



City of Grand Island

Tuesday, January 28, 2020

Council Session

Item E-3

**Public Hearing on Zoning Change located South of 13th Street,
East of Engleman Road from TA- Transitional Agricultural to R1-
Suburban Residential (Lechner Family Partnership)**

Council action will take place under Ordinances item F-5.

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission
Meeting: January 28, 2020
Subject: Rezone from TA Zone to R-1 Zone
Presenter(s): Rashad Moxey, Planner I

Background

An application has been made to rezone tract of land consisting of 137 acres located in the NW ¼ of Section 14 Township 11 range 10 West of the 6th Principal Meridian Hall County, Nebraska from TA: Transitional Agricultural Zone to R1: Suburban Residential Zone.

Discussion

At the regular meeting of the Regional Planning Commission, held January 8, 2020 the above item was considered following a public hearing.

O'Neill opened the public hearing.

Rashad Moxey, Planner 1, stated the property includes 137 acres of land currently being used as farm ground. Property owners are requesting that the property be rezoned from TA Transitional Agriculture Zone to R1 Suburban Residential Zone which allows 4 dwelling units per acre.

Moxey stated that this change is consistent with the comprehensive plan and future land use map. It is also consistent with the surrounding properties in the area. The only drawback is the zoning change will allow encroachment of urban uses near an existing feed lot.

Gayle Bonners, 812 Redwood Rd Grand Island said she has lived in the area for 20 years. Bonners' primary concern is bike trail behind her house. Children have been able to take the trail to school without any traffic concerns and will any roads break the path up. There are lots of kids using the bike trail to get to school. Nabity explained Faidley will continue through and Cherokee will probably continue through as well but there is not a plan for development yet.

Greg Baxter, 2121 N. Monitor Grand Island, NE stated he wanted to express some of his concerns. Baxter mentioned he was not opposing to the request of rezoning of the property. He did explain his business is directly across the street from this property.

Baxter stated if and when the property is to be developed for residential purposes he will be opposing that in defense of his business, agriculture and what he believes is material conflict.

Baxter also mention that he was concerned that T & E had not received a letter notifying them of the rezoning, though he was notified by phone. A review of the property owners list shows that property listed under the name of T & E Cattle is not within 300 feet of the Lechner property but property used by T & E Cattle for their operation is listed under the name of Elizabeth Baxter and a letter was sent to her at her home address.

O'Neill closed the public hearing.

A motion was made by Ruge and second by Monter to approve the Zoning change finding that the change is consistent with the Comprehensive Plan for the City of Grand Island.

The motion was carried with 8 members voting in favor (Nelson, Allan, O'Neill, Ruge, Maurer, Monter, Robb, and Rubio) and one member voting no (Rainforth).

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

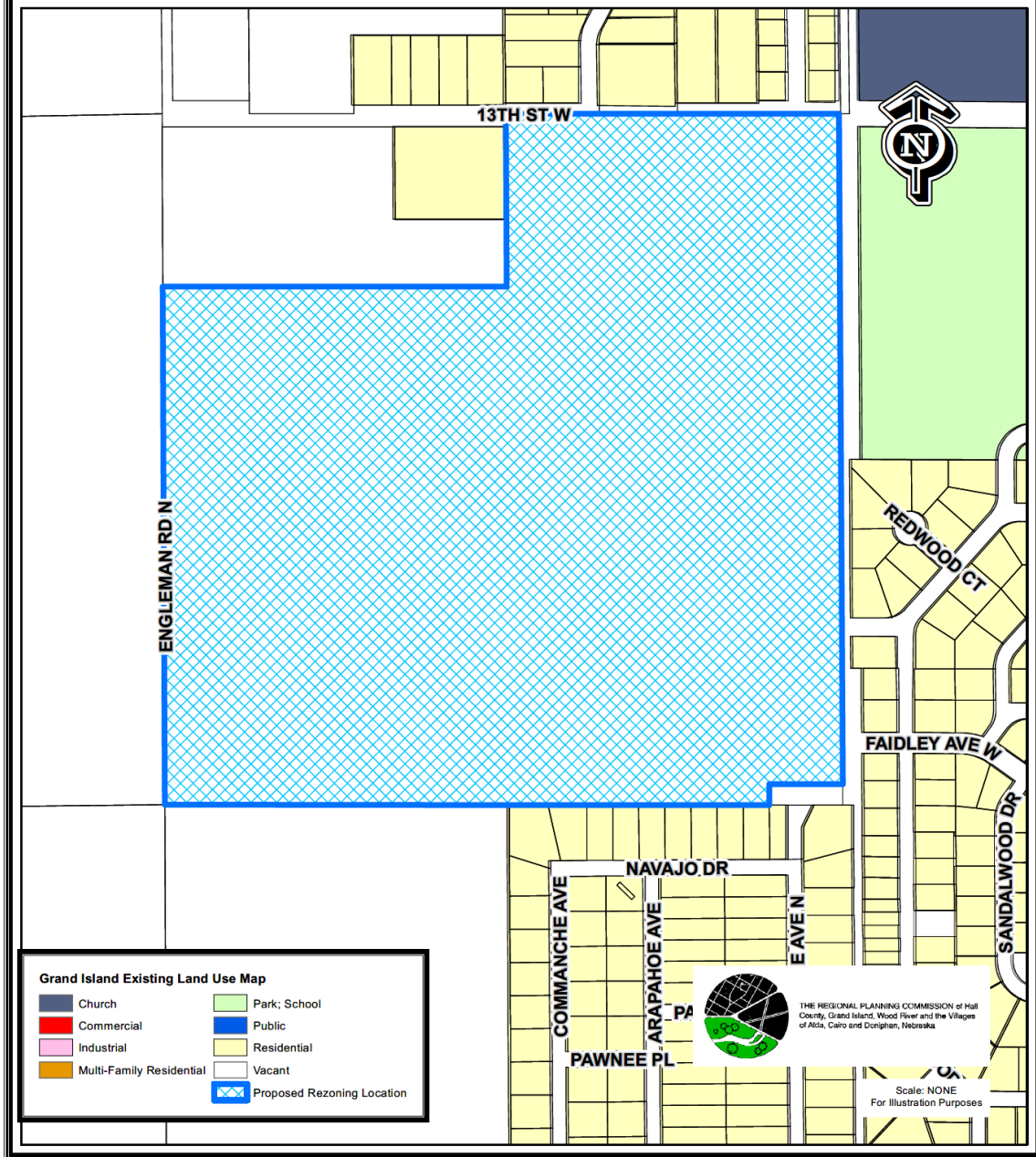
City Administration recommends that the Council approve the proposed changes as recommended.

