



Hall County Regional Planning Commission

Wednesday, March 1, 2023

Regular Meeting

Item F3

**Public Hearing - Proposed Rezoning - Legacy 34 Second
Subdivision - Property north of Husker Hwy and west of Prairie
View Street**

Staff Contact:

Agenda Item #6

PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING

COMMISSION:

February 20, 2023

SUBJECT: *Zoning Change (C-15-23GI)*

PROPOSAL: An application has been made to rezone 20.109 acres of property proposed for platting as part of the Legacy 34 development located west of Prairie View Street and north of Husker Highway from RD Residential Development Zone and CD Commercial Development Zone to amended RD Residential Development Zone and amended CD Commercial Development Zone and B2 General Business. The developers are proposing to build fifteen apartment buildings **(150 units)** on the property with buildings as shown on the attached plans, four carriage houses and seven commercial buildings including a civic center to support the neighborhood. This is the second change of several that are proposed for the full 200 acre site as shown with the preliminary plat for the whole property.

OVERVIEW:

Site Analysis

Current zoning designation: RD- Residential Development Zone
CD- Commercial Development Zone

Permitted and conditional uses: Approve development plan for **RD** and **CD** Zones: The current plan called for fifteen 10 unit apartment buildings and 4 carriage houses and 4 commercial buildings. The proposed plan maintains the same number of residential units in the same general locations but amends the building envelopes to encompass all of the architectural projections from the buildings within those envelopes. The majority of the parking is included in the RD zone even that intended to serve the CD zone. The number of commercial buildings is changing from 4 to 7. The general location of the buildings is not changing but they have more detail

Comprehensive Plan Designation: Mixed Use Commercial

Existing land uses. Vacant Undeveloped Property

Adjacent Properties Analysis

Current zoning designations:

North: R2- Low Density Residential Zone

East: B2 General Business Zone and RD Residential Development Zone

West: RD Residential Development Zone

South: TA Transitional Agricultural Zone and RO Residential Office Zone

Permitted and conditional uses:

R2- Residential uses with a density of 1 unit per 6,000 square feet of property. Minimum lot size of 6,000 square feet. Churches, schools, parks are permitted in this zoning district

RD- Residential uses as approved by the submitted plan with density up to 42 units per acre. Churches, schools, parks and retirement facilities are also permitted in this district. Can allow more than one principle use per lot and development of private streets and utilities.

TA - Permits both farm and non-farm dwellings at a maximum density of two dwelling units per acre, as well as other open space and recreational activities. The intent of the zoning district also would allow the raising of livestock to a limit and within certain density requirements.

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.

RO: The intent of this zoning district is to provide the highest density of residential uses as well as for various office, personal services and professional uses. This zoning district is also used as a transitional zone between lower density residential zones and business or manufacturing zones.

Comprehensive Plan Designation:

West, East, South and North: Mixed Use Commercial

Existing land uses:

North: Agricultural/ Vacant

South: Agricultural/Lake/Tabitha

East: Multifamily Residential and Commercial Lots
some are developed some are vacant.

West: Multi-Family Residential and vacant property

EVALUATION:

Positive Implications:

- *In conformance with the City's Comprehensive Land Use Plan:* This particular site is designated for mixed use commercial uses within the plan. This would typically be a combination of commercial and multi-family residential.
- *New Housing Choices in Southwestern Grand Island:* Most of the new construction in Grand Island occurs in the northwest part of the city. This proposed development would build 154 new units in the southwestern part of the city.
- *Infill Development:* Most of the existing infrastructure is in place to support this development. Sewer and water are available. The developer is proposing a combination of private and public streets to support this development.
- *Provides Housing for Grand Island Residents and potential workers near the newly developed Hospital.*
- *Develops a neighborhood commercial node to support this development and the hospital development to the south.*

Negative Implications:

- *None foreseen.* This request does not materially change what has already been approved for the site. The proposed changes are generally minor modifications to the development plan with more specific details about the size and placement of the proposed commercial buildings with the CD Zone. The B2 zone in the southeast corner does give the developer additional flexibility for the location of buildings but the uses would be consistent with the CD and RD zones.

RECOMMENDATION:

That the Regional Planning Commission recommend that the Grand Island City Council change the zoning on this site approve the amended RD-Residential Development Zone and amended CD Commercial Development Zone along with the B2 General Business Zone.

