

City of Grand Island

Tuesday, July 23, 2019 Council Session/Budget Work Session

Item G-6

#2019-214 - Approving Preliminary Plat, Final Plat and Subdivision Agreement for McCoy Meadows Subdivision

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission

Meeting: July 23, 2019

Subject: McCoy Meadows Subdivision – Preliminary and Final

Plat

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

Background

This property is located north of State Street and east of Ebony Lane in Grand Island, Nebraska. (48 lots, 15.02 acres). This is a plat related to the amended RD Zone. A tract of land consisting of all of Autumn Park Third Subdivision in the City of Grand Island, Hall County, Nebraska.

Discussion

The preliminary and final plat for McCoy Meadows Subdivision was considered by the Regional Planning Commission at the July 10, 2019 meeting.

A motion was made by Ruge and second by Randone to approve the preliminary final plat as presented.

A roll call vote was taken and the motion passed with seven members present and voting in favor (O'Neill, Nelson, Ruge, Rubio, Rainforth, Randone, and Robb) and no members present voting no.

Alternatives

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

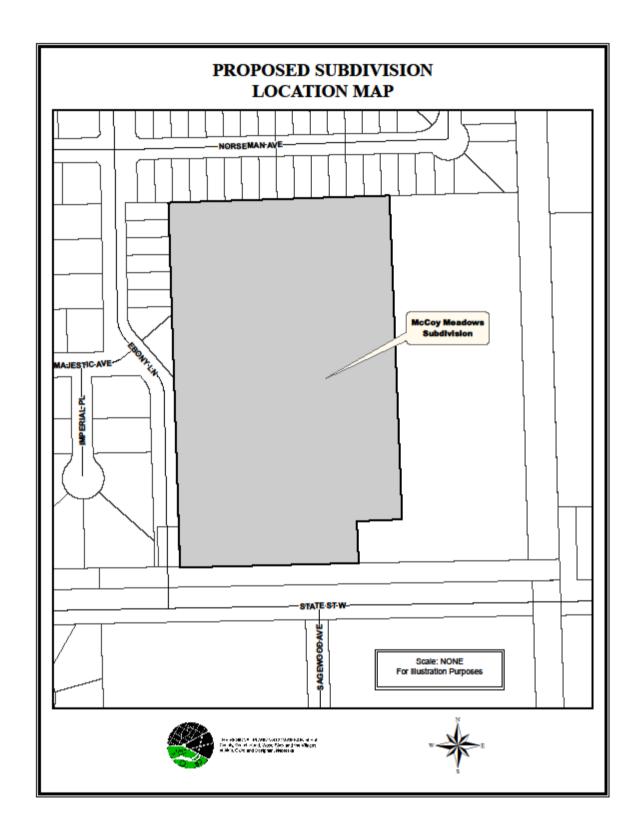
- 1. Move to approve
- 2. Refer the issue to a Committee
- 3. Postpone the issue to future date
- 4. Take no action on the issue

Recommendation

City Administration recommends that Council approve the preliminary and final plats as presented.

Sample Motion

Move to approve as recommended.



Developer/Owner

Matthew Thomas, President of Dana Point Development Corp

1555 California Ave Turlock, CA 95380

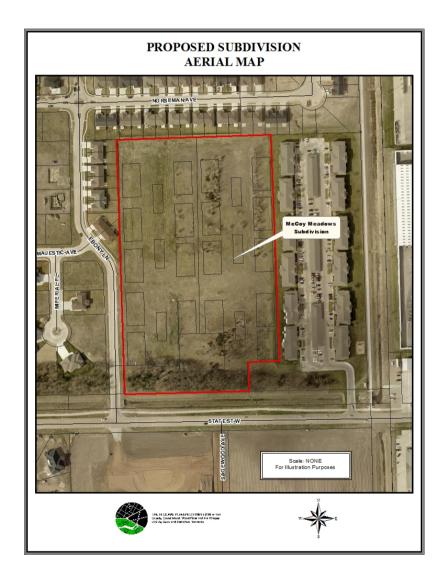
This property is located north of State Street and east of Ebony Lane in Grand Island, Nebraska. (48 lots, 15.02 acres).

Size: 15.02 Acres 48 Lots

Zoning: RD Zone - Residential Development Zone

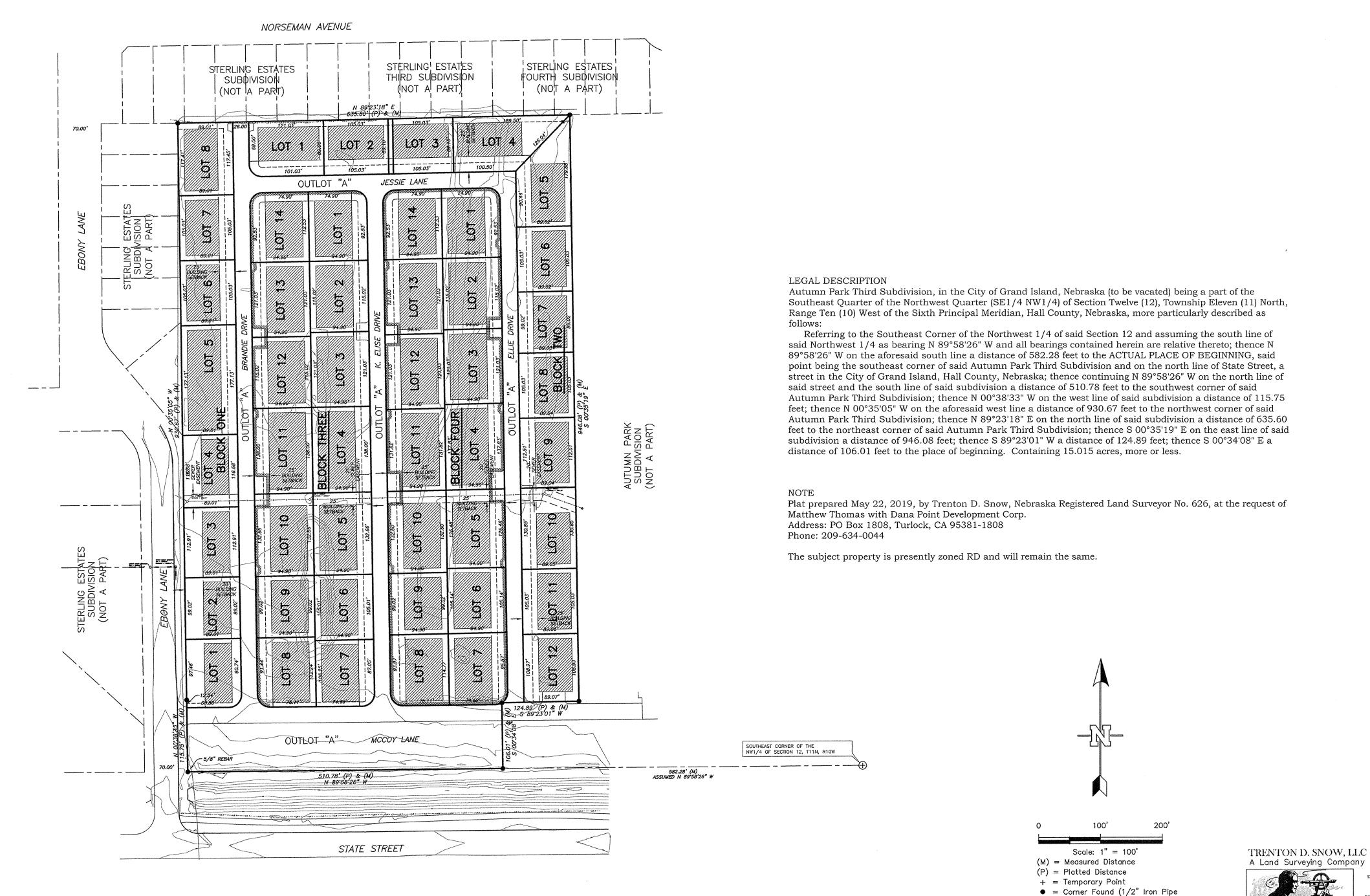
Road Access:

Water Public: City water is available and will be extended to all lots. Sewer Public: City sewer is available and will be extended to all lots.



