



# City of Grand Island

Tuesday, November 22, 2022

Council Session

## Item E-3

**Public Hearing on Zoning Change for Property at the Conestoga Mall Located between Webb Rd & U.S. Highway 281 North of 13th Street to Include Amendments to the CD Commercial Development Zone & Change from CD Commercial Development Zone to RD Residential Development Zone (Woodsonia Acquisitions LLC)**

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

Staff Contact: Chad Nabity

# Council Agenda Memo

**From:** Regional Planning Commission

**Meeting:** November 22, 2022

**Subject:** Change of Zoning from CD Commercial Development Zone to Amended CD Commercial Development Zone and RD Residential Development Zone-Conestoga Mall

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

## Background

Woodsonia Hwy. 281, LLC. has a contract to purchase the Conestoga Mall property at 3404 W 13<sup>th</sup> Street in Grand Island and is requesting changes to the CD Commercial Development Zone to facilitate redevelopment of this property along with changing a portion of the property in the northeast corner of the property to RD Residential Development Zone to allow for apartments at that location.

## Discussion

At the regular meeting of the Regional Planning Commission, held November 14, 2022 the above item was considered following a public hearing.

O'Neill opened the public hearing.

Naby stated the Woodsonia Hwy 281 LLC is proposing to purchase and redevelop the Conestoga Mall property. The mall property is planned for Highway Commercial development and across to the east (Webb Rd) it is designated medium density to office use. Woodsonia Hwy 281 LLC is planning to develop around 300 apartments in the northeast corner of the property. Staff is recommending amendments to the future land use map that are consistent with the new plan presented for the new mall property.

Naby stated the redevelopment plan amendment for CRA Area 28 requests \$26,257,000 in tax increment financing over the course of 20 years. The area is declared Extremely Blighted and Substandard making the area eligible for a 20 year TIF. The redevelopment plan also includes a proposal for the designation of the Project Site as an Enhanced Employment Area within the Extremely Blighted and Substandard Area. The 1.50% Enhanced Employment Area/Occupation Tax

- \$36,763,000 an add-on tax with in the EEA District boundaries including all Conestoga Marketplace property. The Regional Planning Commission finds that the redevelopment plan is consistent with the Comprehensive Plan of the City of Grand Island recommends approval with the proposed changes.

Nabity then went over the redevelopment concept.

Andrew Snyder, Woodsonia Hwy 281 LLC, was available for questions.

A motion was made by Hendrickson and second Rainforth to approve rezoning of Lots 1, 4 and 5 of Conestoga Eighth Subdivision and Preliminary and Final Plat for Conestoga Mall Ninth Subdivision finding that the proposed development is consistent with the comprehensive plan for the city.

The motion was carried with eleven members voting in favor (Nelson, Allan, Ruge, Olson, Robb, Monter, Rainforth, Rubio, Hendrickson, Randone and Doane) with no members present voting no and one member abstaining (O'Neill).

The memo sent to the planning commission with staff recommendation is attached for review by Council.

The ordinance for this action has been written such that if Woodsonia Hwy. 281, LLC does not execute their contract, purchase the property, and file the plat for Conestoga Mall Ninth Subdivision it will not take effect.

### **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
4. Deny the application

### **Recommendation**

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

### **Sample Motion**

Move to approve the ordinance as presented.

