~~NON-FARM~~ RESIDENTIAL~~CE~~ SPACING AND DISTANCE (Distances given in feet)

	301-1,000	1001-5,000	5,001-20,000	20,000+
New Residence* near open lots	1,980	3,960	3,960	5,940
New Residence* near ECH	1,980	7,920	7,920	11,880

*This shall not prohibit building a residence within the specified distance as part of the farming/feeding operation.

Section 4.03: A-2 ~~Secondary~~ Agricultural ~~Secondary~~ District

4.03.01 Intent

The intent of this district is to recognize the agricultural uses of land and communities; to encourage the continued use of that land which is suitable for agriculture, but limit the land uses that may be a detriment to the efficient pursuit of agricultural production.

4.03.02 Permitted Principal Uses

The following principal uses are permitted in the A-2 ~~Secondary~~ Agricultural ~~Secondary~~ District:

1. Agriculture, farming, dairy farming, livestock and poultry raising, and all uses commonly classed as agricultural, with no restrictions as to operation of such vehicles or machinery as are customarily incidental to such uses, and with no restrictions as to the sale or marketing of products raised on the premises; provided that the operation is no more than 500 animal units and, that any building, structure or yard for the raising, confinement, housing, or sale of livestock or poultry shall be located at least 1,320 feet from a neighbor's dwelling, and further provided, that there shall be no feeding, spreading, accumulation or disposal of garbage, rubbish, or offal on any open surface of the land.
2. Churches and publicly owned and operated community buildings, public museums, public libraries.
3. Single-family dwellings, provided the intensity of use and all other requirements of this district are met. In no case are single-family dwellings permitted on tracts without legal access to an improved road.
4. Fish hatcheries, apiaries, aviaries.
5. Forests and wildlife reservations, or similar conservation projects.
6. Fur farming for the raising of fur bearing animals.
7. Golf courses and clubhouses customarily accessory thereto, except miniature golf, driving ranges and other similar activities operated as a business.
8. Hospitals, sanitariums, homes for the aged and feeble minded.
9. Private Kennels, provided the buildings and pens shall be located at least 100 feet from the property line and 300 feet from any neighboring residence.
10. Mushroom barns and caves.
11. Nurseries, greenhouses, and truck gardens.
12. Philanthropic or eleemosynary institutions.
13. Picnic groves.
14. Publicly owned parks and playgrounds, including public recreation or service building within such parks, public administrative building, police and fire stations and public utility buildings and structures.
15. Public schools, elementary and high, and private schools with curriculum equivalent to that of a public elementary or high school, and institutions of higher learning, including stadiums and dormitories in conjunction, if located on the campus.
16. Railroad rights-of-way not including railroad yards.
17. Riding stables and riding tracks.
18. Cemeteries and mortuaries.
- ~~18-19.~~ *Keeping of livestock on properties of less than 20 acres at a density not to exceed 2 animal units per acre regardless of other setback requirements*
- ~~19-20.~~ All Permitted Uses as indicated in the Zoning Matrix.

4.03.03 Conditional Uses

The following conditional uses may be allowed as per Article 5 of this Resolution. Approval shall depend upon the ability of the application to meet specific minimum conditions/requirements. The final consideration may require additional conditions to be met that are specific to the site in question.

1. Airports and heliports.
2. Bed and breakfast residence subject to the following conditions in addition to those imposed by the Governing Body:
 - A. The bed and breakfast residence shall be within a conforming single-family dwelling.
 - B. Guest rooms shall be within the principal residential building only and not within an accessory building.