PROPOSED McCOY MEADOWS

AN ADDITION TO THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA

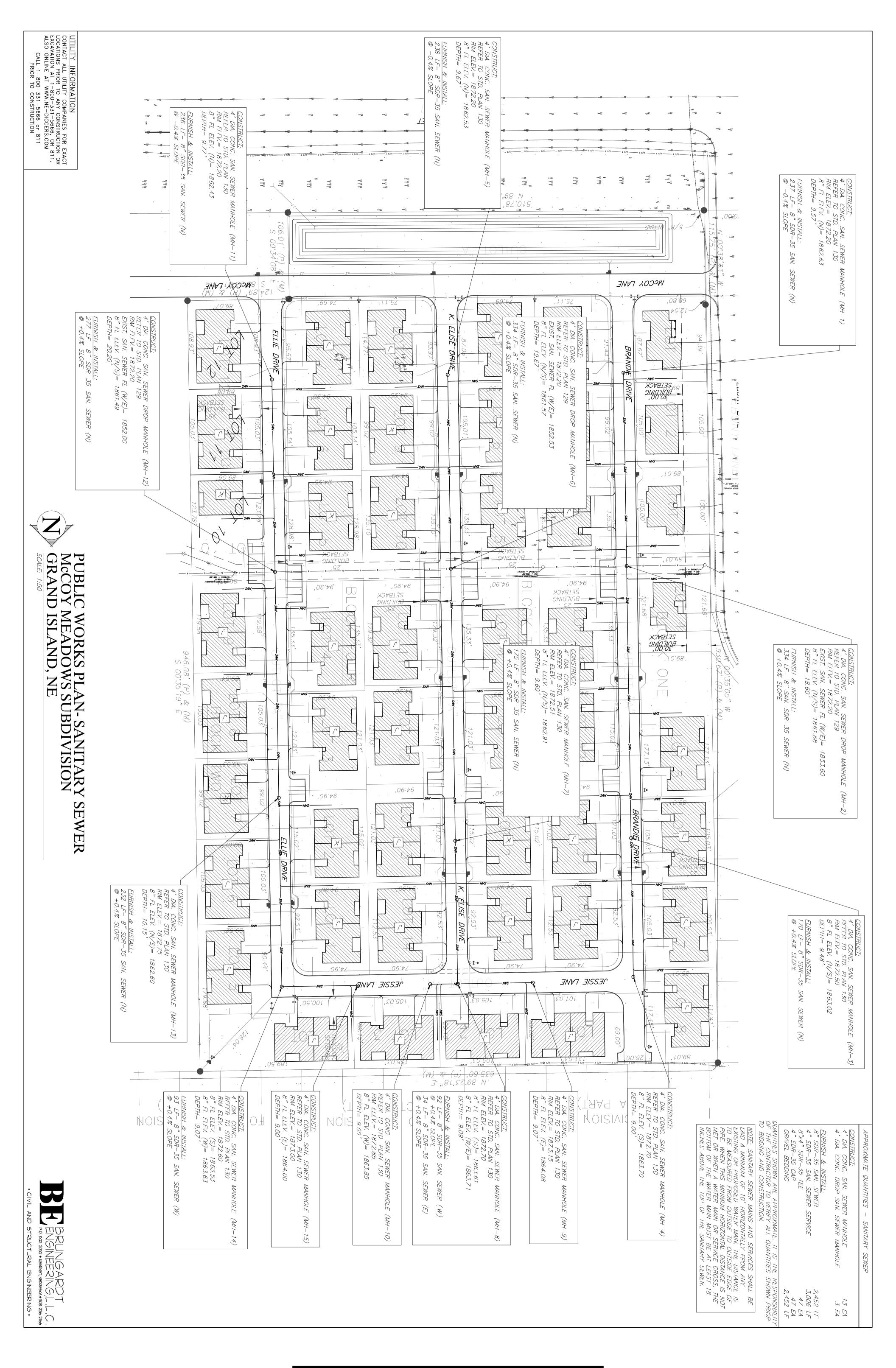


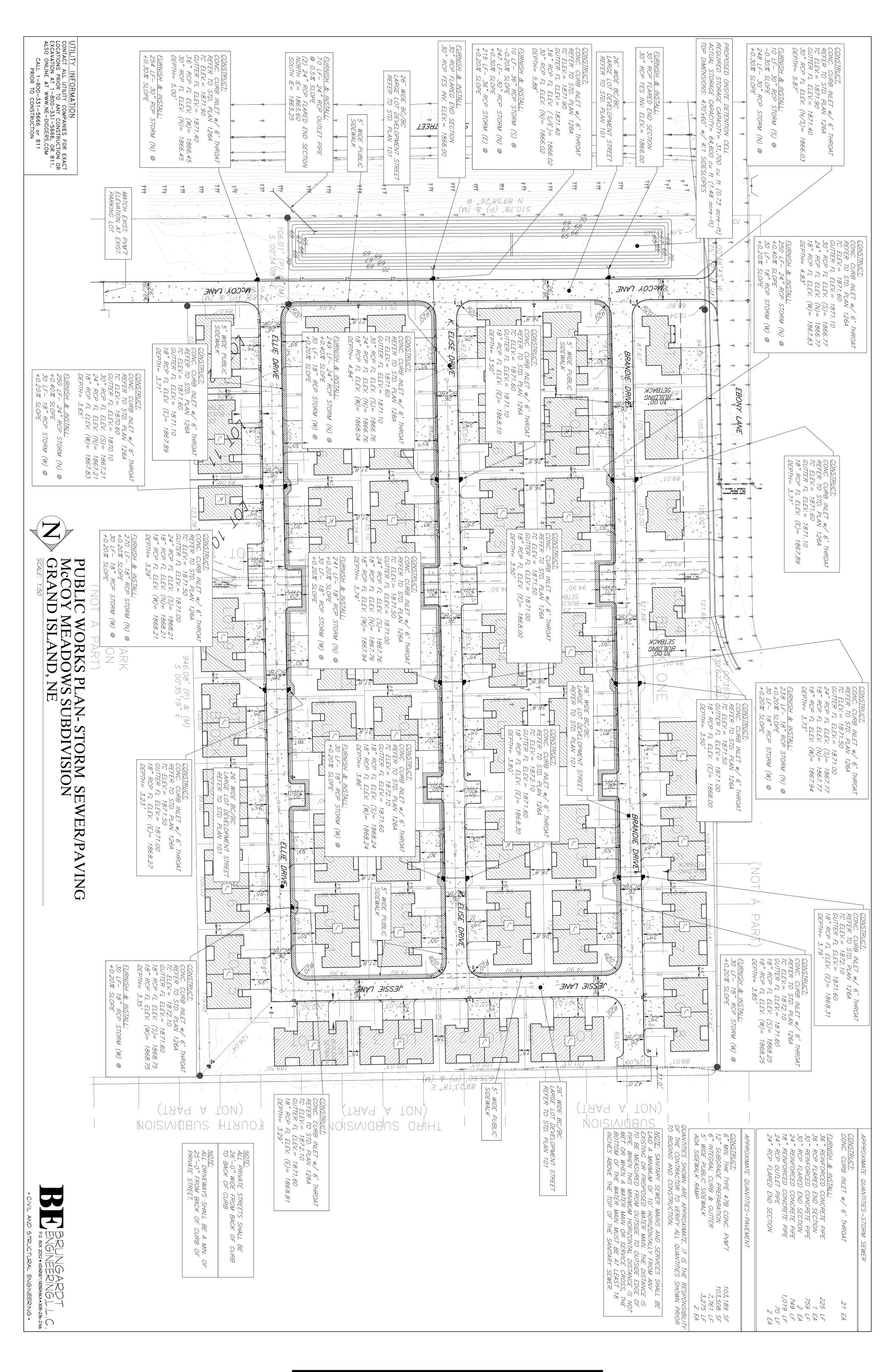


Except As Indicated) O = Corner Established $(5/8" \times 24")$

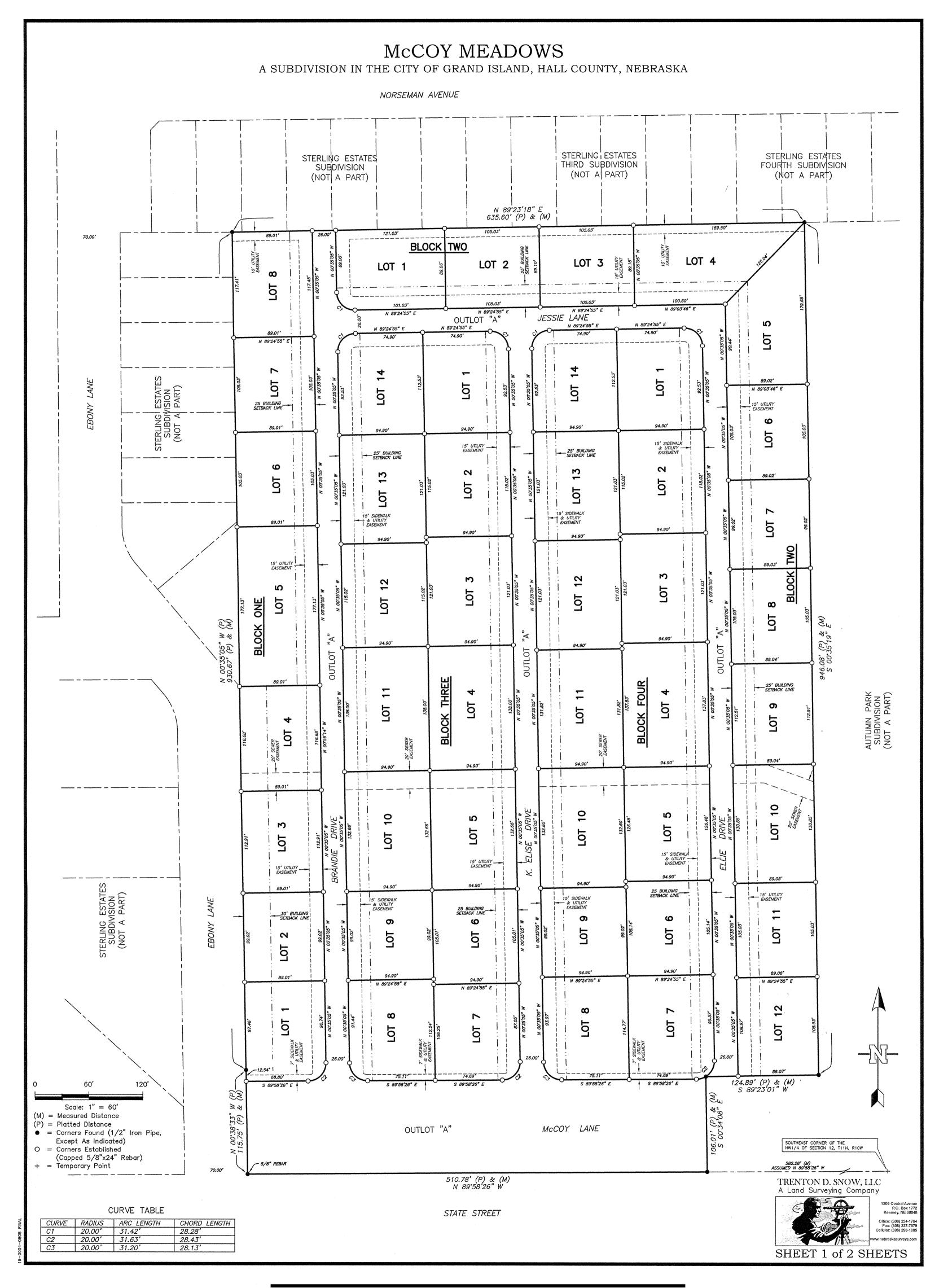
= Buildable Area

PRELIMINARY PLAT









McCOY MEADOWS

A SUBDIVISION IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA

LEGAL DESCRIPTION

Autumn Park Third Subdivision, in the City of Grand Island, Nebraska (to be vacated) being a part of the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) of Section Twelve (12), Township Eleven (11) North, Range Ten (10) West of the Sixth Principal Meridian, Hall County, Nebraska, more particularly described as follows:

Referring to the Southeast Corner of the Northwest 1/4 of said Section 12 and assuming the south line of said Northwest 1/4 as bearing N 89°58'26" W and all bearings contained herein are relative thereto; thence N 89°58'26" W on the aforesaid south line a distance of 582.28 feet to the ACTUAL PLACE OF BEGINNING, said point being the southeast corner of said Autumn Park Third Subdivision and on the north line of State Street, a street in the City of Grand Island, Hall County, Nebraska; thence continuing N 89°58'26" W on the north line of said street and the south line of said subdivision a distance of 510.78 feet to the southwest corner of said Autumn Park Third Subdivision; thence N 00°38'33" W on the west line of said subdivision a distance of 115.75 feet; thence N 00°35'05" W on the aforesaid west line a distance of 930.67 feet to the northwest corner of said Autumn Park Third Subdivision; thence N 89°23'18" E on the north line of said subdivision a distance of 635.60 feet to the northeast corner of said Autumn Park Third Subdivision; thence S 00°35'19" E on the east line of said subdivision a distance of 946.08 feet; thence S 89°23'01" W a distance of 124.89 feet; thence S 00°34'08" E a distance of 106.01 feet to the place of beginning. Containing 15.015 acres, more or less.

SURVEYOR'S CERTIFICATE

I, Trenton D. Snow, a Professional Land Surveyor licensed in the State of Nebraska, do hereby certify that I surveyed "MCCOY MEADOWS", a subdivision in the City of Grand Island, Hall County, Nebraska, as shown on the accompanying plat; that the lots, blocks, streets, avenues, alleys, parks, commons and other grounds as contained in said subdivision as shown on the accompanying plat are well and accurately staked and marked; that iron markers were placed at all corners as shown on the plat; that each lot bears its own number; and that the survey was made using known and recorded monuments. All information shown hereon is true and correct to the best of my knowledge and belief.

(SEAL)

Trento	n D. S	now	***************************************	00000 00000 00000 0000 0000 0000 0000 0000	
Nebr.	Reg. L.	S. No	. 626		
Date	***************************************				

DEDICATION

City Clerk

