



# City of Grand Island

Tuesday, September 26, 2006

Council Session

## Item F3

**#9079 - Consideration of Change of Zoning for a Tract of Land Proposed for Platting as Sterling Estates Subdivision from R1 Suburban Residential & R4 High Density Residential to R1 Suburban Residential, R4 High Density Residential & RO Residential Office**

*This item relates to the aforementioned Public Hearing Item E-5.*

Staff Contact: Chad Nabity

ORDINANCE NO. 9079

An ordinance rezoning a certain tract of land within the zoning jurisdiction of the City of Grand Island; changing the land use classification of a tract of land comprising of a part of the Northwest Quarter (NW ¼) of Section Twelve (12), Township Eleven (11) North, Range Ten (10) West of the 6<sup>th</sup> P.M. in Hall County, Nebraska, from R4 High Density Residential to RO Residential; 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 September 6, 2006, 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 Boards of Education of the school districts in Hall County, Nebraska; and

WHEREAS, after public hearing on September 26, 2006, 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 to R4 High Density Residential:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER (NW1/4) OF SECTION TWELVE (12), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER (NW1/4) OF SAID SECTION 12; THENCE ON AN ASSUMED BEARING OF S00°15'36"W UPON AND ALONG THE EAST LINE OF SAID

ORDINANCE NO. 9079 (Cont.)

NW1/4 A DISTANCE OF 32.89 FEET TO THE POINT OF INTERSECTION OF SAID EAST LINE AND THE SOUTH RIGHT-OF-WAY (R.O.W.) LINE OF CAPITAL AVENUE; THENCE N89°00'37"W ALONG SAID SOUTH R.O.W. LINE A DISTANCE OF 90.00 FEET; THENCE S00°15'38"W A DISTANCE OF 616.79 FEET TO THE POINT OF BEGINNING; THENCE N89°07'20"W A DISTANCE OF 1152.03 FEET; THENCE S00°52'40"W A DISTANCE OF 1279.60 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 40°00'00", AN ARC LENGTH OF 69.81 FEET, A RADIUS OF 100.00 FEET AND A CHORD BEARING S19°07'20"E FOR A DISTANCE OF 68.40 FEET; THENCE S39°07'20"E A DISTANCE OF 221.03 FEET TO A POINT ON THE WEST LINE OF A UNPLATTED TRACT OF LAND; THENCE N00°16'07"E ALONG THE WEST LINE OF SAID UNPLATTED TRACT A DISTANCE OF 559.76 FEET TO THE NORTHWEST CORNER OF SAID UNPLATTED TRACT; THENCE N89°45'31"W ALONG THE NORTH LINE OF SAID UNPLATTED TRACT AND THE NORTH LINE OF AUTUMN PARK SECOND SUBDIVISION A DISTANCE OF 635.43 FEET TO THE NORTHWEST CORNER OF AUTUMN PARK SUBDIVISION; THENCE N89°45'04"W ALONG THE NORTH LINE OF AUTUMN PARK SUBDIVISION A DISTANCE OF 367.30 FEET; THENCE N00°15'38"E A DISTANCE OF 942.44 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 1,172,243 SQUARE FEET OR 26.91 ACRES MORE OR LESS.

SECTION 2. The following tract of land is hereby rezoned and reclassified and changed to RO Residential Office:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER (NW1/4) OF SECTION TWELVE (12), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER (NW1/4) OF SAID SECTION 12; THENCE ON AN ASSUMED BEARING OF S00°15'36"W UPON AND ALONG THE EAST LINE OF SAID NW1/4 A DISTANCE OF 32.89 FEET TO THE POINT OF INTERSECTION OF SAID EAST LINE AND THE SOUTH RIGHT-OF-WAY (R.O.W.) LINE OF CAPITAL AVENUE; THENCE N89°00'37"W ALONG SAID SOUTH R.O.W. LINE A DISTANCE OF 90.00 FEET TO THE POINT OF BEGINNING; THENCE S00°15'38"W A DISTANCE OF 616.79 FEET; THENCE N89°07'20"W A DISTANCE OF 932.03 FEET; THENCE N00°52'40"E A DISTANCE OF 618.56 FEET TO A POINT ON THE SOUTH R.O.W. LINE OF CAPITAL AVENUE; THENCE S89°00'37"E ALONG SAID SOUTH R.O.W. LINE A DISTANCE OF 925.39 FEET TO THE POINT OF BEGINNING. SAID TRACT CONTAINS 573,623 SQUARE FEET OR 13.17 ACRES MORE OR LESS.

