



City of Grand Island

Tuesday, February 9, 2021

Council Session

Item G-2

#2021-20 - Approving Preliminary Plat, Final Plat and Subdivision Agreement for Highland North First Subdivision

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission

Meeting: February 9, 2021

Subject: Highland North Subdivision – Preliminary Plat

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

Background

This property is located west of Independence Avenue and south of Nebraska Highway 2 in Grand Island, Nebraska (135 lots, 25.1 acres). This property is zoned RO – Residential Office with a proposed change to B2 General Business, R3 Medium Density Residential and R3-SL Medium Density Small Lot Residential.

Discussion

The preliminary plat for Highland North Subdivision was considered at the Regional Planning Commission at the February 3, 2020 meeting.

A motion was made by Ruge and second by Rubio to approve Preliminary Plat for Highland North Subdivision.

The motion was carried with eight members voting in favor (O'Neill, Ruge, Nelson, Doane, Olson, Monter, Rubio, and Rainforth) with no members 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 plat as presented contingent on approval of the ordinance to change the zoning.

Sample Motion

Move to approve as recommended.

Developer/Owner

A&H Holdings, LLC
581 Shady Bend Road
Grand Island, NE 68801
To create

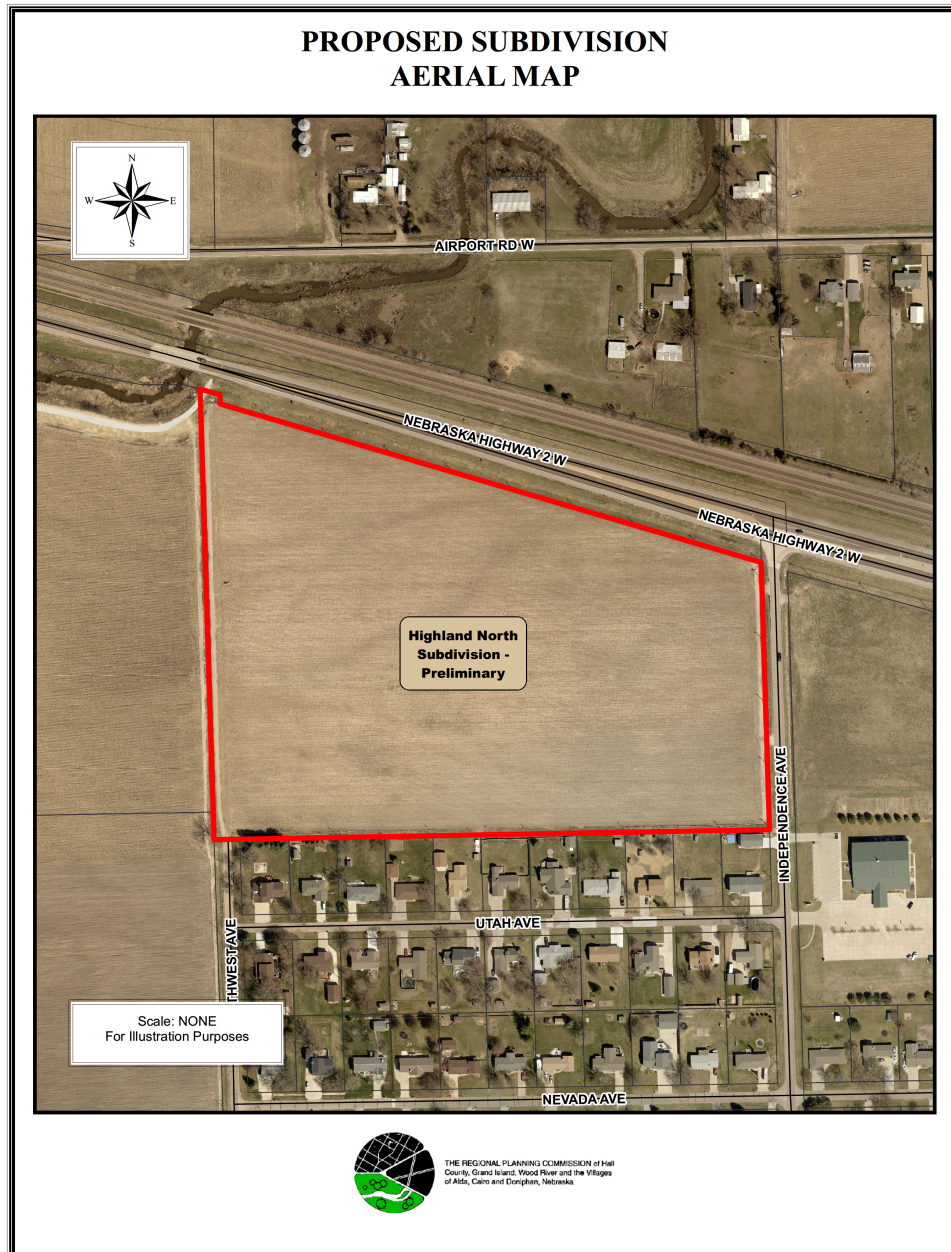
Size: Preliminary Plat 135 lots, 25.1 Acres