#### Agenda Item 4

#### PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

November 9, 2022

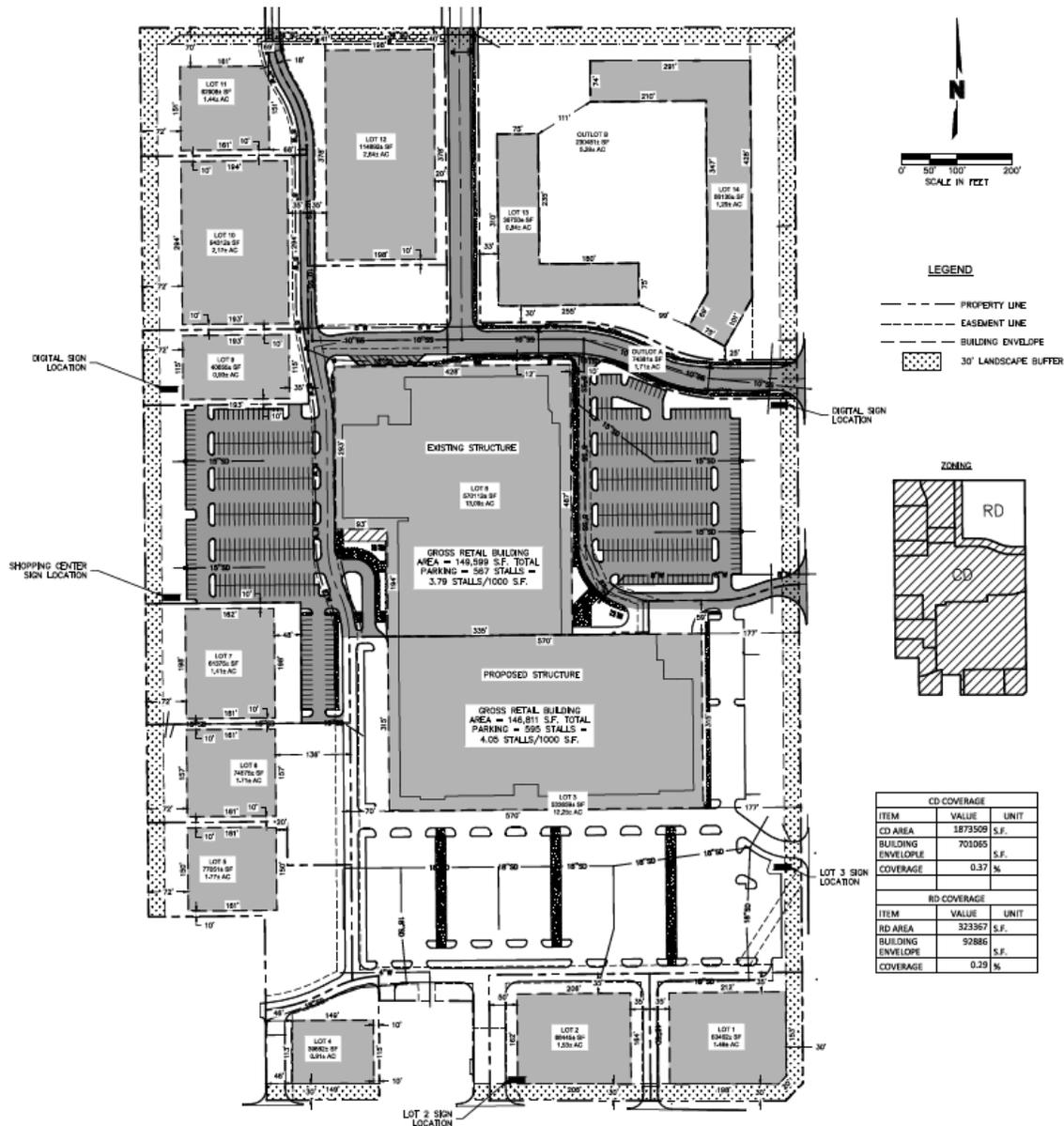
**SUBJECT:** *Concerning change of zoning for property described as all of Lots 1, 4 and 5 of Conestoga Mall Eighth Subdivision in Grand Island NE, from CD Commercial Development Zone to Amended CD Commercial Development Zone and RD Residential development Zone. (C-09-23GI)*

Woodsonia Hwy 281 LLC. has a contract to purchase the Conestoga Mall property described above. They plan to redevelop property significantly and are requesting approval of a change of zone to amend the current CD Zone and to change the zoning in the northeast corner of the property to RD Residential Development Zone. The initial plan shows 2 buildings with 304 apartments at that site but that is not finalized.

**PROPOSAL:** At this time the property is divided into 3 lots with all of the drainage from the site collecting at the northeast corner. The proposal would eventually create 14 lots and 2 outlots with drainage and detention along U.S. Highway 281 and Webb Road. The main mall and the anchor store would be comprise the largest portion of the property. The apartments would be on 2 lots north of 16<sup>th</sup> Street extended. A potential hotel is planned west of the apartments along the north property line. The pad sites along 281 and 13<sup>th</sup> Street would be identified for strip commercial and restaurant uses.

The CD Zone allows for up to 50% of the property to be covered with buildings. The proposed coverage within this development at as shown at completion is below the maximum coverage. The building envelopes as shown provide a maximum size on each lot. Parking will also have to be accommodated on each lot and may be placed inside the building envelope if they choose to or need to build a smaller building on the lot.

