



Hall County Regional Planning Commission

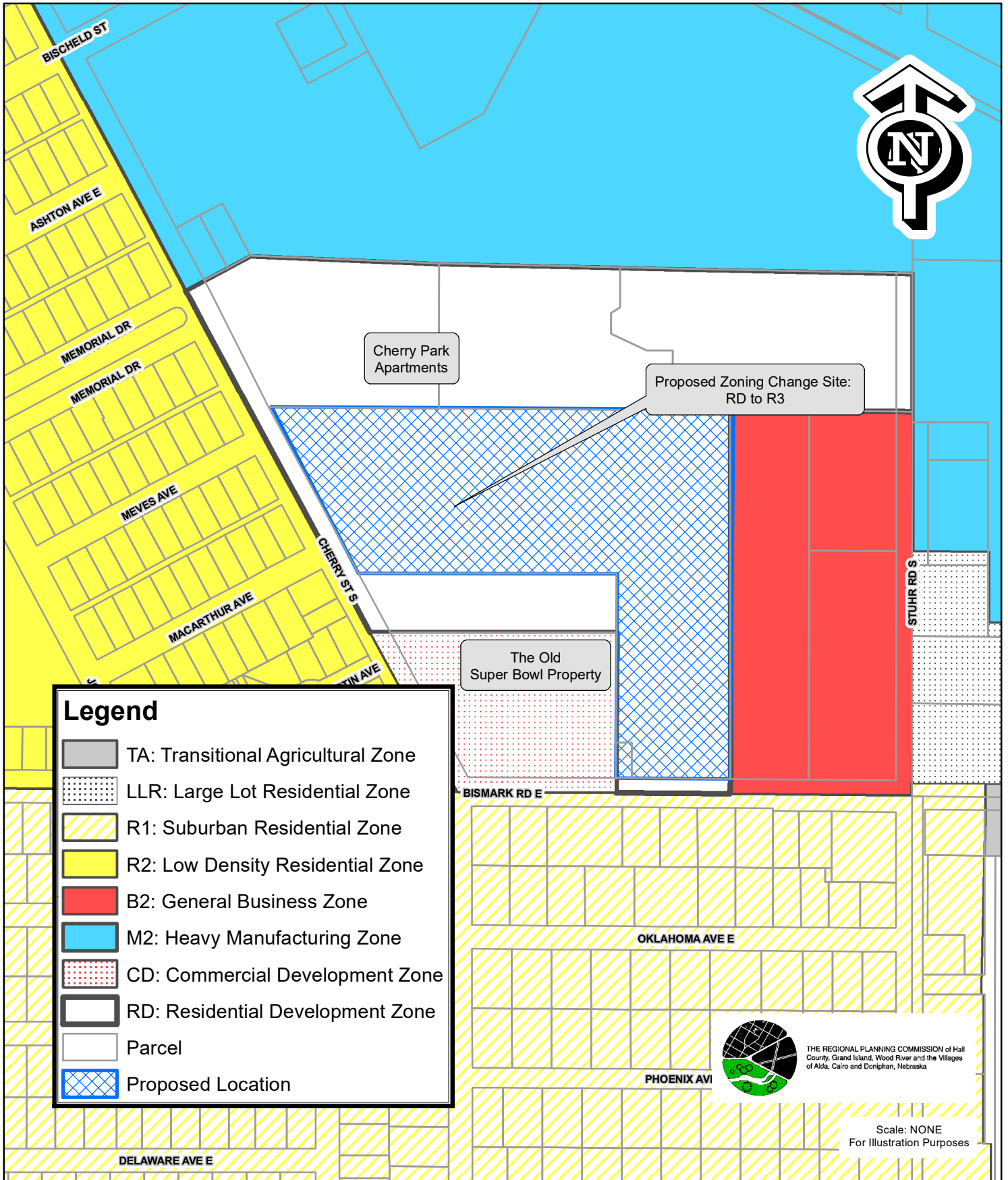
**Wednesday, January 5, 2022
Regular Meeting**

Item F4

Public Hearing Rezoning - Grand Island Public Hearing to consider a 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. (C-15-22GI)

Staff Contact:

Proposed Zoning Change



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

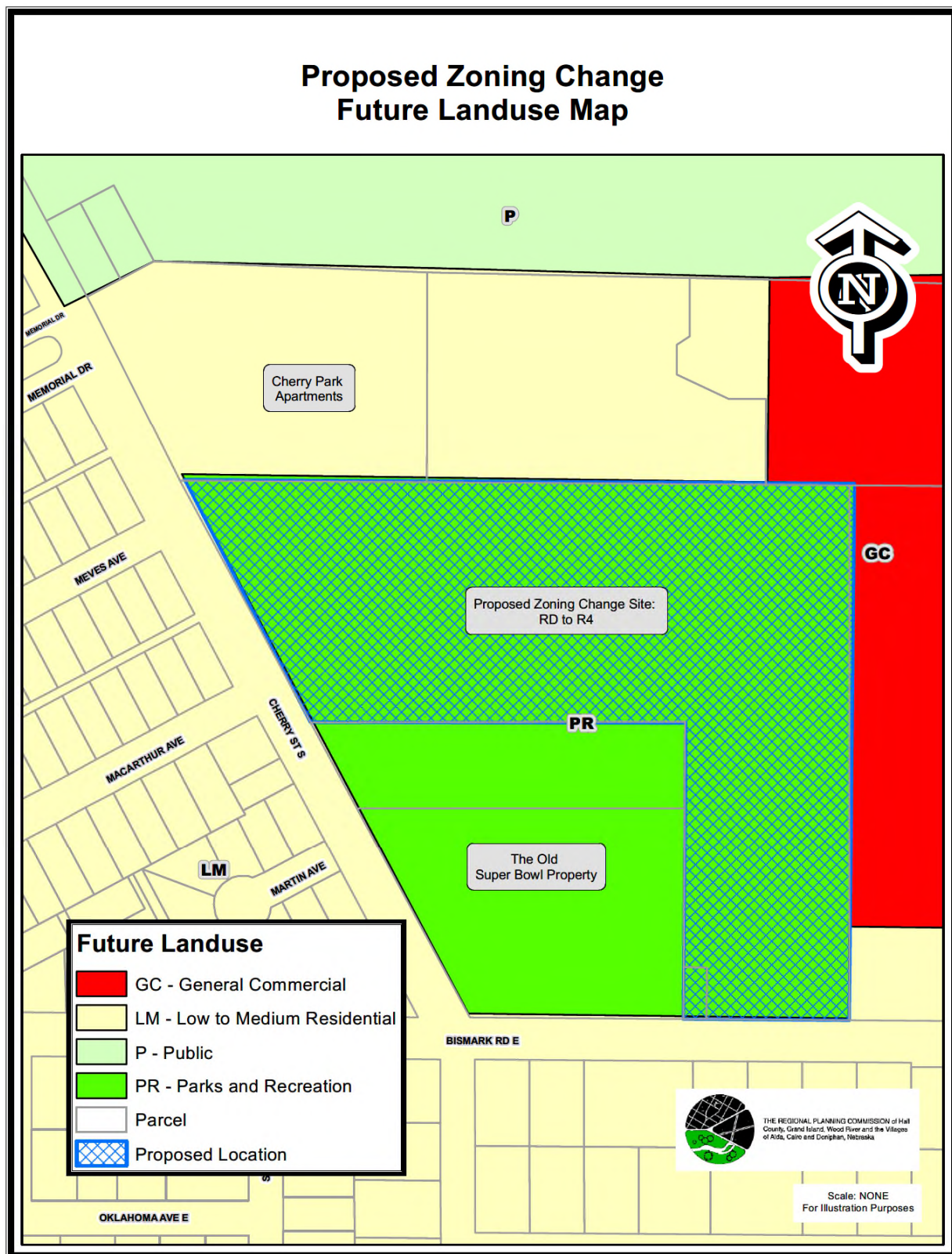


Figure 1 Future Land Use Map from the Grand Island Comprehensive Plan

APPLICATION FOR REZONING OR ZONING ORDINANCE CHANGE

Regional Planning Commission

Check Appropriate Location:

- ☒ City of Grand Island and 2 mile zoning jurisdiction
☐ Alda, Cairo, Doniphan, Wood River and 1 mile zoning jurisdiction
☐ Hall County

RPC Filing Fee

(see reverse side)

plus Municipal Fee* \$50.00

*applicable only in Alda, Doniphan, Wood River

A. Applicant/Registered Owner Information (please print):

Applicant Name John Nikodym Phone (h) (402) 746-3825 (w) _____

Applicant Address 655 S Cherry Street

Registered Property Owner (if different from applicant) JNIK, LLC

Address 655 S Cherry Street Phone (h) (402) 746-3825 (w) _____

B. Description of Land Subject of a Requested Zoning Change:

Property Address 641 Cherry Street

Legal Description: (provide copy of deed description of property)

Lot 1 Block 0 Subdivision Name Nikodym Second Subdivision, and/or
All/Part SE 1/4 of Section 15 TWP 11 RGE 09 W6PM

C. Requested Zoning Change:

1. Property Rezoning (yes ☒) (no ☐)
(provide a properly scaled map of property to be rezoned)

From RD to R4

2. Amendment to Specific Section/Text of Zoning Ordinance (yes ☐) (no ☒)
(describe nature of requested change to text of Zoning Ordinance)

D. Reasons in Support of Requested Rezoning or Zoning Ordinance Change:

Rezoned for residential housing development

NOTE: This application shall not be deemed complete unless the following is provided:

1. Evidence that proper filing fee has been submitted.
2. A properly scaled map of the property to be rezoned (if applicable), and copy of deed description.
3. The names, addresses and locations of all property owners immediately adjacent to, or within, 300 feet of the perimeter of the property to be rezoned (if the property is bounded by a street, the 300 feet shall begin across the street from the property to be rezoned).
4. Acknowledgement that the undersigned is/are the owner(s), or person authorized by the owner(s) of record title of any property which is requested to be rezoned:

A public hearing will be held for this request

Signature of Owner or Authorized Person  Date 12/16/2021

Note: Please submit a copy of this application, all attachments plus any applicable municipal filing fee to the appropriate Municipal Clerk's Office. RPC filing fee must be submitted separately to the Hall County Treasurer's Office (unless application is in Grand Island or its 2 mile zoning jurisdiction, then the RPC filing fee must be submitted to the G.I. City Clerk's Office).

Application Deemed Complete by RPC: mo. ____ day. ____ yr. ____ Initial ____

RPC form revised 10/23/19