Zoning: RO – Residential Office (Proposed B2 General Business, R3 Medium Density Residential and R3-SL Medium Density Residential Small Lot.)

Road Access: A combination of 32' and 37' streets are proposed in accordance with City street standards.

Water: City water is available and will be extended to all lots in the subdivision.

Sewer: City Sewer is available and will be extended to all lots in the subdivision .



Council Agenda Memo

From: Regional Planning Commission

Meeting: February 9, 2021

Subject: Highland North First Subdivision –Final Plat

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

Background

This property is located west of Independence Avenue and south of Nebraska Highway 2 in Grand Island, Nebraska (10 lots, 2.647 acres). This property is zoned RO – Residential Office Zone with a proposed change to R3 Medium Density Residential Zone.

Discussion

The final plat for Highland North First Subdivision were considered at the Regional Planning Commission at the February 3, 2021 meeting.

A motion was made by Ruge and second by Rubio to approve final plat for Highland North First Subdivision.

The motion was carried with eight members voting in favor (O'Neill, Ruge, Nelson, Doane, Olson, Monter, Rubio, and Rainforth) with no members 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 final plat as presented.

Sample Motion

Move to approve as recommended.

Developer/Owner

A&H Holdings, LLC
581 Shady Bend Road
Grand Island, NE 68801
To create

Size: Final Plat 2.647 lots, 10 Acres

Zoning: R4 – High Density Residential Zone

Road Access: Amble way will be constructed as 32' street with offset driveways and a temporary turn around.

Water: City water will be extended to all lots.

Sewer: City sewer will be extended to all lots.