- C. Each room that is designated for guest occupancy must be provided with a smoke detector which is kept in good working order.
 - D. Two (2) off-street parking spaces shall be provided for each dwelling unit plus one (1) off-street parking space for each sleeping room designated for guests. Such parking areas shall not be within the required front or side yards.
 - E. One (1) identification sign on not more than four (4) square feet of sign area shall be permitted.
3. Commercial kennels and facilities for the raising, breeding and boarding of dogs and other small animals, including exotic, non-farm and non-domestic animals, provided that all buildings and facilities be at least 100 feet from the property line and 300 feet from any neighboring residence.
4. Industrial uses as provided in the Zoning Matrix and the following minimum conditions are met:
- A. Meets minimum lot requirements as established by this Resolution.
 - B. Meets minimum off-street parking requirements as established by this Resolution.
 - C. Meets minimum sanitary sewer requirements for the proposed use.
 - D. The lot(s) takes access from an improved county road or highway or are along a developed public or private road that accesses an improved county road or highway.
5. Commercial uses as provided in the Zoning Matrix and the following minimum conditions are met:
- A. Meets minimum lot requirements as established by this Resolution.
 - B. Meets minimum off-street parking requirements as established by this Resolution.
 - C. Meets minimum sanitary sewer requirements for the proposed use.
 - D. The lot(s) takes access from an improved county road or highway or are along a developed public or private road that accesses an improved county road or highway.
6. All other Conditional Uses as indicated within the Zoning Matrix, provided the following minimum conditions are met:
- A. Meets minimum lot requirements as established by this Resolution.
 - B. Meets minimum off-street parking requirements as established by this Resolution.
 - C. Meets minimum sanitary sewer requirements for the proposed use.
 - D. The lot(s) takes access from an improved county road or highway or are along a developed public or private road that accesses an improved county road or highway.
7. Farm and industrial equipment sales
8. Development of natural resources and the extraction of raw materials, such as rock, gravel, sand and soil and conditions referred to in Section 6.02 of the Supplemental Regulations.
9. Wind Energy systems
10. The application of manure by any livestock feeding operation (LFO as defined in these Regulations) from inside or outside the County.
11. Utility installations such as electric substations, sewer lift stations, telephone exchanges, gas regulators and major transmission lines (not including utility office, repair, storage or production facilities).
12. Radio, Cellular and television towers and transmitters and subject to the requirements of Section 6.01 of the Supplemental Regulations.

4.03.04 Permitted Accessory Uses.

The following accessory buildings and uses are permitted in the A-2 District.

- 1. Buildings and uses customarily incidental to the permitted and conditional uses.
 - 2. Home occupation.
 - 3. Temporary buildings and uses incidental to construction work and shall be removed upon the completion or abandonment of the construction work.

4.03.05 Area and Intensity Regulations

In the A-2 - ~~Secondary~~ -Agricultural ~~Secondary~~ District the height of buildings, the minimum dimensions of lots and yards, and the minimum lot area per family permitted on any lot shall be as follows:

The minimum lot requirements shall be as follows:

Uses	Min Lot Area (acres)	Min. Lot Width (feet)	Setbacks			Max. Lot Coverage	Min Lot Area per dwelling unit (sq. ft.)	Max. Building Height (feet)
			Front Yard (feet)	Rear Yard (feet)	Side Yard (feet)			
Permitted Uses	3	100	30	25	15	25%	20,000²	35¹
Conditional Uses	3	100	30	25	15	25%	20,000²	35¹

¹for structures intended for human occupancy, all others no restrictions.

4.03.06 Prohibited Uses

Any use not specifically listed as a permitted principal use or permitted accessory use.

Hall County Nebraska Animal Feeding Operation Siting Matrix

Livestock Operation Name
 Address
 Legal Description
 Acreage of Property Owned with Operation

BASIC INFORMATION

A Livestock Operation Size		Number		Points	Score
1	Number of animals (for multiple species or production phases, record separately)				
2	Animal Units (see Animal Units tab for calculator)				
		Yes	No		
1	Class II or Larger+ livestock operation (1,001 animal units or more)				
2					
3					

NDEQ STATUS

B Environmental Protection Plans		Yes	No	Points	Score
1	NDEQ has issued letter that no construction and/or operating permit is required			25	
2	All NDEQ construction and operating permit(s) will be in place prior to operation, as required, including the following (if not applicable, write NA):			25	
3	Nutrient Management Plan				
4	Animal Mortality Management Plan				
5	Request for Inspection of Animal Feeding Operation (Title 130 - Form A)				
6	Permit Application (Title 130 - Form B)				
7	Applicant Disclosure (Title 130 - Form C)				
8	Livestock Feeding Operation Narrative				
9	Livestock Feeding Operation Site Plan, Construction Drawings, and Maps				
10	Construction Quality Assurance Plan				
11	Manure Production and Storage/Treatment Calculations				
12	Operation and Maintenance Plan				
13	Chemical Management Plan				
14	Emergency Response Plan				
15	Sludge Management Plan				
16	Livestock Operation Closure Plan				
17	Best Management Practices for Odor Control				
SUBTOTAL (subtotal not to exceed 25 points for this section)					0

