



# City of Grand Island

Tuesday, September 28, 2021

Council Session

## Item F-1

**#9850 - Consideration of Annexation of Property Located at 1118 N. North Road (Lot 1 of Hanover 2nd Subdivision) (Second Reading)**

Staff Contact: Chad Nabity

# **Council Agenda Memo**

**From:** Regional Planning Commission

**Meeting:** September 28, 2021

**Subject:** Annexation of Property at 1118 N. North Road (Lot 1 of Hanover 2<sup>nd</sup> Subdivision)

**Presenter(s):** Chad Nabity, AICP

## **Background**

The property at 1118 N. North Road consists of 1 single family home on 0.62 acres of property surrounded by the City of Grand Island on 3 sides - the north, south and west. There is a house to the south, Fire Station 4 to the north and a new subdivision to the west. The property is connected to city water and has city sewer available. The city of Grand Island maintains North Road to the east of the property.

Annexation of this property will facilitate the development of new and efficient election precincts and the planning department has received a request from the Hall County Election Commissioner to bring this item to the City Council for consideration.

At the August 10, 2021 meeting of the Grand Island City Council a resolution was passed indicating intent to annex property at 1118 N. North Road. The resolution also set the public hearing for annexation for September 14, 2021 and directed the planning department and other city staff as follows:

- to proceed with preparing annexation plans (as required and defined by statute),
- to notify property owners and school districts as required by law, and
- to forward the annexation plans to the Regional Planning Commission for review

The annexation plan is complete and was considered by the Regional Planning Commission after a public hearing at their meeting held September 1, 2021. This plan is available on the Grand Island City Website and from either the City Clerk or Regional Planning Department.

A map of the property and the annexation plan is attached.

## **Discussion**

Nebraska Revised Statute §16-117 provides for the process of annexation. Council approved Resolution #2021-200 on August 10, 2021 stating their intent to annex this property. An annexation plan has been prepared by staff and referred to the Regional Planning Commission for recommendation.

From the September 1, 2021 Planning Commission Meeting:

**Public Hearing – Annexation of 1118 N. North Road – Grand Island** – Public Hearing regarding the annexation plan for property located at 1118 N. North Road

O'Neill opened the public hearing:

Nabity stated the property is a single house located south of the fire station. Nabity explained that the property was not included when the subdivision to the south was done or when redevelopment of house to the south. All the property around this property was annexed. This property is the only piece that is not considered city limits. It is adjacent to the fire station. If there is a fire at the house Grand Island Fire Department will respond. City sewer will be available in the near future and the house is connected to city water. This annexation was requested by Hall County Election Commissioner to protect the integrity and confidentiality of ballots and simplify drawing election precinct boundaries. No comment was made by the property owner.

O'Neill closed the public hearing:

A motion was made by Rainforth and second by Allan to approve the annexation of property located at 1118 N. North Road and it is also urban and suburban in nature and contiguous with city limits and city infrastructure is in place.

The motion was carried with seven members voting yes (Nelson, Allan, O'Neill, Ruge, Rainforth, Hendrickesen and Randone) with no members voting no.

Annexation ordinances must be read on three separate occasions.

## **Alternatives**

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

1. Approve the Ordinance on Second Reading
2. Choose not to approve the Ordinance.
3. Modify the ordinance to change the areas under consideration for annexation.
4. Postpone the issue

