



# **City of Grand Island**

**Tuesday, September 23, 2014**

**Council Session**

## **Item E-1**

**Public Hearing on Request to Rezone Property Located at 3180 US Hwy 34 from RO Residential Office to B2 General Business**

**Staff Contact: Chad Nabity**

# Council Agenda Memo

**From:** Regional Planning Commission

**Meeting:** September 23, 2014

**Subject:** To Rezone Properties from RO Residential Office to B2 General Business Zone

**Item #'s:** E-1 & F-1

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

## Background

A request to change the zoning for a tract of land in the SW ¼ of the SW ¼ of 29-11-09 from RO - Residential Office Zone to B2 - General Business Zone. The subject property is located west of Tech Drive and north of U.S. Highway 34. Portions of this property adjacent to U.S. Highway 281 were rezoned to B2 in 2007.

The proposed rezoning is consistent with the comprehensive plan. The primary purpose for this request is to place College Park as it exists today into a zoning district that is consistent with the intensity of use and that will allow them the freedom to advertise their products and services in a manner consistent with a commercial zoning district. The proposed change will have little to no impact on adjacent residential properties to the north.

## Discussion

At the regular meeting of the Regional Planning Commission, held September 3, 2014 the above item was considered following a public hearing.

O'Neill opened the Public Hearing.

Nability explained the rezone request.

O'Neill closed the Public Hearing.

A motion was made by Bredthauer to approve the rezone. Motion was seconded by Connelly to approve the rezone from RO – Residential Office to B2 – General Business Zone.

A roll call vote was taken and the motion passed with 8 members present and 7 voting in favor (Ruge, Hayes, Reynolds, Heckman, Huisman, Bredthauer and Connelly) and one member voting against (O'Neill).

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 rezoning request as presented
2. Modify the 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 and development plan as presented.

**Agenda Item 5**

**PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:**

August 20, 2014

**SUBJECT:** *Rezoning Request C-19-2014GI*

**PROPOSAL:** To change the zoning for a tract of land in the SW ¼ of the SW ¼ of 29-11-09 from RO - Residential Office Zone to B2 - General Business Zone. The subject property is located west of Tech Drive and north of U.S. Highway 34. Portions of this property adjacent to U.S. Highway 281 were rezoned to B2 in 2007.

**OVERVIEW:**

**Site Analysis**

*Current zoning designation:* RO-Residential Office Zone  
*Permitted and conditional uses:* RO: Residential and Professional Office uses  
*Comprehensive Plan Designation:* Commercial  
*Existing land uses:* College Park and Agriculture  
*Site constraints:* none

**Adjacent Properties Analysis**

*Current zoning designations:* **North:** RO-Residential Office, R3 Medium Density Residential  
**South:** B1-Light Business,  
**East:** RO-Residential Office  
**West:** B2-General Business

*Permitted and conditional uses:* RO: Residential and Professional Office uses. Retail uses limited to prescription services. No Billboards  
B2: General Service, retail and wholesale commercial uses including outdoor sales, Billboards  
B1: General Service, retail and commercial uses excluding outdoor sales, Billboards

*Comprehensive Plan Designation:* **North:** Commercial/Medium Density Residential  
**South:** Commercial  
**East:** Public

*Existing land uses:*

**West:** Commercial

**North:** Farm ground, Housing

**South:** Stuhr Museum

**East:** Central Community College

**West:** Agricultural Property, U.S. Highway  
281

## EVALUATION:

The proposed rezoning is consistent with the comprehensive plan. The primary purpose for this request is to place College Park as it exists today into a zoning district that is consistent with the intensity of use and that will allow them the freedom to advertise their products and services in a manner consistent with a commercial zoning district. The proposed change will have little to no impact on adjacent residential properties to the north.

### Positive Implications:

- *Consistent with intent of the City's Comprehensive Plan:* The City's 2004 Comprehensive Plan has designated this site for Commercial uses. Rezoning this property to B2-General Business District is consistent with the Comprehensive Plan
- *Compatible with adjacent land uses:* The B2 zone is consistent with the current zoning on surrounding properties.