SETBACKS/SEPARATION DISTANCES

C Siting relative to dwellings and public places (refer to Separation Distances tab)		Yes	No	Points	Score
1	Separation meets or exceeds county setbacks, or an impact easement / distance waiver is in place			25	
SUBTOTAL (total not to exceed 25 points for this section)					0

OTHER CONSIDERATIONS

D Environmental Compliance Record		Yes	No	Points	Score
1	Owner has operated an animal feeding operation (AFO) for at least 5 years AND is in good standing with all State and Federal enforcement agencies			5	
SUBTOTAL					0
E Water Quality Protection - Livestock Facilities		Yes	No	Points	Score
1	The majority of animals housed within a confinement building			2	
	For only the facility that contains the majority of manure or effluent, select any that describe the livestock waste control facility:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2	Open lot with stockpile			0	
3	Vegetative treatment system for runoff			1	
4	Runoff containment structures			2	
5	Roofed manure containment			2	
6	Concrete-equivalent containment structure			2	
7	Clay-lined or Geomembrane-lined containment structure			1	
10	Additional storage capacity (25% or more than NDEQ requirements)			2	
8	Select the smallest separation distance between any well used for domestic purposes and a Livestock Waste Control Facility:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	100 to 150 feet			0	
	151 to 300 feet			1	
	301 feet to 1,000 feet			2	
SUBTOTAL (total not to exceed 15 points for this section)					0

F Odor and Dust Control for Facilities		Yes	No	Points	Score
	Check all that apply for the majority of animal confinement or manure storage:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
1	Biofilter treatment of exhaust air from fans (primarily for odor control)			3	
2	Oil/water sprinkling for dust control in animal areas			2	
3	Electrostatic/Ionization system for dust control in animal areas			2	
4	Windbreaks placed to intercept air emissions			2	
5	Solids routinely separated from liquids and:			1	
	Stockpiled for later application to land			0	
	Composted, dried and used for bedding, or equivalently treated.			1	
6	Cover on manure storage or first (settling) cell of multi-cell system			1	
	Impermeable cover with flare or gas treatment			2	
7	Aerobic treatment			1	
8	Anaerobic digester			3	
9	Other supplemental odor reduction measures (supported by verifiable scientific data)			2	
SUBTOTAL					0

G Manure Application Practices		Yes	No	Points	Score
1	Select the <u>primary method of manure application under normal conditions for the majority of manure applied</u> and indicate any <u>control practices followed for application to 50% or more of the land receiving manure</u> :				
1a	Subsurface application (also referred to as "injection")			3	
1b	Surface-applied solids			-2	
	Incorporated within 2 days of application			3	
	Incorporated within 3 to 7 days of application			2	
	Incorporated prior to planting but more than 7 days after application			1	
1c	Surface-applied slurry or effluent (excl. sprinkler irrigation)			-5	
	Application equipment discourages drift and encourages entry into soil			2	
	Incorporated within 2 days of application			3	
	Incorporated within 3 to 7 days of application			1	
1d	Sprinkler irrigation			-3	
	Utilize drop nozzles or distribution hoses			1	
	Utilize a monitoring and alarm system			1	
	Irrigation distribution system has a complete disconnect from the water source or appropriate mechanical devices, as specified by NDEQ, during application			1	
	Irrigation distribution system does NOT have a complete disconnect from the water source during application or appropriate mechanical devices, as specified by NDEQ			-2	
2	Cover conditions for manure application (Indicate all that apply for the selected method and majority of land receiving manure)				
	Conservation tillage is implemented			1	
	No-till farming is implemented			2	
	Application is primarily to fields with a growing crop			1	
	Application is primarily to fields with an established crop canopy			2	
	Cover crops or additional approved erosion-control practices are used			2	
	SUBTOTAL (total not to exceed 6 points for this section)				0
H Manure Application Separation		Yes	No	Points	Score
1	Additional separation provided, above and beyond minimum requirements, from land application areas to closest dwelling or public place. Applies to all application areas.				
	Additional 50 to 100 feet			1	
	Additional 101 to 500 feet			2	
	Additional 501 to 1,320 feet			3	
	Additional 1,321 to 2,640 feet			4	
	Additional 2,641 feet and greater			5	
2	Vegetative buffer (minimum 50 feet width) will be maintained between land application areas and any dwellings or public places			2	
3	Vegetative buffer (minimum 50 feet width) will be maintained between land application areas and any surface waters			3	
4	Vegetative buffers present on 25 to 50% of natural surface drains on all application areas			1	
5	Vegetative buffers present on 51 to 100% of natural surface drains			3	
	SUBTOTAL				0