olson

Grand Island, NE 68801 TEL 308.384.8750 www.olsson.com

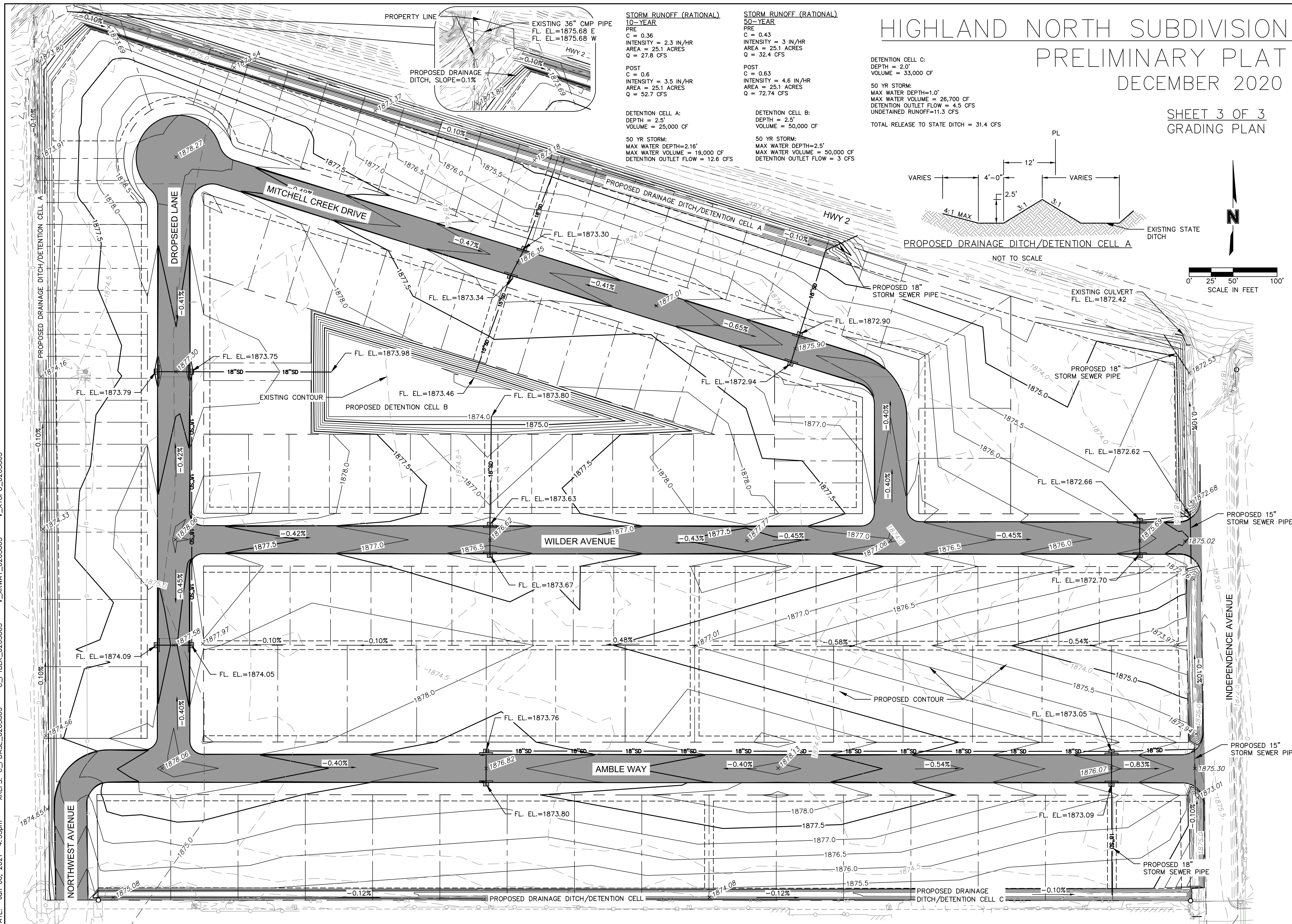
REVISIONS

PRELIMINARY PLAT

GRAND ISLAND, NE

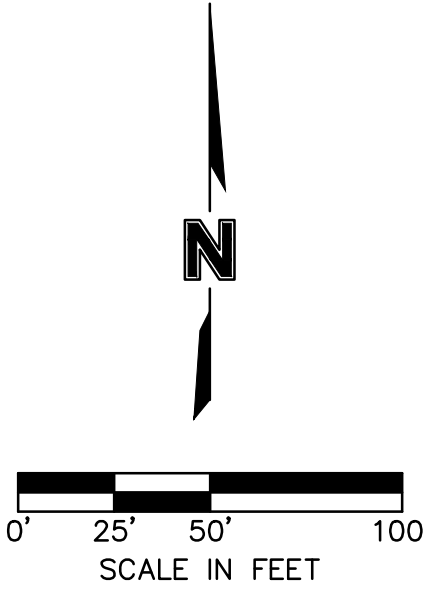
HEET
of 3





HIGHLAND NORTH

DRIVEWAY EXHIBIT



olson

201 East 2nd Street
Grand Island, NE 68801 TEL 308.384.8750 www.olsson.com

[illegible]