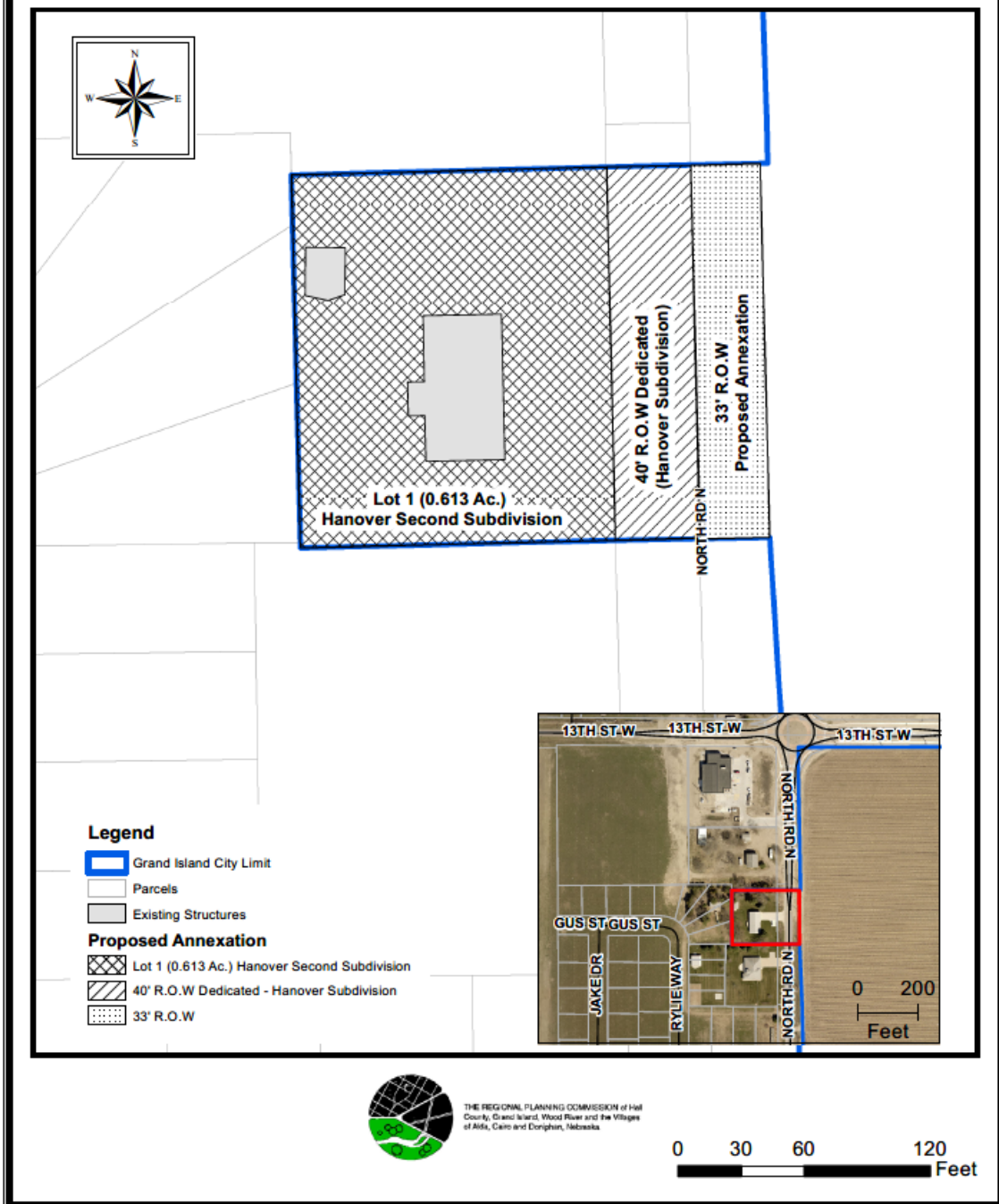
### **Recommendation**

That Council pass the ordinance for annexation as presented.

### **Sample Motion**

Move to approve the annexation ordinance on second reading as presented.

# PROPOSED ANNEXATION LOCATION MAP



\* This Space Reserved For Register of Deeds \*

### ORDINANCE NO. 9850

An ordinance to extend the boundaries and include within the corporate limits of, and to annex into the City of Grand Island, Nebraska, a tract of land west North Road and south of 13<sup>th</sup> Street along with all adjoining public Right-of-Way in Hall County, Nebraska as more particularly described hereinafter and as shown on Exhibit “A” attached hereto; to provide service benefits thereto; to repeal any ordinance or resolutions or parts of thereof in conflict herewith; to provide for publication in pamphlet form; and to provide the effective date of this ordinance.

