



# Hall County Regional Planning Commission

Wednesday, August 1, 2018  
Regular Meeting

## Item F2

**Public Hearing Zoning Change Orchard Subdivision**

Staff Contact:

**Agenda Item #6,**

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

July 25, 2018

**SUBJECT:** *Change of Zoning for property, proposed for platting as The Orchard Subdivision, located in the E ½ NW ¼ of 10-11-9 located South of Capital Avenue, and East of Saint Paul Road north of the intersection of 12<sup>th</sup> and Lambert Streets, from LLR Large Lot Residential and R2 Low Density Residential to R3-SL Medium Density- Small Lot Residential (C-25-2018GI)*

**PROPOSAL:** This proposed development would create 160 lots for single-family attached dwellings (duplexes or townhomes) in Northeast Grand Island. The developer is proposing a residential development with lots designed for the construction of more affordable housing. The project would be developed in multiple phases.

This property was rezoned to RD Residential Development Zone in 2003 with 115 lots and duplexes proposed on each lot. The current proposal would take advantage of the R3-SL zoning district to allow smaller lot sizes (minimum 3000 square feet and 24' wide for townhouse lots). The subdivision was approved by Council provided that the developer build 37' wide streets. No action was ever taken on the subdivision and RD zoning district was removed and changed to an R2 Low Density Residential.

The internal streets will be 32' wide back of curb to back of curb and are proposed as public streets. All of the lots will be served by public sewer and water. Due to the development of the sewer trunk line to the along the north side a portion of the drainage way has been filled in and the streets can connect through the Lasonde Subdiivison to Capital Avenue.

**OVERVIEW:**

**Site Analysis**

<i>Current zoning designation:</i>	<b>R-2</b> -Low Density Residential and <b>LLR</b> Large Lot Residential.
<i>Permitted and conditional uses:</i>	<b>R-2:</b> To provide for residential neighborhoods at a maximum density of seven dwelling units per acre with supporting community facilities. <b>LLR-</b> Agricultural uses, recreational uses and residential uses at a density of 2 dwelling units per acre. Minimum lot size 20,000 square feet.
<i>Comprehensive Plan Designation:</i>	Designated for future low to medium residential development.
<i>Existing land uses.</i>	Vacant

**Adjacent Properties Analysis**

<i>Current zoning designations:</i>	<b>North: R3-SL</b> -Medium Density Small Lot Residential, <b>South, R2</b> Low Density Residential and <b>R4</b> High Density Residential <b>East, R2-</b> Low Density Residential
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**and West:** LLR-Large Lot Residential and R2 Low Density Residential

*Permitted and conditional uses:* LLR- Agricultural uses, recreational uses and residential uses at a density of 2 dwelling units per acre. Minimum lot size 20,000 square feet. R2 residential uses at a density of 7 units per acre. Minimum lot size 6,000 square feet. R-3SL: Residential uses with a density of 1 unit per 3,000 square feet of property. Minimum lot size of 3,000 square feet. R4 residential uses at a density of 43 units per acre. Minimum Lot size 6,000 square feet.

*Comprehensive Plan Designation:* **North, South, East and West:** Designated for future low to medium density residential development and or medium density residential to office uses.

*Existing land uses:* **North,:** Drainage ROW and vacant property recently resubdivided and rezoned for residential development.  
**East,** Agricultural land, Railroad ROW  
**West:** Some acreage development along St. Paul Road. Typical urban scale residential along the south and west.  
**South:** Typical urban scale residential

**EVALUATION:**

**Positive Implications:**

- *Consistent with the City's Comprehensive Land Use Plan:* The subject property is designated for long term low to medium density residential redevelopment. This development would allow 160 dwellings on a 23.813 acre parcel. This is an average of 6.71 units an acre or slightly less than the 7 units per acre permitted in the current R2 zoning district the R3-SL does allow for smaller lot sizes though. The proposed development would be considered between low and suburban density development.
- *Provides additional housing opportunities in Northeast Grand Island.* This would be the largest residential subdivision in this area in more than 50 years. Most of the new development and housing in this part of the community has been done by Habitat for Humanity.
- *Provides for new construction housing in a lower price range than is available across most of Grand Island.* This development will provide for new construction housing in a price range that is very hard to meet with the current costs of development. The smaller lot sizes, attached single-family construction, and standardized floor plans all make this project a more efficient (less costly) development.
- *Is infill development.* This development is using property that is within the existing functional and legal boundaries of the City of Grand Island.
- *Accessible to Existing Municipal Infrastructure:* City water and sewer services are available to service the rezoning area.
- *Monetary Benefit to Applicant:* Would allow the applicant to develop and sell this property.