I Additional Assurance of Environmental Protection		Yes	No	Points	Score
1	Assurance that the following plans will be kept current, displayed and/or readily accessible on site, and included in training procedures during operation:				
	Operation and Maintenance Plan			1	
	Animal Mortality Composting Plan			1	
	Chemical Management Plan			1	
	Emergency Response Plan			1	
	BMP for Odor Control Plan			1	
	Nutrient Management Plan			1	
2	Assurance that earthen livestock waste control facilities having compacted-soil liners will be constructed to meet and be verified as having a permeability rate ≤ 0.125 inch/day			1	
3	Assurance that earthen livestock waste control facilities having geomembrane liners will be installed according to the construction quality assurance / quality control plan and documentation will be maintained			1	
SUBTOTAL					0
J Traffic		Yes	No	Points	Score
1	Main entrance to livestock operation located on minimum maintenance road			-3	
2	Livestock operation has a cost-share agreement with the county for road maintenance			5	
3	Vehicle entrance and turnaround is designed so that traffic will not be required to back into the livestock operation from the county road			3	
4	Heavy vehicle route established that avoids bridges or roads with weight restrictions			3	
5	For the primary application method under normal conditions, the livestock operation can avoid county roads to apply:				
	Up to 25% of manure nutrients generated			1	
	25 to 50% of manure nutrients generated			2	
	More than 50% manure nutrients generated			3	
SUBTOTAL					0

K Authorized Representative and Manager Residency		Yes	No	Points	Score
1	Authorized representative lives or will live within one year of beginning operation:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
2	On the site or within the separation distance for odor	<input type="checkbox"/>	<input type="checkbox"/>	5	
3	Between separation distance for odor and 10 miles of the livestock operation	<input type="checkbox"/>	<input type="checkbox"/>	3	
4	Between 10 miles and 50 miles of the livestock operation	<input type="checkbox"/>	<input type="checkbox"/>	1	
5	Manager lives or will live within one year of beginning of operation:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
6	On the site or within the separation distance for odor	<input type="checkbox"/>	<input type="checkbox"/>	5	
7	Between separation distance for odor and 10 miles of the livestock operation	<input type="checkbox"/>	<input type="checkbox"/>	3	
8	Between 10 miles 50 miles of the livestock operation	<input type="checkbox"/>	<input type="checkbox"/>	1	
SUBTOTAL					0
L Economic Impact Factors		Yes	No	Points	Score
1	Will add property value as of county permit issue date by:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	\$50,000-\$250,000	<input type="checkbox"/>	<input type="checkbox"/>	1	
	\$250,000-500,000	<input type="checkbox"/>	<input type="checkbox"/>	2	
	\$500,000-\$1,000,000	<input type="checkbox"/>	<input type="checkbox"/>	3	
	More than \$1,000,000	<input type="checkbox"/>	<input type="checkbox"/>	4	
2	Will create the following number of new full-time or equivalent jobs:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
	1 to 3	<input type="checkbox"/>	<input type="checkbox"/>	1	
	4 to 9	<input type="checkbox"/>	<input type="checkbox"/>	2	
	10 or more	<input type="checkbox"/>	<input type="checkbox"/>	3	
SUBTOTAL					0
M Landscape and Aesthetic Appearance		Yes	No	Points	Score
	Check all that will apply:	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
1	Landscaping plan will be implemented	<input type="checkbox"/>	<input type="checkbox"/>	2	
2	Visual barriers (i.e. fences, gating, trees) will be put in place	<input type="checkbox"/>	<input type="checkbox"/>	2	
3	Animal mortality will be managed so as to not be viewable from a public road	<input type="checkbox"/>	<input type="checkbox"/>	1	
	Handling of animal mortalities will be viewable from public road	<input type="checkbox"/>	<input type="checkbox"/>	-3	
4	Site designed to facilitate clean surface water drainage away from livestock operation	<input type="checkbox"/>	<input type="checkbox"/>	2	
5	Separation distance of at least 1.5 times county required distance from centerline of frontage road to livestock facility	<input type="checkbox"/>	<input type="checkbox"/>	3	
SUBTOTAL					0
Cummulative Points					#REF!

