



City of Grand Island

Tuesday, November 08, 2005

Council Session

Item F1

#9012 - Consideration of Annexation of Property Located South of Case New Holland and West of US Highway 281 (Final Reading)

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission
Meeting: November 8, 2005
Subject: Annexation
Item #'s: F-1 (Third Reading)
Presenter(s): Chad Nabity AICP, Regional Planning Director

Background

Annexation of land located in the SE ¼ NE ¼ 25-11-10 into the Grand Island City Limits. (Exhibit A). The owners of this property have requested that the city consider this property for annexation in preparation for development. Council forwarded this request to the Hall County Regional Planning Commission and approved an annexation plan on this property.

The Developers of this property requested on November 3, 2005 that this annexation be tabled until such time as the Council considers the rezoning and final platting of this property. They anticipate that rezoning and platting will occur in early 2006.

Discussion

On September 7th, 2005 the Hall County Regional Planning Commission held a public hearing before considering this matter.

No members of the public testified at the hearing held by the Regional Planning Commission.

This property is adjacent to and contiguous with the Grand Island City limits on all sides.

Sewer and water are available to the property included in this annexation request. This property is within the Grand Island Utilities Electrical Service District. This property is not within the Grand Island School District. Annexing these properties will not impact the two mile extraterritorial jurisdiction of Grand Island.

Alternatives

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

1. Approve the annexation as presented
2. Modify the annexation to meet the wishes of the Council
3. Table the issue

Recommendation

A motion was made by Haskins 2nd by Ruge to approve and recommend that the City of Grand Island **approve** this annexation and as presented.

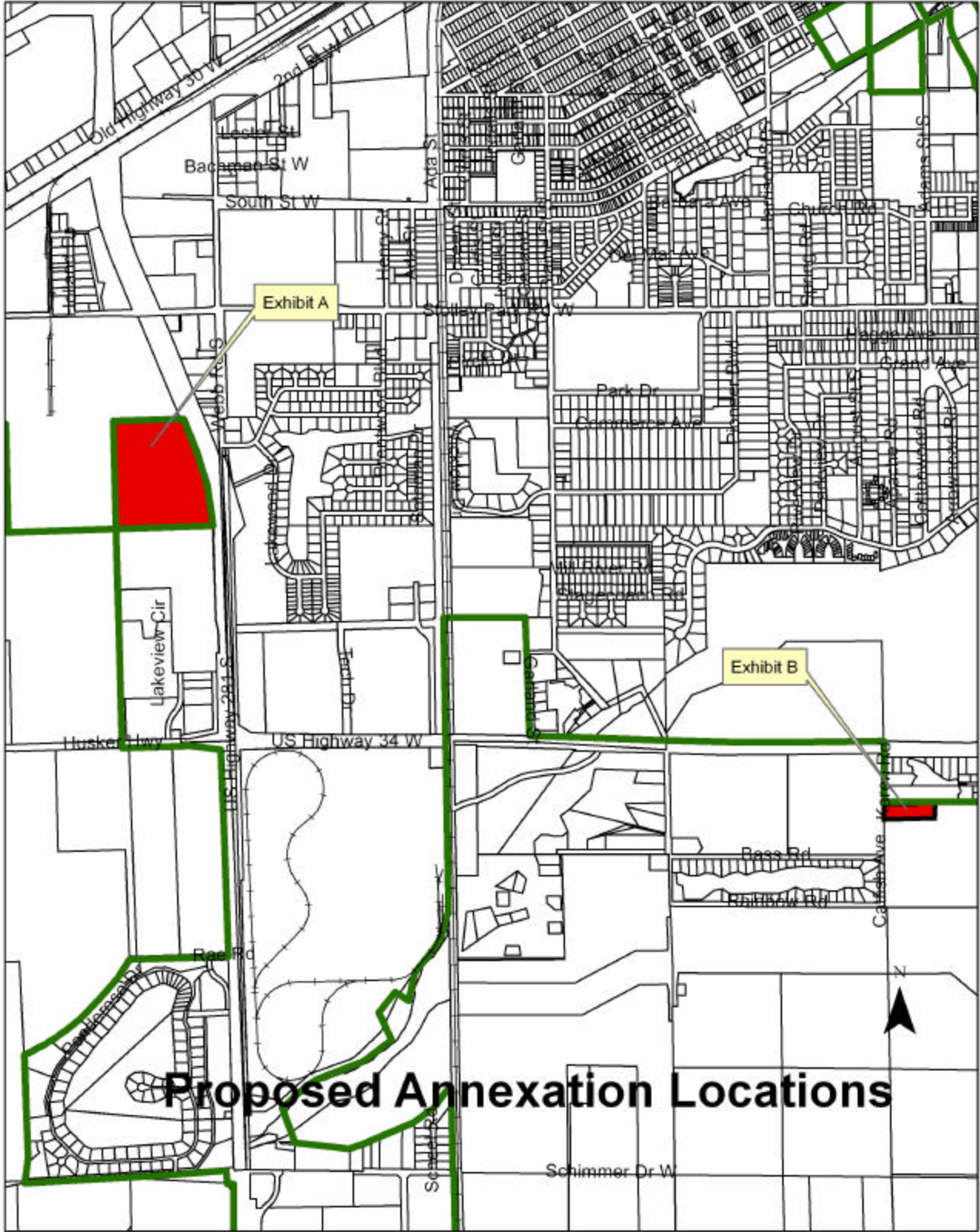
A roll call vote was taken and the motion passed with 11 members present (Haskins, Reynolds, O'Neill, Brown, Niemann, Miller, Eriksen, Ruge, Monter, Hayes, Wagoner) voting in favor.