KNOW ALL MEN BY THESE PRESENTS, that Dana Point Development Corporation, a Wyoming Corporation, by and through Matthew Thomas, its President, being the sole owner of the land described hereon has caused the same to be surveyed, subdivided, platted and designated as "MCCOY MEADOWS", a subdivision in the City of Grand Island, Hall County, Nebraska, as shown on the accompanying plat, and do hereby dedicate the streets as shown thereon to the public for their use forever, and the easements and 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 prohibits the planting of trees, bushes and shrubs, or placing other obstructions upon, over, along or underneath the surface of such easements, and further dedicates the outlots to the public for utilities and ingress and egress purposes; and that the foregoing subdivision as more particularly described in the description hereon as it appears on the plat is made with the free consent and in accordance with the desires of the undersigned owner and proprietor.

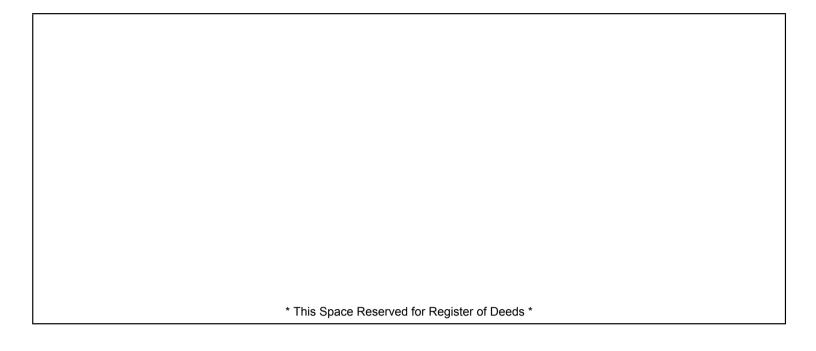
	ticularly described in the descriptio e with the desires of the undersigne	on hereon as it appears on the plat is made with
		this
day of, 20	, ,	
	_(signature)	
Matthew Thomas		
President of Dana Point Developm	ent Corporation,	
a Wyoming Corporation		
ACKNOWLEDGEMENTS		
STATE OF)		
STATE OF))ss COUNTY OF)		
COUNTY OF)		
	nowledged before me this day tent Corporation, a Wyoming Corpor	y of, 20_ by Matthew Thomas, pration.
	_ (S E A L)	
Notary Public	_ (5 _ 1 = 2)	
May acompaigning avenium		
My commission expires	•	
APPROVALS		
Submitted to and approved by the the Villages of Alda, Cairo and Don		Hall County, Grand Island and Wood River and
Chairman	Date	
Approved and Accepted by the Cit	y of Grand Island, Nebraska, this _	, day of, 2019.
	(S E A L)	
Mayor	***************************************	
may or		
Attacted		
Attested		

TRENTON D. SNOW, LLC
A Land Surveying Company

1309 Central Avenue P.O. Box 177.
Kearney, NE 6884.

Office: (308) 234-176.
Fax: (308) 237-108.
www.nebraskasurveys.com

SHEET 2 of 2 SHEETS



SUBDIVISION AGREEMENT

MCCOY MEADOWS SUBDIVISION

(Block 1 Lots 1 through 8, Block 2 Lots 1 through 12, Block 3 Lots 1 through 14, Block 4 Lots 1 through 14 and Outlot A)

In the City of Grand Island, Hall County Nebraska

The undersigned, DANA POINT DEVELOPMENT CORPORATION, a Wyoming Corporation, hereinafter called the Subdivider, as owner of a tract of land in the City of Grand Island, Hall County, Nebraska, more particularly described as follows:

AUTUMN PARK THIRD SUBDIVISION, IN THE CITY OF GRAND ISLAND, NEBRASKA (TO BE VACATED) BEING A PART OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE ¼ NW ¼) OF SECTION TWELVE (12), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE SIXTH PRINCIPAL MERIDIAN, HALL COUNTY, NEBRASKA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

REFERRING TO THE SOUTHEAST CORNER OF THE NORTHWEST 1/4 OF SAID SECTION 12 AND ASSUMING THE SOUTH LINE OF SAID NORTHWEST 1/4 AS BEARING N 89°58'26" W AND ALL BEARINGS CONTAINED HEREIN ARE RELATIVE THERETO; THENCE N 89°58'26" W ON THE