The RD Zone allows for up to 30% of the property to be covered with buildings. The initial plan shows 2 buildings with 304 apartments at that site but that is not finalized. Because the plan is not finalized the subdivision agreement for this development will limit activities in the RD zone to installation of utilities and sitework and grading until a final plan is presented and approved by City Council as an amendment to the RD zone.



**OVERVIEW:  
Site Analysis**

*Current zoning designation:* CD-Commercial Development Zone.  
*Permitted and conditional uses:* Commercial, Office and Retail Uses  
*Comprehensive Plan Designation:* Commercial development  
*Existing land uses:* Retail development and vacant property

**Adjacent Properties Analysis**

*Current zoning designations:* **North:** CD Commercial Development Zone, B2 General Business  
**South and West:** B2 General Business

**East:** CD Commercial Development Zone, R2 Low Density Residential, RO Residential Office and R4 High Density Residential

*Permitted and conditional uses:* CD – Commercial, office and retail uses as permitted and built according to the approved development plan. B2- Commercial, office, retail and service uses along with residential uses up to a density of 43 units per acre. RO – Residential uses with no density limitation, office uses and prescription related retail. R4 – Residential uses at a density of up to 43 units per acre and a variety of non-profit uses. R2 Residential uses at a density of up to 7 units per acre.

*Comprehensive Plan Designation:* **North, South, and West:** Designated for commercial development and uses.  
**East:** Designated for medium density residential to office uses.

*Existing land uses:* **North:** Retail Development  
**East:** Webb Road, a variety of housing and office uses  
**West:** U.S. Highway 281 and Commercial Uses  
**South:** 13<sup>th</sup> Street and commercial development

## **EVALUATION:**

### **Positive Implications:**

- *Consistent with the City's Comprehensive Land Use Plan:* The subject property is designated for commercial development and the proposed changes to the future land use map would support the residential development.
- *Is infill development.* This development is using property that is within the existing functional and legal boundaries of the City of Grand Island. This is a piece of property that is in need of redevelopment.
- *Accessible to Existing Municipal Infrastructure:* Water and sewer services are available to service the area. New mains would be installed to serve the reconfigured property.
- *Monetary Benefit to Applicant:* Would allow the applicant to further develop this site.
- *Additional housing:* This development does include a housing component that will add to the existing housing stock.

- *Rejuvenate this property and corridor:* The proposed development will rejuvenate the mall. Retail malls are struggling across the country and three of the five anchors of Conestoga Mall have gone through bankruptcy and/or extreme downsizing in the last 6 years leaving a substantial amount of vacant space in the building.
- *Expected increase in sales tax base:* Based on information provided sales tax generated at the Conestoga Mall has dropped from almost \$1,100,000 to \$700,000 between 2015 and 2021 with a low in 2020 of \$550,000. Based on the lowest project for the new anchor store taxable sales will generate almost \$1,000,000 without counting sales by new and existing stores in the area.
- *Transfer of the Mall Property to a new owner:* The parent company of the current mall owners is the same as the company that owned the Imperial Mall in Hastings. The City of Hastings had to condemn and demolish that mall because of the condition that was in. Without a change in ownership that is a possibility for the Conestoga Mall.

**Negative Implications:**

- *Increased traffic on 13<sup>th</sup> Street and Webb Road:* With these changes including the addition of a new anchor store and the apartments there is likely to be increased traffic on these streets. These streets are designed for this kind of traffic and entrances to the mall property along Webb Road will be moved to help mitigate the impacts.

**Other Considerations:**

This hearing is scheduled along with the hearing to amend the future land use map for the City of Grand Island and consider the redevelopment plan for the mall requesting tax increment financing and the creation of an enhanced employment area across the site. Information from the redevelopment plan can and should be used to support the request for rezoning as they are part and parcel of the same project.