WHEREAS, the Grand Island City Council passed Resolution #2021-200 on August 10, 2021 stating their intent to annex said property and setting September 14, 2021 as the date for a public hearing on said annexation; and

WHEREAS, Resolution #2021-200 was published in The Grand Island Independent on August 30, 2021; and

WHEREAS, The City has prepared a plan for annexation in accordance with N.R.S.S §16-117; and

Approved as to Form	<input type="checkbox"/>	_____
September 24, 2021	<input type="checkbox"/>	City Attorney

ORDINANCE NO. 9850 (Cont.)

WHEREAS, after public hearing on September 1, 2021, the Regional Planning Commission recommended the approval of annexing into the City of Grand Island, the following tract of land in Hall County, Nebraska:

Lot 1 of Hanover Second Subdivision and all adjacent and contiguous rights-of-way; and

WHEREAS, after public hearing on September 14, 2021, the City Council of the City of Grand Island found and determined that such annexation be approved; and

WHEREAS, on September 14, 2021 the City Council of the City of Grand Island considered such annexation and approved such annexation on first reading and on September 28, 2021 approved such annexation on second reading and on October 12, 2021 approved such annexation on third and final reading.

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

SECTION 1. It is hereby found and determined that:

(A) The above-described tracts of land are urban or suburban in character, and that the subject properties are contiguous or adjacent to the corporate limits of said City.

(B) The subject lands will receive the material benefits and advantages currently provided to land within the City's corporate limits including, but not limited to police, fire, emergency services, street maintenance, and utilities services upon annexation to the City of Grand Island, Nebraska, and that City electric, water and sanitary sewer service is available, or will be made available, as provided by law.

ORDINANCE NO. 9850 (Cont.)

(C) The various zoning classifications of the land shown on the Official Zoning Map of the City of Grand Island, Nebraska, are hereby confirmed and that this annexation will have no impact on the extraterritorial zoning jurisdiction.

(D) There is unity of interest in the use of the said tract of land, lots, tracts, highways and streets (lands) with the use of land in the City, and the community convenience and welfare and in the interests of the said City will be enhanced through incorporating the subject land within the corporate limits of the City of Grand Island.

(E) The plan for extending City services is hereby approved and ratified as amended.

SECTION 2. The boundaries of the City of Grand Island, Nebraska, be and are hereby extended to include within the corporate limits of the said City the contiguous and adjacent tract of land located within the boundaries described above.

SECTION 3. The subject tract of land is hereby annexed to the City of Grand Island, Hall County, Nebraska, and said land and the persons thereon shall thereafter be subject to all rules, regulations, ordinances, taxes and all other burdens and benefits of other persons and territory included within the City of Grand Island, Nebraska.

SECTION 4. The owners of the land so brought within the corporate limits of the City of Grand Island, Nebraska, are hereby compelled to continue with the streets, alleys, easements, and public rights-of-way that are presently platted and laid out in and through said real estate in conformity with and continuous with the streets, alleys, easements and public rights-of-way of the City.

SECTION 5. That a certified copy of this Ordinance shall be recorded in the office of the Register of Deeds of Hall County, Nebraska and indexed against the tracts of land.



ORDINANCE NO. 9850 (Cont.)

SECTION 6. Upon taking effect of this Ordinance, the services of said City shall be furnished to the lands and persons thereon as provided by law, in accordance with the Plan for Extension of City Services adopted herein.

SECTION 7. That all ordinances and resolutions or parts thereof in conflict herewith are hereby repealed.

SECTION 8. This ordinance shall be in full force and effect from and after its passage, approval and publication, in pamphlet form, as provided by law.

Enacted: September 28, 2021.

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Roger G. Steele, Mayor

Attest:

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RaNae Edwards, City Clerk