AFORESAID SOUTH LINE A DISTANCE OF 582.28 FEET TO THE ACTUAL PLACE OF BEGINNING, SAID POINT BEING THE SOUTHEAST CORNER OF SAID AUTUMN PARK THIRD SUBDIVISION AND ON THE NORTH LINE OF STATE STREET, A STREET IN THE CITY OF GRAND ISLAND, HALL COUNTY. NEBRASKA: CONTINUING N 89°58'26" W ON THE NORTH LINE OF STREET AND THE SOUTH LINE SUBDIVISION A DISTANCE OF 510.78 FEET TO THE SOUTHWEST CORNER OF SAID AUTUMN PARK THIRD SUBDIVISION; THENCE N 00°38'33" W ON THE WEST LINE OF SAID SUBDIVISION A DISTANCE OF 115.75 FEET: THENCE N 00°35'05" W ON THE AFORESAID WEST LINE A DISTANCE OF 930.67 FEET TO THE NORTHWEST CORNER OF SAID AUTUMN PARK THIRD SUBDIVISION: THENCE N 89°23'18" E ON THE NORTH LINE OF SAID SUBDIVISION A DISTANCE OF 635.60 FEET TO THE NORTHEAST CORNER OF SAID AUTUMN PARK THIRD SUBDIVISION: THENCE S 00°35'19" E ON THE EAST LINE OF SAID SUBDIVISION A DISTANCE OF 946.08 FEET; THENCE S 89°23'01" W A DISTANCE OF 124.89 FEET; THENCE S 00°34'08" E A DISTANCE OF 106.01 FEET TO THE PLACE OF BEGINNING. CONTAINING 15.015 ACRES, MORE OR LESS;

desires to have subdivided as a subdivision the foregoing tract of land located within the corporate limits of the City of Grand Island, Nebraska, and hereby submits to the City Council of such City for acceptance as provided by law an accurate map and plat of such proposed subdivision, to be known as MCCOY MEADOWS SUBDIVISION, designating explicitly the land to be laid out and particularly describing the lots, easements, and streets belonging to such subdivision, with the lots designated by number, easements by dimensions, and streets by name, and proposes to cause the plat of such subdivision when finally approved by the Regional Planning Commission and the City Council to be acknowledged by such owner, certified as to accuracy of survey by a registered land surveyor, and to contain a dedication of the easements to the use and benefit of public utilities, and of the street to the use of the public forever. In

consideration of the acceptance of the plat of said MCCOY MEADOWS SUBDIVISION, the Subdivider hereby consents and agrees with the City of Grand Island, Nebraska, that it will install or provide at its expense the following improvements:

- 1. **Residential Development Zone**. This subdivision is within a designated Residential Development Zone and shall be regulated in accordance with Chapter 36 of the Grand Island City Code. A Development Plan as shown on Exhibit A, attached hereto and incorporated herein by reference is hereby approved for such Subdivision. Any amendments to such Development Plan shall be approved by the City of Grand Island in accordance with the Grand Island City Code. The official Development Plan shall be on file with the City's Planning Department.
- 2. **Paving**. The Subdivider agrees that McCoy Lane, Ellie Drive, Brandie Drive, K. Elise Drive and Jesse Lane are to be constructed as 26 foot private streets to be owned and maintained by the Subdivider.

The Subdivider agrees to waive the right to object to the creation of any paving or repaving district for Ebony Lane where it abuts the subdivision.

- 3. **Water**. Public water is available to the subdivision and the Subdivider agrees to extend, connect and provide water service to all lots in the subdivision in accordance with plans and specifications approved by the Director of Public Works, and subject to the City's inspection.
- 4. **Sanitary Sewer**. Public sanitary sewer is available to the subdivision and the Subdivider agrees to extend, connect and provide sanitary sewer service to all lots in the

subdivision in accordance with plans and specifications approved by the Director of Public Works, and subject to the City's inspection.

- 5. **Storm Drainage**. The Subdivider agrees to grade all lots in the subdivision in conjunction with the development proposed thereon so that storm drainage is conveyed to a public right-of-way or to other drainage systems so approved by the Director of Public Works. If the Subdivider fails to grade and maintain such drainage the City may create a drainage district to perform such work. The Subdivider agrees to waive the right to object to the creation of any drainage district benefitting the subdivision.
- 6. **Sidewalks.** The Subdivider shall install and maintain all public sidewalks required by the City of Grand Island when the lots are built upon, and such sidewalk shall be regulated and required with the building permit for each such lot. Sidewalk along Ebony Lane shall be conventional walk consistent with the existing sidewalk north of this property. Internal walks within the development shall be constructed at the time the lots are built upon as shown on the Development plan marked "Exhibit A".
- 7. **Easements**. Any easements shall be kept free of obstructions and the Subdivider shall indemnify the City for any removal or repair costs caused by any obstructions. In addition, the duty to maintain the surface of any easements to keep them clear of any worthless vegetation or nuisance shall run with the land.
- 8. **Engineering Data**. All final engineering plans and specifications for public improvements shall bear the signature and seal of a professional engineer registered in the State of Nebraska and shall be furnished by the Subdivider to the Department of Public Works for approval prior to contracting for construction of any improvements. Inspections of

improvements under construction shall be performed under the supervision of a professional engineer registered in the State of Nebraska, and upon completion shall be subject to inspection and approval by the Department of Public Works prior to acceptance by the City of Grand Island. An "as built" set of plans and specifications including required test results bearing the seal and signature of a professional engineer registered in the State of Nebraska shall be filed with the Director of Public Works by the Subdivider prior to acceptance of these improvements by the City.

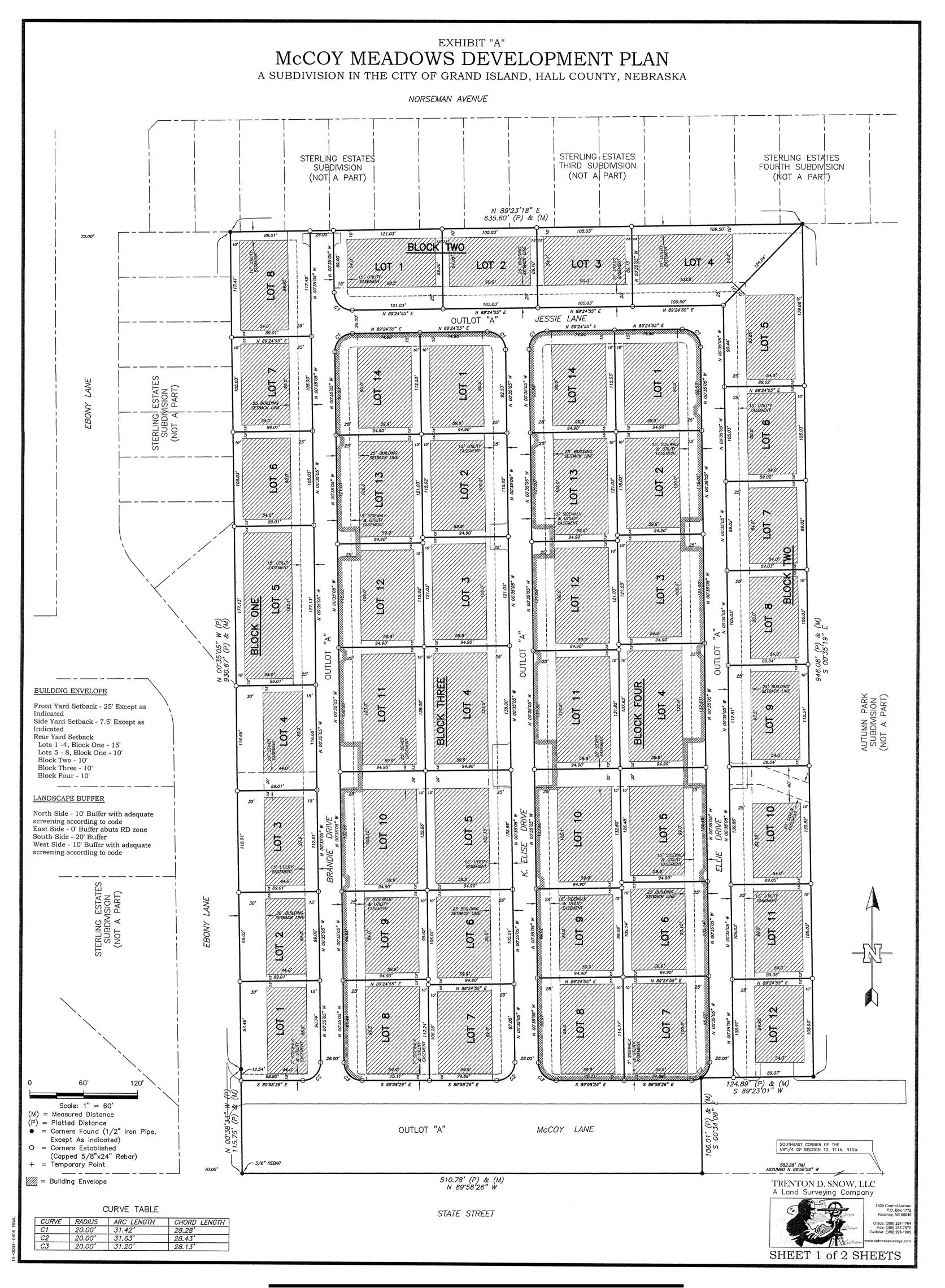
- 9. **Design and Construction**. No building shall be constructed except within the Building Envelope Areas as defined on the Development Plan (Exhibit "A"). The buildings to be constructed shall be consistent with the designs approved with the development plan to include four single family detached homes on Lots 1 through 4 of Block 1 and duplex units on the remaining lots generally as shown in the attached elevations and floor plans. No portion of any building constructed (including architectural features) shall exceed a height of 35 feet above the center of the street at the midpoint of the front property line.
- 10. **Parking**. The Subdivider agrees to sign and enforce no parking on the private streets.
- 11. **Landscaping**. The Subdivider agrees to comply with the requirements of the Landscaping Regulations of the City of Grand Island. The Subdivider shall install and maintain landscaping at its own expense. Thirty foot landscape buffers shall be maintained south of McCoy Lane on Outlot A and on the west side of Lots 1-4 of Block 1 adjacent to Ebony Lane. A ten foot landscape buffer with a 6 foot fence or shrubbery shall be maintained along the west side of Lots 5-8 Block 1, at the north end of Outlot A adjacent to the end of Brandie Lane