_____ Chad Nabity AICP, Planning Director

Proposed Rezoning Area Future Landuse Map

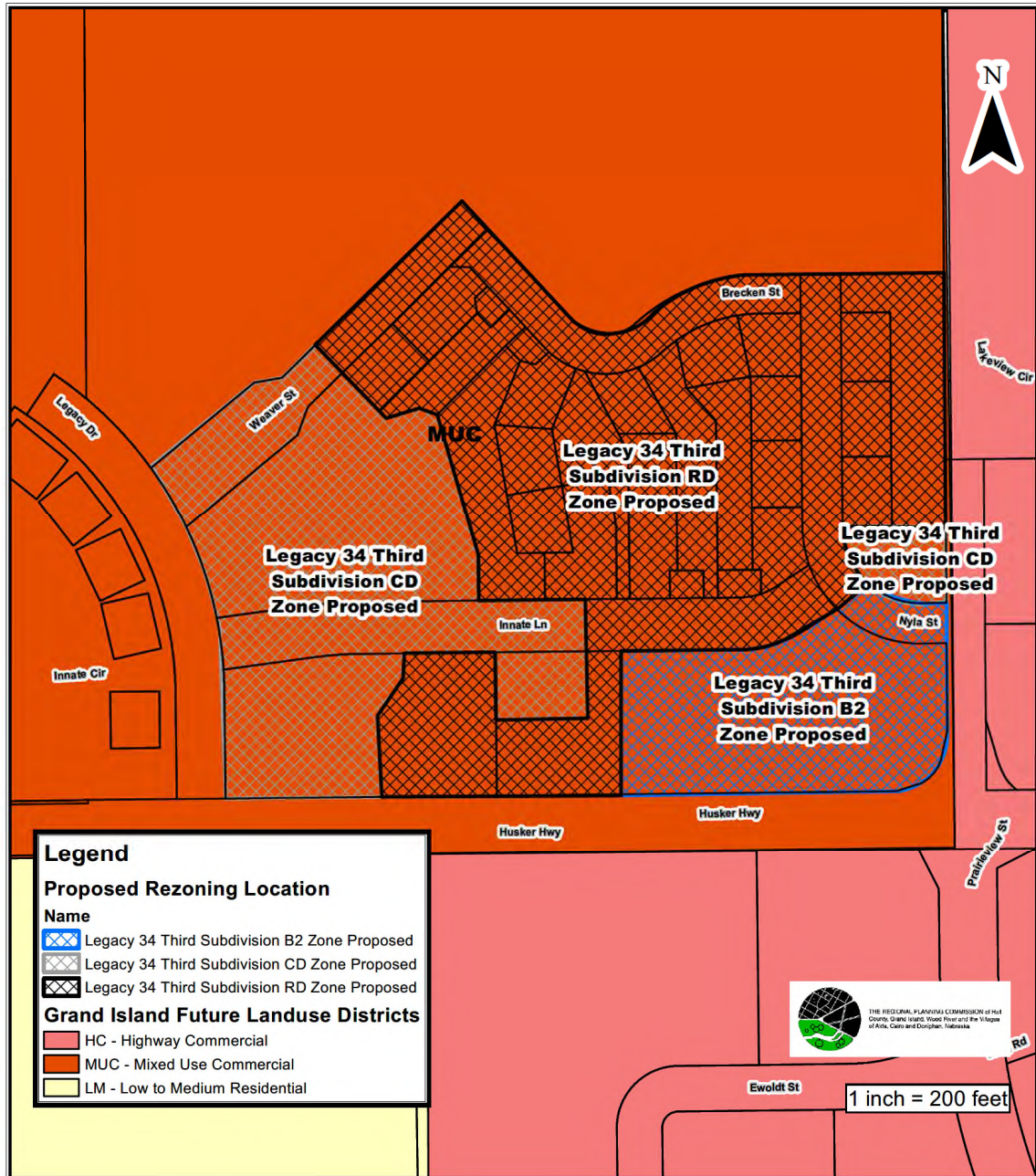


Figure 1 Future Land Use Map from the Grand Island Comprehensive Plan

Proposed Rezoning Area

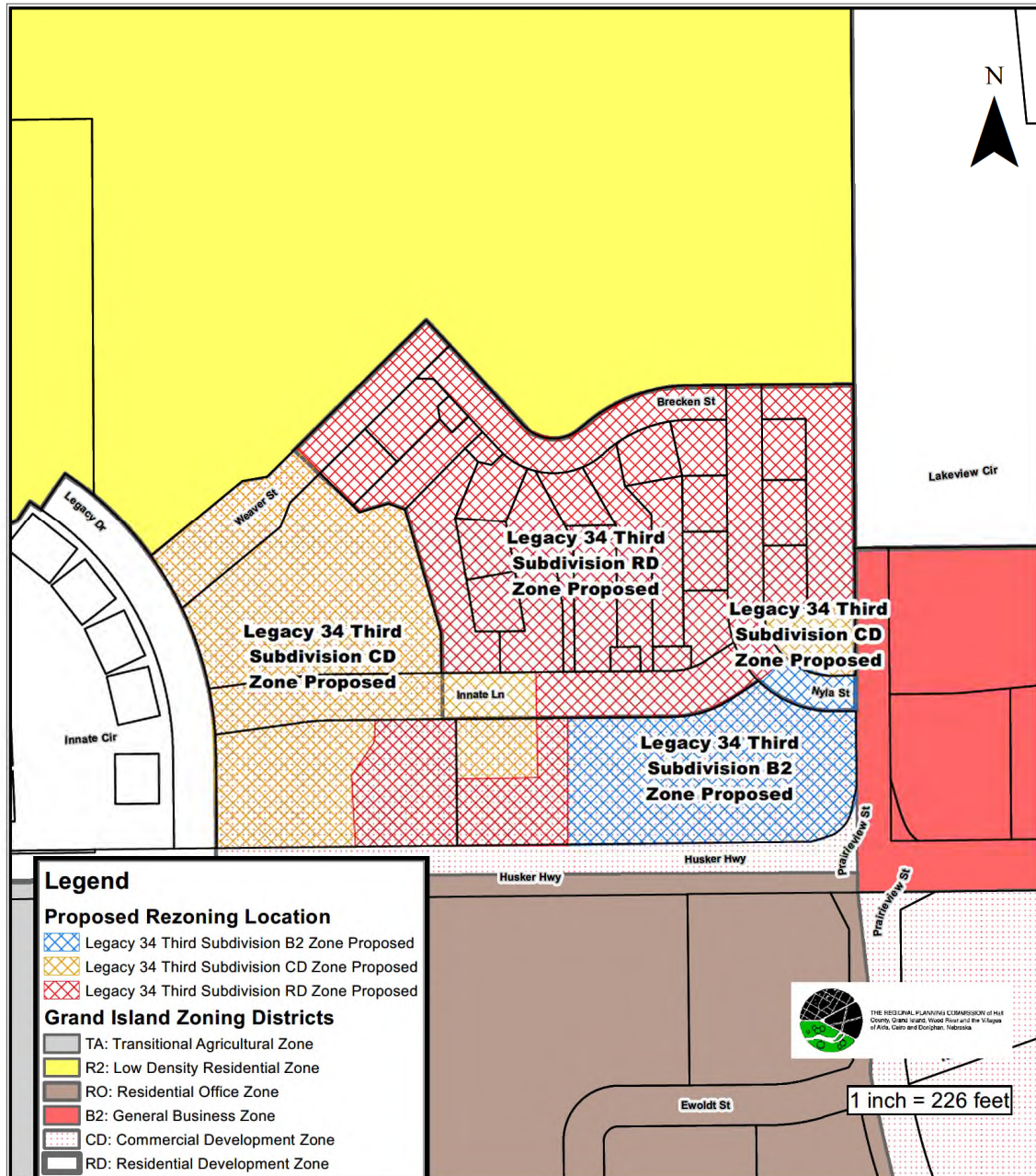


Figure 2- Proposed Zoning

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 _____ Phone (h) _____ (w) _____

Applicant Address _____

Registered Property Owner (if different from applicant) _____

Address _____ Phone (h) _____ (w) _____

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

Property Address _____

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

Lot _____ Block _____ Subdivision Name _____, and/or

All/Part _____ ¼ 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 _____ to _____

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:

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 Gai Gason Date _____

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

REGIONAL PLANNING COMMISSION FEES AND CHARGES

Effective October 1, 2020

Service or Product	Fee
Zoning Map Amendment (General)	\$900.00
Zoning Ordinance Text Amendment	\$900.00
CD or RD Comprehensive Rezoning (Grand Island 2 mile)	\$900.00
P.U.D. Rezoning	\$850.00 + \$10.00/lot

