



Hall County Regional Planning Commission

**Wednesday, July 6, 2022
Regular Meeting**

Item F2

**Public Hearing - Proposed Rezoning - Grand Island - Proposed
Tract of land including Lots 1, 2 and 3 of Schaaf's Second
Subdivision**

Staff Contact:

Agenda Item # 5

PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

June 28, 2022

SUBJECT: *Zoning Change (C-32-22GI)*

PROPOSAL: This application includes lots 1, 2 and 3 of Schaaf's Second Subdivision 4720 Seedling Mile Road at the northwest corner of Gunbarrel Road and Seedling Mile road (Harmony Hall). The property is located within the two-mile extra-territorial zoning jurisdiction of the City of Grand Island.

The applicant is requesting to change the zoning this property from LLR Large Lot Residential Zone to B-2 General Business.

OVERVIEW:

Site Analysis

Current zoning designation:

LLR: Large Lot Residential.

Intent of zoning district

LLR: To provide for a transition from rural to urban uses, and is generally located on the fringe of the urban area. This zoning district permits residential dwellings at a maximum density of two dwelling units per acre, as well as other open space and recreational activities.

Permitted and conditional uses:

LLR: Agricultural uses, recreational uses, transitional uses such as: greenhouses and veterinary clinics and residential uses at a density of 1 unit per 20,000 square feet.

Future Land Use Map Designation:

LM The Low to Medium Residential land use would encompass residential uses with a density up to 15 dwelling units per acre. City services such as water and sewer should be provided in areas where densities exceed one dwelling unit per acre.

Existing land uses.

Vacant lots and vacant building

Adjacent Properties Analysis

Current zoning designations:

East, West North: LLR Large Lot Residential Zone
South: TA-Transitional Agriculture Zone,

Intent of zoning district:

LLR: To provide for a transition from rural to urban uses, and is generally located on the fringe of the urban area. This zoning district permits residential dwellings at a maximum density of two dwelling units per acre, as well as other open space and recreational activities.

TA: The intent of this zoning district is to provide for a transition from rural to urban uses, and is generally located on the fringe of the urban area. This zoning district permits both farm and non-farm dwellings as well as other open space and recreational activities. The intent of the zoning district also would allow the limited raising livestock within certain density requirements.

Permitted and conditional uses:

TA: Agricultural uses, recreational uses and residential uses at a density at a density of 1 unit per 20 acres. Limited animal agriculture.

LLR: Agricultural uses, recreational uses, transitional uses such as: greenhouses and veterinary clinics and residential uses at a density of 1 unit per 20,000 square feet.

Comprehensive Plan Designation:

North, South, West: Designated for future low to medium density residential development.

East: Transitional Agriculture.

Existing land uses:

East: Large Lot Residential

North: Vacant and Large Lot Residential.

South and West: Acreage Residential

VALUATION:

Positive Implications:

- *Would allow for the restoration of Harmony Hall as a reception hall.* This is an historic structure that has not been maintained. It has been vacant for decades. Rezoning would allow the former use to be restored.

Negative Implications:

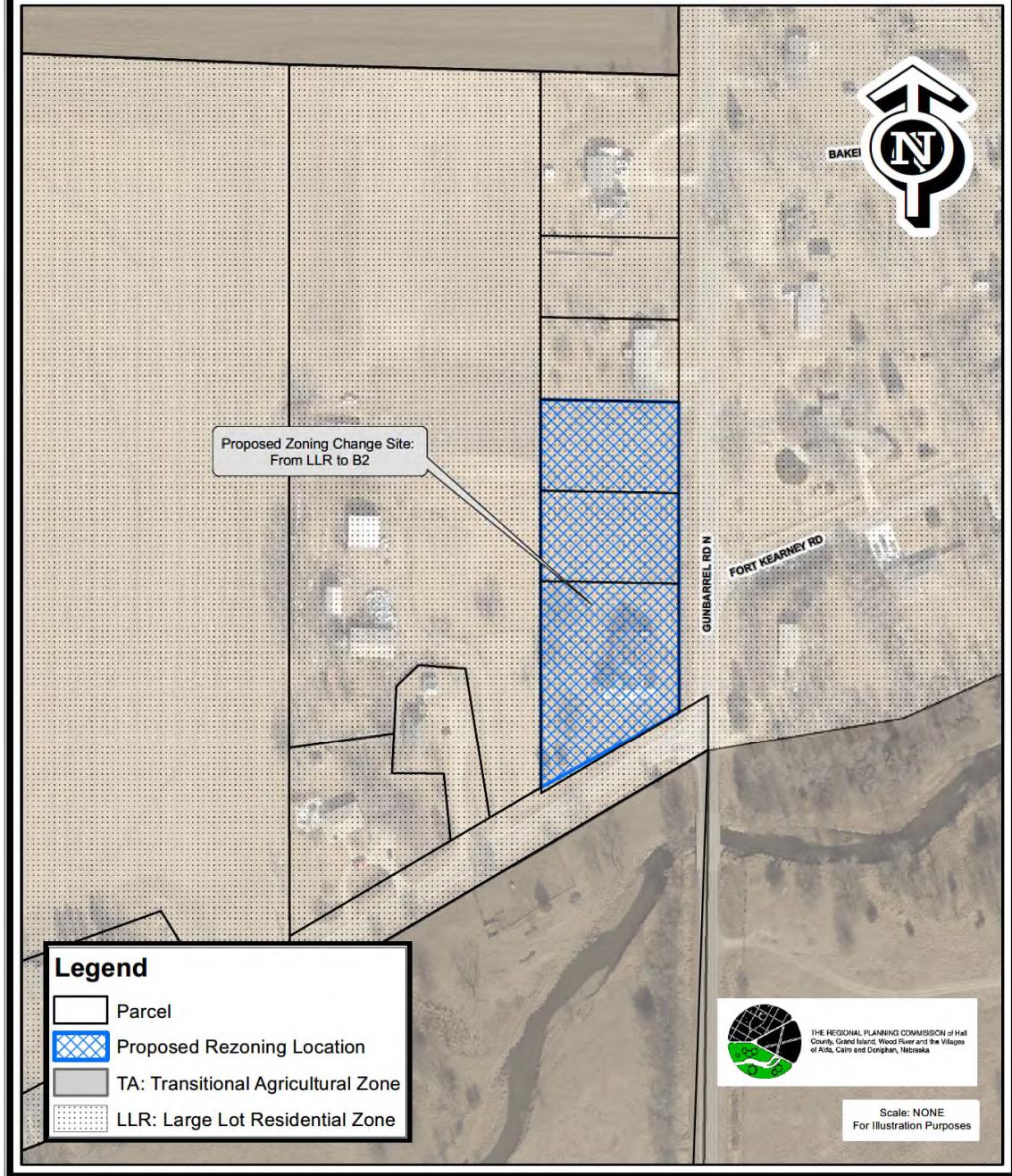
- *Uses other than those proposed are allowed in the B-2 zoning district:* Potential uses for the site would include a convenience store, night club/bar, restaurant, and strip commercial. A copy of the uses allowed in the B-2 Zoning District is attached.
- *Lack of municipal infrastructure:* Sewer is not available to this property. Changing the zoning on this property at this point would likely encourage additional development in this area prior to the development of such municipal infrastructure. The proposed uses would not fit here well without municipal sewer service.
- *Not consistent with the City's Comprehensive Land Use Plan:* The subject property is designated for long-term for low to medium
- *Spot Zoning:* This could be challenged as spot zoning since it is not consistent with the comprehensive plan and applies to only a few properties for the benefit of one owner.

RECOMMENDATION:

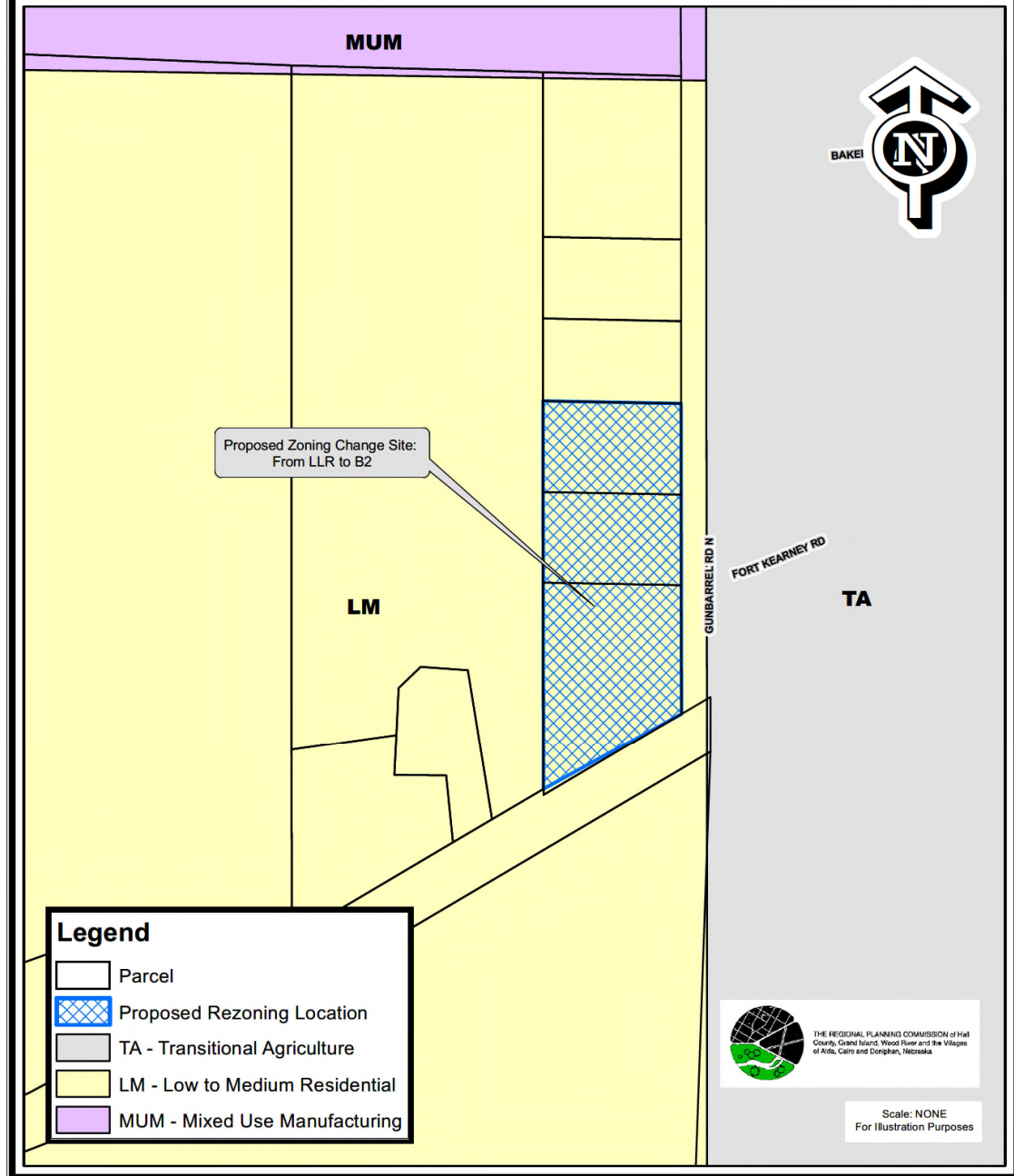
That the Regional Planning Commission recommend that the Grand Island City Council **not** change the zoning on this site from LLR Large Lot Residential to B-2 General Business.

_____ Chad Nabity AICP, Planning Director

Location Map Proposed Zoning Change



Future Landuse Map Proposed Zoning Change



§36-68. (B-2) General Business Zone

Intent: 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.

(A) Permitted Principal Uses: The following principal uses are permitted in the (B-2) General Business Zoning District.

- (1) Stores and shops that conduct retail business, provided, all activities and display goods are carried on within an enclosed building except that green plants and shrubs may be displayed in the open, as per the Zoning Matrix [Attachment A hereto]
- (2) Office and office buildings for professional and personal service as found in the Zoning Matrix [Attachment A hereto]
- (3) Agencies as found in the Zoning Matrix [Attachment A hereto]
- (4) Dwelling units
- (5) Board and lodging houses, fraternity and sorority houses
- (6) Truck, bush and tree farming, provided, there is no display or sale at retail of such products on the premises
- (7) Public parks and recreational areas
- (8) Country clubs
- (9) Public, parochial and private schools having a curriculum equivalent to an elementary or higher educational level
- (10) Colleges offering courses of general instruction, including convents, monasteries, dormitories, and other related living structures when located on the same site as the college
- (11) Churches, synagogues, chapels, and similar places of religious worship and instruction of a quiet nature
- (12) Utility substations necessary to the functioning of the utility, but not including general business offices, maintenance facilities and other general system facilities, when located according to the yard space rules set forth in this section for dwellings and having a landscaped or masonry barrier on all sides. Buildings shall be of such exterior design as to harmonize with nearby properties
- (13) Public and quasi-public buildings for cultural use
- (14) Railway right-of-way but not including railway yards or facilities
- (15) Nonprofit community buildings and social welfare establishments
- (16) Hospitals, nursing homes, convalescent or rest homes
- (17) Radio and television stations (no antennae), private clubs and meeting halls
- (18) Vocational or trade schools, business colleges, art and music schools and conservatories, and other similar use
- (19) Preschools, nursery schools, day care centers, children's homes, and similar facilities
- (20) Group Care Home with less than eight (8) individuals
- (21) Elderly Home, Assisted Living
- (22) Stores and shops for the conduct of wholesale business, including sale of used merchandise
- (23) Outdoor sales and rental lots for new and used automobiles, boats, motor vehicles, trailers, manufactured homes, farm and construction machinery, etc.
- (24) Specific uses such as: archery range, billboards, drive-in theater, golf driving range, storage yard (no junk, salvage or wrecking)
- (25) Manufacture, fabrication or assembly uses incidental to wholesale or retail sales wherein not more than 20% of the floor area is used
- (26) Parking Lots
- (27) Other uses as indicated in the Zoning Matrix [Attachment A hereto]

(B) Conditional Uses: The following uses are subject to any conditions listed in this chapter and are subject to other conditions relating to the placement of said use on a specific tract of ground in the (B-2) General Business Zoning District as approved by City Council.

- (1) Recycling business
- (2) Towers
- (3) Other uses as indicated in the Zoning Matrix [Attachment A hereto]

(C) Permitted Accessory Uses:

(1) Building and uses accessory to the permitted principal use.

(D) Space Limitations:

Uses			Minimum Setbacks					
		A	B	C	D	E		
	Minimum Parcel Area (feet)	Minimum Lot Width (feet)	Front Yard (feet)	Rear Yard (feet)	Side Yard (feet)	Street Side Yard (feet)	Maximum Ground Coverage	Maximum Building Height (feet)
Permitted Uses	3,000	30	10	0 ¹	0 ²	10	100%	55
Conditional Uses	3,000	30	10	0 ¹	0 ²	10	100%	55

¹ No rear yard setback is required if bounded by an alley, otherwise a setback of 10 feet is required.

² No side yard setback is required, but if provided, not less than five feet, or unless adjacent to a parcel whose zone requires a side yard setback, then five feet. When adjacent to a public alley, the setback is optional and may range from 0 feet to 5 feet.

(E) Miscellaneous Provisions:

(1) Supplementary regulations shall be complied with as defined herein

(2) Only one principal building shall be permitted on one zoning lot except as otherwise provided herein.

Abstracting services
 Accounting & bookkeeping services
 Advertising services, direct mail
 Advertising services, general
 Agricultural, business and personal credit services including credit union
 Agricultural chemical & fertilizers - wholesale
 Agricultural fertilizers, hazardous & non hazardous - retail
 Agricultural operations
 Air conditioning, heating & plumbing contracting services
 Alteration, pressing & garment repair services
 Ambulance services
 Animal hospital services
 Antiques - retail
 Apparel & accessories - retail
 Appliances (household) - retail
 Appliance repair services
 Architectural, engineering & planning - professional services
 Arenas & fieldhouses
 Armateur rewinding services
 Armed forces reserve center
 Art galleries, publicly owned
 Artists - painters, sculptors, composers, & authors
 Athletic field or playfield
 Auditing, accounting & bookkeeping services
 Auditoriums, public
 Automobile & other motor vehicle repair services
 Automobile & other motor vehicles - retail
 Automobile & truck rental services
 Automobile equipment - wholesale
 Automobile parts & supplies - retail
 Automobile wash services
 Bait shops
 Bakeries non-manufacturing - retail
 Banking services
 Barber services
 Batch Plants - temporary
 Beauty services
 Bed and breakfast residence
 Beer, wine & alcoholic beverages - wholesale
 Bicycles - retail
 Blueprinting & photocopying services
 Boarding & rooming houses
 Boat sales, service and rentals
 Bookkeeping, auditing & accounting services
 Books, magazines & newspapers distributing - wholesale
 Books - publishing & printing
 Books - retail
 Bottled gas - retail
 Bowling alleys
 Building materials - retail
 Building materials & lumber - wholesale
 Business & management consulting services
 Business offices not elsewhere listed