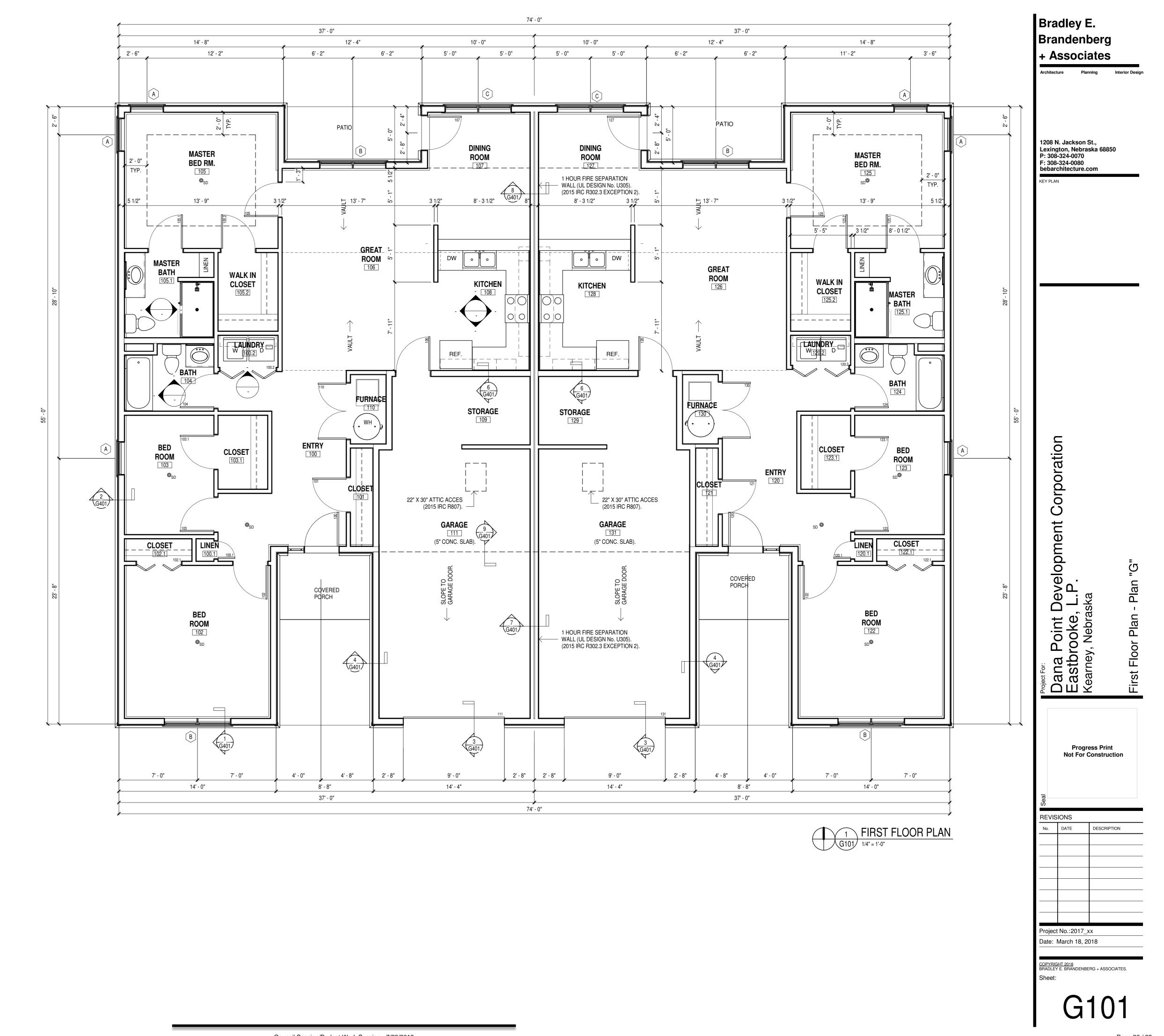
and north of Lots 1-4 of Block 2. No buildings or other structures shall be permitted outside of the building envelopes in a manner that encroaches into the required landscape buffer.

- 12. **Warranty**. The undersigned owner, as Subdivider, warrants that it is the owner in fee simple of the land described and proposed to be known as MCCOY MEADOWS SUBDIVISION, and that an abstract of title or title insurance commitment will be submitted for examination, if necessary, upon request of the City of Grand Island.
- 13. **Successors and Assigns**. This agreement shall run with the land and shall be binding upon and inure to the benefit of the parties hereto, their successors, assigns, heirs, devisees, and legatees. Where the term "Subdivider" is used in this agreement, the subsequent owners of any lots in the subdivision shall be responsible to perform any of the conditions of this agreement if the Subdivider has not performed such conditions.

Dated		, 2019.
		DANA POINT DEVELOPMENT CORPORATION, a Wyoming Corporation, Subdivider
	E	By: Matthew Thomas, President
STATE OF NEBRASKA)	
COUNTY OF HALL) ss)	
County and State, personally a Corporation, known personally	ppeared Matthew Thom to me to be the identi nowledged the execution	the me, the undersigned, a Notary Public in and for said has, President of Dana Point Development, a Wyoming ical person and such officer who signed the foregoing a thereof to be his voluntary act and deed for the purpose dorporation.
WITNESS my hand and	I notarial seal the date abo	ove written.
		Notary Public

My commission expires:	
	CITY OF GRAND ISLAND, NEBRASKA A Municipal Corporation
By:	
Roger G. Steele, Mayor	
Attest:	
_	RaNae Edwards, City Clerk
STATE OF NEBRASKA)	
COUNTY OF HALL)	
On, 2019, before m County and State, personally came Roger G. Steele, Mayor corporation, known to me to be such officer and the ide Agreement and acknowledged that the foregoing signature v 2019, and that the City's corporate seal was thereto affix	ntical person who signed the foregoing Subdivision was his voluntary act and deed pursuant to Resolution
WITNESS my hand and notarial seal the date above	written.
	Notary Public
My commission expires:	J



