



City of Grand Island

Tuesday, February 18, 2003

Council Session

Item F1

#8794 - Consideration of Change of Land Use Designation for Property Located at 4576 West US Highway 30

This item relates to the aforementioned Public Hearing. Diane Means, has submitted a request to rezone approximately 2 acres of land located at 4576 West US Highway 30 from TA Transitional Agricultural to B2 General Business. The purpose of the request is to rezone the property to allow for a beauty shop. The Regional Planning Commission, at their meeting of February 5, 2003, voted to approve the request by a vote of 7 for and 1 against. Approval is recommended. See attached ORDINANCE.

Staff Contact: Chad Nabity

Agenda Item #4

PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

January 23, 2003

SUBJECT: *Zoning Change (C-2-2003G1)*

PROPOSAL: To rezone Lot 1 of Elrod Subdivision approximately 2 acres of land north of U.S. Highway 30 and east of Engleman Road from TA-Transitional Agriculture to B2-General Business Zone, in the City of Grand Island.

OVERVIEW:

Site Analysis

<i>Current zoning designation:</i>	TA- Transitional Agriculture
<i>Permitted and conditional uses:</i>	TA: Agricultural uses, recreational uses and residential uses at a density of 2 dwelling units per acre.
<i>Comprehensive Plan Designation:</i>	Residential with adjacent Agriculture, Business and Industrial
<i>Existing land uses.</i>	Residential

Adjacent Properties Analysis

<i>Current zoning designations:</i>	North and East: TA-Transitional Agriculture South: M1-Light Manufacturing West: -TA-Transitional Agriculture and B2-General
<i>Permitted and conditional uses:</i>	TA- Agricultural uses, recreational uses and residential uses at a density of 2 dwelling units per acre. M1- Light fabrication, service, warehousing, administrative and research uses. B2-General Commercial including outdoor display and sales, Office, Residential, Fabrication incidental to permitted uses.
<i>Comprehensive Plan Designation:</i>	North, East: Low to Medium Density Residential South: Manufacturing West: Agricultural and commercial development
<i>Existing land uses:</i>	North, and East: Single Family Residential, Agriculture, Mobile Home Park West: Agriculture and Commercial Development. South: Highway and Railroad ROW, Manufacturing

EVALUATION:

Positive Implications:

- *In general conformance with the City's Comprehensive Land Use Plan:* This particular site is designated as low to medium residential within the plan but adjacent properties are manufacturing, agricultural and commercial. Commercial uses are generally accepted and expected in this vicinity.
- *Uses would be consistent with the level of service provided by U.S. Highway 30:* This corridor is designed for traffic management. Additional development should not negatively impact the transportation systems.
- *Monetary Benefit to Applicant:* Would allow the applicant to sell this property for development into office uses. Given the size of the property it has limited potential for residential development.
- *Existing Commercial/Manufacturing.* Commercial development along this corridor is the norm. This would not be deviating from what is expected along U.S. Highway 30.

Negative Implications:

- *Spot Zoning.* This is a small parcel of property. It could be considered spot zoning because of the size of this request.

RECOMMENDATION:

That the Regional Planning Commission recommend that the Grand Island City Council change the zoning on the this site from TA-Transitional Agriculture to B2-General Business Zone.

_____ Chad Nabity AICP, Planning Director

36-30. B2 - General Business Zone

Purpose: To provide for the service, retail and wholesale needs of the general community. This zone will contain uses that have users and traffic from all areas of the community and trade areas, and therefor will have close proximity to the major traffic corridors of the City. Residential uses are permitted at the density of the R4 Zone.

(A) Permitted Principal Uses:

- (1) Uses as listed under permitted principal uses of the B1 Zone.
- (2) Stores and shops for the conduct of wholesale business, including sale of used merchandise.
- (3) Outdoor sales and rental lots for new or used automobiles, boats, motor vehicles, trailers, manufactured homes, farm and construction machinery, etc.
- (4) Specific uses within a building such as: Animal hospital area, aquarium, auction house or store, automobile repair (no body repair), automobile sales and rental, aviary, bath house, blueprinting, book bindery, bottling plant (juices and soft drinks), building supply, canvas shop, carpet cleaning, chickens (sale of chicks), dance hall, dyeing of yarns, engraver, express office, extermination, fumigation and sterilization services, feed and grain retail sales, film exchange, food lockers, furniture storage and repair, glass cutting and staining (with retail sales), gymnasium, laboratory (experimental or scientific), lapidary, leather goods (sale and incidental manufacture), lithographer, laundry, dry cleaning and dyeing plant, massage parlor, medical appliances retail sales, motel and/or hotel, newspaper printing office, office machines sales and service, optical glass grinding, pawn shop, photo finishing, plumbing shop, poultry hatchery, printer or publisher, sign painting shop, service enterprises of all kinds, sports arena, storage garage, tavern, bar or cocktail lounge, taxidermist, tire shop (repair and vulcanizing only), towel and linen service, trade or vocational school, upholstery shops, self-service storage.
- (5) Specific uses such as: Archery range, billboards, drive-in theater, golf driving range, storage yard (no junk, salvage or wrecking).
- (6) Manufacture, fabrication or assembly uses incidental to wholesale or retail sales wherein not more than 20% of the floor area is so used.

(B) Permitted Accessory Uses:

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

(C) Permitted Conditional Uses: The following uses may be permitted, if approved by the city council, in accordance with the procedures set forth in Article VIII and X of this chapter:

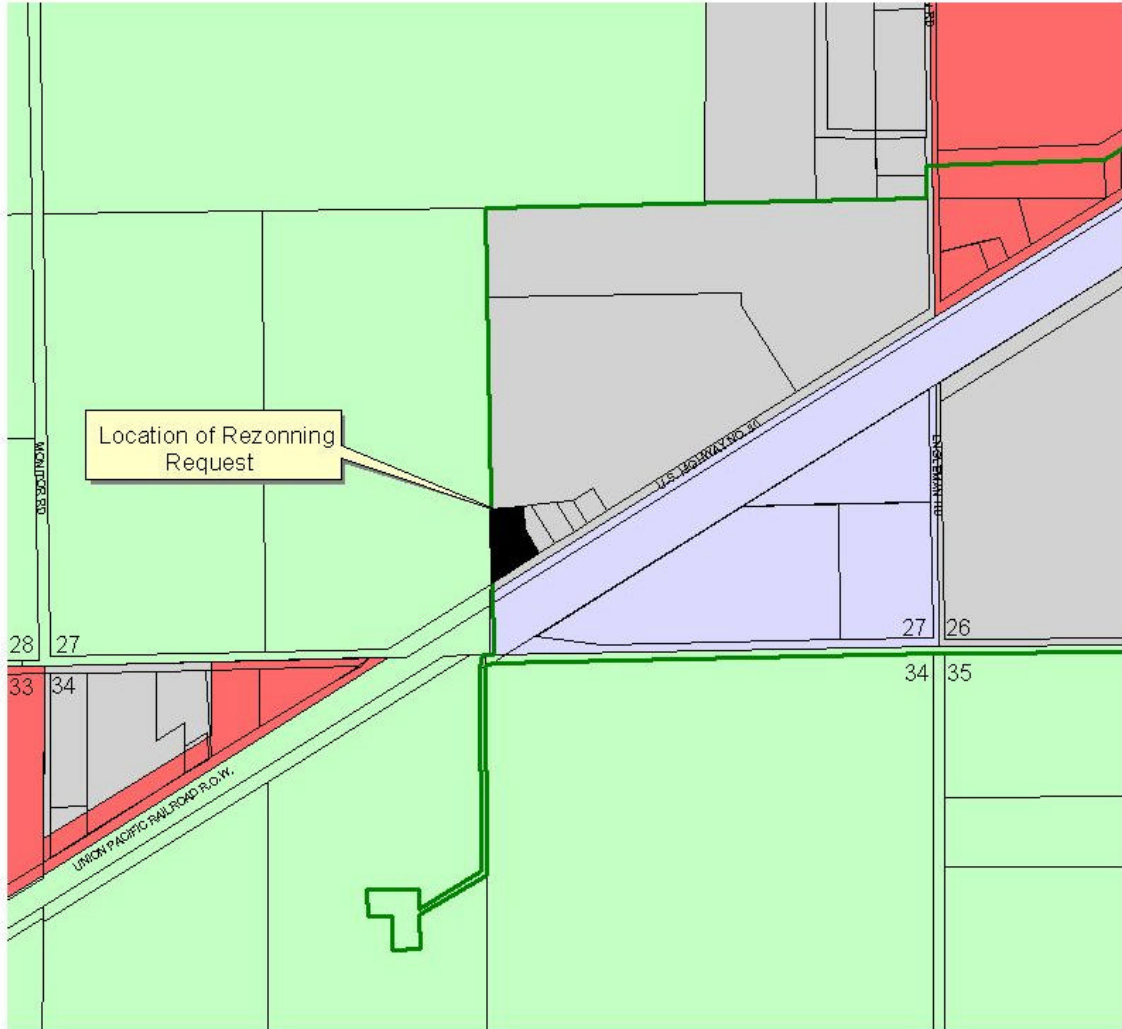
- (1) Recycling business
- (2) Towers

(D) Space Limitations:



- (1) Minimum lot area: 3,000 square feet
- (2) Minimum lot width: 30 feet
- (3) Maximum height of building: 55 feet
- (4) Minimum front yard: 10 feet
- (5) Minimum rear yard: None, if bounded by an alley, otherwise 10 feet.
- (6) Minimum side yard: None, but if provided, not less than five feet, or unless adjacent to a parcel whose zone requires a side yard setback, then five feet. In the case of a corner lot adjacent to the side street, the setback shall be 10 feet. When adjacent to a public alley, the setback is optional and may range from 0 feet to 5 feet.
- (7) Maximum ground coverage: 100%

(D) 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.



Requested Zoning

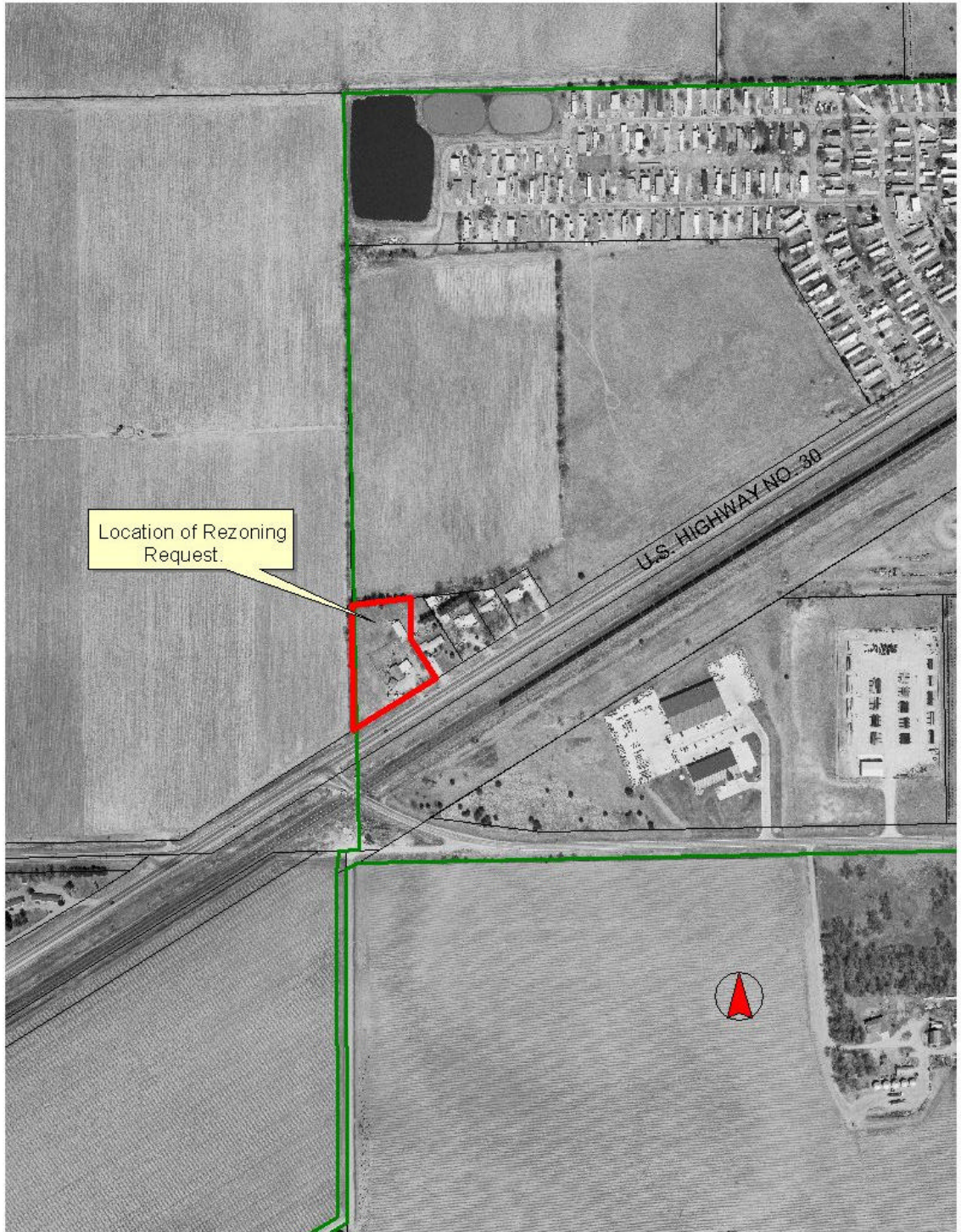
-  From TA: Transitional Agriculture Zone
-  To B2: General Business Zone