- *Narrower Streets lower development and maintenance costs:* Narrower streets do not cost as much as wider streets. These lower costs can be passed on to the homeowner. With this development, the narrower streets also increase the amount of greenspace available in this subdivision.

**Negative Implications:**

- *Additional development in this part of town will likely increase the school age population:* Grand Island public schools will have to deal with additional students at Lincoln elementary school. This development will be phased so not all of the units will come online at the same time.

**Other Considerations**

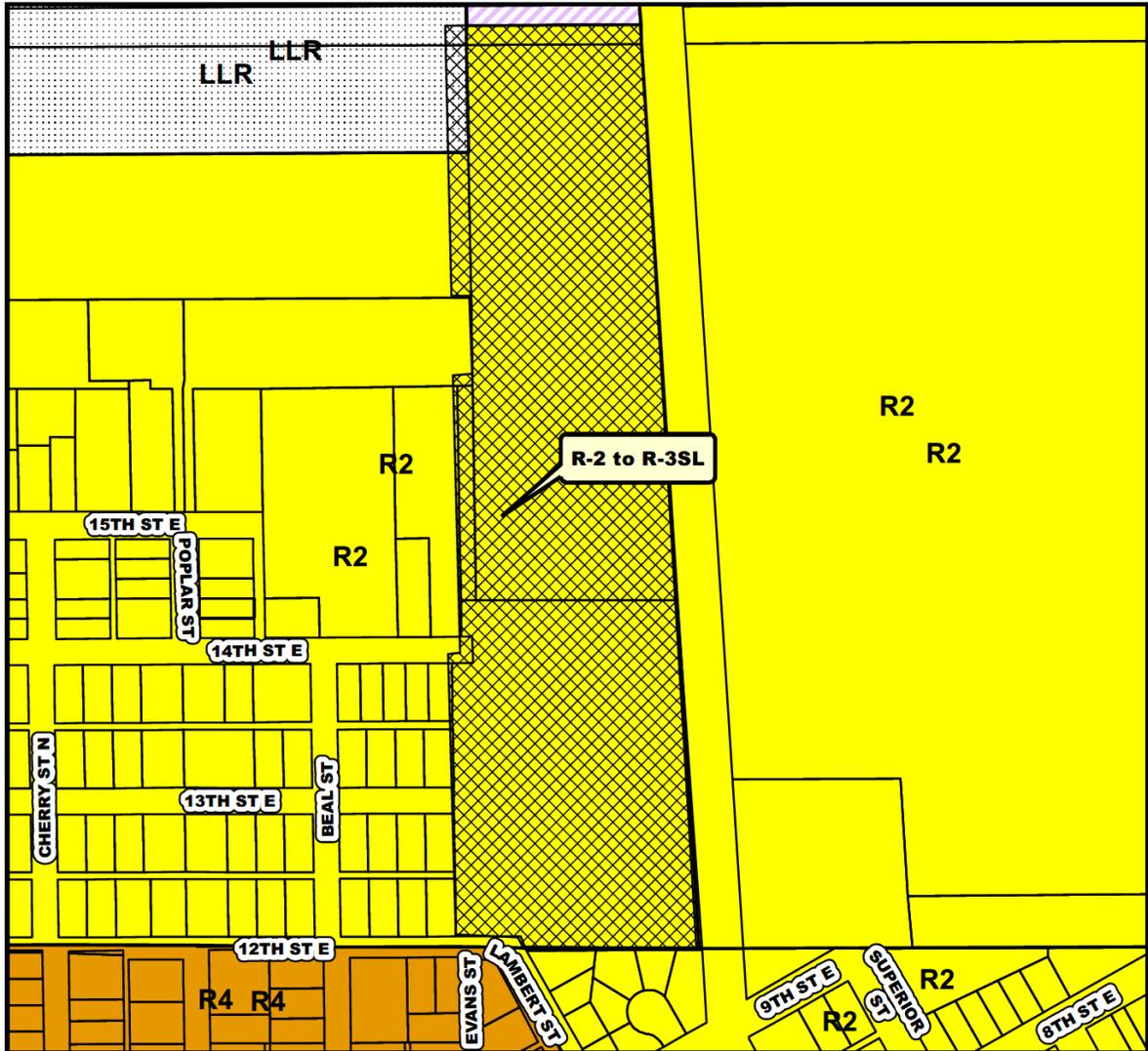
This particular property has been the subject of three RD zones since 1995. The first RD was approved for apartments on the entire tract with 120 units on the smaller southern tract (south of 14<sup>th</sup> Street) additional units were expected in the northern portion. Nothing happened within the 18 month time frame after approval of the RD zone. The applicant requested that the time frame be extended for the southern portion of the project and this was approved. In January of 2000, that extension was reversed due to the passage of another 18 months without any development. In 2003 an RD zone was approved for 115 duplex units contingent on the developer building 37' public streets to serve the subdivision. After 18 months without any development the RD zoning was reversed. No action has been taken on the property between 2003 and 2018.

