



City of Grand Island

Tuesday, January 25, 2022

Council Session

Item E-5

**Public Hearing on Zoning Change to Property located at 641
Cherry Street from RD Residential Development to R3 Medium
Density (John Nikodym)**

Council action will take place under Ordinances item F-2.

Staff Contact: Chad Nabity

Council Agenda Memo

From: Chad Naby AICP, Regional Planning Director

Meeting: January 25, 2022

Subject: Change of Zoning from RD Residential Development Zone to R3 Medium Density Residential

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

Background

John Nikodym representing JNIK, LLC the owners of Lot 2 of Nikodym Second Subdivision is requesting that the zoning on property be changed from RD Residential Development Zone to R2 Medium Density Residential. This property was change from CD Commercial Development Zone to RD Residential Development Zone in January of 2020. When that change was made there were no plans for development of this property and council limited development on the property to agricultural uses until such time as a plan for development was brought forward. Mr. Nikodym is bringing forward a plan to create streets connecting Cherry Street and Bismark Road along with the development of 47 lots intended for single family detached and attached housing and duplexes.

Discussion

At the regular meeting of the Regional Planning Commission, held January 5, 2022 the above item was considered following a public hearing.

O'Neill opened the public hearing

Naby stated property is located around the old Super Bowl building. They are proposing to create 47 lots for residential development. The proposed development will provide a developed buffer between the apartments to the north and the houses south of Bismark. Staff is recommending approval.

No member of the pubic spoke during the hearing. Mr. Nikodym was available for questions.

O'Neill closed the public hearing

A motion was made by Ruge and second by Randone to approve the change of zoning for property located east of Cherry Street and north of Bismark Road from RD Residential Development Zone to R3- Medium Density Residential.

The motion carried with nine members voting in favor (O'Neill, Ruge, Olson, Robb, Monter, Rainforth, Randone, Doane and Hendricksen) and no members voting no.

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 comprehensive plan amendment and rezoning request as presented
2. Modify the comprehensive plan amendment and 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 as presented.

Agenda Item 7

PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

December 27, 2021

SUBJECT: *Zoning Change (C-15-22GI)*

PROPOSAL: The Regional Planning Department staff is recommending a change of zoning be considered for property located east of Cherry Street and north of Bismark Road at 641 S. Cherry Street (Lot 2 of Nikodym Second Subdivision). An application has been made to rezone this property from **RD** Residential Development to **R3** Medium Density Residential Zone. This property was rezoned from **CD** Commercial Development to **RD** in June of 2020. At that time the owners had no plans for this property and agreed to limit development until such time as a plan was approved by Council. They are now bringing forward a plan for development that includes 47 residential lots on the 13.35 acres fronting on to a 37' public street with all lots served by sewer and water.

OVERVIEW:

Site Analysis

Current zoning designation: **RD-** Residential Development Zone

Permitted and conditional uses: **RD-** Any uses found in the regular residential zoning districts at densities of up to 43 units per acre except those uses that are specifically excluded (rail right of way, truck bush farming, boarding and lodging houses, non-profit community buildings and social welfare establishments providing living accommodations). Up to 30% of the area of the RD zone may be covered with buildings as approved with the development plan.

Comprehensive Plan Designation: Recreational (Based on the former use as an entertainment center) that use has been gone for 2 years.

Existing land uses. Vacant Property

Proposed Zoning Designation **R3-** Medium Density Residential

Intent of zoning district: **R3:** The intent of this zoning district is to provide for residential uses at a maximum density of fourteen to fifteen dwelling units per acre with supporting community facilities. This zoning district is sometimes used as a transitional zone between lower density residential zones and higher density residential, office, business, or manufacturing zones.

Permitted and conditional uses: **R3-** Residential uses at a density of 14 dwelling units per acre with 50% coverage, recreational uses, religious uses non-profit and institutional uses along with agricultural uses.

Adjacent Properties Analysis

Current zoning designations:

North: RD – Residential Development Zone
West: R2- Low Density Residential, **CD:** Commercial Development Zone
South: RD – Residential Development Zone and R1- Suburban Density Residential
East: B2- General Business Zone,

Intent of zoning district:

R2: The intent of this zoning district is to provide for residential neighborhoods at a maximum density of seven dwelling units per acre with supporting community facilities.

R1- The intent of this zoning district is to provide for residential neighborhoods at a maximum density of four dwelling units per acre with supporting community facilities.

B2: The intent of this zoning district is to provide for the service, retail and wholesale needs of the general community. This zoning district will contain uses that have users and traffic from all areas of the community and trade areas, and therefore will have close proximity to the major traffic corridors of the City. Residential uses are permitted at the density of the (R-4) High Density Residential Zoning District.

RD- The intent of this zoning district is to permit a more flexible regulation of land use, and so as to more fully implement comprehensive planning for large parcels of land proposed predominantly for residential use.

CD- The intent of this zoning district is to permit a more flexible regulation of land use so as to more fully implement comprehensive planning for large parcels of land proposed for commercial use.

Permitted and conditional uses:

R2- Residential uses at a density of 7 dwelling units per acre with 35% coverage, recreational uses, religious uses and limited non-profit and institutional uses along with agricultural uses.

R1- Residential uses at a density of 4 dwelling units per acre with 30% coverage, recreational uses, religious uses and limited non-profit and institutional uses along with agricultural uses.

RD- Any uses found in the regular residential zoning districts at densities of up to 43 units per acre except those uses that are specifically excluded (rail right of way, truck bush farming, boarding and lodging houses, non-profit community buildings and social welfare establishments

providing living accommodations). Up to 30% of the area of the RD zone may be covered with buildings as approved with the development plan. (The Cherry Park Apartments and East Park on Stuhr Apartments are generally at a density similar to the R3 zoning district.)