Sample Motion

Move to approve the ordinance and development plan as presented.

Proposed Zoning Change Existing Land Use Map

Part of the NW ¼ Section 14, Township 11 north Range 10 west of the 6th P.M., Hall County, Nebraska



Agenda Item # 5

PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

December 18, 2019

SUBJECT: *Zoning Change*(C-07-2020GI)

PROPOSAL: To rezone tract of land consisting of 137 acres located in the NW ¼ of Section 14 Township 11 range 10 West of the 6th Principal Meridian Hall County, Nebraska from TA: Transitional Agricultural Zone to R1: Suburban Residential Zone. This property is located south of 13th Street, and east of Engleman Road. At this time there is no subdivision proposed for this property

OVERVIEW:

Site Analysis

<i>Current zoning designation:</i>	TA: Transitional Agricultural Zone
<i>Permitted and conditional uses:</i>	TA: The intent of this zoning district is to provide for a transition from rural to urban uses, and is generally located on the fringe of the urban area. This zoning district permits both farm and non-farm dwellings at a maximum density of two dwelling units per acre, as well as other open space and recreational activities. The intent of the zoning district also would allow the raising of livestock to a limit and within certain density requirements.
<i>Comprehensive Plan Designation:</i>	Designated for low to medium density residential uses.
<i>Existing land uses:</i>	Vacant (Farm-ground)
<i>Proposed Zoning Designation:</i>	R1: Suburban Residential Zone
<i>Permitted and conditional uses:</i>	R1: Residential uses at a density of 4 dwelling units per acre, churches, schools, parks

Adjacent Properties Analysis

<i>Current zoning designations:</i>	North: R1: Suburban Density Residential, TA: Transitional Agricultural Zone & LLR: Large Lot Residential Zone
	South: TA: Transitional Agricultural Zone & LLR: Large Lot Residential Zone
	East: R1: Suburban Density Residential & LLR: Large Lot Residential Zone

West: AG-2: Secondary Agricultural Zone

Permitted and conditional uses: **AG-2:** Agricultural operation, residential uses such as single family dwellings, ranch and farm dwellings, recreational camps, parks, playgrounds, churches, and schools.

LLR: Residential uses at a density of 2 dwelling units per acre, churches, schools, and parks.

R1: Residential uses at a density of 4 dwelling units per acre, churches, schools, and parks.

TA: farm and non-farm dwellings at a maximum density of two dwelling units per acre, churches, schools, and parks.

Comprehensive Plan Designation: **North:** Designated for low to medium density residential

East: Designated for low to medium density residential and public uses

South: Designated for low to medium density residential

West: Designated for transitional agriculture

Existing land uses:

North: Single family residential

South and East: Single family residential

West: Agricultural commercial uses

EVALUATION:

Positive Implications:

- *Largely Consistent with the City's Comprehensive Land Use Plan: The property is designated for low to medium density residential use.*
- *Accessible to Existing Municipal Infrastructure: City water and sewer services have been extended to serve the rezoning area.*
- *Would provide additional housing: This would provide for more modernized housing stock allowing for more housing choices throughout the community*
- *Monetary Benefit to Applicant: The applicant will be able to develop the property as proposed if the rezoning is permitted.*

Negative Implications:

- *The change zoning from TA to R1 will allow for encroachment of urban uses (housing) near an existing feed lot.*

Other Considerations:

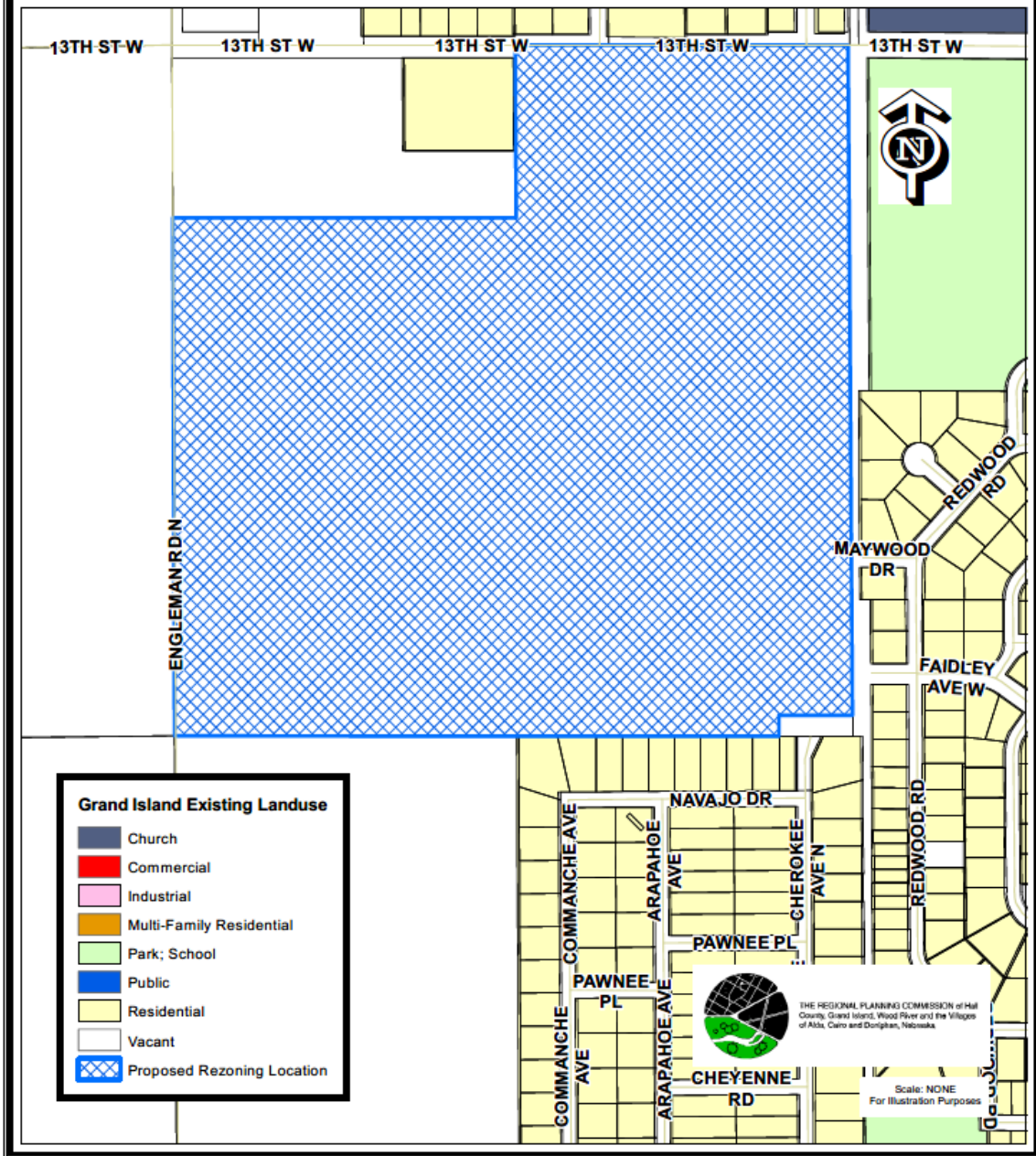
RECOMMENDATION:

That the Regional Planning Commission recommend that the Grand Island City Council change the zoning on this site from **TA: Transitional Agricultural Zone** to **R1: Suburban Residential Zone**.

_____ Chad Nabity AICP, Planning Director

Proposed Zoning Change Existing Landuse Map

A tract of land located in the NW ¼ of Section 14 Township 11 range 10
West of the 6th Principal Meridian Hall County, 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

880

(see reverse side)

plus Municipal Fee*

\$50.00

*applicable only in Alda, Doniphan, Wood River

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

Applicant Name Lechner Family Partnership Phone (h) 308-390-1039(w)

Applicant Address 3495 N. Burwick Rd Cairo Ne 68824

Registered Property Owner (if different from applicant) _____

Address _____ Phone (h) _____ (w) _____

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

Property Address _____

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

Lot _____ Block _____ Subdivision Name _____, and/or

All/part NW ¼ of Section 14 Twp 11 Rge 10 W6PM 137 acres

C. Requested Zoning Change:

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

From TA Transitional AG to R1 Suburban Density Residential

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:

This is planned for residential development

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 Marilyn A. Lechner PR Date 12-5-19

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