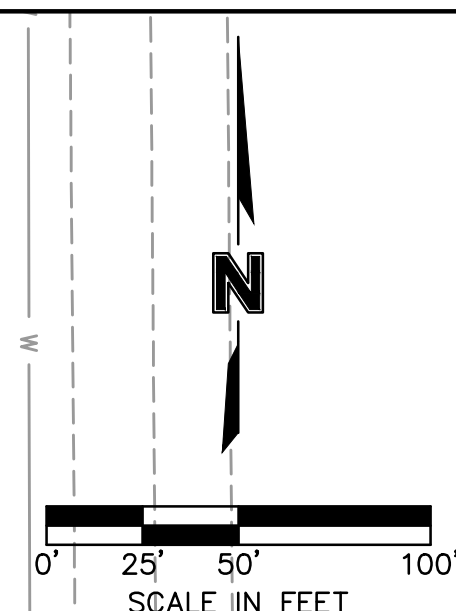
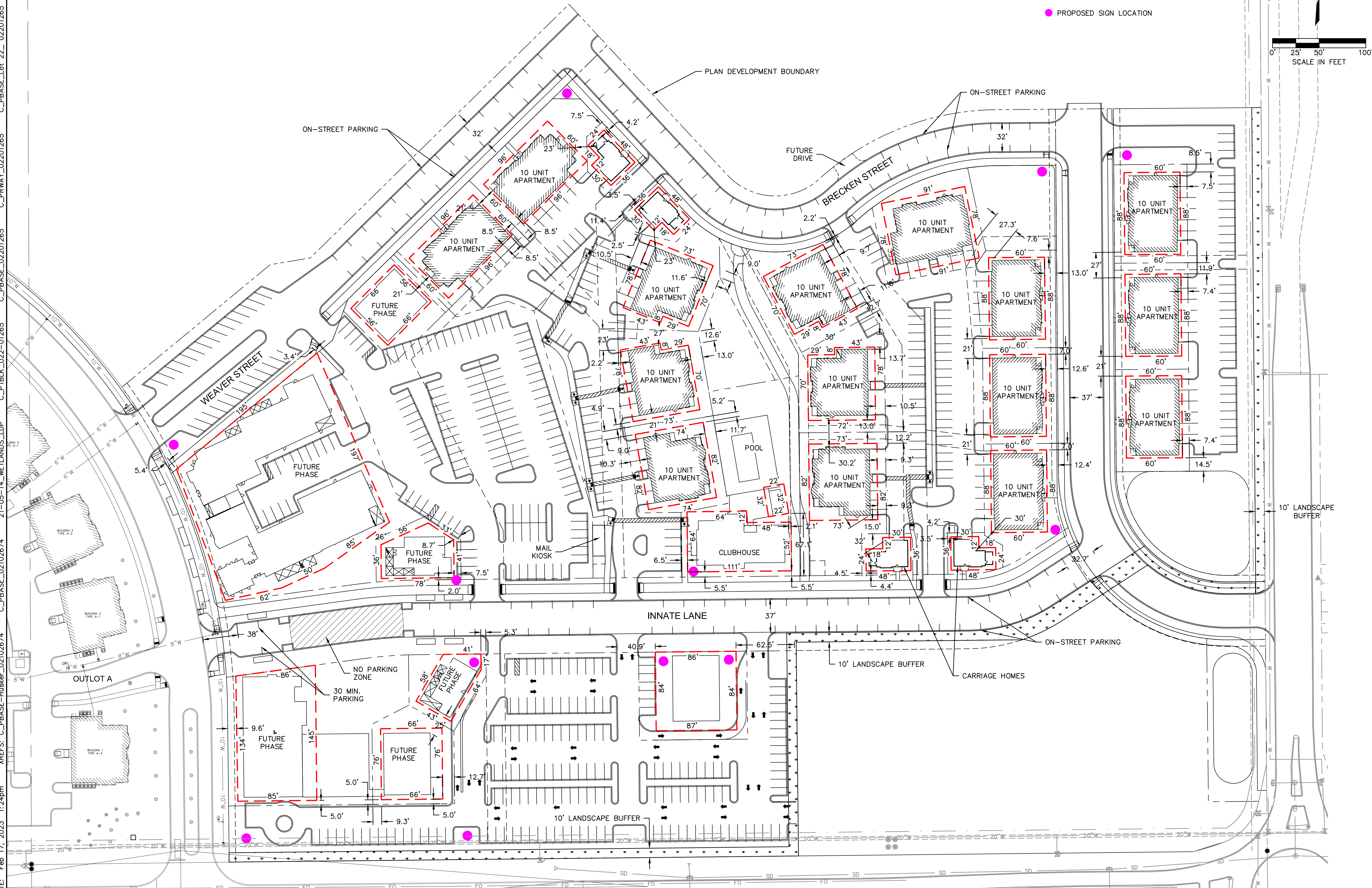
Payment of Fees and Charges:

Zoning, Subdivision and Comprehensive plan amendment fees associated with land located within Grand Island or its 2 mile jurisdiction, are **payable to the City Clerk of Grand Island**.

Zoning, Subdivision and Comprehensive plan amendment fees associated with lands located within all other areas of Hall County are **payable to the Hall County Treasurer's Office**.

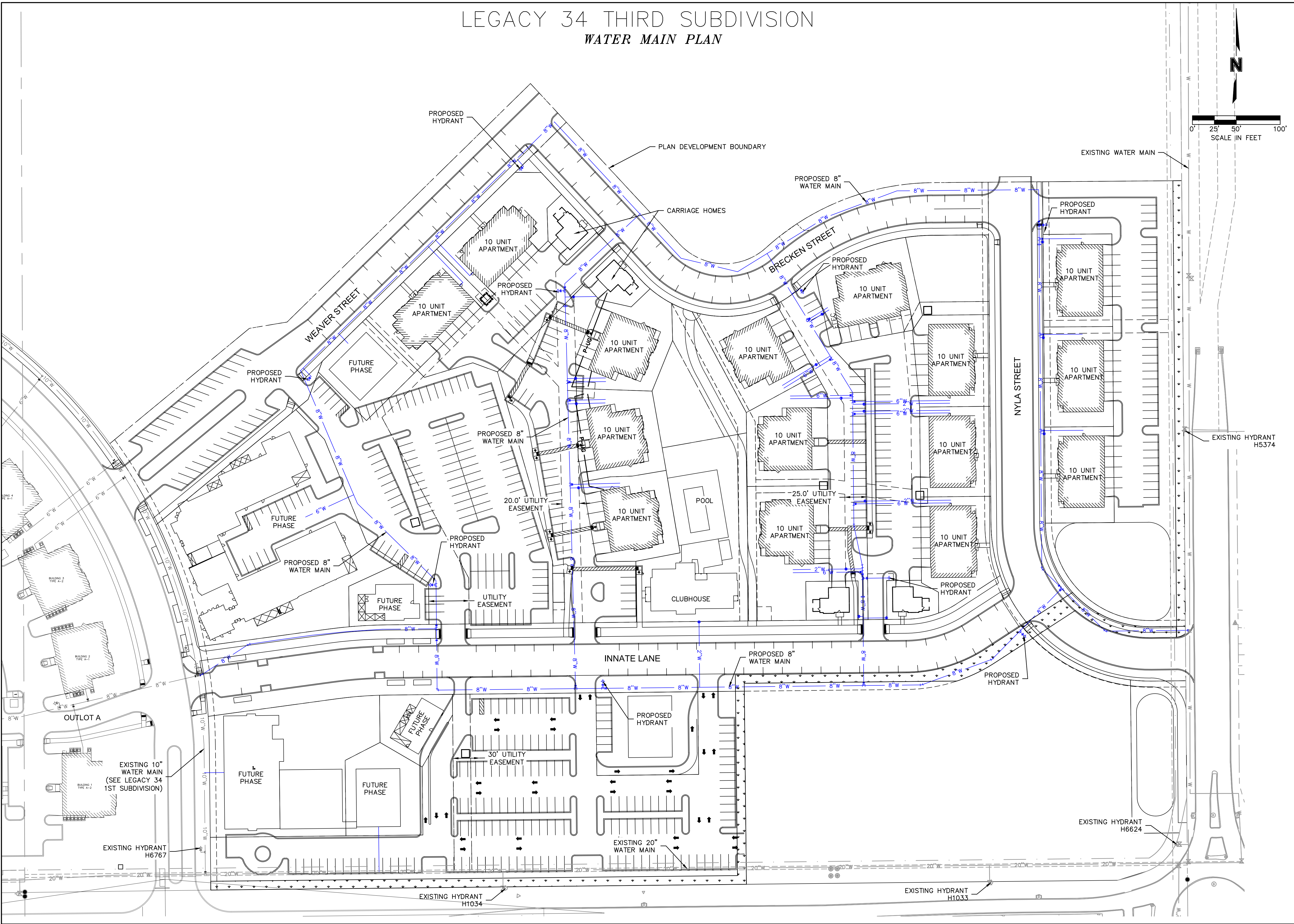
*Additional fees are charged for zoning within the City of Wood River, and the Villages of Alda and Doniphan of \$50.00 each, **payable to the appropriate Clerk's office**.