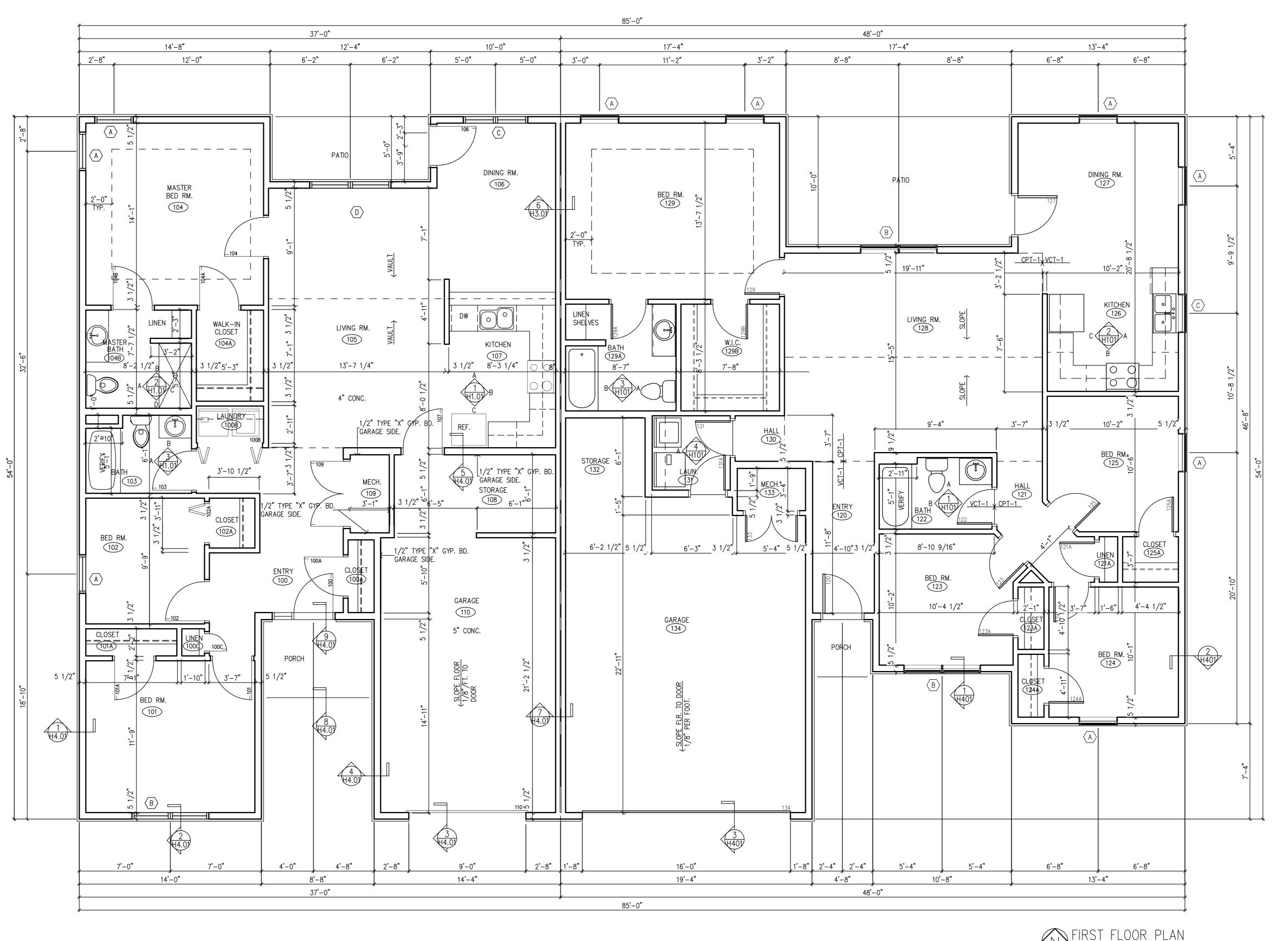


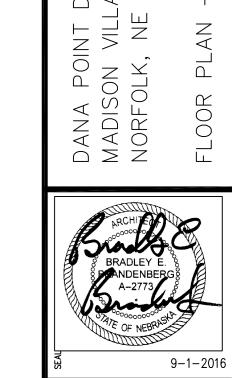
Grand Island

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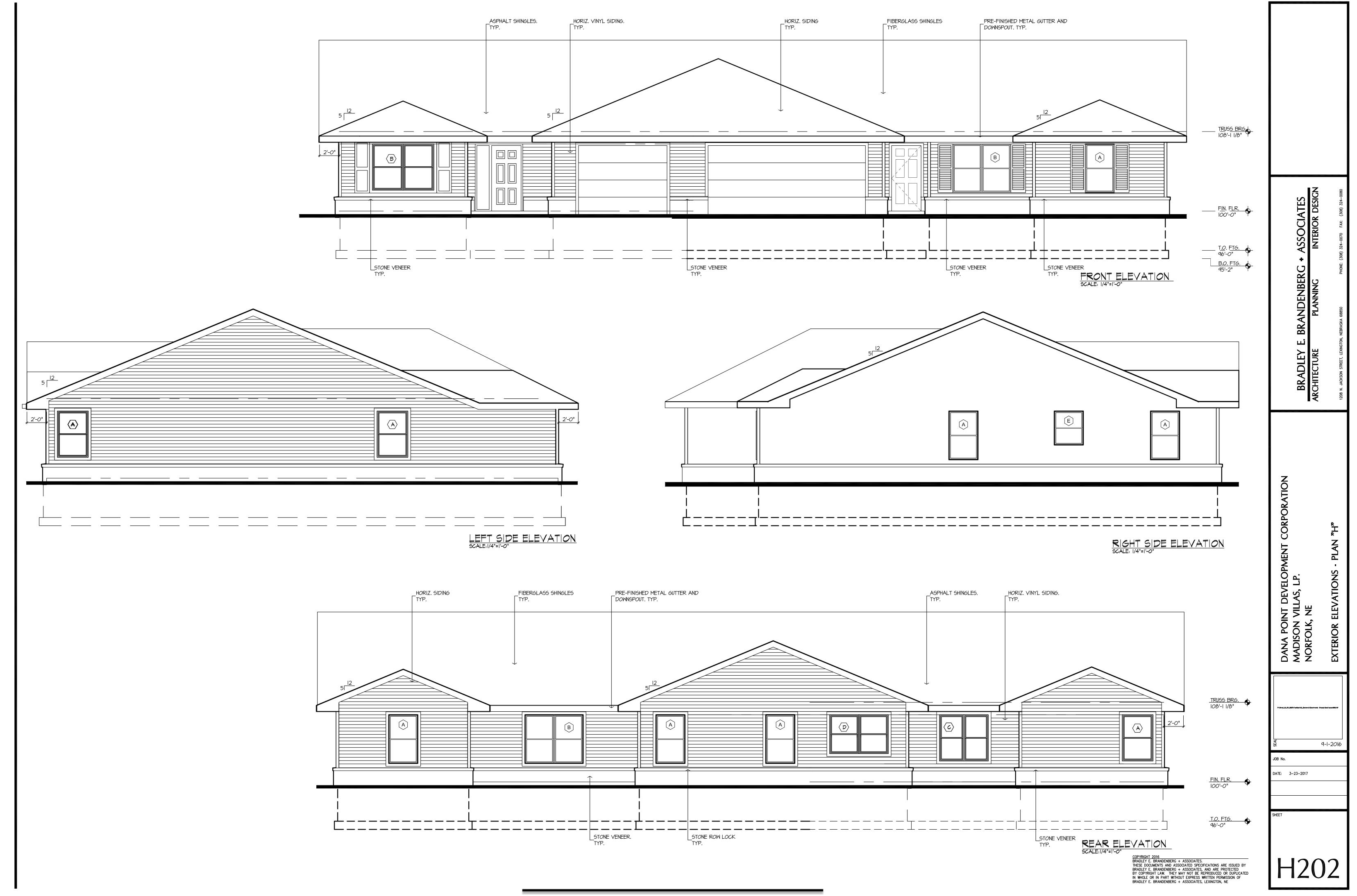


DEVELOPMENT LAS, L.P.