DRIVEWAY EXHIBIT

HIGHLAND NORTH SUBDIVISION
PRELIMINARY PLAT

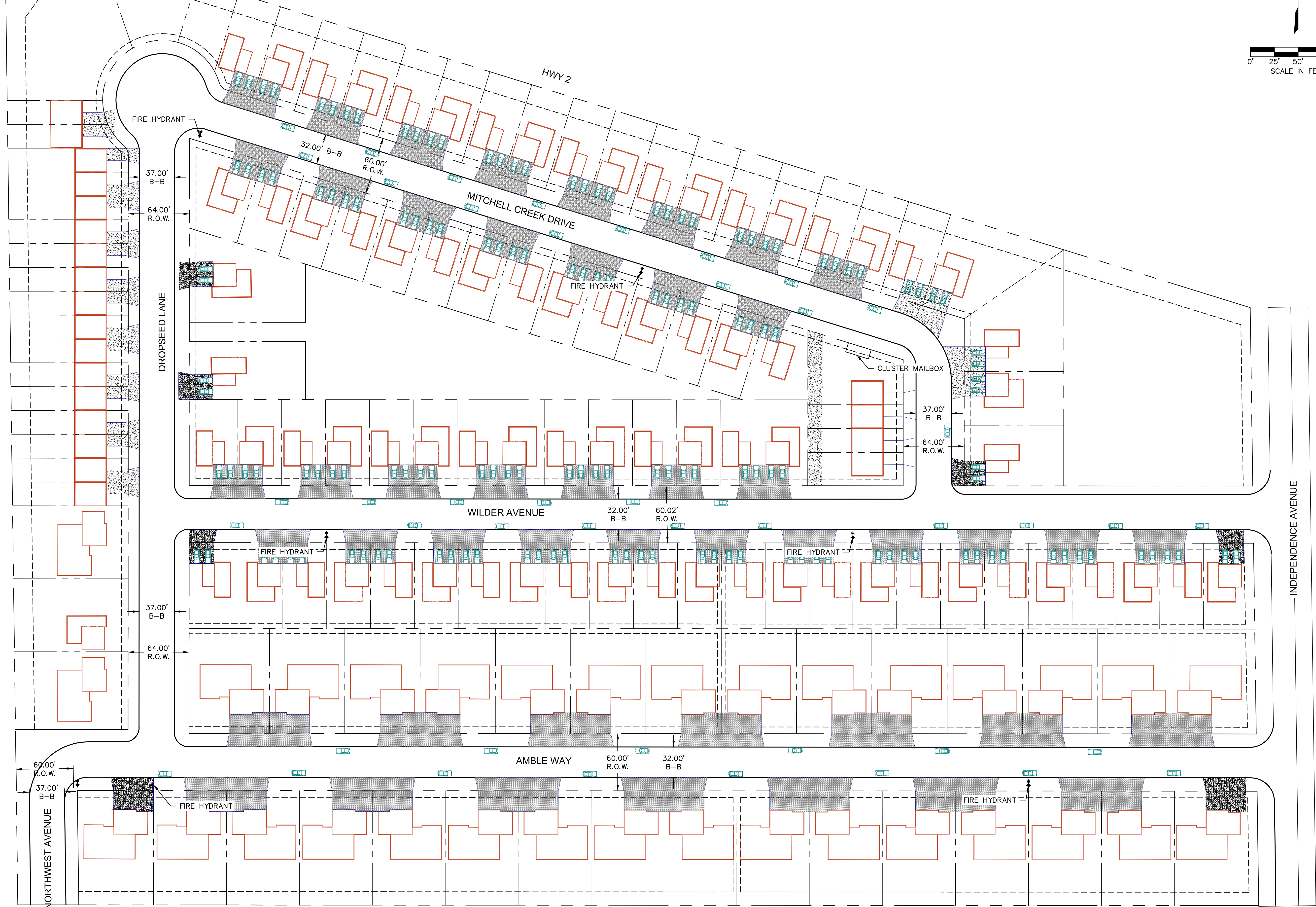
GRAND ISLAND. NE

2020

REVISIONS

SHEET
EXHIBIT_A

Drawn by: _____
 Checked by: _____
 Approved by: _____
 A/QC by: _____
 Project no.: 020-3805
 Drawing no.: _____
 Date: 12.19.2020