LEGACY 34 THIRD SUBDIVISION
DEVELOPMENT PLAN



<div style="display: flex; justify-content: space-between; align-items: center;"> <div style="text-align: left;"> <p>drawn by: _____ AST</p> <p>checked by: _____</p> <p>approved by: _____ MMR</p> <p>QA/QC by: _____</p> <p>project no.: _____ 022-01265</p> <p>drawing no.: _____</p> <p>date: _____ 2.17.2023</p> </div> <div style="text-align: right;"> <p>201 East 2nd Street Grand Island, NE 68801 TEL 308.384.8750 www.olsson.com</p> </div> </div>	
<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>DEVELOPMENT PLAN</p> <p>LEGACY 34 THIRD SUBDIVISION DEVELOPMENT PLAN</p> <p>GRAND ISLAND, NEBRASKA</p> </div> <div style="width: 5%; text-align: center;"> <p>2023</p> </div> </div>	<div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>REV. NO.</p> <p>DATE</p> <p>REVISIONS DESCRIPTION</p> </div> <div style="width: 55%;"> <p>REVISIONS</p> </div> </div>
<p>olsson</p>	
<p>SHEET</p>	
<p>1 of 6</p>	

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C_PBASE_02201265
C_PBASE_Lot 22_ 02201265
V_FPLAT 3RD_02201265



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201 East 2nd Street
Grand Island, NE 68801
TEL 308.384.8750
www.olson.com

REVISIONS	
REV. NO.	DATE

WATER MAIN PLAN	
LEGACY 34 THIRD SUBDIVISION DEVELOPMENT PLAN	
GRAND ISLAND, NEBRASKA	
2023	

drawn by: AST

checked by: MMR

QA/QC by: 022-01265

project no.: 022-01265

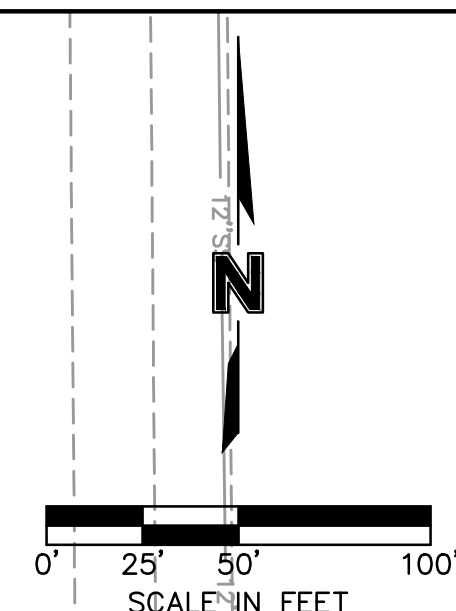
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date: 2.17.2023

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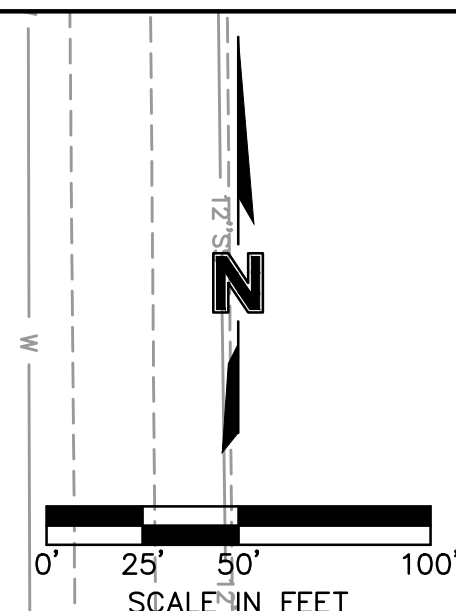
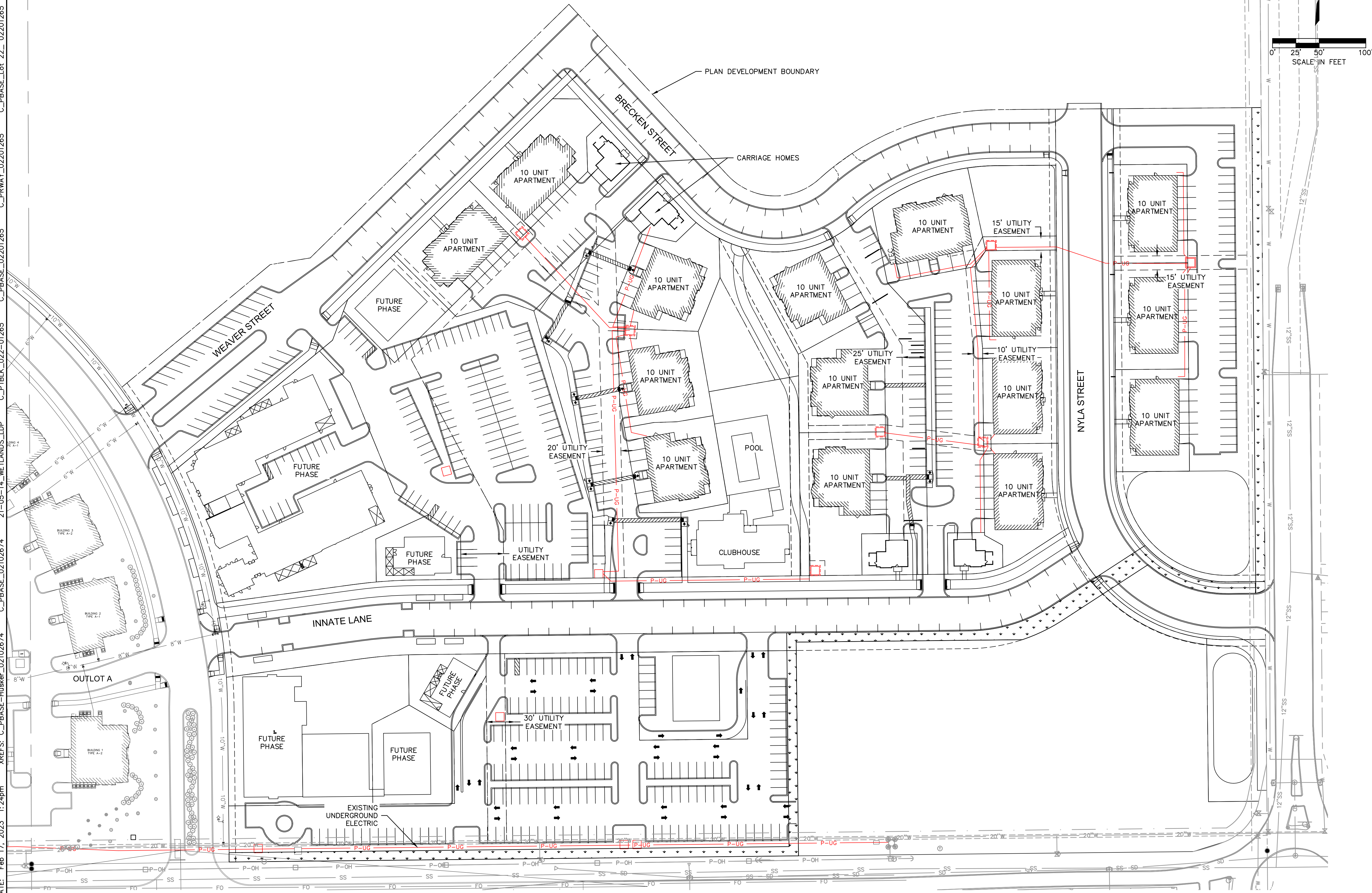
2 of 6