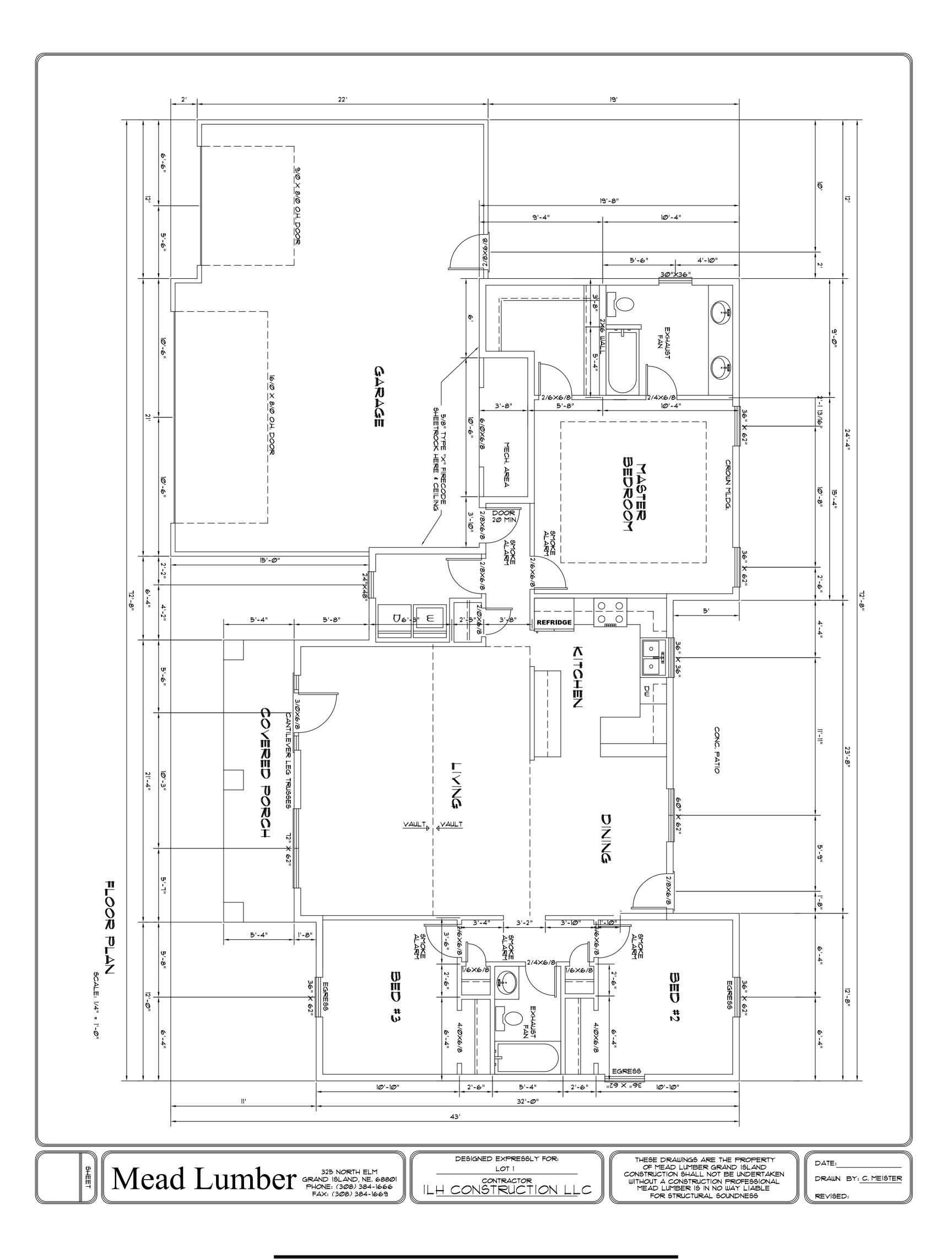
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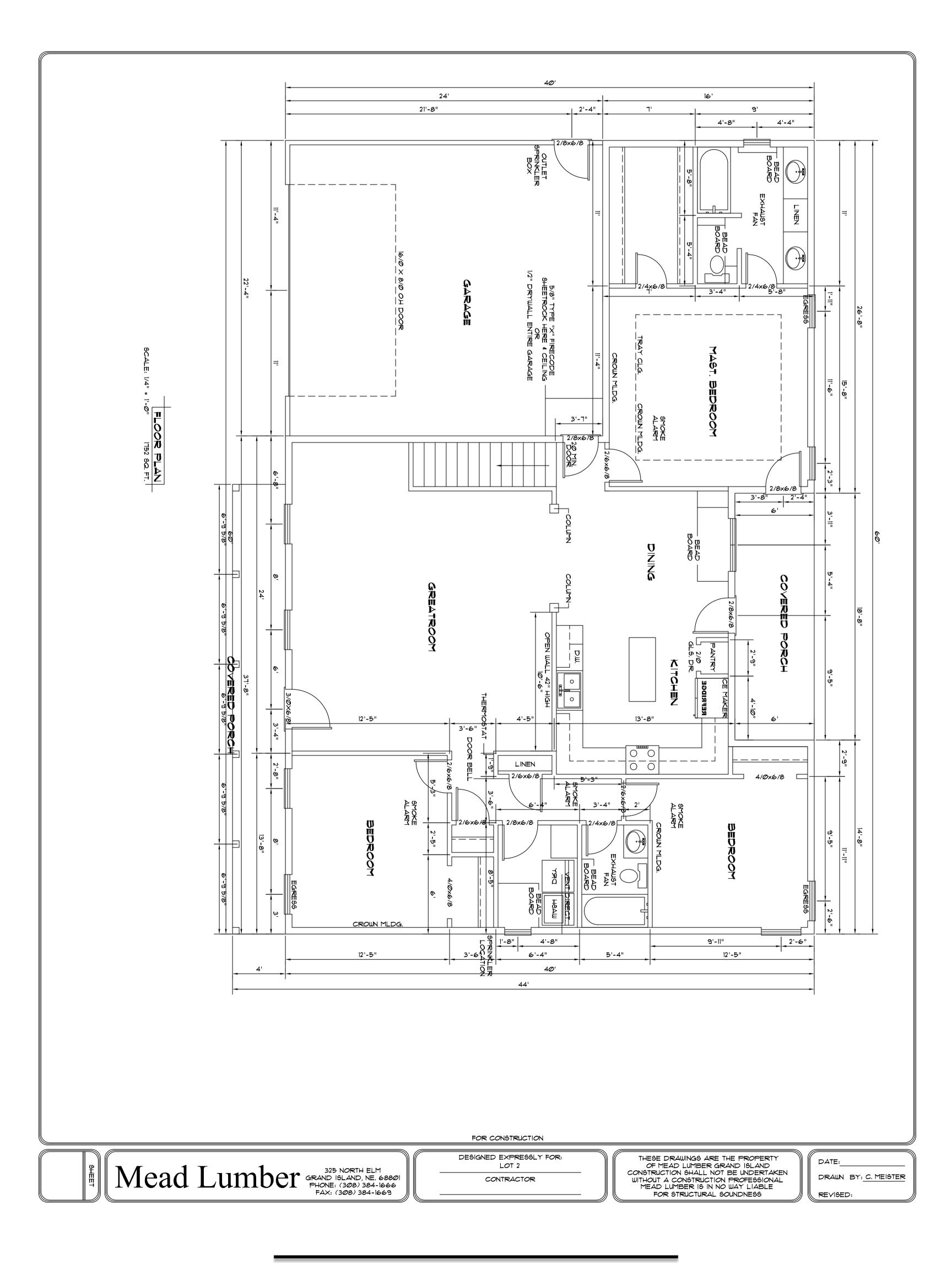
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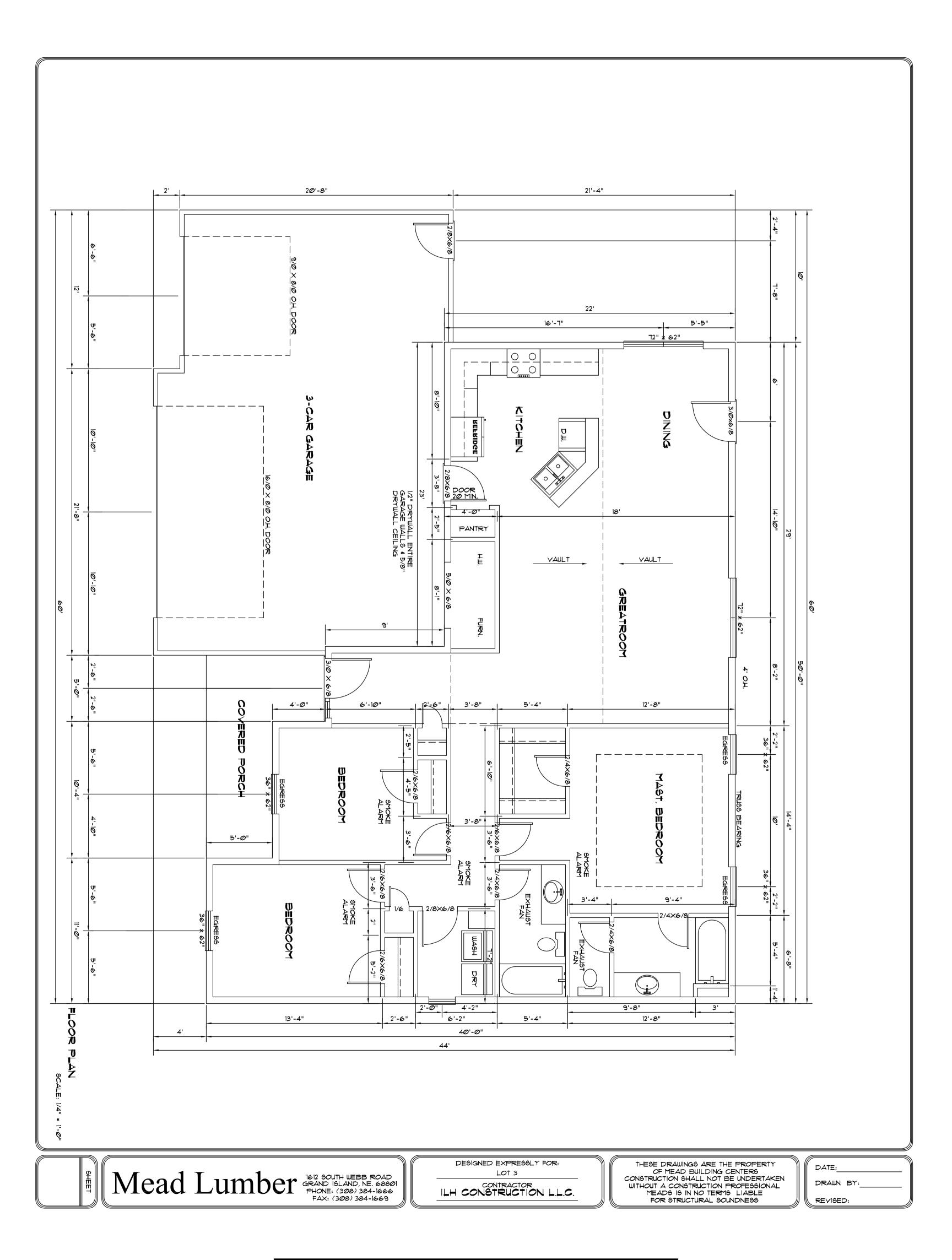
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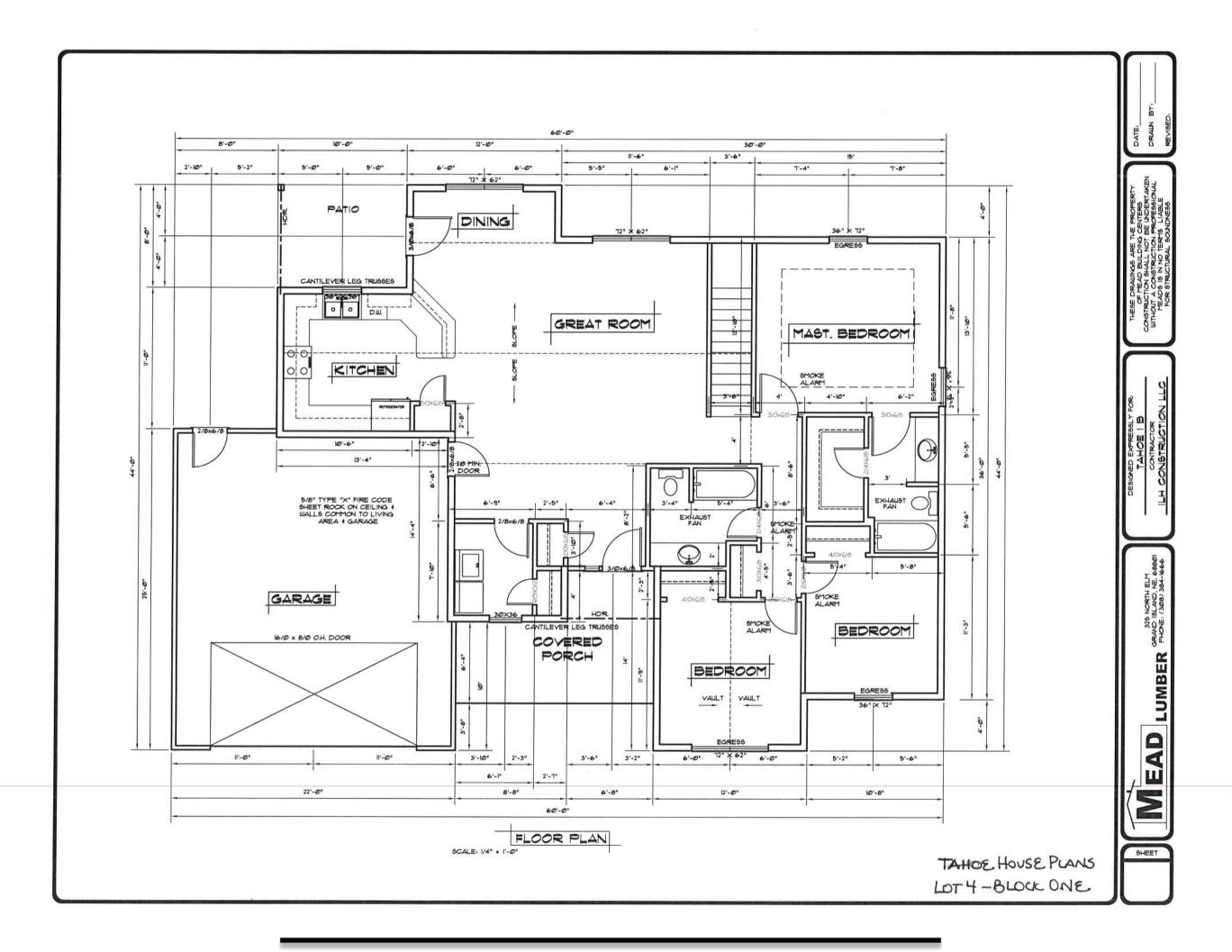