**RECOMMENDATION:**

That the Regional Planning Commission recommend that the Grand Island City Council approve the preliminary plat for The Orchard Subdivision and approve the change of zoning from R2-Low Density Residential to R3-SL – Medium Density Small Lot Residential.

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

# Proposed Rezoning Map



**Legend**

-  Location of Requested Zoning Change
-  From: R2 Low Density Residential Zone
-  To: R-3SL

Scale: NONE  
C-24-2018 GI



THE REGIONAL PLANNING COMMISSION of Hall County, Grand Island, Wood River and the Villages of Aledo, Casco and Dorphan, Nebraska.

# APPLICATION FOR REZONING OR ZONING ORDINANCE CHANGE

Regional Planning Commission

Check Appropriate Location:

- City of Grand Island and 2 mile zoning jurisdiction
- Alda, Cairo, Doniphan, Wood River and 1 mile zoning jurisdiction
- Hall County

RPC Filing Fee

\$800.00

(see reverse side)

plus Municipal Fee\*

\$50.00

\*applicable only in Alda, Doniphan, Wood River

## A. Applicant/Registered Owner Information (please print):

Applicant Name The Orchard LLC c/o Hopper Homes Phone (h) 402-328-8100 (w) 402-328-8100

Applicant Address POB ex 6036 Lincoln, NE 68506

Registered Property Owner (if different from applicant) \_\_\_\_\_

Address \_\_\_\_\_ Phone (h) \_\_\_\_\_ (w) \_\_\_\_\_

## B. Description of Land Subject of a Requested Zoning Change:

Property Address NA

Legal Description: (provide copy of deed description of property)

Lot \_\_\_\_\_ Block \_\_\_\_\_ Subdivision Name Lincoln Heights, and/or

All/part NW ¼ of Section 10 Twp 17 Rge 9 W6PM

## C. Requested Zoning Change:

1. Property Rezoning (yes ) (no )  
(provide a properly scaled map of property to be rezoned)

From RZ to R-35L

2. Amendment to Specific Section/Text of Zoning Ordinance (yes ) (no )  
(describe nature of requested change to text of Zoning Ordinance)

## D. Reasons in Support of Requested Rezoning or Zoning Ordinance Change:

To accommodate proposed development of property.

**NOTE: This application shall not be deemed complete unless the following is provided:**

1. Evidence that proper filing fee has been submitted.
2. A properly scaled map of the property to be rezoned (if applicable), and copy of deed description.
3. The names, addresses and locations of all property owners immediately adjacent to, or within, 300 feet of the perimeter of the property to be rezoned (if the property is bounded by a street, the 300 feet shall begin across the street from the property to be rezoned).
4. Acknowledgement that the undersigned is/are the owner(s), or person authorized by the owner(s) of record title of any property which is requested to be rezoned:

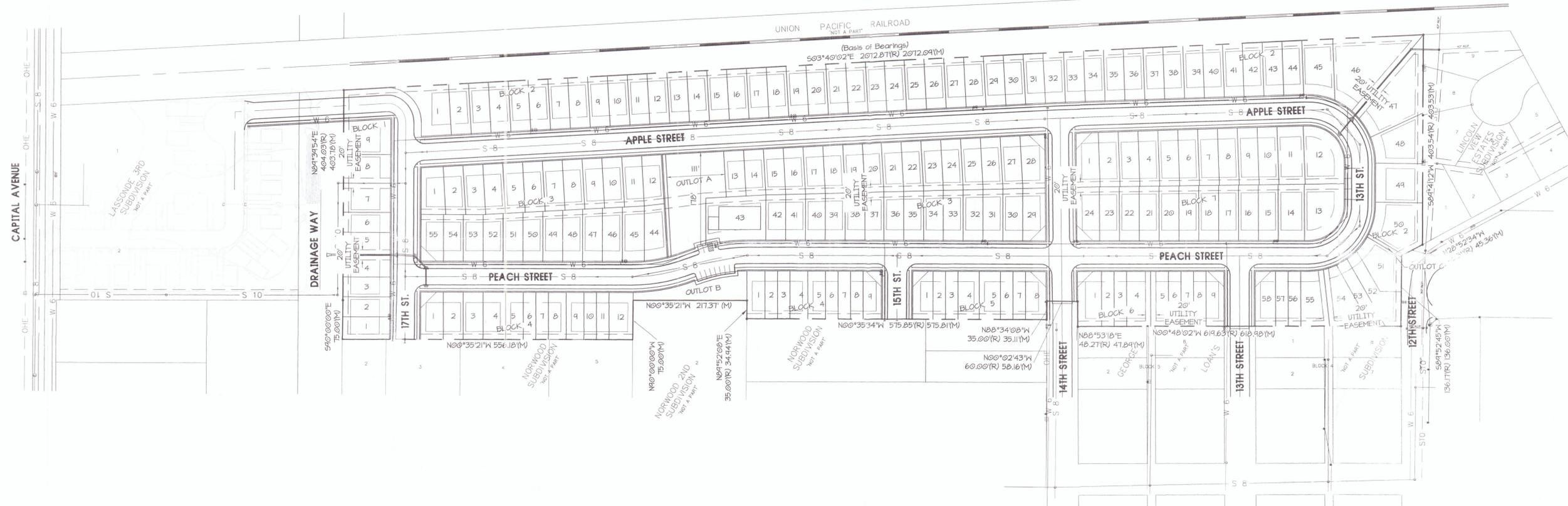
**\*A public hearing will be held for this request\***

Signature of Owner or Authorized Person [Signature] Date 7/12/18

Note: Please submit a copy of this application, all attachments plus any applicable municipal filing fee to the appropriate Municipal Clerk's Office. RPC filing fee must be submitted separately to the Hall County Treasurer's Office (unless application is in Grand Island or its 2 mile zoning jurisdiction, then the RPC filing fee must be submitted to the G.I. City Clerk's Office).

Application Deemed Complete by RPC: mo. \_\_\_\_ day. \_\_\_\_ yr. \_\_\_\_ Initial \_\_\_\_

RPC form revised 4/30/07



**OVERALL PRELIMINARY SITE/UTILITY PLAN**  
 SCALE: 1" = 100'

**LEGAL DESCRIPTION**

THAT PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 11 NORTH, RANGE 4 WEST OF THE 6TH PRINCIPAL MERIDIAN, HALL COUNTY NEBRASKA, LYING WEST OF THE WESTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD COMPANY, EXCEPT THE NORTHERLY 581.50 FEET THEREOF; THE EASTERLY 35.00 FEET OF LOT 8, NORWOOD SUBDIVISION; AND THE EASTERLY 75.00' OF LOT 2, EXCEPT THE NORTH 25.00' NORWOOD SUBDIVISION; AND THE EASTERLY 75.00' OF LOTS 3, 4 & 5, NORWOOD SUBDIVISION; AND THAT PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 10, BEING MORE PARTICULARLY DESCRIBED IN THE SURVEYOR'S CERTIFICATE.

**SURVEYOR'S CERTIFICATE**

THAT PART OF THE EAST HALF OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 11 NORTH, RANGE 4 WEST OF THE 6TH PRINCIPAL MERIDIAN, HALL COUNTY NEBRASKA, LYING WEST OF THE WESTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD COMPANY, EXCEPT THE NORTHERLY 581.50 FEET THEREOF; THE EASTERLY 35.00 FEET OF LOT 8, NORWOOD SUBDIVISION; AND THAT PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SAID SECTION 10, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 8, BLOCK 4, GEORGE LOAN'S SUBDIVISION, SAID CORNER ALSO BEING THE SOUTHWEST CORNER OF THE REFERENCED PARCEL; SAID CORNER ALSO BEING THE POINT OF BEGINNING;

THENCE NORTHERLY ON AN ASSUMED BEARING OF N 00°48'02" W, 618.98' TO A FOUND 1" PIPE;

THENCE EASTERLY N 88°53'18" E, 47.81' TO A FOUND 1" PIPE;

THENCE NORTHERLY N 00°02'43" W, 58.16' TO A FOUND 1" PIPE;

THENCE WESTERLY N 88°34'08" W, 35.11' TO A FOUND 1" PIPE;

THENCE NORTHERLY N 00°35'34" W, 575.81' TO A FOUND 1" PIPE;