LEGACY 34 THIRD SUBDIVISION
SANITARY SEWER PLAN

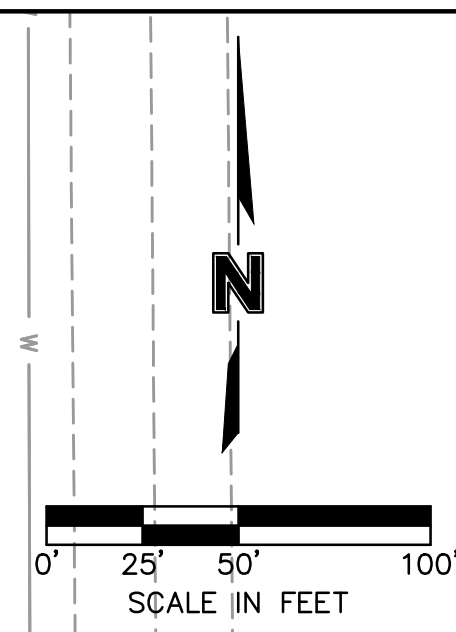
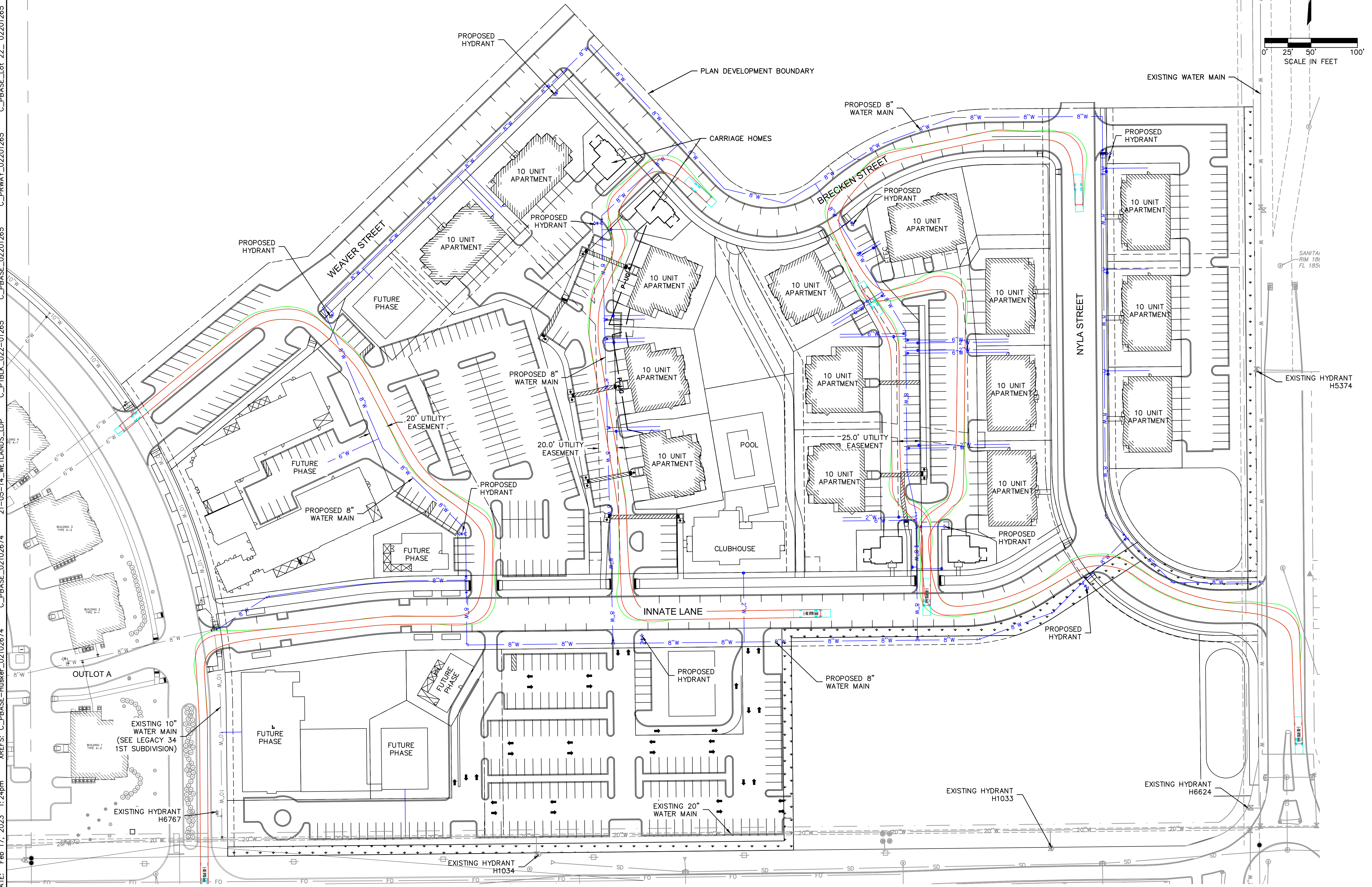


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SHEET		3 of 6		<div>olsson</div> <div>201 East 2nd Street Grand Island, NE 68801 TEL 308.384.8750 www.olsson.com</div>				

LEGACY 34 THIRD SUBDIVISION
ELECTRICAL PLAN

[illegible]

