



# City of Grand Island

Tuesday, April 23, 2019

Council Session

## Item E-3

**Public Hearing on Request to Rezone Property located North of the Wood River between Ponderosa Drive and US Highway 281 from RD – Residential Development to RO – Residential Office (Prataria Ventures, LLC)**

*Council action will take place under Ordinances item F-2.*

Staff Contact: Chad Nabity

# **Council Agenda Memo**

**From:** Regional Planning Commission

**Meeting:** April 23, 2019

**Subject:** Rezone 1.4 Acres of Land between U.S. Highway 281 and Ponderosa Drive North of the Wood River (Ponderosa Estates Fourth Subdivision Outlot C1) from RD Residential Development Zone to RO Residential Office

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

## **Background**

Prataria Ventures, LLC has purchased Outlot C1 of Ponderosa Estates Fourth Subdivision from the Ponderosa Estates Lake Association and is the owner of the property immediately to the north of this property. They are requesting that this Outlot be rezoned from RD Residential Development Zone, the same zoning district as Ponderosa Estates, to RO Residential Office Zone, the same zoning district as the property immediately north of Outlot C1. Prataria Ventures has also submitted a final plat for this property that would incorporate Outlot C1 into a single lot with the other Prataria property.

## **Discussion**

At the regular meeting of the Regional Planning Commission, held April 3, 2019 the above item was considered following a public hearing.

O'Neill opened the public hearing.

Nabity mentioned 1.4 acre lot was part of the Ponderosa Subdivision. It was owned by the same people and largely covered by an easement from the NRD for flood control. It has been acquired by the Chief Industries that currently own the property to the north and would like to develop the property consistent with the easement. Mona Sood, 224 Ponderosa; mentioned she lives across from there. Mona stated there is not enough room. With the floods Schimmer had water on both sides. She would like to know what going to go in there. She would like to know if it's going to be a parking lot or garbage bins. Chad stated there are limitations on what they can do based on the easements. Don Mehring; 102 Ponderosa Dr; stated he serves on the board for the Home Owners Association for Ponderosa. He said when they sold the ground to Chief Industries they said it was

going to be a detention cell. Lori Harkinson; 302 Ponderosa; stated her concern is why are they interested in that piece of land. Lori also asked if the residents of Ponderosa can change anything that Chief Industries decides to do. Chairman O'Neill explained that the board cannot change anything they do as long as it fits under the zoning guidelines. Aaron Krahft; 208 Ponderosa, asked if there was a way to delay the approval. Chairman O'Neill explained the vote for tonight was for land use and the actual decision would be made at the City Council Meeting on April 23, 2019. Nancy Ruben, 212 Ponderosa Dr; wanted to know what height restrictions are there for the buildings. Nabity said the height restrictions are 165 feet in the RO Residential Office Zone. Chairman O'Neill explained this particular property is still subject to codes, and covenants and restrictions of Ponderosa. Nancy Ruben also asked if the neighborhood would be notified when development starts. Chairman O'Neill stated the only one they have control over is the property that is being discussed. Aaron Krahft, 208 Ponderosa Dr; wanted to clarify that the covenants only applied to the one parcel only.

O'Neill closed the public hearing.

A motion was made by Robb and second by Rainforth to approve Ponderosa Lake Estates Fourth Subdivision Outlot C1 from RD Residential Development Zone to RO Residential Office Zone.

The motion carried with ten members in favor (O'Neill, Ruge, Nelson, Monter, Maurer, Robb, Rubio, Rainforth, Hedricksen and Randone) no members voting no.

The memo sent to the planning commission with staff recommendation is attached for review by Council.

### **Alternatives**

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Approve the rezoning request as presented
2. Modify the rezoning request to meet the wishes of the Council
3. Postpone the issue

### **Recommendation**

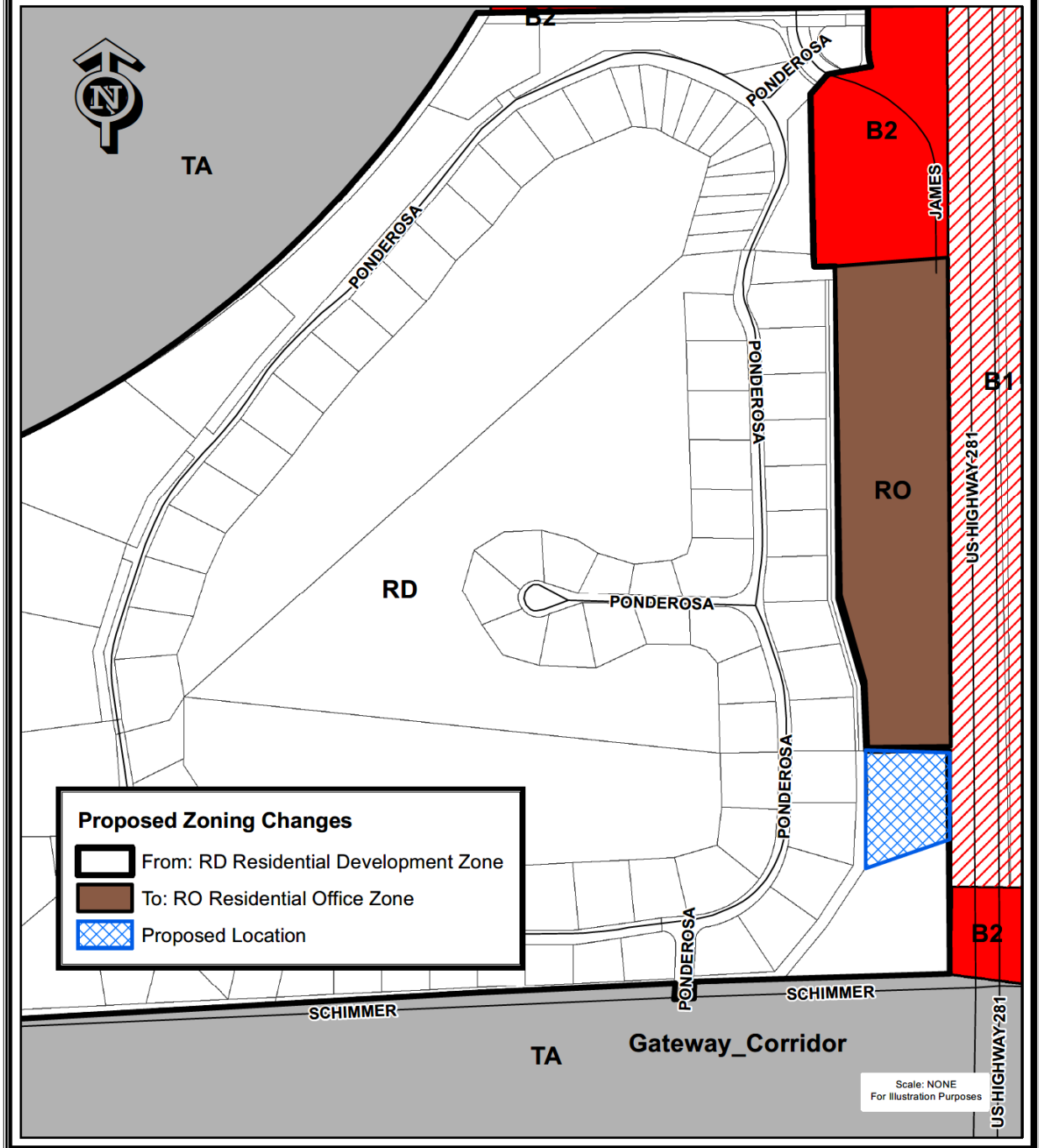
City Administration recommends that the Council approve the proposed changes as recommended.

### **Sample Motion**

Move to approve the ordinance as presented.

# Proposed Zoning Change Location Map

Ponderosa Lake Estates Fourth Subdivision



## Agenda Item # 6

### PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING

#### COMMISSION:

March 26, 2019

**SUBJECT:** *Zoning Change (C-17-2019GI)*

**PROPOSAL:** To rezone approximately 1.4 acres of land north of Schimmer Drive and the Wood River and west of US highway 281 from RD Residential Development Zone to RO Residential Office, in the City of Grand Island. The purpose of this rezoning request is to make the zoning consistent across the southern portion of the proposed Ponderosa Village 2<sup>nd</sup> Subdivision.

#### OVERVIEW:

##### Site Analysis

*Current zoning designation:*

**RD-** Residential Development Zone

*Intent of zoning district:*

**RD:** The intent of this zoning district is to permit a more flexible regulation of land use, and so as to more fully implement comprehensive planning for large parcels of land proposed predominantly for residential use. No uses were shown on the approved development plan.