THENCE EASTERLY N 84°52'08" E, 34.94', TO A FOUND 1" PIPE;

THENCE NORTHERLY N 00°35'21" W, 217.31', TO A FOUND 1" PIPE;

THENCE WESTERLY S 40°00'00" W, 75.00' TO A FOUND 1" PIPE;

THENCE NORTHERLY N 00°35'21" W, 556.18' TO A FOUND 1" PIPE;

THENCE EASTERLY S 40°00'00" E, 75.00' TO A FOUND 1" PIPE;

THENCE CONTINUING EASTERLY N 84°39'54" E, 403.78' TO A POINT OF INTERSECTION ON THE WESTERLY RIGHT-OF-WAY LINE OF THE UNION PACIFIC RAILROAD, TO A FOUND 1" PIPE;

THENCE SOUTHERLY S 03°40'02" E, ON SAID RIGHT-OF-WAY LINE, 2072.09' TO A FOUND 1" PIPE;

THENCE WESTERLY S 84°41'12" W, 403.53' TO A FOUND 1" PIPE;

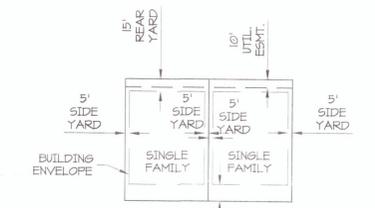
THENCE NORTHERLY N 28°52'34" W, 45.36' TO A FOUND 1" PIPE;

THENCE WESTERLY S 84°52'45" W, 136.00' TO THE POINT OF BEGINNING, CONTAINING A CALCULATED AREA OF 23.813 ACRES, MORE OR LESS.

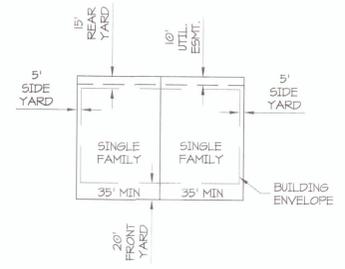
JAYME M. MALONE L5440

**GENERAL SITE NOTES**

- ELEVATIONS ARE NGVD 1929
- LOT DIMENSIONS SHOWN ARE APPROXIMATE, AND MAY VARY 5 FEET. ALL CURVILINEAR DIMENSION SHOWN ARE CHORD LENGTHS, UNLESS OTHERWISE NOTED.
- OUTLOTS 'A' AND 'C' TO HAVE A PEDESTRIAN ACCESS EASEMENT GRANTED TO THE CITY OF GRAND ISLAND.
- ALL OTHER EASEMENTS SHALL BE GRANTED TO THE CITY OF GRAND ISLAND AS SHOWN.
- EACH LOT WILL HAVE INDIVIDUAL SERVICE FOR WATER, SEWER, AND ELECTRICAL.
- DEVELOPER RESERVES THE RIGHT TO CONSTRUCT ONE STRUCTURE CONSISTING OF TWO DWELLING UNITS ON ANY PAIR OF ADJACENT DETACHED SINGLE-FAMILY LOTS. IN WHICH CASE THE SIDE YARD REQUIREMENT SHALL BE REDUCED TO ZERO ON THE COMMON SIDE LOT LINE AS SHOWN IN THE TYPICAL ATTACHED SINGLE-FAMILY LOT LAYOUT.
- OUTLOT 'B' IS RESERVED FOR FUTURE DEVELOPMENT.
- A HOMEOWNERS ASSOCIATION SHALL BE ESTABLISHED AND SHALL PROVIDE THE MAINTENANCE OF OUTLOTS 'A, B, & C'.