LEGACY 34 THIRD SUBDIVISION
FIRE SERVICE PLAN



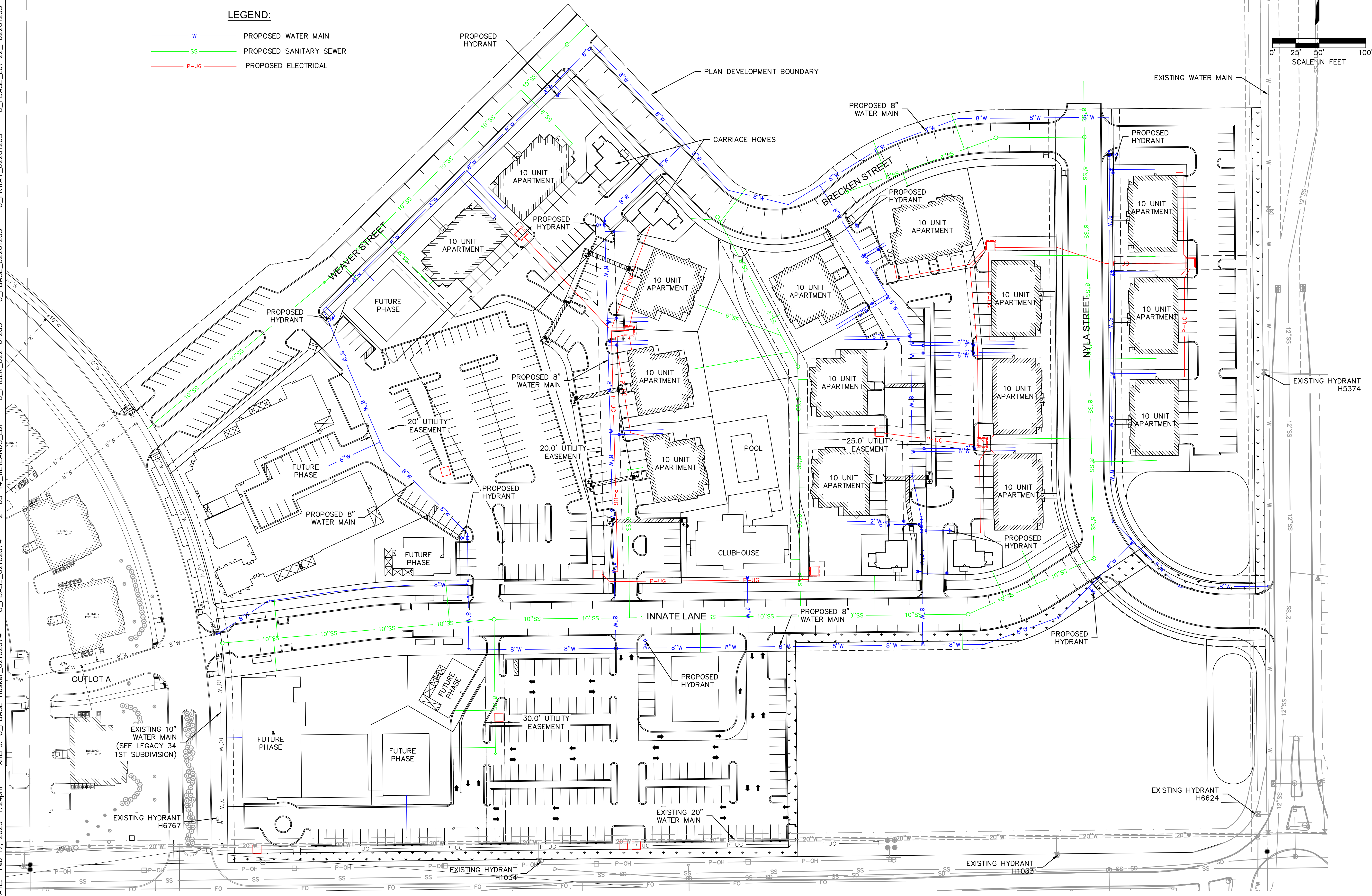
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SHEET		5 of 6						

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C:\PRWAY_02201265
C:\PBASE_02201265
C:\PBASE_Lot 22_ 02201265
V_FPLAT 3RD_02201265

LEGACY 34 THIRD SUBDIVISION UTILITIES

LEGEND:

- W PROPOSED WATER MAIN
- SS PROPOSED SANITARY SEWER
- P-UG PROPOSED ELECTRICAL



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Grand Island, NE 68801
TEL 308.384.8750
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REV. NO.	DATE	REVISIONS DESCRIPTION

COMBINED UTILITIES	2023
LEGACY 34 THIRD SUBDIVISION DEVELOPMENT PLAN	
GRAND ISLAND, NEBRASKA	

drawn by: AST
checked by: MMR
QA/QC by: 022-01265
drawing no.: 2.17.2023
date:

SHEET
6 of 6

HALL COUNTY REGIONAL PLANNING COMMISSION
PLANNED UNIT DEVELOPMENT SUBDIVISION APPLICATION

(Residential Development Zone & Commercial Development Zone)

This application must be submitted a minimum of 40 calendar days prior to a Regional Planning Commission meeting to be considered at that meeting. Planning Commission meetings are typically held on the first Wednesday of the month.

Located at E 100 1st Street Grand Island, NE
Mailing Address: P O Box 1968 Grand Island NE 68802

Owners Information

Name: Innate Development 2, LLC
Address: 1201 Allen Dr #240
City: Grand Island State: NE Zip code: 68803
Phone: 308-258-5151

Attach additional information as necessary for all parties listed as an owner on the plat and any other party such as partners, Deed of Trust holders, etc...

All owners, lien holders, etc. will be required to sign the dedication certificate on the final plat. As the applicant for this subdivision I do hereby certify that I have provided complete information regarding the ownership of the property included in this application:

By: *Jai Andrist* Date: 1/25/2023
(Applicant)

Surveyor/Engineers Information

Surveyor/Engineering Firm: Olsson
Address: 201 E 2nd Street
City: Grand Island State: NE Zip code: 68801
Phone: 308-384-8750
Surveyor/Engineer Name: Jai Andrist License Number: 630

Subdivision Information

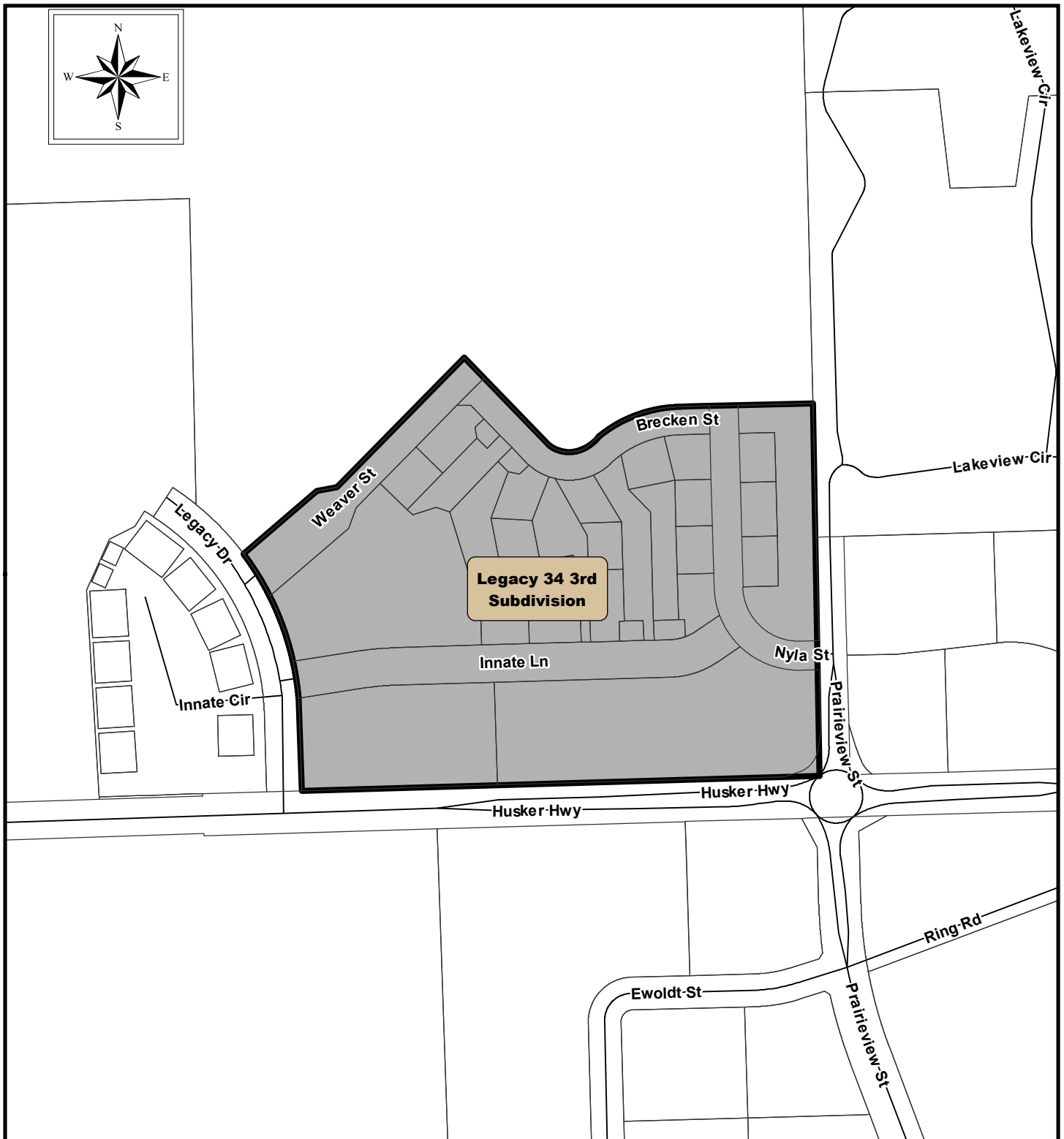
Subdivision Name: Legacy 34 Third Subdivision
Number of Acres: 20.1
Number of Out-Lots: 13 Number of Public Out-Lots: _____
Number of Out-Lots or Detention Cells Owned by Subdivision/ HOA: _____
Number of Detention Cells: 2
Number of Lots: 28
Number of Dedicated Public Streets: 1 Right of Way Widths: 62'
Number of Dedicated Private Streets (if applicable): 3
Street Widths: 32', 37'
Type of Sidewalks: ☒ Conventional Sidewalks ☐ Curb Sidewalks