Butter - manufacturing
 Cable TV maintenance yard
 Cameras & photographic supplies - retail
 Camp grounds, general
 Camp grounds, group
 Candy, nut, & confectionery - retail
 Carpentry & wood flooring services
 Carpet & rug cleaning & repair service
 Charitable & welfare services
 Chiropractors, optometrists, & other similar health services
 Churches, synagogues & temples
 Civic, social & fraternal associations
 Clock, watch & jewelry repair services
 Commercial & industrial machinery, equipment & supplies - wholesale
 Commodity & securities brokers, dealers & exchanges & services
 Confectionery, nut & candy - retail
 Construction & lumber materials - wholesale
 Construction services - temporary
 Convalescent, nursing & rest home services
 Convents
 Convenience store
 Country club
 Credit reporting, adjustment & collection services
 Credit unions & agricultural, business & personal credit services
 Crematory, funeral & mortuary services
 Curtains, draperies & upholstery - retail
 Dairy products - retail
 Dairy products - wholesale
 Day care centers
 Dental laboratory services
 Dental services
 Department stores - retail
 Detective & protective services
 Direct mail advertising services
 Direct selling organizations - retail
 Discount & variety stores - retail
 Disinfecting & exterminating services
 Dormitories, college
 Draperies, curtains & upholstery - retail
 Drug & proprietary - retail
 Dry cleaning & laundering, self service
 Dry cleaning, laundering & dyeing services, except rugs
 Dry goods & general merchandise - retail
 Dry goods & notions - wholesale
 Duplicating, mailing, & stenographic services
 Dwelling, multi-family
 Dwelling, single-family
 Dwelling, two-family
 Dyeing, dry cleaning & laundry services, except rugs
 Egg & poultry - retail

Electrical apparatus & equipment, wiring supplies, & construction materials - wholesale
 Electrical contractor services
 Electrical appliances, phonographs, televisions, tape players & radio sets - wholesale
 Electrical repair services, except radio & television
 Electrical supplies - retail
 Electricity regulating substations
 Employment services
 Engineering, planning architectural professional services
 Equipment & supplies for service establishments - wholesale
 Equipment rental & leasing services
 Exhibition halls
 Exterminating
 Fairgrounds
 Farm machinery & equipment - retail
 Farm products warehousing & storage excluding stockyards - nonhazardous
 Farm supplies - retail
 Farms, commercial forestry
 Farms, grain crops
 Farms, hay & alfalfa
 Farms, fiber crops
 Farms, fruits, nuts or vegetables
 Farms, nursery stock
 Feeds, grains & hay - retail
 Fertilizers, agricultural nonhazardous - retail
 Fieldhouses & arenas
 Fire protection & related activities
 Fish & seafood's - retail
 Fish & seafood's - wholesale
 Floor covering - retail
 Florists - retail
 Food lockers & storage services
 Fraternal, civic & social associations
 Fraternity & sorority houses
 Fruits & vegetables (fresh) - wholesale
 Fruits & vegetables - retail
 Fuel, except fuel oil & bottled gas - retail
 Fuel oil - retail
 Funeral, mortuary & crematory services
 Fur repair & storage services
 Furniture & home furnishings - wholesale
 Furniture - retail
 Furniture repair & reupholstery services
 Furies & fur apparel - retail
 Garden supplies & landscape nursery - retail
 Garment repair, alteration & pressing services
 Gasoline service stations - retail
 General stores - retail
 Gifts, novelties & souvenirs - retail
 Glass, paint & wallpaper - retail
 Grains, feeds & hay - retail
 Green houses
 Groceries - retail