B2- Commercial and office uses, institutional, non-profit and religious uses, along with residential uses at a density of 42 dwelling units per acre with up to 100% coverage less required landscaping.

CD- Commercial retail, recreational and office uses, institutional uses, and non-profit uses covering up to 50% of the planned area with buildings.

Existing land uses:

North: Residential (Apartments)

South: Residential

East: Agricultural/Residential

West: Residential and Limited Commercial

EVALUATION:

Positive Implications:

- *Consistent with the City's Comprehensive Land Use Plan:* The subject property is designated for recreational uses based on the previous use. The mix of residential in the area would support this medium density zoning between the apartments to the north and the larger single family lots south of Bismark.
- *Consistent with the existing residential development:* This proposed development will provide a developed buffer between the apartments to the north and the houses south of Bismark.
- *Consistent with existing uses:* This change is consistent with the existing uses in the area.

Negative Implications:

- *None foreseen.*

Other Considerations

Development of this property was limited by Council until such time as the owner brought forward a plan for development. The proposed plan for 47 lots fronting onto a 37' city street connecting Cherry and Bismark with most of the lots sized appropriately development of duplexes and single family homes is appropriate for the area.

RECOMMENDATION:

That the Regional Planning Commission recommends that the Grand Island City Council change the zoning on this site from RD – Residential Development Zone to R3- Medium Density Residential.

_____ Chad Nabity

Proposed Zoning Change Future Landuse Map

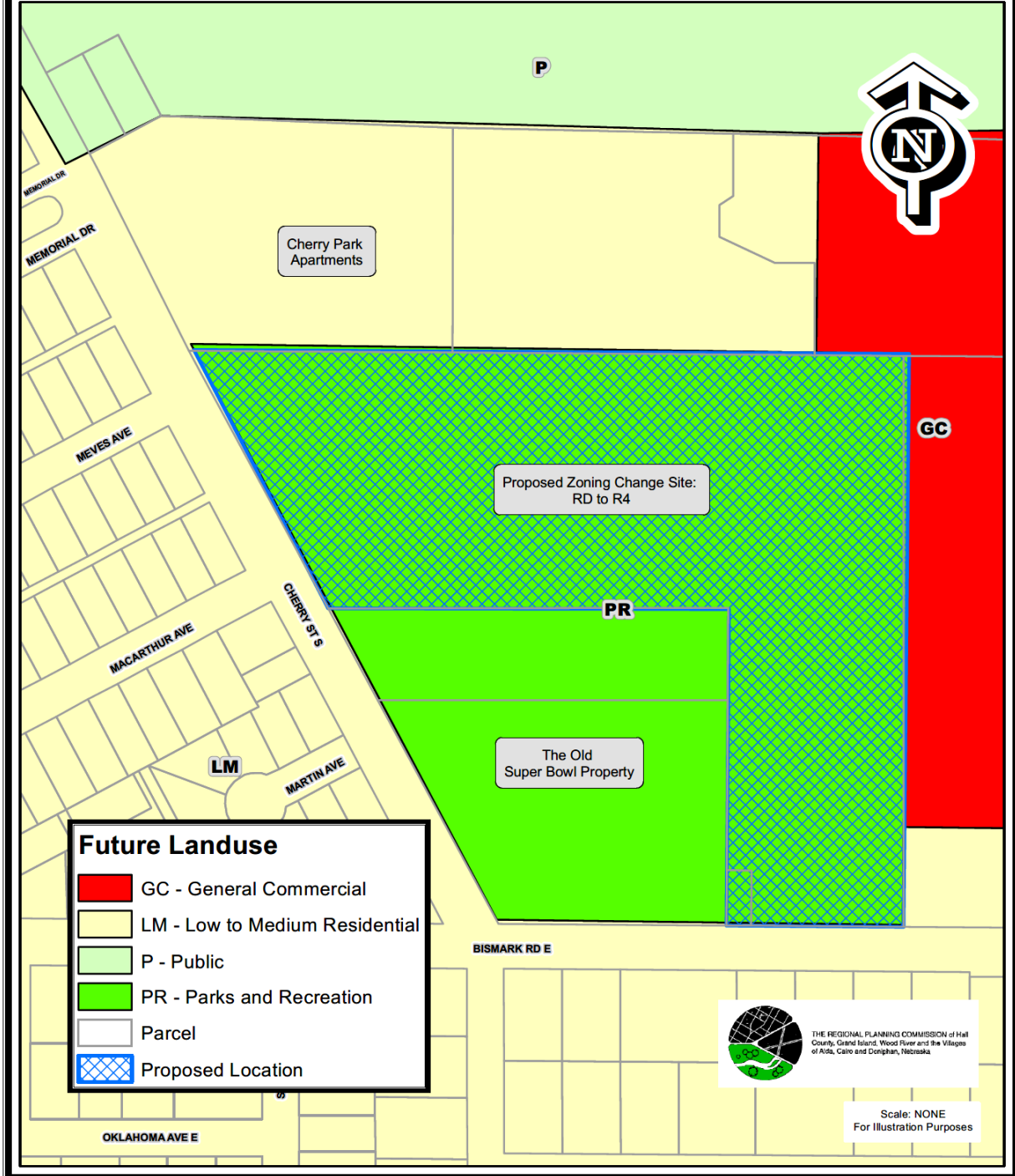


Figure 1 Future Land Use Map from the Grand Island Comprehensive Plan