Type of Dwellings (If applicable): Select from the list below:

- ☐ Single-family
☐ Single-family Attached
☐ Duplex
☒ Multi-family / Apartment House

Providing false information on this application will result in nullification of the application and forfeiture of all related fees. If you have any questions regarding this form or subdivision regulations administered by the Hall County Regional Planning Department call (308) 385-5240.

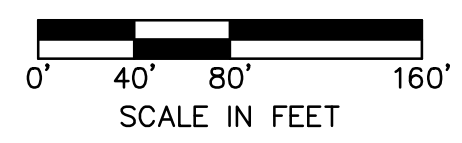
PROPOSED SUBDIVISION LOCATION MAP



THE REGIONAL PLANNING COMMISSION of Hall
County, Grand Island, Wood River and the Villages
of Alda, Cairo and Doniphan, Nebraska

1 inch = 300 feet

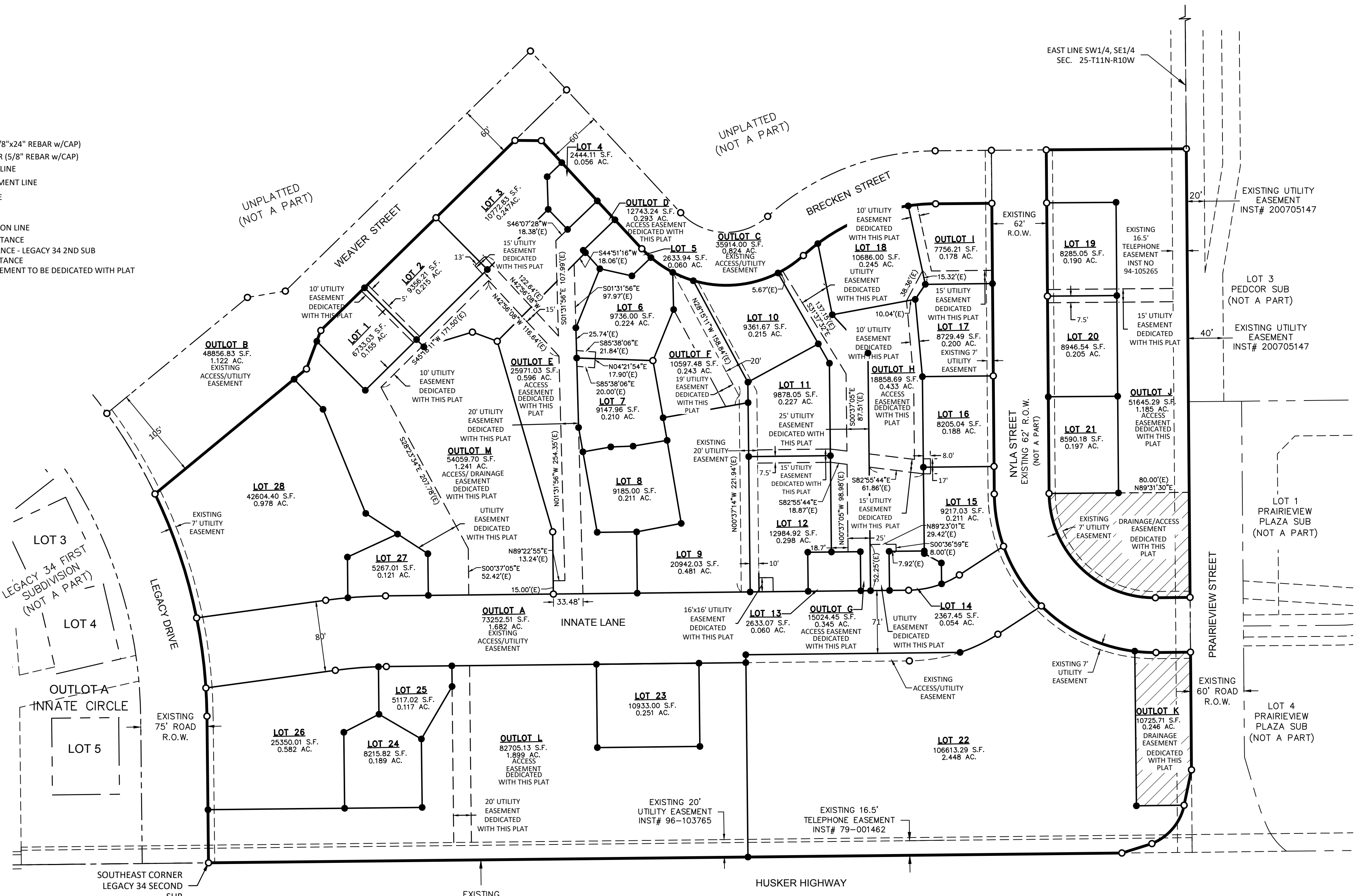
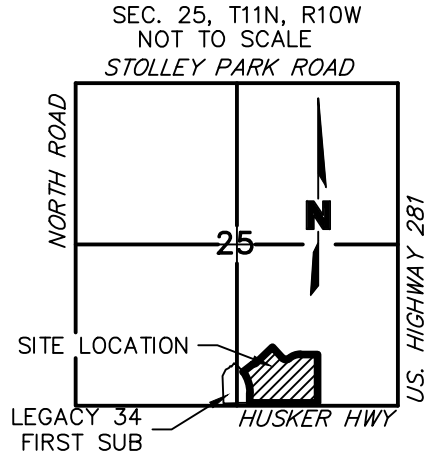
LEGACY 34 THIRD SUBDIVISION
CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA
FINAL PLAT - EASEMENTS