Score (A project that reaches 75 points or above shall be granted a conditional/special use permit by the county) = **#REF!**

CONCERNS REGARDING PROPOSED REGULATIONS

1. Contrary to the Planning Director Memo To Regional Planning the distance between LFOs and other uses do not remain the same in that Table 1 in those proposed revisions now strikes through “and Other LFOs”, meaning that LFOs would be permitted to locate contiguous to one another.

2. By permitting LFOs to be located contiguous to one another it would be possible to locate multiple Class II LFOs next to each other and avoid conditional use requirements so long as they would not be under common ownership and did not utilize a common area of system for the disposal of livestock wastes.

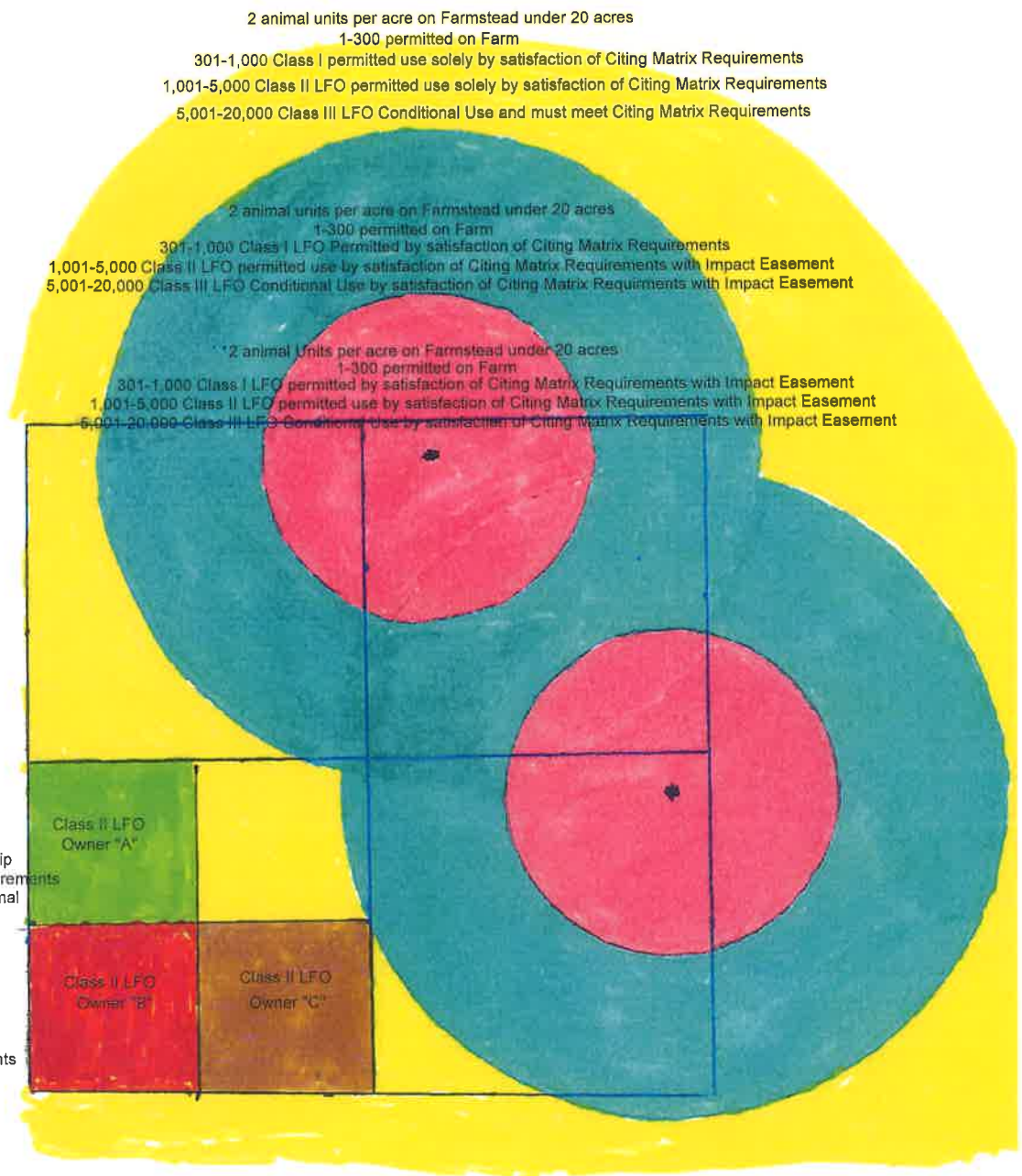
3. Although the Planning Director Memo to Regional Planning indicates that it would eliminate the need for conditional use permits for some LFOs in excess of 1,001 animal units, the language added as subsection P to “Permitted Uses in Section 4.02.02” would actually need to strike “(NDEQ requirements can be met after issuance of the conditional use permit but prior to operation)” to accomplish that objective.