HIGHLAND NORTH FIRST SUBDIVISION

CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA

FINAL PLAT

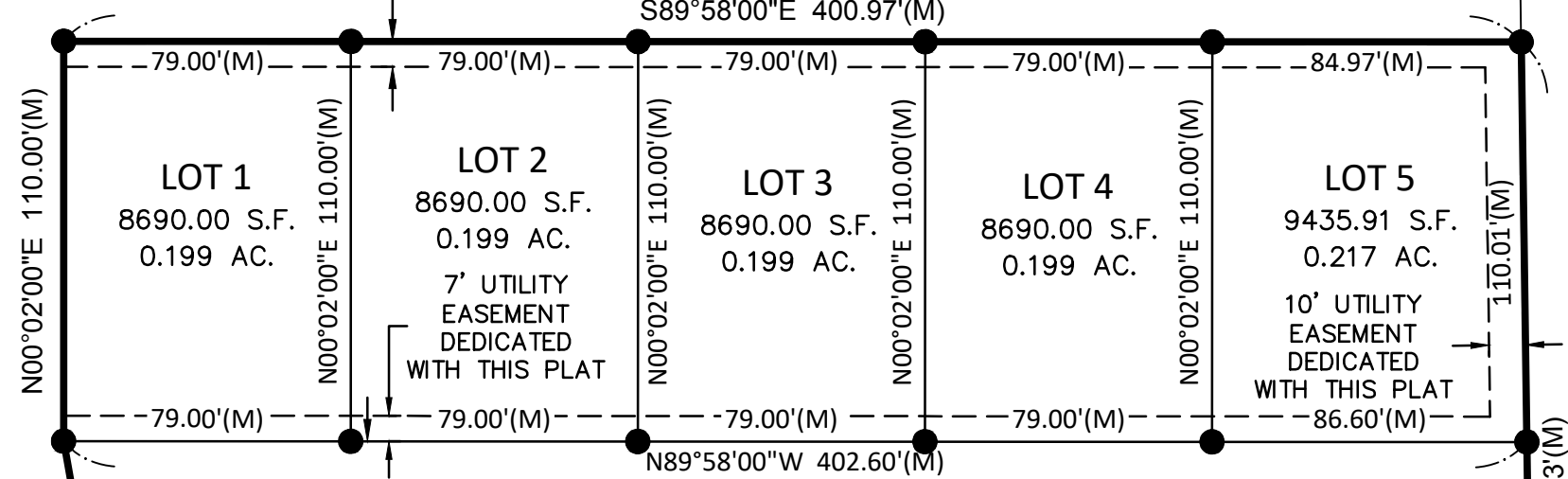
UPLATTED
PART NW1/4
SEC 2-T11N-R10W
(NOT A PART)

7' DRAINAGE/
UTILITY/TRAIL
EASEMENT
DEDICATED
WITH THIS PLAT

INTERSECTION OF
SOUTH R.O.W. OF NE HWY 2 &
WEST R.O.W. OF INDEPENDENCE AVE.