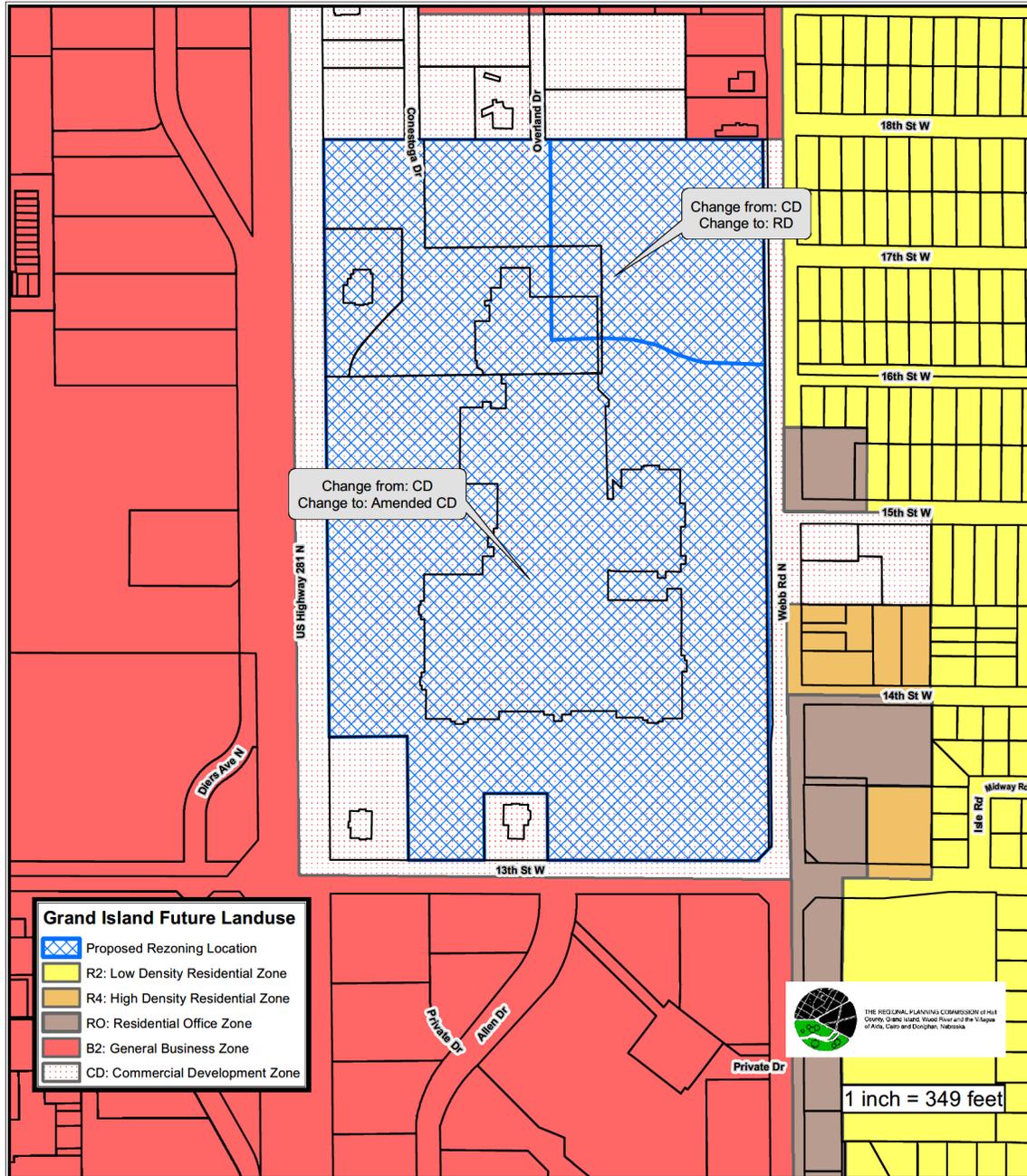
**RECOMMENDATION:**

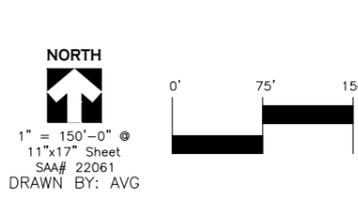
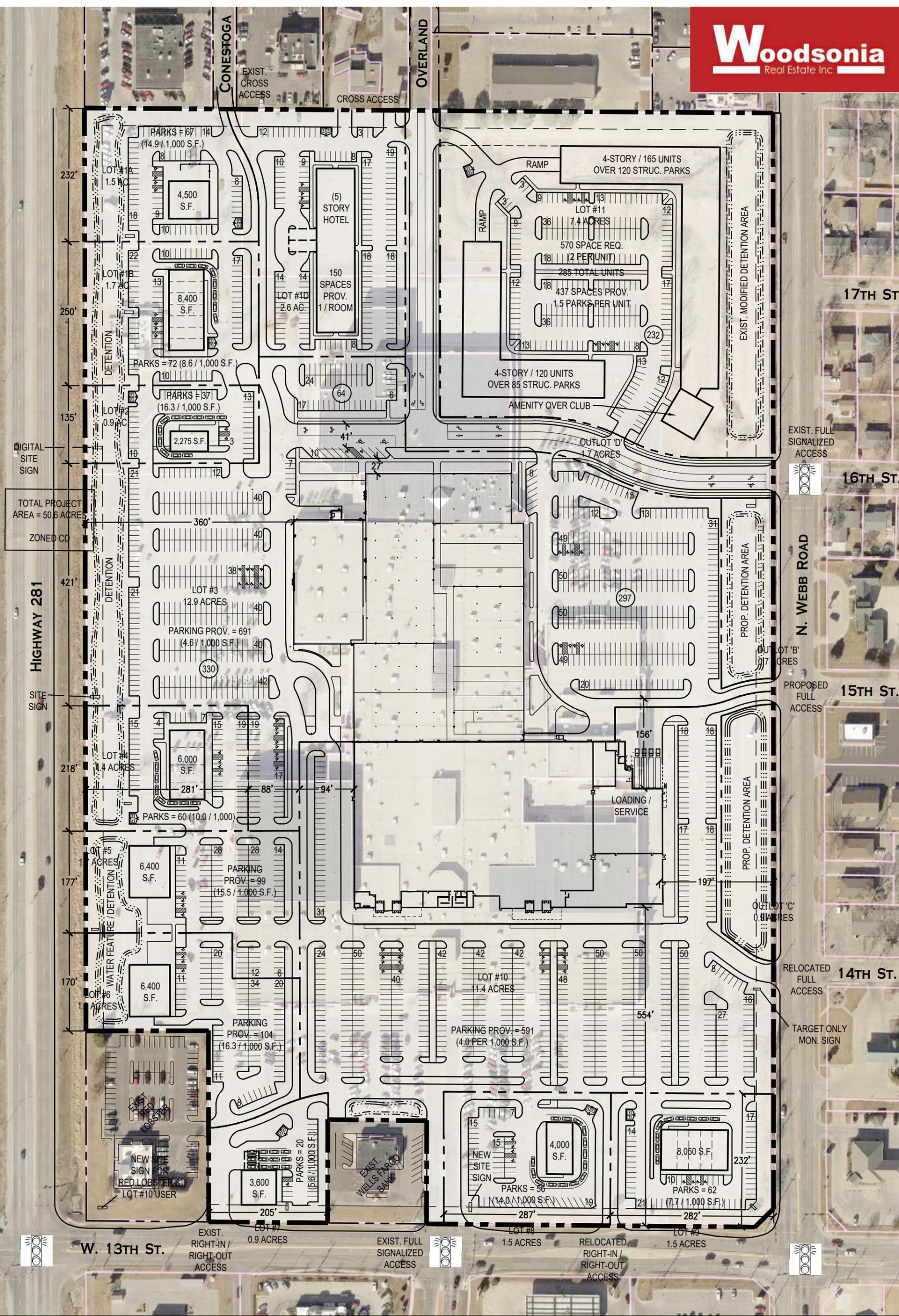
That the Regional Planning Commission recommend that the Grand Island City Council approve the amended CD zoning district and rezoning to RD Residential Development along with the development plan as shown with the stipulation at the RD zone needs to be brought back for final approval at a later date.

\_\_\_\_\_ Chad Nabity AICP, Planning Director

# Proposed Zoning Change

A tract of land consisting of all of lots 1, 4, 5 of Conestoga Mall Subdivision, in the City of Grand Island, Hall County, Nebraska





This drawing has been prepared by the Architect, or under the Architect's direct supervision. This drawing is intended to be conceptual in nature only. Property boundaries, setbacks, easements, topography, utilities, structures and other physical features shown herein are based on the information available to the architect at the time of design. This document reflects a site plan concept only, and does not necessarily reflect all governing authority requirements, including green space calculations, bulk regulations, landscaping, storm water management, city input, site signage, grading, and other factors that may impact final site design. This drawing shall not be used for construction or legally binding documentation. (C) Copyright 2022 by Simonson & Associates Architects, L.L.C.

**Conestoga Marketplace**  
Site Concept #28  
Grand Island, Nebraska  
November 10, 2022

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