



City of Grand Island

Tuesday, February 9, 2021

Council Session

Item F-3

#9816 - Consideration of Approving Zoning Change for Property located South of Nebraska Highway 2 and West of Independence Avenue from RO Residential Office to R3 Medium Density Residential, R3-SL Medium Density Residential-Small Lot and B2 General Business. (A & H Holdings, LLC)

This item relates to the aforementioned Public Hearing item E-1.

Staff Contact: Chad Nabity

ORDINANCE NO. 9816

An ordinance rezoning a certain tract of land within the zoning jurisdiction of the City of Grand Island; changing the land use classification of tracts of land all located in 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 further described below from RO Residential Office to R3 Medium Density Residential, R3-SL Medium Density Small Lot Residential, and B2 General Business Zone directing that such zoning change and classification be shown on the Official Zoning Map of the City of Grand Island; and providing for publication and an effective date of this ordinance.

WHEREAS, the Regional Planning Commission on January 6, 2021, held a public hearing on the proposed zoning of such area; and

WHEREAS, notice as required by Section 19-923, R.R.S. 1943, has been given to the Boards of Education of the school districts in Hall County, Nebraska; and

WHEREAS, after public hearing on February 9, 2021 the City Council found and determined the change in zoning be approved and made.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. The following tracts of land are hereby rezoned, reclassified and changed from RO Residential Office to R3 Medium Density Residential, R3-SL Medium Density Small Lot Residential, and B2 General Business Zone;

TRACT 1 FROM RO RESIDENTIAL OFFICE TO R3 MEDIUM DENSITY RESIDENTIAL

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:

| | |
|---------------------|-----------------|
| Approved as to Form | ▣ _____ |
| February 5, 2021 | ▣ City Attorney |

ORDINANCE NO. 9816 (Cont.)

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 1301.86 FEET TO A POINT BEING THE NORTHWEST CORNER OF NORTHWEST AVENUE; THENCE N00°45'20"W, ALONG A WEST PROPERTY LINE, A DISTANCE OF 418.54 FEET; THENCE S89°58'00"E A DISTANCE OF 127.30 FEET; THENCE S00°02'00"W A DISTANCE OF 128.50 FEET; THENCE S89°58'00"E A DISTANCE OF 1176.02 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 393739.33 SQUARE FEET OR 9.039 ACRES MORE OR LESS.

TRACT 2 FROM RO RESIDENTIAL OFFICE TO R3-SL MEDIUM DENSITY SMALL LOT RESIDENTIAL

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; THENCE ON AN ASSUMED BEARING OF N00°48'54"W, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 290.03 FEET TO THE POINT OF BEGINNING; THENCE N89°58'00"W A DISTANCE OF 1176.02 FEET; THENCE N00°02'00"E A DISTANCE OF 128.50 FEET; THENCE N89°58'00"W A DISTANCE OF 127.30 FEET TO A POINT ON A WEST PROPERTY LINE; THENCE N00°45'20"W, ALONG SAID WEST PROPERTY LINE, A DISTANCE OF 300.03 FEET; THENCE S89°58'00"E A DISTANCE OF 131.43 FEET; THENCE N00°02'00"E A DISTANCE OF 64.43 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 56°33'47", HAVING A RADIUS OF 11.00 FEET, AND CHORD BEARING N28°14'54"W A CHORD DISTANCE OF 10.42 FEET TO A CONTINUED POINT OF CURVATURE; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION, HAVING A DELTA ANGLE 219°51'10", HAVING A RADIUS OF 62.50 FEET, AND CHORD BEARING N53°23'48"E A CHORD DISTANCE OF 117.5164 FEET TO A CONTINUED POINT OF CURVATURE; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION, HAVING A DELTA ANGLE OF 56°05'41", HAVING A RADIUS OF 11.00 FEET, AND CHORD BEARING S44°43'27"E A DISTANCE OF 10.34 FEET; THENCE S72°46'17"E A DISTANCE OF 28.62 FEET; THENCE N17°13'43"E A DISTANCE OF

ORDINANCE NO. 9816 (Cont.)

100.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF NEBRASKA HIGHWAY 2; THENCE S72°46'17"E, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 644.00 FEET; THENCE S17°13'43"W A DISTANCE OF 100.00 FEET; THENCE S72°46'17"E A DISTANCE OF 138.00 FEET; THENCE S00°02'00"W A DISTANCE OF 175.24 FEET; THENCE S89°58'00"E A DISTANCE OF 302.77 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 150.02 FEET TO THE POINT OF BEGINNING. EXCLUDING SAID DESCRIBED TRACT: 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; THENCE ON AN ASSUMED BEARING OF N00°48'54"W, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 627.15 FEET TO THE INTERSECTION OF SAID WEST RIGHT-OF-WAY LINE AND THE SOUTHERLY RIGHT-OF-WAY LINE OF NEBRASKA HIGHWAY 2; THENCE N72°46'17"W, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 479.46 FEET; THENCE S17°13'43"W A DISTANCE OF 250.00 FEET TO THE POINT OF BEGINNING OF SAID EXCLUDING TRACT; THENCE N89°58'00"W A DISTANCE OF 581.09 FEET; THENCE N00°02'00"W A DISTANCE OF 179.83 FEET; THENCE S72°46'17"E A DISTANCE OF 608.28 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 502263.43 SQUARE FEET OR 11.530 ACRES MORE OR LESS.

TRACT 3 FROM RO RESIDENTIAL OFFICE TO B2 GENERAL BUSINESS

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; THENCE ON AN ASSUMED BEARING OF N00°48'54"W, ALONG SAID WEST RIGHT-OF-WAY LINE, A DISTANCE OF 440.05 FEET TO THE POINT OF BEGINNING; THENCE N89°58'00"W A DISTANCE OF 302.77 FEET; THENCE N00°02'00"E A DISTANCE OF 175.24 FEET; THENCE N72°46'17"W A DISTANCE OF 138.00 FEET; THENCE N17°13'43"E A DISTANCE OF 100.00 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF NEBRASKA HIGHWAY 2; THENCE S72°46'17"E, ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 421.09 FEET TO THE INTERSECTION OF SAID SOUTHERLY RIGHT-OF-WAY LINE AND SAID WEST RIGHT-OF-WAY LINE OF INDEPENDENCE AVENUE; THENCE S00°48'54"E, ALONG SAID WEST RIGHT-OF-WAY, A DISTANCE OF 187.10 FEET TO THE

ORDINANCE NO. 9816 (Cont.)

POINT OF BEGINNING. SAID TRACT CONTAINS A CALCULATED AREA OF 115,332 SQUARE FEET OR 2.647 ACRES MORE OR LESS.

SECTION 3. That the Official Zoning Map of the City of Grand Island, Nebraska, as established by Section 36-51 of the Grand Island City Code be, and the same is, hereby ordered to be changed, amended, and completed in accordance with this ordinance.

SECTION 4. That this ordinance shall be in force and take effect from and after its passage and publication, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: February 9, 2021

Roger G. Steele, Mayor

Attest:

RaNae Edwards, City Clerk