5/8" RBR

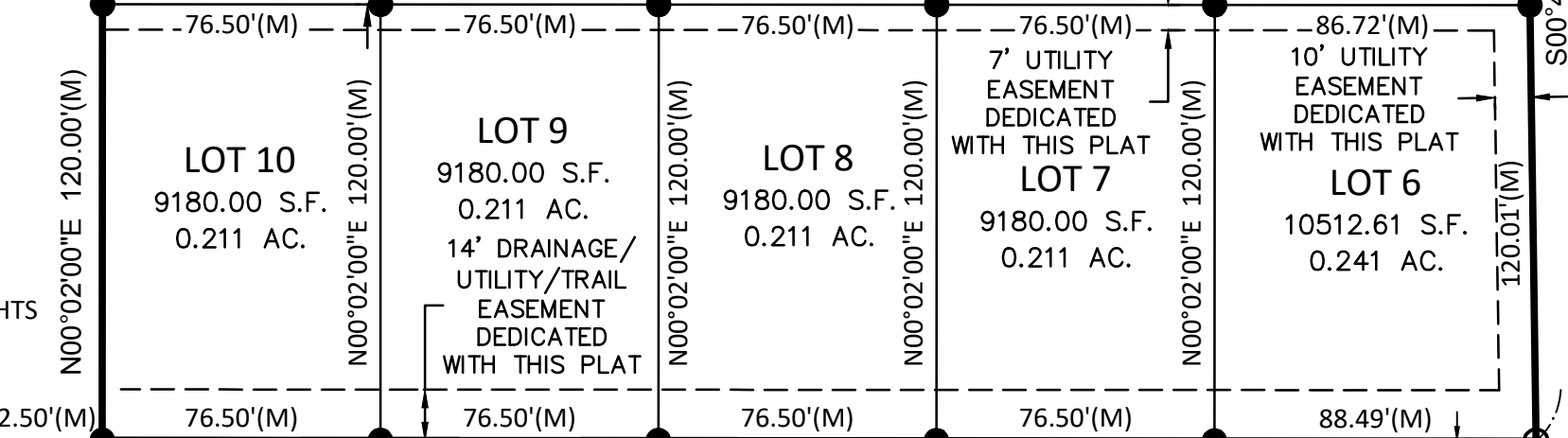
INDEPENDENCE AVENUE
(61' R.O.W.)



60' ROAD
RIGHT-OF-WAY
DEDICATED
WITH THIS PLAT

AMBLE WAY

LOT 1
HW SUB
(NOT A PART)



NORTHWEST CORNER
LOT 22, CAPITAL HEIGHTS
EIGHTH SUB

POB

LOT 15
CAPITAL
HEIGHTS
EIGHTH SUB
(NOT A PART)

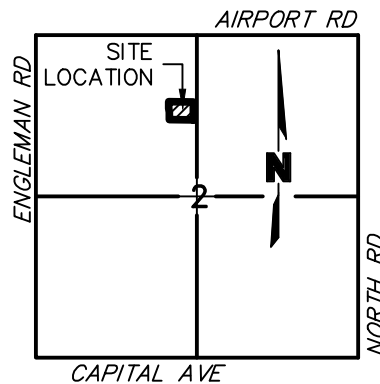
LOT 14
CAPITAL
HEIGHTS
EIGHTH SUB
(NOT A PART)

LOT 13
CAPITAL
HEIGHTS
EIGHTH SUB
(NOT A PART)

LOT 12
CAPITAL
HEIGHTS
EIGHTH SUB
(NOT A PART)

LOCATION MAP

SEC. 2, T11N, R10W
NOT TO SCALE



LEGEND

- SET CORNER (5/8"x24" REBAR W/CAP)
- FOUND CORNER (1/2" IRON PIPE)
- ROW LINE
- - - EXISTING PROPERTY LINE
- SUBDIVISION LINE
- M MEASURED DISTANCE
- P PLATTED DISTANCE CAPITAL HEIGHTS 8TH SUB

OWNERS: A & H HOLDINGS, LLC
SUBDIVIDER: A & H HOLDINGS, LLC
SURVEYOR: OLSSON
ENGINEER: OLSSON
NUMBER OF LOTS: 10

olsson

201 East 2nd Street
Grand Island, NE 68801
TEL 308.384.8750
FAX 308.384.8752

PROJECT NO. 2020-3805
FAMOS CONST.
HIGHLAND NORTH SUB
FB HALL CO 5

0' 25' 50' 100'
SCALE IN FEET

LEGAL DESCRIPTION

A TRACT OF LAND CONSISTING OF PART OF THE NORTHWEST QUARTER (NW1/4) OF SECTION TWO (2), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF LOT 12, CAPITAL HEIGHTS EIGHTH SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY NEBRASKA, SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF INDEPENDENCE AVENUE AND ALSO BEING THE POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF N89°58'00"W, ALONG THE NORTH LINE OF SAID CAPITAL HEIGHTS EIGHTH SUBDIVISION, A DISTANCE OF 394.49 FEET; THENCE N00°02'00"E A DISTANCE OF 120.00 FEET; THENCE N14°48'22"W A DISTANCE OF 62.07 FEET; THENCE N00°02'00"E A DISTANCE OF 110.00 FEET; THENCE S89°58'00"E A DISTANCE OF 400.97 FEET TO A POINT ON SAID WEST RIGHT-OF-WAY LINE OF INDEPENDENCE AVENUE; THENCE S00°48'54"E, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 290.03 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 115287.88 SQUARE FEET OR 2.647 ACRES MORE OR LESS OF WHICH 0.548 ACRES IS NEW DEDICATED ROAD RIGHT-OF-WAY.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT ON _____, 20____, I COMPLETED AN ACCURATE SURVEY, UNDER MY PERSONAL SUPERVISION, OF A TRACT OF LAND CONSISTING OF PART OF THE NORTHWEST QUARTER (NW1/4) OF SECTION TWO (2), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) 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.

JESSE E. HURT, REGISTERED LAND SURVEYOR NUMBER, LS-674

DEDICATION OF PLAT

KNOW ALL MEN BY THESE PRESENTS, THAT A & H HOLDINGS, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, BEING THE OWNERS OF THE LAND DESCRIBED HEREON, HAVE CAUSED SAME TO BE SURVEYED, SUBDIVIDED, PLATTED AND DESIGNATED AS "**HIGHLAND NORTH FIRST SUBDIVISION**" IN PART OF THE NORTHWEST QUARTER (NW1/4) OF SECTION TWO (2), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., 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 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 _____, 20____.

AMOS C. ANSON, MEMEBER
A & H HOLDINGS, LLC, A NEBRASKA LIMITED LIABILITY COMPANY

ACKNOWLEDGMENT

STATE OF NEBRASKA
COUNTY OF HALL SS

ON THIS ____ DAY OF _____, 20____, BEFORE ME _____, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED AMOS C. ANSON, MEMBER, A & H HOLDINGS, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, 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.

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 _____, 20____.

MAYOR

CITY CLERK

* This Space Reserved for Register of Deeds *

SUBDIVISION AGREEMENT

HIGHLAND NORTH FIRST SUBDIVISION
10 LOTS

In the City of Grand Island, Hall County Nebraska

The undersigned, A & H Holdings, L.L.C., 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:

A TRACT OF LAND CONSISTING OF PART OF THE NORTHWEST QUARTER (NW1/4) OF SECTION TWO (2), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST OF THE 6TH P.M., HALL COUNTY, NEBRASKA AND MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE NORTHEAST CORNER OF LOT 12, CAPITAL HEIGHTS EIGHTH SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY NEBRASKA, SAID POINT ALSO BEING ON THE WEST RIGHT-OF-WAY LINE OF INDEPENDENCE AVENUE AND ALSO BEING THE POINT OF BEGINNING; THENCE ON AN ASSUMED BEARING OF N89°58'00"W, ALONG THE NORTH LINE OF SAID CAPITAL HEIGHTS EIGHTH SUBDIVISION, A DISTANCE OF 394.49 FEET; THENCE N00°02'00"E A DISTANCE OF 120.00 FEET; THENCE N14°48'22"W A DISTANCE OF 62.07 FEET; THENCE N00°02'00"E A DISTANCE OF 110.00 FEET; THENCE S89°58'00"E A DISTANCE OF

400.97 FEET TO A POINT ON SAID WEST RIGHT-OF-WAY LINE OF INDEPENDENCE AVENUE; THENCE S00°48'54"E, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 290.03 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 115287.88 SQUARE FEET OR 2.647 ACRES MORE OR LESS OF WHICH 0.548 ACRES IS NEW DEDICATED ROAD RIGHT-OF-WAY.

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 HIGHLAND NORTH FIRST 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 HIGHLAND NORTH 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. **Paving.** The Subdivider agrees to pave Amble Way in accordance with plans and specifications approved by the City's Director of Public Works, and subject to the City's inspection. If the Subdivider fails to pave Amble Way, the City may create a paving district to perform such work. The Subdivider agrees to waive the right to object to the creation of any paving district for Independence Avenue where it abuts the subdivision.

2. **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

3. **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.

4. **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.

The Subdivider further agrees to form a Homeowners Association for the purposes of maintaining all of the privately owned drainage as planned on the approved preliminary plat or as amended and approved for future development including all platted lots within the Association at the time of approval and filing of each subsequent plat.

5. **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.

The Subdivider must select curb or conventional sidewalk for each street unless the requirement has been waived by Council.

Street Name	Curb sidewalk	Conventional Sidewalk	Sidewalk Requirement Waived by Council
Amble Way			NO
Independence Ave			YES

Immediate sidewalk construction adjacent to Independence Avenue shall be waived. However, the sidewalks shall be constructed when the property owner is directed to do so by the City Council. In the event a Street Improvement District is created to pave any public street in the subdivision, the Subdivider agrees to install public sidewalks within one year of the completion of such street improvement district in accordance with the City of Grand Island Sidewalk Policy.

6. **Driveways.** Driveways along the 32 foot sections of Amble Way shall be limited to the locations shown on the attached driveway exhibit as attached.

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. **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 HIGHLAND NORTH 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.

10. **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 _____, 2021.

A & H Holdings, L.L.C., A NEBRASKA
LIMITED LIABILITY COMPANY,
Subdivider

By: _____
Amos C. Anson, Member

STATE OF NEBRASKA)
) ss
COUNTY OF HALL)

On _____, 2021, before me, the undersigned, a Notary Public in and for said County and State, personally appeared Amos C. Anson, Member of A & H Holdings, L.L.C., a Nebraska Limited Liability Company, known personally to me to be the identical person and such officer who signed the foregoing Subdivision Agreement and acknowledged the execution thereof to be his voluntary act and deed for the purpose therein expressed on behalf of A & H Holdings, L.L.C.

WITNESS my hand and notarial seal the date above written.

CITY OF GRAND ISLAND, NEBRASKA
A Municipal Corporation

By: _____

STATE OF NEBRASKA)
) ss
COUNTY OF HALL)

WITNESS my hand and notarial seal the date above written.

- 6 -



SHEET EXHIBIT	DRIVEWAY EXHIBIT	REV. NO.	DATE	REVISIONS DESCRIPTION
	HIGHLAND NORTH SUBDIVISION			

olsson

RESOLUTION 2021-20

WHEREAS, know all men by these presents, that A & H Holdings, LLC, A Nebraska Limited Liability Company, being the owners of the land described hereon, has caused same to be surveyed, subdivided, platted and designated as "HIGHLAND NORTH FIRST SUBDIVISION", in part of the Northwest Quarter (NW1/4) of Section Two (2), Township Eleven (11) North, Range Ten (10) West of the 6th P.M., Hall County, Nebraska; 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 HIGHLAND NORTH FIRST 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, February 9, 2021.

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	☐ _____
February 3, 2021	☐ City Attorney