### Negative Implications:

- *No negative implications foreseen.*

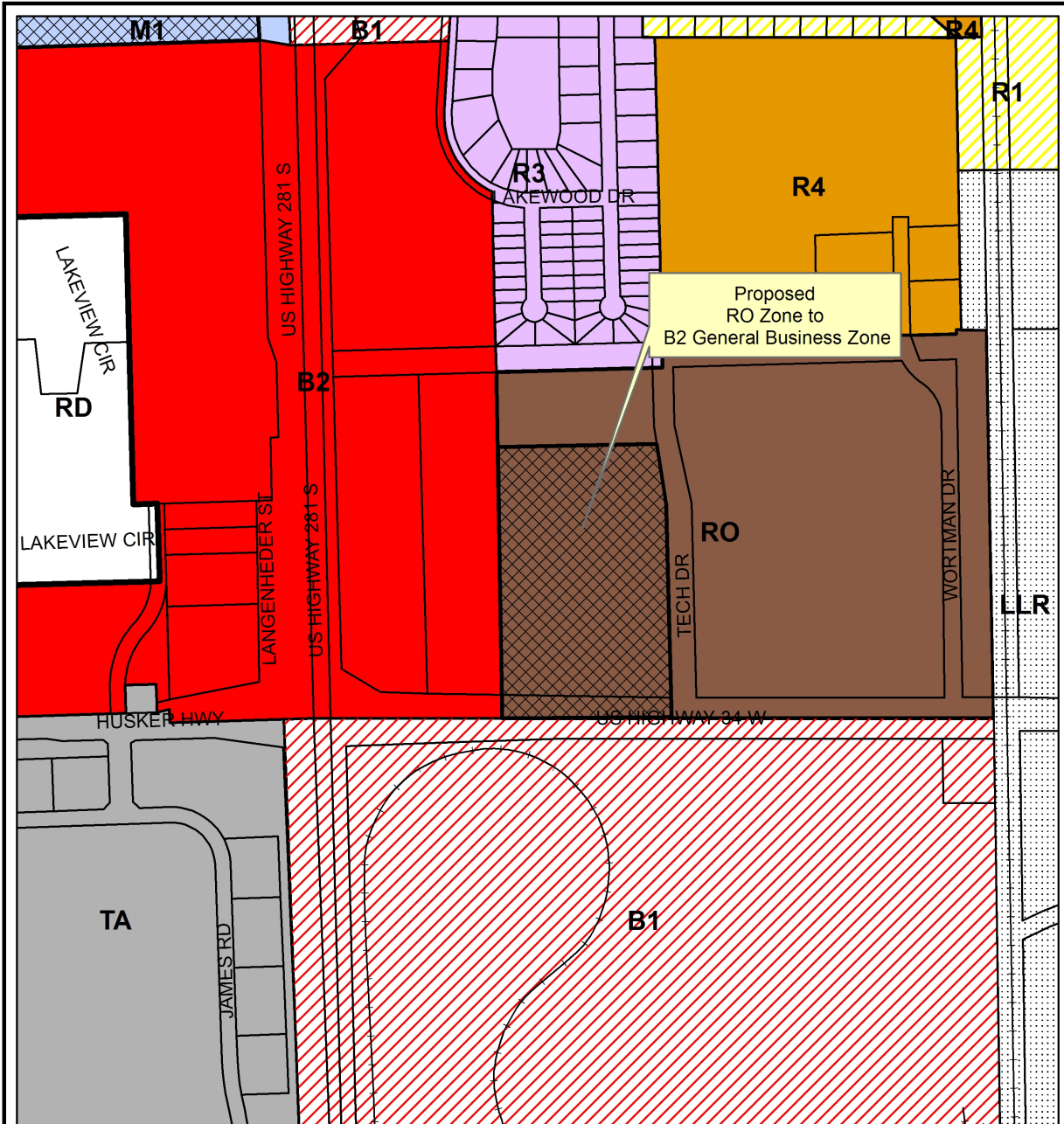
### Other Implications:

- *B2 Zone allows additional signage on site.* The B2 zone allows more signage than is permitted in the RO zoning district. The number and diversity of uses present and planned for College Park demand additional signage that would exceed the limitations of the RO zoning district.

## RECOMMENDATION:

That the Regional Planning Commission recommends that the Grand Island City Council **approve** this request to amend the rezoning from RO Residential Office to B2 General Business as presented.