Recommendation From Staff

Based upon the request from the developer Staff would recommend that consideration of this item be tabled until such time as the rezoning application and final plat for this property are approved by the City Council and/or for a period of six months.

Sample Motion

Move that this application be tabled until such time as Council is considering approval of the rezoning and final plat for this property and/or for a period of six months if the application to rezone and plat the property has not been filed.



RaNae Edwards

From: Chad Nabity
Sent: Thursday, November 03, 2005 4:14 PM
To: Gary Greer, RaNae Edwards
Subject: FW: Annexation of Becker Property

Gary and RaNae,

I just received this. I would suggest that we just ask council to table action on this until the rezoning and subdivision of this property comes forward for approval or for 6 months whichever comes first.

Chad Nabity, AICP
Hall County Regional Planning Director
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100 E 1st Street
Grand Island, Nebraska 68803
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www.grand-island.com

-----Original Message-----

From: Walt Lautner [<mailto:Wlautner@cproperties.com>]
Sent: Thursday, November 03, 2005 3:52 PM
To: Chad Nabity
Subject: Annexation of Becker Property

Chad,

Continental Properties Company, Inc, CPCI, has entered into a contract to purchase the Becker property and had previously requested the City of Grand Island to begin the annexation process. At this time CPCI respectfully requests the final reading of the annexation not take place until approval of the final plat and rezoning of the property occurs.

CPCI and our tenants are still full committed to this project and anticipate meeting with the City in early 2006 to seek our approvals from the city.

If you have questions regarding this issue or need further information regarding the project, please contact me at your convenience.

Sincerely,

Walt Lautner
Retail Leasing Director
Continental Properties Company Inc.
262-532-9359

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11/3/2005

* This Space Reserved For Register of Deeds *

ORDINANCE NO. 9012

An ordinance to extend the boundaries and include within the corporate limits of, and to annex to the City of Grand Island, Nebraska, a tract of land comprising a part of the Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4) of Section Twenty Five (25), Township Eleven (11) North, Range Ten (10) West of the 6th P.M. in Hall County, Nebraska; to provide service benefits thereto; to confirm zoning classifications; to repeal any ordinance or resolutions or parts of thereof in conflict herewith; to provide for publication in pamphlet form; and to provide the effective date of this ordinance.

WHEREAS, after public hearing on September 7, 2005, the Regional Planning Commission recommended the approval of annexing into the City of Grand Island, a part of the Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4) of Section Twenty Five (25), Township Eleven (11) North, Range Ten (10) West of the 6th P.M. in Hall County, Nebraska, more particularly described as follows, into the City of Grand Island, Hall County, Nebraska:

Beginning at the northwest corner of Lot Five (5), Pedcor Subdivision, said point also being the southwest corner of the Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4) of Section 25-11-10; thence north on the west line of the Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4) of Section 25-11-10 to the northwest corner of the Southeast Quarter of the Northeast Quarter (SE1/4,

Approved as to Form	☐ _____
November 3, 2005	☐ City Attorney

ORDINANCE NO. 9012 (Cont.)

NE1/4) of Section 25-11-10; thence east on the north line of the Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4) of Section 25-11-10 to the west line of U.S. Highway 281; thence south and east on the west line of U.S. Highway 281 to the south line of the Southeast Quarter of the Northeast Quarter (SE1/4, NE1/4) of Section 25-11-10; thence west on the south line of the Southeast Quarter of the Northeast Quarter of Section 25-11-10 to the point of beginning, as shown on Exhibit "A" attached hereto and incorporated herein by this reference; and

WHEREAS, after public hearing on October 11, 2005, the City Council of the City of Grand Island found and determined that such annexation be approved; and

WHEREAS, on October 11, 2005, the City Council of the City of Grand Island approved such annexation on first reading; and

WHEREAS, on October 25, 2005, the Council of the City of Grand Island approved such annexation on second reading.

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

SECTION 1. It is hereby found and determined that:

(A) The above described tract of land is urban or suburban in character, and that the subject property is contiguous or adjacent to the corporate limits of said City.

(B) The subject land will receive the material benefits and advantages currently provided to land within the City's corporate limits including, but not limited to police, fire, emergency services, street maintenance, and utilities services upon annexation to the City of Grand Island, Nebraska, and that City electric, water and sanitary sewer service is available, or will be made available, as provided by law.

(C) The various zoning classifications of the land shown on the Official Zoning Map of the City of Grand Island, Nebraska, are hereby confirmed.

ORDINANCE NO. 9012 (Cont.)

(D) There is unity of interest in the use of the said tract of land, lots, tracts, highways and streets (lands) with the use of land in the City, and the community convenience and welfare and in the interests of the said City will be enhanced through incorporating the subject land within the corporate limits of the City of Grand Island.

(E) The plan for extending City services adopted by the City Council by the passage and approval of Resolution No. 2005-246 is hereby approved and ratified as amended.

SECTION 2. The boundaries of the City of Grand Island, Nebraska, be and are hereby extended to include within the corporate limits of the said City the contiguous and adjacent tract of land located within the boundaries described above.

SECTION 3. The subject tract of land is hereby annexed to the City of Grand Island, Hall County, Nebraska, and said land and the persons thereon shall thereafter be subject to all rules, regulations, ordinances, taxes and all other burdens and benefits of other persons and territory included within the City of Grand Island, Nebraska.

SECTION 4. The owners of the land so brought within the corporate limits of the City of Grand Island, Nebraska, are hereby compelled to continue with the streets, alleys, easements, and public rights-of-way that are presently platted and laid out in and through said real estate in conformity with and continuous with the streets, alleys, easements and public rights-of-way of the City.

SECTION 5. That a certified copy of this Ordinance shall be recorded in the office of the Register of Deeds of Hall County, Nebraska and indexed against the tracts of land.

ORDINANCE NO. 9012 (Cont.)

SECTION 6. Upon taking effect of this Ordinance, the services of said City shall be furnished to the lands and persons thereon as provided by law, in accordance with the Plan for Extension of City Services adopted by herein.

SECTION 7. That all ordinances and resolutions or parts thereof in conflict herewith are hereby repealed.

SECTION 8. This ordinance shall be in full force and effect from and after its passage, approval and publication, in pamphlet form, as provided by law.

Enacted: November 8, 2005.

Jay Vavricek, Mayor

Attest:

RaNae Edwards, City Clerk