Group care home
 Gymnasiums & athletic clubs
 Hardware - retail
 Hardware - wholesale
 Hay, grains & feeds - retail
 Health resorts
 Health & exercise spas
 Hearing aids, optical goods, orthopedic appliances & other similar devices - retail
 Heating, air conditioning & plumbing contracting services
 Heating & plumbing equipment & supplies - retail
 Hobby supplies - retail
 Holding & investment services
 Hospital services
 Hotels, tourist courts, & motels
 Household appliances - retail
 Ice - retail
 Ice skating rinks, indoor
 Insurance agents & brokers services
 Insurance carriers
 Internet service
 Investment & holding services
 Janitorial services
 Jewelry - retail
 Jewelry, watch & clock repair services
 Labor unions & similar labor organizations
 Landscape contracting services
 Landscape nursery & garden supplies - retail
 Lapidary work
 Laundering & dry cleaning, self-service
 Laundering, dry cleaning & dyeing services, except rugs
 Lawn care - services
 Legal services
 Libraries
 Liquor - retail
 Locksmith services
 Lumber & building materials - wholesale
 Lumber yards - retail
 Magazines & newspapers - retail
 Mailing, duplicating, & stenographic services
 Management & business consulting services
 Masonry, stonework, tile setting & plastering services
 Massage services
 Meat & meat packing products - wholesale
 Meats - retail
 Medical clinics, out-patient services
 Medical laboratory services
 Miniature golf
 Manufactured homes on permanent foundation
 Mobile homes & accessories - retail
 Monasteries
 Monuments - retail
 Motels, hotels, & tourist courts
 Motorcycle & bicycle sales, rental & service

Mortuary, funeral & crematory services
 Museums
 Musical instruments & supplies - retail
 Newspaper & magazines - retail
 Newspapers, books & magazines distribution - wholesale
 Newspapers publishing & printing
 News syndicate services
 Notions, dry goods - wholesale
 Novelties, gifts & souvenirs - retail
 Nursery stock farms
 Nursing, convalescent & rest home services
 Optical goods, hearing aids, orthopedic appliances & other similar devices - retail
 Optometrists, chiropractors & other similar health services
 Orphanages
 Paint, glass, & wallpaper - retail
 Painting & paper hanging services
 Paper & paper products - wholesale
 Paper hanging & painting services
 Parks, public
 Periodicals, publishing & printing
 Petroleum pipeline R/W
 Pets & pet grooming - retail
 Photocopying & blue printing services
 Photoengraving
 Photofinishing services
 Photographic studios & services
 Photographic supplies & cameras - retail
 Physicians' services
 Planetarium
 Planning, architectural & engineering professional services
 Plastering, masonry, stone work & tile setting services
 Playfields & athletic fields
 Playgrounds
 Play lot or tot lot
 Plumbing & heating equipment & supplies - retail
 Plumbing, heating, & air conditioning contracting services
 Poultry & small game dressing & packing
 Pressing, alteration & garment repair services
 Printing, commercial
 Printing & publishing of newspapers
 Printing & publishing of periodicals
 Private clubs
 Professional equipment & supplies - wholesale
 Professional membership organizations
 Professional offices not elsewhere listed
 Quarrying, gravel, sand & dirt
 Quarrying, stone
 Race tracks & courses - animals
 Radio broadcasting studios
 Radios, televisions, phonographs, recorders, & tape players repair services

Radios, televisions, phonographs, recorders & tape players - retail
 Radio transmitting stations & towers
 Railroad right-of-way
 Real estate agents, brokers & management services
 Recreational vehicles & equipment - retail
 Recreation centers
 Rectories
 Refrigerated warehousing (except food lockers)
 Resorts (general)
 Rest, nursing, & convalescent home services
 Restaurants
 Restaurants, drive-in
 Retirement homes
 Reupholstery & furniture repair services
 Roller skating rinks - indoor
 Roofing & sheet metal contracting services
 Rooming & boarding houses
 Rug & carpet cleaning & repair services
 Sausages & other prepared meat products - manufacturing
 Savings & loan associations
 Schools, art
 Schools, barber
 Schools, beauty
 Schools, business
 Schools, colleges
 Schools, computer
 Schools, correspondence
 Schools, dancing
 Schools, day care
 Schools, driving
 Schools, junior college
 Schools, music
 Schools, nursery
 Schools, pre-primary
 Schools, primary
 Schools, professional
 Schools, secondary
 Schools, stenographic
 Schools, technical
 Schools, trade
 Schools, universities
 Schools, vocational
 Scientific & educational research services
 Second hand merchandise - retail
 Seed and feed sales
 Sheet metal & roofing contracting services
 Shoe repair, shoe shining, & hat cleaning services
 Shoes - retail
 Shoes - wholesale
 Social, civic & fraternal associations
 Social correctional, treatment & counseling services
 Sorority & fraternity houses
 Souvenirs, gifts, novelties - retail
 Sporting goods - retail
 Stadiums
 Stationery - retail

Stenographic, duplicating, & mailing services
Stone work, masonry, title setting, & plastering services
Storage - mini
Storage & warehousing of nonhazardous products
Storage & warehousing of household goods
Swimming clubs
Synagogues, churches, & temples
Tailoring (custom)
Taverns
Taxicab dispatch
Telegraph communications
Telephone business office
Telephone exchange stations
Telephone maintenance yard
Telephone relay towers (microwave)
Television broadcasting studios

Television, radios, phonographs, recorders & tape players repair services
Television, radios, phonographs, recorders, & tape players - retail
Television transmitting stations & relay towers
Temples, churches, & synagogues
Tennis clubs
Theaters, legitimate
Theaters, motion picture, indoor
Tile setting, masonry, plastering & stone work services
Tires & inner tubes - wholesale
Title abstracting services
Tobacco & tobacco products - wholesale
Tot lot or play lot
Tourist courts, hotels, & motels
Travel arranging services

Truck & automobile rental services
Utility substations, pumping station, water reservoir & telephone exchange
Upholstery, draperies, & curtains - retail
Variety & discount stores - retail
Vending machine operations - retail
Veterinarian services
Wallpaper, paint & glass - retail
Warehousing & storage of household goods
Watch, clock, & jewelry repair services
Water well drilling services
Welding & blacksmith services
Welfare & charitable services
Wine, beer, & alcoholic beverages - wholesale
Wool & mohair - wholesale

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 Jose Ramirez Phone (h) 308 850-0464 (w) _____

Applicant Address 1104 N Gunbarrel Rd Grand Island NE, 68801

Registered Property Owner (if different from applicant) _____

Address _____ Phone (h) _____ (w) _____

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

Property Address 4720 E Seedling Mile Rd

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

Lot 1,2,3 Block _____ Subdivision Name WASH TWP SCHAAF'S SECOND SUB, and/or
All/Part _____ 1/4 of Section _____ TWP _____ RGE _____ W6PM

C. Requested Zoning Change:

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

From LLR to B-2

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:

Plan to restore the old Harmony Hall and re-open as a ballroom.

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 Jose Ramirez Date 5-24-22

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

Chad Nability

From: Greg Erwin <Gpapa3@outlook.com>
Sent: Tuesday, June 28, 2022 11:10 AM
To: Chad Nability
Subject: Rezone Request; A tract of land consisting of all lots 1, 2, 3 Schaafs Subdivision, Hall County Nebraska, from LLR- Large Lot Residential Zone to B2- General Business Zone. The properties located west of Gunbarrel Road, North of Seedling Mile Road, (c-31-

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To whom it may concern:

My name is Greg Erwin, I live at 545 N Gunbarrel Rd. Right across the street from the property Schaaf's Second Subdivision. My family and I have concerns about rezoning this property from residential to commercial.

My mother and I moved to Grand Island from Phoenix almost 3 years ago to be closer to my daughter and her family. The reason I choose the area and the house I did was because after looking into all of the properties in this area, I found that they were all zoned as residential meaning that this area was safer for my family, including my elderly mother and my young grandchildren.

Rezoning this property to B2 gives me grave concerns due to the fact that rezoning this as a commercial property brings more traffic and people to the area. Making this a reception hall has a high potential for drunk driving in this quiet residential community, public intoxication, potential for increased crime and violence that come along with the consumption of alcohol, loud music, litter, livestock safety concerns, other environmental imbalance, and overall disturbance to the community and the people who choose this area to live because of the safe, and quiet residential zoning.

Public intoxication, reception halls, and other such activities coinciding with this type of business should be kept inside of city limits because of many safety concerns. One being that this property is on the county line of Hall and Merick counties. If the authorities, and or first responders for any emergency situations have to be called and sent out, I am concerned about the response times and which county would respond. Also, rezoning this property opens up the possibilities for other types of businesses such as convenience stores, gas stations, restaurants, etc. to buy the property and become more disruptive to this safe, quiet, residential community.

I hope all of these concerns are taken into consideration when deciding whether to rezone this property and disrupt this residential community. Thank you for your time regarding this matter. Any further questions please feel free to contact me via email at GPapa3@gmail.com or by phone at (602)487-9933. If I do not answer, please leave a message.

--Greg Erwin