\_\_\_\_\_ Chad Nability AICP, Planning Director



# Requested Zoning

- From RO : Residential Office Zone
- to B2 : General Business Zone



Scale : NONE  
C-19-2014GI



# 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 Venus King Phone (h) 308-850-0684(w) 308-398-7275

Applicant Address 3416 Graham Ave Grand Island NE 68803

Registered Property Owner (if different from applicant) College Park at Grand Island

Address 3180 W. US Hwy 34 - 68801 Phone (h) \_\_\_\_\_ (w) 308-398-7275

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

Property Address 3180 W US Hwy 34 Grand Island NE 68801

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

Lot  Block \_\_\_\_\_ Subdivision Name \_\_\_\_\_, and/or

All/part  1/4 of Section \_\_\_\_\_ Twp \_\_\_\_\_ Rge \_\_\_\_\_ W6PM

See attached

## 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)

Request to rezone College Park at Grand Island from  
RD to commercial.

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

College Park would like to put up additional signage outside  
which would require a commercial zoning classification.

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

- Evidence that proper filing fee has been submitted.
- A properly scaled map of the property to be rezoned (if applicable), and copy of deed description.
- 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).
- 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 Venus King Date 8/13/2014

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 4/30/07



**REGIONAL PLANNING COMMISSION FEES AND CHARGES:** Effective October 1, 2013

<b>Service or Product</b>	<b>Fee</b>
Zoning Map Amendment (General)	\$800.00
Zoning Ordinance Text Amendment	\$800.00
CD or RD Comprehensive Rezoning (Grand Island \$ 2 mile)	\$800.00
P.U.D. Rezoning (4 lots or less) (Hall County)	\$800.00 + \$10.00/lot
(5 lots or more) (Hall County)	

**Payment of Fees and Charges:**

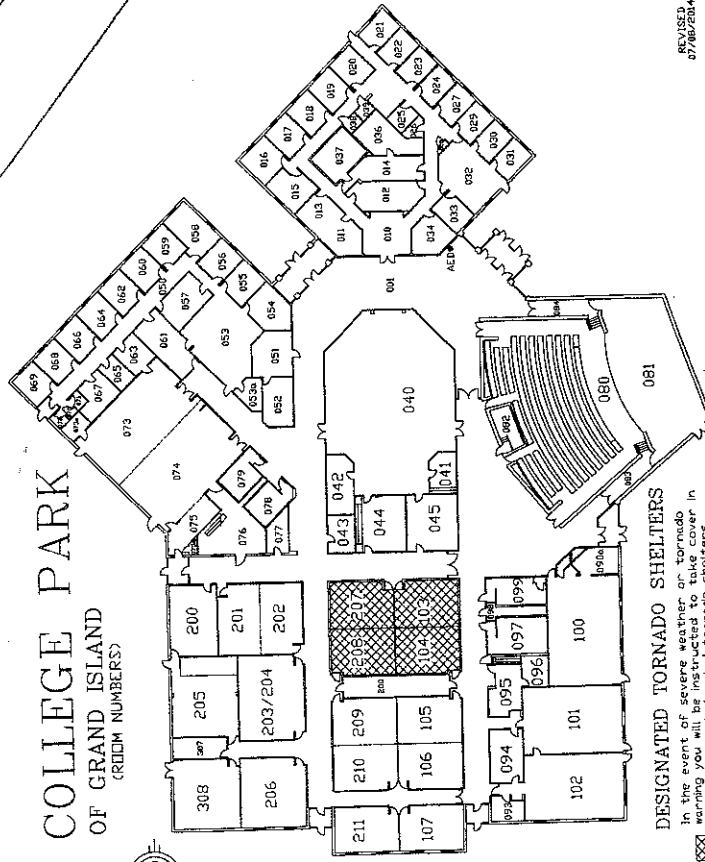
Zoning, Subdivision and Comprehensive plan amendment fees associated with land located within Grand Island or its 2 mile jurisdiction, are **payable to the City Clerk of Grand Island.**

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.**

TECH DRIVE

REVISED  
07/06/2014



COLLEGE PARK  
OF GRAND ISLAND  
(ROOM NUMBERS)