SECTION 3. The following tract of land is hereby rezoned and reclassified and changed

ORDINANCE NO. 9079 (Cont.)

to R1 Suburban Density Residential:

A TRACT OF LAND LOCATED IN THE NORTHWEST QUARTER (NW1/4) OF SECTION TWELVE (12), TOWNSHIP ELEVEN (11) NORTH, RANGE TEN (10) WEST, HALL COUNTY, NEBRASKA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE NORTHWEST QUARTER (NW1/4) OF SAID SECTION 12; THENCE ON AN ASSUMED BEARING OF N89°07'58"W UPON AND ALONG THE SOUTH LINE OF SAID NW1/4 AND THE NORTH RIGHT-OF-WAY (R.O.W.) LINE OF STATE STREET A DISTANCE OF 1152.95' FEET, TO THE INTERSECTION OF THE NORTH R.O.W. LINE OF STATE STREET AND WEST R.O.W. OF EBONY LANE, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE N89°07'58"W ALONG AND UPON SAID NORTH R.O.W. LINE OF STATE STREET A DISTANCE OF 170.01' FEET TO THE SOUTHEAST CORNER OF THE WEST HALF OF THE SOUTHWEST QUARTER (W1/2, SW1/4) OF SAID SECTION 12; THENCE N89°07'20"W A DISTANCE OF 1022.41' FEET; THENCE N00°24'10"E A DISTANCE OF 825.17' FEET; THENCE N89°09'11"W A DISTANCE OF 266.93' FEET TO A POINT ON THE EAST ROW OF NORTH ROAD; THENCE N 89°09'11W A DISTANCE OF 32.92' FEET TO A POINT ON THE WEST LINE OF THE NORTHWEST QUARTER OF SECTION 12; THENCE N00°27'51"E ALONG SAID WEST LINE OF SECTION 12 A DISTANCE OF 49.75' FEET; THENCE S89°11'37"E A DISTANCE OF 32.91' FEET TO A POINT ON THE EAST ROW LINE OF NORTH ROAD; THENCE S89°11'37"E A DISTANCE OF 267.02' FEET; THENCE N00°26'09"E A DISTANCE OF 144.91' FEET; THENCE N89°11'05"W A DISTANCE OF 266.96' FEET TO A POINT ON THE EAST ROW LINE OF NORTH ROAD; THENCE N89°11'05"W A DISTANCE OF 32.90' FEET TO A POINT ON THE WEST LINE OF SAID NORTHWEST QUARTER; THENCE N00°27'51"E ALONG SAID WEST LINE OF THE NORTHWEST QUARTER A DISTANCE OF 1360.86' FEET TO THE SOUTHWEST CORNER OF NORTHWEST SUBDIVISION; THENCE S89°01'20"E ALONG THE SOUTH LINE OF NORTHWEST SUBDIVISION A DISTANCE OF 33.16' FEET TO A POINT ON THE EAST ROW LINE OF NORTH ROAD; THENCE S89°01'20"E AND CONTINUING ALONG SAID SOUTH LINE A DISTANCE OF 1089.87' FEET TO THE SOUTHEAST CORNER OF NORTHWEST SUBDIVISION; THENCE N00°26'38"E A DISTANCE 240.99' FEET TO A POINT ON THE SOUTH ROW OF CAPITAL AVENUE; THENCE S89°00'37"E ALONG THE SOUTH ROW LINE OF CAPITAL AVENUE A DISTANCE OF 498.48 FEET; THENCE S00°52'40"W A DISTANCE OF 618.56 FEET; THENCE N89°07'20"W A DISTANCE OF 220.00 FEET; THENCE S00°52'40"W A DISTANCE OF 1279.60 FEET TO A POINT OF CURVATURE; THENCE AROUND A CURVE IN A COUNTER CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 40°00'00", AN ARC LENGTH OF 69.81 FEET; A RADIUS OF 100.00 FEET AND A CHORD BEARING S19°07'20"E FOR A DISTANCE OF 68.40 FEET; THENCE S39°07'20"E A DISTANCE OF 221.03 FEET TO A POINT ON THE WEST LINE OF A UNPLATTED TRACT OF LAND; THENCE S00°16'07"W ALONG THE WEST LINE OF SAID UNPLATTED TRACT A DISTANCE OF 370.92 FEET TO THE NORTHEAST CORNER OF EBONY LANE; THENCE N89°56'19"W ALONG THE NORTH ROW LINE OF EBONY LANE A

ORDINANCE NO. 9079 (Cont.)

DISTANCE OF 60.08' FEET; THENCE S00°13'21"W ALONG THE WEST ROW OF EBONY LANE A DISTANCE OF 115.03' FEET TO THE POINT OF BEGINNING: SAID TRACT CONTAINS 3,312,927 SQUARE FEET OR 76.05 ACRES MORE OR LESS.

SECTION 4. That the Official Zoning Map of the City of Grand Island, Nebraska, as established by Section 36-51 of the Grand Island City Code be, and the same is, hereby ordered to be changed, amended, and completed in accordance with this ordinance.

SECTION 5. 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: September 26, 2006.

---

Jay Vavricek, Mayor

Attest:

---

RaNae Edwards, City Clerk