*Permitted uses and uses:*

*Uses as listed under permitted principal uses of the (TA) Transitional Agricultural Zone, (R-1) Suburban Residential Zone, (R-2) Low Density Residential Zone, (R-3) Medium Density Residential Zone, and (R-4) High Density Residential Zone except as listed under specifically excluded uses. Development Zone lots must meet the minimum size of 1.5 acres. Towers, Nursing, Convalescent & rest home services, Residential assisted living, Retirement or assisted living and Restaurants and cafes, with or without drive-in facilities.*

*Existing land uses.*

Vacant property

*Proposed Zoning Designation*

**RO-** Residential Office

*Intent of zoning district:*

**RO:** The intent of this zoning district is to provide the highest density of residential uses as well as for various office, personal services and professional uses. This zoning district is also used as a transitional zone between lower density residential zones and business or manufacturing zones.

<i>Permitted and conditional uses:</i>	<b>RO:</b> Residential uses with no limit on the density except available parking spaces, office uses, personal services, assisted living facilities, day cares, and prescription related retail.
<i>Comprehensive Plan Designation:</i>	<b>North, West and South:</b> Designated for Low to Medium Density Residential <b>East:</b> Designated for Parks and Recreation & Manufacturing
<i>Existing land uses:</i>	<b>North:</b> Vacant Property <b>South:</b> Vacant Property <b>West:</b> Single family residential <b>East:</b> Stuhr Museum
<b><u>Adjacent Properties Analysis</u></b>	
<i>Current zoning designations:</i>	<b>North: RO-</b> Residential Office Business Zone <b>South: RD-</b> Residential Development Zone <b>East: B-1</b> Light Business Zone <b>West: RD-</b> Residential Development Zone
<i>Intent of zoning district:</i>	<b>B-1:</b> To provide for neighborhood shopping and service facilities this will serve the needs of the surrounding residential area. Residential uses are permitted at the density of the (R-4) High Density Residential Zoning District.  <b>RD:</b> The intent of this zoning district is to permit a more flexible regulation of land use, and so as to more fully implement comprehensive planning for large parcels of land proposed predominantly for residential use.  <b>RO:</b> The intent of this zoning district is to provide the highest density of residential uses as well as for various office, personal services and professional uses. This zoning district is also used as a transitional zone between lower density residential zones and business or manufacturing zones.
<i>Permitted and conditional uses:</i>	<b>B-1:</b> Residential uses, recreational uses, boarding and lodging houses, educational uses (museums) and towers.  <b>RD:</b> <i>Uses as listed under permitted principal uses of the (TA) Transitional Agricultural Zone, (R-1) Suburban Residential Zone, (R-2) Low Density Residential Zone, (R-3) Medium Density Residential Zone, and (R-4) High Density Residential Zone except as listed under specifically excluded uses. Development Zone lots must meet</i>

*the minimum size of 1.5 acres. Towers, Nursing, Convalescent & rest home services, Residential assisted living, Retirement or assisted living and Restaurants and cafes, with or without drive-in facilities.*

**RO:** Residential uses with no limit on the density except available parking spaces, office uses, personal services, assisted living facilities, day cares, and prescription related retail.

## **EVALUATION:**

### **Positive Implications:**

- *Largely Consistent with the City of Grand Island's current and historic zoning regulations.*
- *Accessible to Existing Municipal Infrastructure: City water and sewer services have been extended to serve the rezoning area.*
- *Would provide additional commercial and office space; this would provide for more modernized commercial/ office spaces to the City of Grand Island.*
- *Enhances the buffer between the single family homes and a major highway to the east of the property where US Highway 281 is located.*
- *Monetary Benefit to Applicant: Would allow the applicant to develop the property as extension or compliment to the new medical development to the north.*
- *Allow for development of an inaccessible piece of property: As currently zoned and platted this property does not have access to a public road. The open space uses currently permitted under the development plan would not require such access but this change will allow it to be developed with the adjacent property that does have access.*

### • **Negative Implications:**

- *None foreseen:*

### **Other Considerations**

The majority of this property is already intended for low to medium density residential to office uses as shown below on the Future Land Use Map for the City of Grand Island but is adjacent to a major highway and the zoning of the property to the north has anticipated residential office development for more than 25 years.

**RECOMMENDATION:**

That the Regional Planning Commission recommend that the Grand Island City Council change the zoning on this site from RD Residential Development Zone to RO Residential Office Zone.

\_\_\_\_\_ Chad Nabity, AICP



# Proposed Zoning Change Location Map

Ponderosa Lake Estates Fourth Subdivision