**DETACHED SINGLE FAMILY**  
 NO SCALE



**ATTACHED SINGLE FAMILY**  
 NO SCALE



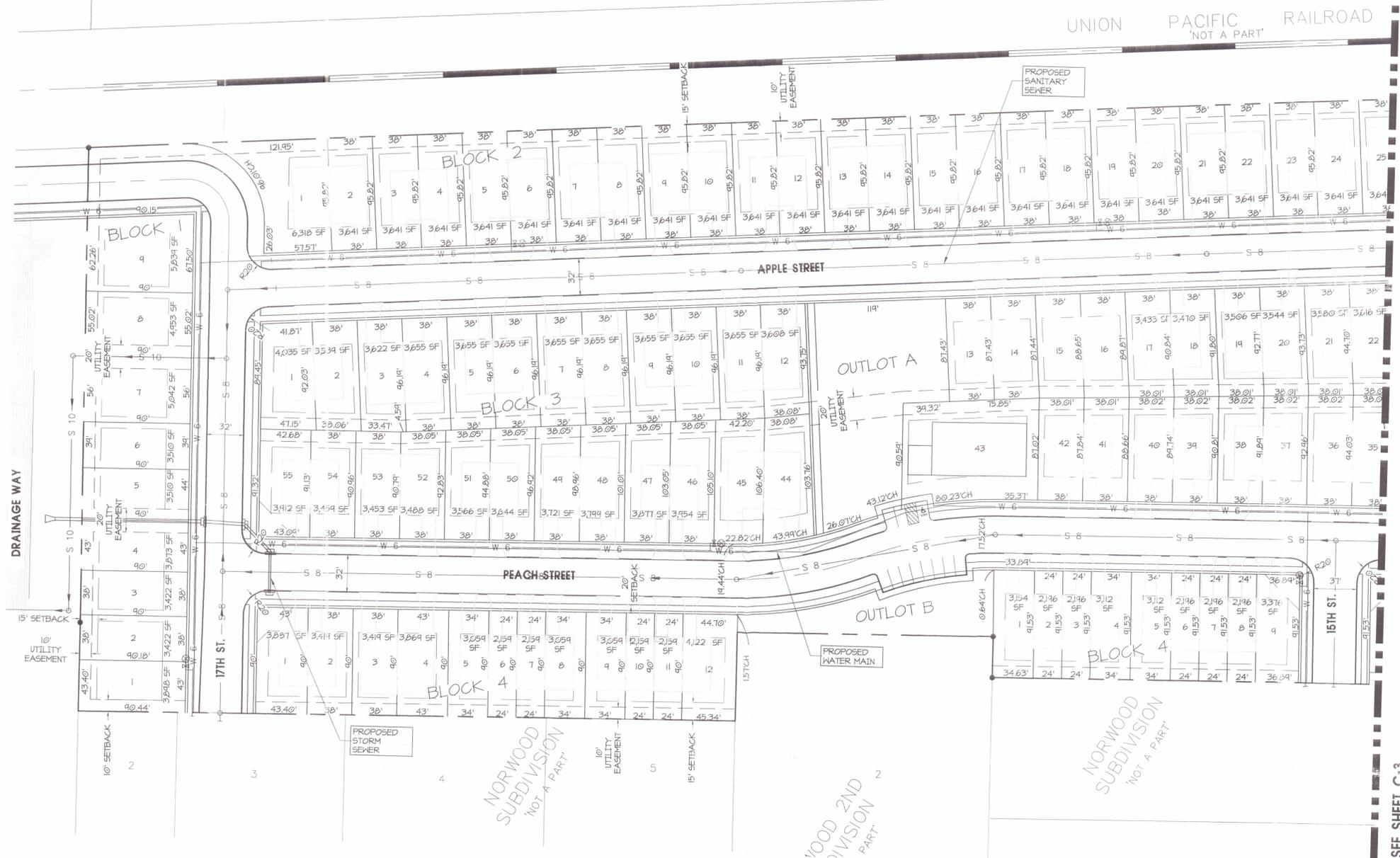
**VICINITY MAP**  
 NO SCALE

**THE ORCHARD SUBDIVISION**  
 PRELIMINARY STUDY  
 GRAND ISLAND, NEBRASKA

PROPOSED SITE PLAN

**Design Associates**  
 ARCHITECTS • ENGINEERS • PLANNERS  
 of Lincoln, Inc.  
 PERSHING SQUARE 1608 "N" STREET LINCOLN, NEBRASKA 68508  
 Voice: 402-474-3000 office@daoflincoln.com Fax: 402-474-4949

C-1

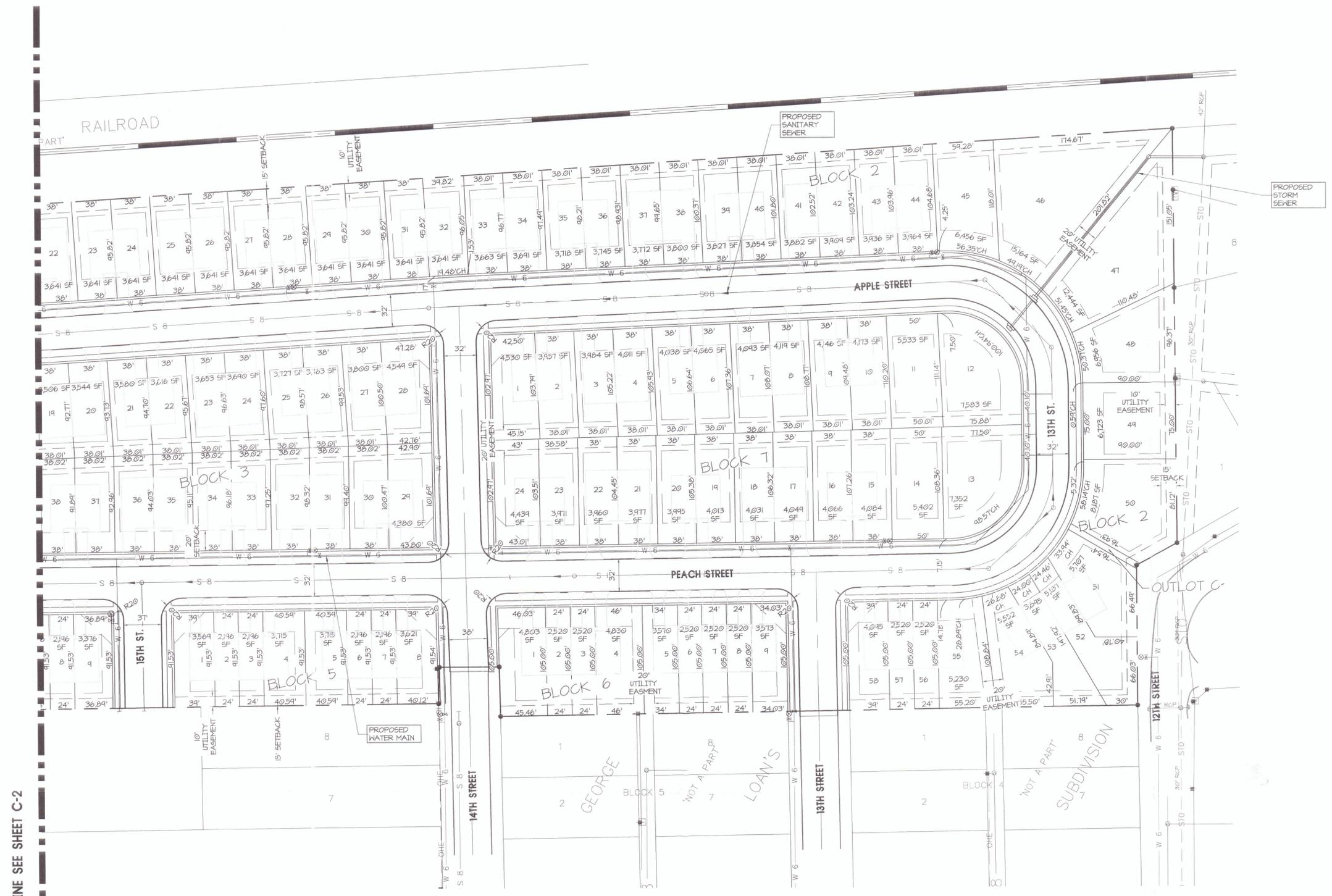


PRELIMINARY SITE/UTILITY PLAN  
 SCALE: 1" = 50'

MATCHLINE SEE SHEET C-3

**THE ORCHARD SUBDIVISION**  
 PRELIMINARY STUDY  
 GRAND ISLAND, NEBRASKA

**Design Associates**  
 ARCHITECTS • ENGINEERS • PLANNERS  
 of Lincoln, Inc.  
 PERSHING SQUARE 1609 "N" STREET LINCOLN NEBRASKA 68508  
 Voice: 402-774-3000 office@DAGLincoln.com Fax: 402-774-4045