4. Supplementary Regulations proposed in Section 4.02.08 (2) actually require Class I LFOs to meet Citing Matrix requirements and appear to include those same Class I LFOs as having some obligation for a conditional use permit. If that is not intended then it would appear that this section needs some redrafting.

5. In Section 4.02.08 at the end of the first paragraph in 2., reference is made to Section 4.03, Subsection B of this Article. No such section or subsection exists in existing or revised regulations and that should be eliminated.

6. By allowing the Class II LFOs as a permitted use without the need for a conditional use process, the Citing Matrix actually opens the door for many issues about actual compliance with what has been stated as comprising the additional points in excess of 50 for spacing and NDEQ compliance. Further, if there is subsequent breach of a factor utilized to meet the point total for administrative approval, there does not appear to be any process in place to rectify a non-compliant operator.

LFO Locations Permitted Under Proposed Regulations



Could locate three (3) Class II LFOs in 120 acre configuration with separate ownership simply upon satisfaction of Citing Matrix Requirements resulting in concentration of up to 15,000 Animal Units*

* Calculations are based upon "Beef Feedlot Systems Manual" prepared by Iowa State University Extension and Outreach, Revised January 2015, providing land area requirements of 2.57 acres per 500-head capacity facility.

LFO Locations Permitted Under Existing Regulations

1-300 animal units not regulated
 Class I LFO having up to 1,000 Animal Units permitted by right
 Class II LFO of 1,001-5,000 animal units permitted through Conditional Use
 Class III LFO of 5,001-20,000 animal units permitted through Conditional Use



Spacing requirements for Class I LFOs require that they be located 1,320 feet from non-farm or other residences and other LFOs

Spacing Requirements for Class II LFOs require that they be located 2,640 feet from non-farm or other residences and other LFOs

Could locate three (3) Class I LFOs in NW 1/4; two (2) Class I LFOs in NE1/4; Three (3) Class I LFOs in SE1/4; or up to Four (4) Class I LFOs in SW1/4 in example shown.

Could locate a maximum of two (2) Class II LFOs in Section in example shown assuming minimum 40 acre parcels containing maximum of 5,000 head per parcel