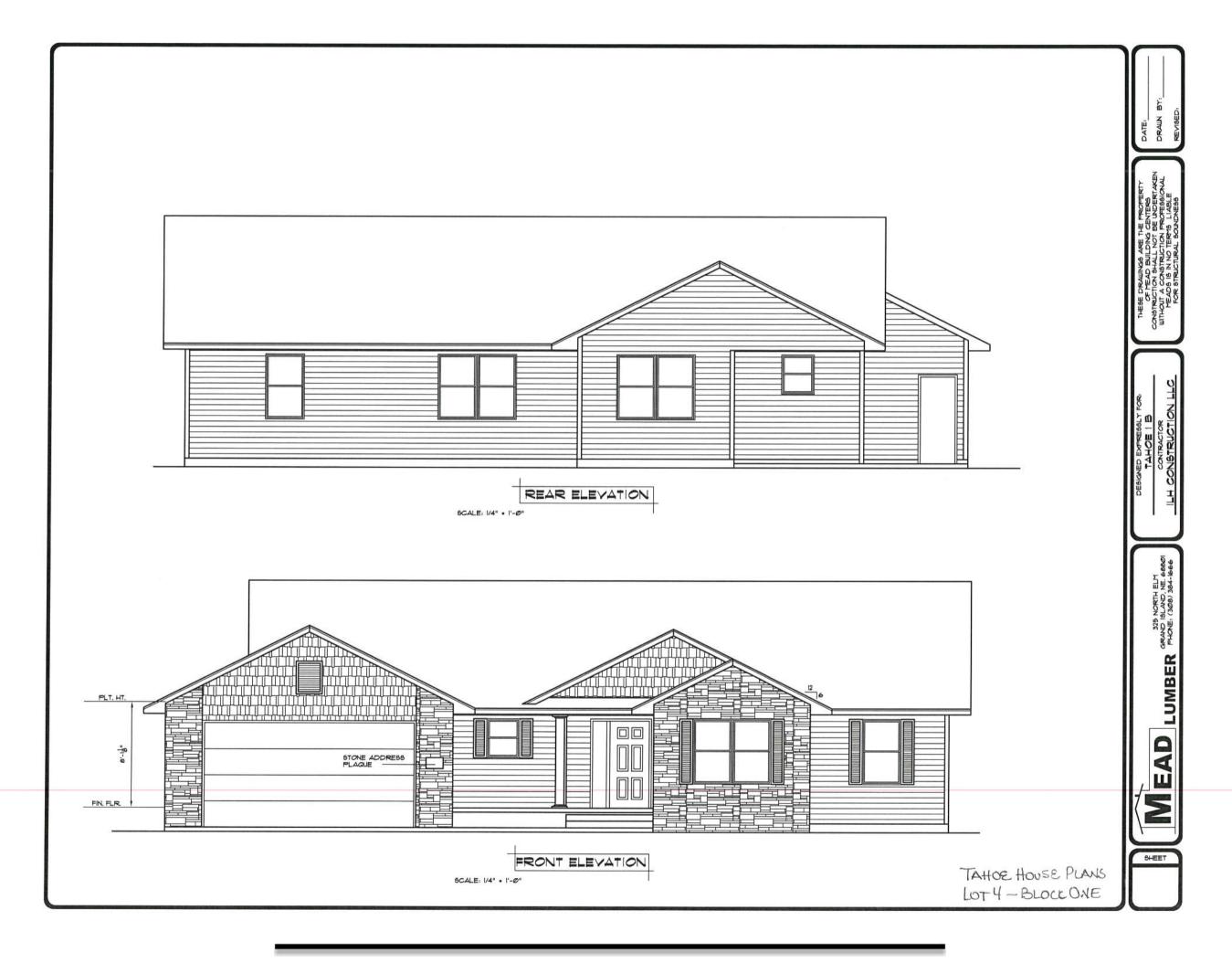
Council Session/Budget Work Session - 7/23/2019











RESOLUTION 2019-214

WHEREAS, know all men by these presents, that Dana Point Development Corporation, by and through Matthew Thomas, its President, being the sole owner of the land described hereon, have caused the same to be surveyed, subdivided, platted and designated as "MCCOY MEADOWS SUBDIVISION", Being a replat of all Autumn Park Third Subdivision, in the City of Grand Island, Nebraska (to be vacated) being a part of the Southeast Quarter of the Northwest Quarter (SE1/4 NW1/4) of Section Twelve (12), Township Eleven (11) North, Range Ten (10) West of the Sixth Principal Meridian, Hall County, Nebraska, and has caused a plat thereof to be acknowledged by it; and

WHEREAS, a copy of the plat of such subdivision has been presented to the Boards of Education of the various school districts in Grand Island, Hall County, Nebraska, as required by Section 19-923, R.R.S. 1943; and

WHEREAS, a form of subdivision agreement has been agreed to between the owner of the property and the City of Grand Island.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA, that the form of subdivision agreement herein before described is hereby approved and the Mayor is hereby authorized to execute such agreement on behalf of the City of Grand Island.

BE IT FURTHER RESOLVED that the final plat of MCCOY MEADOWS SUBDIVISION, as made out, acknowledged, and certified, is hereby approved by the City Council of the City of Grand Island, Nebraska, and the Mayor is hereby authorized to execute the approval and acceptance of such plat by the City of Grand Island, Nebraska.

Adopted by the City Council of the City of Grand Island, Nebraska, July 23, 2019.

	Roger G. Steele, Mayor	
Attest:		
RaNae Edwards, City Clerk		