MATCHLINE SEE SHEET C-2

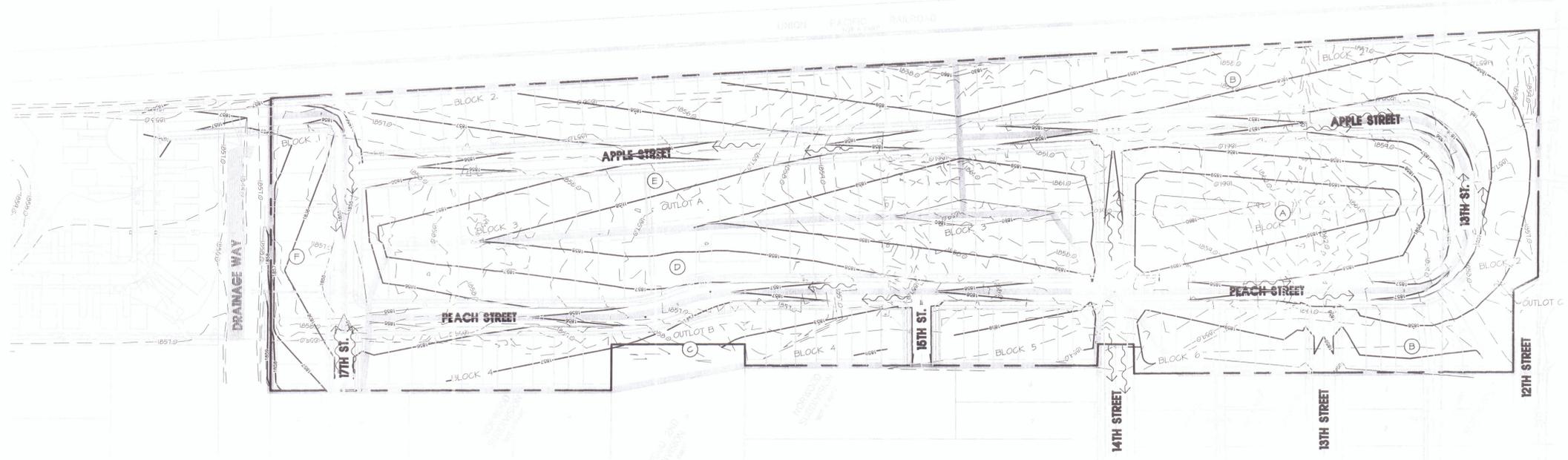
**PRELIMINARY SITE/UTILITY PLAN**  
 SCALE: 1" = 50'

**THE ORCHARD SUBDIVISION**  
 PRELIMINARY STUDY  
 GRAND ISLAND, NEBRASKA

PROJECT NO. 18-000000  
 SHEET NO. C-3  
**PROPOSED SITE PLAN**

**Design Associates**  
 of Lincoln, Inc.  
 ARCHITECTS • ENGINEERS • PLANNERS  
 PERSHING SQUARE, 1609 "N" STREET, LINCOLN, NEBRASKA 68508  
 VOICE: 402-474-3000 OFFICE: 402-474-4045

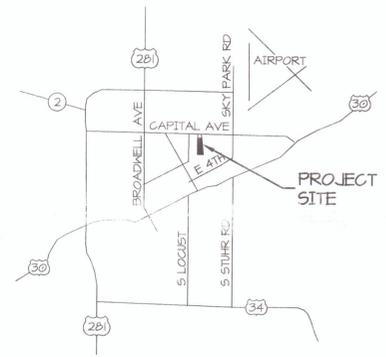
**C-3**



**PRELIMINARY GRADING/DRAINAGE PLAN**  
 SCALE: 1" = 100'

**DRAINAGE COMPUTATIONS**

SECTION SEE MAP	TRIB. AREA ACRES 'A'	RUNOFF COEFF. 'C'	ΔAC ACRES	ΣAC ACRES	FREQUENCY	RAINFALL INTENS. " IN/HR	TOTAL RUNOFF Q=IΔAC c.f.s.	SECTION SLOPE FT/FT	SECTION SIZE	SECTION CAPACITY c.f.s.	REMARKS
A	4.470	0.45	2.01	2.01	100-YR	7.7	15.48	0.0220	10"	15.6	INLET #1 TO INLET #2
B	5.496	0.45	2.47	4.48	100-YR	7.7	34.50	0.0235	24"	34.7	INLET #2 TO 48" R.G.P.
C	3.310	0.45	1.49	1.49	100-YR	7.7	11.47	0.0120	10"	11.5	INLET #3 TO INLET #4
D	3.205	0.45	1.46	2.95	100-YR	7.7	22.12	0.0110	24"	23.1	INLET #4 TO INLET #5
E	6.091	0.45	1.40	4.35	100-YR	7.7	33.50	0.0070	30"	34.3	INLET #5 TO INLET #6
F	1.230	0.45	1.92	0.27	100-YR	7.7	40.20	0.0140	30"	40.5	INLET #6 TO DRAINAGE WAY



**VICINITY MAP**  
 NO SCALE

**THE ORCHARD SUBDIVISION**  
 PRELIMINARY STUDY  
 GRAND ISLAND, NEBRASKA

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PROJECT NO. 18-001  
 SHEET NO. C-4  
 PROPOSED  
 SITE PLAN

C-4