LEGEND

- SET CORNER (5/8"x24" REBAR w/CAP)
- FOUND CORNER (5/8" REBAR w/CAP)
- EXISTING ROW LINE
- EXISTING EASEMENT LINE
- EASEMENT LINE
- NEW LOT LINE
- NEW SUBDIVISION LINE
- M MEASURED DISTANCE
- P PLATTED DISTANCE - LEGACY 34 2ND SUB
- E EASEMENT DISTANCE
- /// DRAINAGE EASEMENT TO BE DEDICATED WITH PLAT

LOCATION MAP



SHEET 2 OF 3

	201 East 2nd Street Grand Island, NE 68801 TEL 308.384.8750 FAX 308.384.8752	PROJECT NO. 2022-01265
	Legacy 34 Phase 2	
	FB	

DWG: F:\2022\01001-01500\022-01265\40-Design\Survey\SRV\Sheets\LEGACY 34 3RD PLAT 3RD SUB UNIT D4-H
DATE: Feb 20, 2023 5:08pm XREFS: C_PBASE_02201265 UNIT U3
USER: jjimenez

LEGACY 34 THIRD SUBDIVISION
CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA
FINAL PLAT

LEGAL DESCRIPTION

A REPLAT OF ALL OF LOTS 1-23 AND ALL OF OUTLOTS A, D-J, ALL IN LEGACY 34 SECOND SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA. SAID TRACT CONTAINS A CALCULATED AREA OF 875932.17 SQUARE FEET OR 20.109 ACRES MORE OR LESS OF WHICH 0.984 ACRES ARE NEW DEDICATED ROAD RIGHT-OF-WAY.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT ON _____, 2023, I COMPLETED AN ACCURATE SURVEY, UNDER MY PERSONAL SUPERVISION, OF A TRACT OF LAND CONSISTING OF A REPLAT OF ALL OF LOTS 1-23 AND ALL OF OUTLOTS A, D-J, ALL IN LEGACY 34 SECOND SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING PLAT THEREOF; THAT IRON MARKERS, EXCEPT WHERE INDICATED, WERE FOUND AT ALL CORNERS; THAT THE DIMENSIONS ARE AS SHOWN ON THE PLAT; AND THAT SAID SURVEY WAS MADE WITH REFERENCE TO KNOWN AND RECORDED MONUMENTS.

JAI JASON ANDRIST, REGISTERED LAND SURVEYOR NUMBER, LS-630

APPROVAL

SUBMITTED TO AND APPROVED BY THE REGIONAL PLANNING COMMISSION OF HALL COUNTY, CITIES OF GRAND ISLAND, WOOD RIVER, AND THE VILLAGES OF ALDA, CAIRO, AND DONIPHAN, NEBRASKA.

CHAIRPERSON DATE

APPROVED AND ACCEPTED BY THE CITY OF GRAND ISLAND, NEBRASKA

THIS ____ DAY OF _____, 2023

MAYOR

CITY CLERK

DEDICATION OF PLAT

KNOW ALL MEN BY THESE PRESENTS, THAT INNATE DEVELOPMENT 2, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, INNATE 3, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, INNATE 4, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, INNATE 5, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, AND INNATE 6, LLC, A NEBRASKA LIMITED LIABILITY COMPANY, BEING THE OWNER OF THE LAND DESCRIBED HEREON, HAVE CAUSED SAME TO BE SURVEYED, SUBDIVIDED, PLATTED AND DESIGNATED AS "LEGACY 34 THIRD SUBDIVISION" IN ALL OF LOTS 1-23 AND ALL OF OUTLOTS A, D-J, ALL IN LEGACY 34 SECOND SUBDIVISION, IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING PLAT THEREOF AND DO HEREBY DEDICATE THE ROAD RIGHT OF WAY, AS SHOWN THEREON TO THE PUBLIC FOR THEIR USE FOREVER: AND HEREBY DEDICATE THE EASEMENTS, AS SHOWN THEREON TO THE PUBLIC FOR THEIR USE FOREVER FOR THE LOCATION, CONSTRUCTION AND MAINTENANCE FOR PUBLIC SERVICE UTILITIES, TOGETHER WITH THE RIGHTS OF INGRESS AND EGRESS HERETO, AND THAT THE FOREGOING SUBDIVISION AS MORE PARTICULARLY DESCRIBED IN THE DESCRIPTION HEREON AS APPEARS ON THIS PLAT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS AND PROPRIETORS.

IN WITNESS WHEREOF, I HAVE AFFIXED MY SIGNATURE HERETO, AT _____, NEBRASKA, THIS ____ DAY OF _____, 2023

BY SCOTT P. RIEF
MANAGING MEMBER OF INNATE DEVELOPMENT 2, LLC
MEMBER OF INNATE 3, LLC
MEMBER OF INNATE 4, LLC
SOLE MEMBER OF INNATE 5, LLC
MEMBER OF INNATE 6, LLC

ACKNOWLEDGMENT

STATE OF NEBRASKA
COUNTY OF HALL

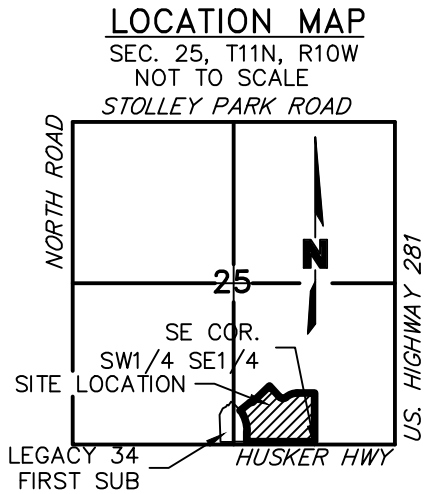
ON THIS ____ DAY OF _____, 2023, BEFORE ME, A NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED SCOTT P. RIEF
MANAGING MEMBER OF INNATE DEVELOPMENT 2, LLC

MEMBER OF INNATE 3, LLC
MEMBER OF INNATE 4, LLC
SOLE MEMBER OF INNATE 5, LLC
MEMBER OF INNATE 6, LLC

TO BE PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE SIGNATURE IS AFFIXED HERETO AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS VOLUNTARY ACT AND DEED. IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL AT _____, NEBRASKA, ON THE DATE LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC



OWNERS: INNATE DEVELOPMENT 2, LLC
INNATE 3, LLC, INNATE 4, LLC, INNATE 5, LLC,
AND INNATE 6, LLC
SUBDIVIDER: INNATE DEVELOPMENT 2, LLC
INNATE 3, LLC, INNATE 4, LLC, INNATE 5, LLC,
AND INNATE 6, LLC
SURVEYOR: OLSSON
ENGINEER: OLSSON
NUMBER OF LOTS: 28 LOTS/ 13 OUTLOTS

SHEET 3 OF 3
olsson
201 East 2nd Street
Grand Island, NE 68801
TEL 308.384.8750
FAX 308.384.8752
PROJECT NO. 2022-01265
Legacy 34
Phase 2
FB

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USER: jjimenez
UNIT D4-H
UNIT U3