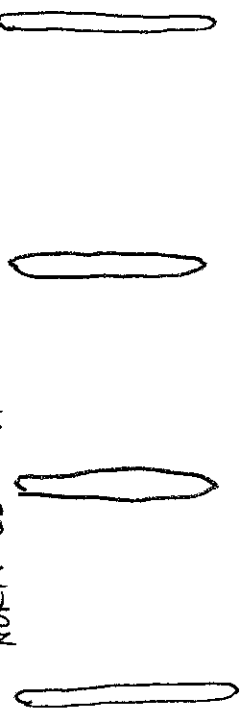


DESIGNATED TORNADO SHELTERS

In the event of severe weather or tornado warning you will be instructed to take cover in one of these designated tornado shelters. You will also be notified when the warning has expired.



NORTH EDGE OF PARKING LOT



NOT TO SCALE!

NEW ZONING TO BE HERE

*For whole property  
Not just area*

WHEREAS, College Park has constructed and owns a Center for Higher Education in Grand Island, Nebraska located on the following-described real property:

A tract of land comprising a part of the Southwest Quarter of the Southwest Quarter (SW1/4SW1/4) of Section Twenty-Nine (29), Township Eleven (11) North, Range Nine (9) West of the 6th P.M. in Grand Island, Hall County, Nebraska, more particularly described as follows:

Beginning at a point on the east line of said Southwest Quarter of the Southwest Quarter (SW1/4SW1/4), said point being Seventy-Nine and Three Tenths (79.3) feet north of the southeast corner of said Southwest Quarter of the Southwest Quarter (SW1/4SW1/4), also being a point of the northerly right-of-way line of Husker Highway and the westerly line of Tech Drive; thence northerly on an assumed bearing of N 00° 16' 02" E along the east line of said Southwest Quarter of the Southwest Quarter (SW1/4SW1/4), and the westerly line of said Tech Drive, a distance of Seven Hundred Fifty (750.0) feet; then N 07° 16' 09" W along the westerly line of said Tech Drive, a distance of Three Hundred Five and Eighty-Nine Hundredths (305.89) feet; thence N 00° 16' 02" E along the westerly line of said Tech Drive, a distance of Two Hundred Twenty-Five and Fifty-Three Hundredths (225.53) feet to the north line of said Southwest Quarter of the Southwest Quarter (SW1/4SW1/4); thence Due West along the north line of said Southwest Quarter of the Southwest Quarter (SW1/4SW1/4), a distance of One Thousand Two Hundred Forty and Twenty-Four Hundredths (1,240.24) feet to the easterly right-of-way line of U.S. Highway No. 281; thence Due South along the easterly line of said Highway No. 281, a distance of One Thousand One Hundred Thirty-Four and Sixty-Seven Hundredths (1,134.67) feet; thence S 58° 11' 47" E along the northeasterly line of said Highway No. 281, a distance of One Hundred Seventy-One and Four Tenths (171.4) feet; thence S 86° 41' 59" E along the northerly right-of-way line of said Husker Highway, a distance of Five Hundred Thirty and Two Tenths (530.2) feet; thence S 86° 20' 19" E along the northerly line of said Husker Highway, a distance of One Hundred Seventy and One Tenth (170.1) feet; thence S 88° 20' 16" E along the northerly line of said Husker Highway, a distance of Four Hundred Twenty-Nine and Six Tenths (429.6) feet to the place of beginning.

(hereinafter referred to as "the real property").

August 20, 2014

Dear Members of the Board:

**RE: Rezoning – A request to rezone the properties from RO Residential Office to B2 General Business Zone in the City of Grand Island, Hall County, Nebraska.**

For reasons of Section 19-923 Revised Statutes of Nebraska, as amended, there is herewith submitted a rezone request to the Grand Island Zoning Map from RO Residential Office to B2 General Business Zone. As shown on the enclosed map.

You are hereby notified that the Regional Planning Commission will consider this zoning change at the next meeting that will be held at 6:00 p.m. on September 3, 2014 in the Council Chambers located in Grand Island's City Hall.

Sincerely,

Chad Nability, AICP  
Planning Director

cc: City Clerk  
City Attorney  
City Public Works  
City Building Department  
City Utilities

This letter was sent to the following School Districts 1R, 2, 3, 19, 82, 83, 100, 126.