



City of Grand Island

Tuesday, May 25, 2004

Council Session

Item E1

Public Hearing Concerning a Request to Rezone 67 Acres North of Capital Avenue and East of Independence Avenue from TA-Transitional Agriculture to R1-Suburban Density Residential and R2-Low Density Residential

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission

Meeting: May 25, 2004

Subject: Rezoning

Item #'s: E-1 & F-7

Presenter(s): Chad Nabity AICP, Regional Planning Director

Background

This application proposes to rezone approximately 67 acres of land east of Independence Avenue and north of Capital Avenue, from TA-Transitional Agriculture to R1 Suburban Density Residential and R2 Low Density Residential, in the City of Grand Island. The stated purpose of this rezoning is to allow the subdivision of this property in accordance with the approved preliminary plat for Woodland Park Subdivision.

Discussion

This proposal is consistent with both the 1992 comprehensive plan and the 2004 comprehensive plan. The zoning requested is identical to the zoning pattern suggested by JEO Consulting Inc. and the comprehensive plan steering committee. The Planning Commission has already recommended this change for approval with the updated zoning map.

This request was made by the developers of Woodland Park so rezoning of their property can occur separate from the approval of new zoning map for the City of Grand Island. This will allow them get approval for the first phase of the Woodland Park subdivision.

At the planning commission meeting, Lisa Heineman spoke with concern that she was notified about the rezoning, but was not notified of the Preliminary Plat, and felt we need to contact surrounding property owners of such changes. She expressed concern with a large residential development in a School District that is already overcrowded, and would like the city to consider a pass through instead of a cul-de-sac in the final plat for the purpose of emergency vehicles. She also expressed concern about putting "high density" residential in an area with existing houses on 20,000 square foot lots.

The subdivision regulations do not require notification of neighbors for final or preliminary plats. These are largely administrative functions that need to be approved if they meet the requirements for the zoning districts. Notifications are sent to surrounding property owners for rezoning applications in accordance with state laws and city

regulations. The requested rezoning is for R1-Suburban Density Residential and R2-Low Density Residential not for R4-High Density Residential. The possibility of a pass through instead of cul-de-sacs could be considered with the approval of the final plat for Woodland Park Subdivision but should not be considered with the approval of the rezoning.

Alternatives

It appears that the Council has the following alternatives concerning the issue at hand. The Council may:

1. Approve the rezoning as presented
2. Modify the rezoning to meet the wishes of the Council
3. Deny the request to rezone the property
4. Table the issue

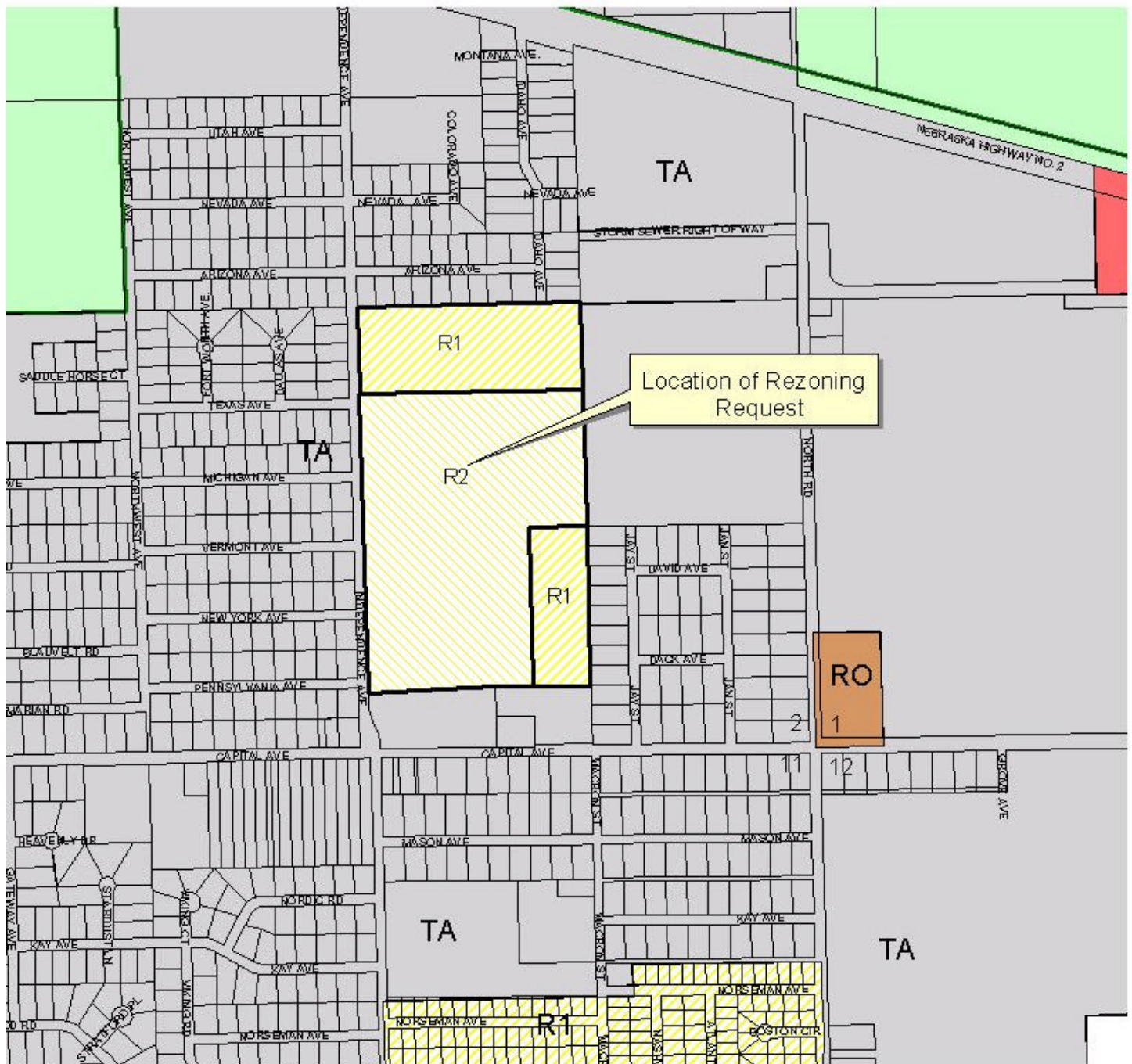
Recommendation

A motion was made by Ruge and seconded by Hayes to **approve** and recommend that the Grand island City Council **approve** this rezoning.

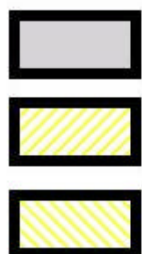
A roll call vote was taken and the motion passed with 10 members present (Amick, Haskins, O'Neill, Brown, Niemann, Miller, Ruge, Monter, Hayes, Wagoner) voting in favor.

Sample Motion

Approve this rezoning as presented.



Requested Zoning

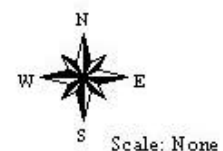


From TA: Transitional Agriculture Zone

To R1 : Suburban Residential Zone

To R2 : Low Density Residential Zone

C-20-2004G1



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

Agenda Item #4 & #5

PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

April 19, 2004

SUBJECT: *Zoning Change (C-20-2004GI)*

PROPOSAL: To rezone approximately 67 acres of land east of Independence Avenue and north of Capital Avenue, from TA-Transitional Agriculture to R1 Suburban Density Residential and R2 Low Density Residential, in the City of Grand Island. The stated purpose of this rezoning is to allow the subdivision of this property in accordance with the approved preliminary plat for Woodland Park Subdivision.

OVERVIEW:

Site Analysis

Current zoning designation:

TA-Transitional Agriculture.

Permitted and conditional uses:

TA - Agricultural uses, recreational uses and residential uses at a density of 2 dwelling units per acre.

Comprehensive Plan Designation:

Designated for future low to medium residential development.

Existing land uses.

Agricultural crops

Adjacent Properties Analysis

Current zoning designations:

North: TA-Transitional Agriculture,

South, East and West: TA-Transitional Agriculture.

Permitted and conditional uses:

TA- Agricultural uses, recreational uses and residential uses at a density of 2 dwelling units per acre.

Comprehensive Plan Designation:

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

Existing land uses:

North and West: Residential subdivision (1/2 acre lots)

East: Northwest High School and Residential subdivision (1/2 acre lots)

South: Two churches

EVALUATION:

Positive Implications:

- *Consistent with the City's Comprehensive Land Use Plan:* The subject property is designated for low to medium density residential redevelopment (typically R1 to R3).
- *Consistent with the Proposed Zoning Map Submitted with the New Comp Plan and Zoning Regulations:* The developers are proposing zoning identical to what planning commission recommended for approval to the Grand Island City Council with the new zoning map prepared as part of the updating of the Grand Island Zoning Regulations.
- *Accessible to Existing Municipal Infrastructure:* City water and sewer services are available to service the rezoning area.
- *Infill Development:* This subdivision will fill in a hole within the existing development along Independence Avenue north of Capital Avenue.
- *Monetary Benefit to Applicant:* Would allow the applicant to develop and sell this pivot corner.

Negative Implications:

- *Changes the Neighborhood:* The houses surrounding this field will no longer look out over a corn field they will have neighbors in their back yards instead of farm ground.
- *Will increase the traffic on Independence Ave:* Any development along this stretch of road is likely to increase traffic. The proposed houses on this property will generate an average of 10 trips per day per household.

Other Considerations

This proposal is consistent with both the 1992 comprehensive plan and the 2004 comprehensive plan. The zoning requested is identical to the zoning pattern suggested by JEO Consulting Inc. and the comprehensive plan steering committee. The Planning Commission has already recommended this change for approval with the updated zoning map.

This request was made by the developers of Woodland park so rezoning of their property can occur separate from the approval of new zoning map for the City of Grand Island.

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 R1-Suburban Density Residential and R2-Low Density Residential as requested and shown on the attached map.

_____ Chad Nabity AICP, Planning Director

§36-24. R1 - Suburban Residential Zone

Purpose: To provide for residential neighborhoods at a maximum density of four to five dwelling units per acre with supporting community facilities.

(A) Permitted Principal Uses:

- (1) Dwelling units
- (2) Truck, bush and tree farming, provided, there is no display or sale at retail of such products on the premises
- (3) Public parks and recreational areas
- (4) Country clubs as defined herein
- (5) Public, parochial and private schools having a curriculum equivalent to an elementary or higher educational level and colleges offering courses of general instruction, including convents, monasteries, dormitories, and other related living structures when located on the same site as the college.
- (6) Churches, synagogues, chapels, and similar places of religious worship and instruction of a quiet nature
- (7) 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 ten foot landscaped or masonry barrier on all sides. Buildings shall be of such exterior design as to harmonize with nearby properties.
- (8) Public and quasi-public buildings for cultural use
- (9) Railway right-of-way but not including railway yards or facilities

(B) Permitted Accessory Uses:

- (1) Guest buildings
- (2) Customary home occupations
- (3) Other buildings or uses accessory to the permitted principal uses

(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) Preschools, nursery schools, day care centers, children's homes, and similar facilities
- (2) Towers
- (3) Off-street parking areas for schools and places of religious worship/instruction on lands adjacent to and within three hundred (300.0) feet of the principal building associated with the aforementioned uses.

(D) Space Limitations:

- (1) Minimum lot area per dwelling unit: 9,000 square feet
- (2) Minimum lot width: 70 feet
- (3) Maximum height of building: 35 feet
- (4) Minimum front yard: 25 feet
- (5) Minimum rear yard: 20 feet
- (6) Minimum side yard: 10 feet; a corner lot shall have a minimum setback adjacent to the side street equal to 50% of the required front yard
- (7) Maximum ground coverage: 30%

(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

§36-25. R2 - Low Density Residential Zone

Purpose: To provide for residential neighborhoods at a maximum density of seven dwelling units per acre with supporting community facilities.

(A) Permitted Principal Uses:

- (1) Dwelling units
- (2) Truck, bush and tree farming, provided, there is no display or sale at retail of such products on the premises
- (3) Public parks and recreational areas
- (4) Country clubs as defined herein
- (5) Public, parochial and private schools having a curriculum equivalent to an elementary or higher educational level and colleges offering courses of general instruction, including convents, monasteries, dormitories, and other related living structures when located on the same site as the college
- (6) Churches, synagogues, chapels and similar places of religious worship and instruction of a quiet nature
- (7) 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.
- (8) Public and quasi-public buildings for cultural use
- (9) Railway right-of-way, but not including railway yards or facilities

(B) Permitted Accessory Uses:

- (1) Customary home occupations
- (2) Buildings 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) Preschools, nursery schools, day care centers, children's homes and similar facilities
- (2) Towers
- (3) Off-street parking areas for schools and places of religious worship/instruction on lands adjacent to and within three hundred (300.0) feet of the principal building associated with the aforementioned uses.

(D) Space Limitations:

- (1) Minimum lot area per dwelling unit: 6,000 square feet
- (2) Minimum lot width: 50 feet
- (3) Maximum height of buildings: 35 feet
- (4) Minimum front yard: 25 feet
- (5) Minimum rear yard: 20 feet
- (6) Minimum side yard: 5 feet; a corner lot shall have a minimum setback adjacent to the side street equal to 50% of the required front yard
- (7) Maximum ground coverage: 35%

(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.