C-2-2003GI



Scale None

Regional Planning Commission
 100 East 1st St.
 Grand Island NE . 68801
 308-385-5444 Ext.210



Location of Rezoning Request.

U.S. HIGHWAY NO. 30



February 6, 2003

Honorable Jay Vavricek, Mayor
and Members of the Council
100 E. 1st Street
Grand Island NE 68801

Dear Mayor and Members of the Council:

RE: An amendment to the Zoning Map for properties located at 4576 W. US Hwy 30 Grand Island, Nebraska.

At the regular meeting of the Regional Planning Commission, held February 5, 2003 the above item was considered following a public hearing. This application proposes to rezone property comprising of 4576 W. US Hwy 30, also known as Lot 1 Elrod Subdivision from TA Transitional Agriculture to B2 General Business.

Nobody from the public spoke for or against this item.

A couple members of the Planning Commission expressed concerns with this being spot zoning. Nabity explained that while that is a valid issue, in all likelihood this property along Hwy 30 will develop as commercial or high density residential eventually. The presence of commercial zoning to the Southwest, and Northeast lends itself to this zoning change.

Following further discussion a motion was made by Wagoner 2nd by Miller to approve and recommend that the City of Grand Island approve this amendment to the Grand Island Zoning Map.

The Planning Commission passed this motion with 7 members voting in favor (Amick, O'Neill, Hooker, Eriksen, Miller, Hayes, Wagoner) and 1 member voting against (Ruge).

Yours truly,

Chad Nabity AICP
Planning Director

cc: City Attorney
Director of Public Works
Director of Utilities
Director of Building Inspections
Manager of Postal Operations

ORDINANCE NO. 8794

An ordinance rezoning certain tracts of land within the zoning jurisdiction of the City of Grand Island; changing the land use classification of a tract of land comprising all of Lot One (1), Elrod Subdivision in the city of Grand Island, Hall County, Nebraska, from TA-Transitional Agricultural Zone to B2-General Business Zone; directing the such zoning change and classification be shown on the Official Zoning Map of the City of Grand Island; amending the provisions of Section 36-7; and providing for publication and an effective date of this ordinance.

WHEREAS, the Regional Planning Commission on February 5, 2003, held a public hearing and made a recommendation on the proposed zoning of such area; and

WHEREAS, notice as required by Section 19-923, R.R.S. 1943, has been given to the Board of Education of School District No. 2 in Hall County, Nebraska; and

WHEREAS, after public hearing on February 18, 2003, the City Council found and determined the change in zoning be approved and made.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF GRAND ISLAND, NEBRASKA:

SECTION 1. The following tract of land is hereby rezoned and reclassified and changed from TA-Transitional Agricultural Zone to B2-General Business Zone:

All of Lot One (1), Elrod Subdivision in the city of Grand Island, Hall County, Nebraska.

SECTION 2. That the Official Zoning Map of the City of Grand Island, Nebraska, as established by Section 36-7 of the Grand Island City Code be, and the same is, hereby ordered to be changed, amended, and completed in accordance with this ordinance.

ORDINANCE NO. 8794 (Cont.)

SECTION 3. That this ordinance shall be in force and take effect from and after its passage and publication, within fifteen days in one issue of the Grand Island Independent as provided by law.

Enacted: February 18, 2003.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk