



City of Grand Island

Tuesday, March 25, 2008

Council Session

Item F3

**#9161 - Consideration of Reversion of Zoning on Ewoldt
Subdivision from CD Commercial Development to TA Transitional
Agriculture and the Proposed Kings Crossing Subdivision from
CD Commercial Development to B2 General Business**

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission

Meeting: March 25, 2008

Subject: Re-adoption City of Grand Island Zoning Map

Item #'s: F-3

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

Background

Concerning the re-adoption of the City of Grand Island Zoning Map, as produced using the Hall County Geographic Information System as the official zoning map for the City of Grand Island.

Discussion

At the regular meeting of the Regional Planning Commission, held February 6, 2008, the above item was considered following a public hearing. This map will be used as the official map to show zoning, the Grand Island City Limit Lines and 2 mile extraterritorial jurisdiction incorporating all annexation and zoning actions since this map became official on March 13, 2007.

The City Council held a public hearing on this item at their meeting on March 11, 2008. No members of the public spoke at the public hearing

Included below you will find the Planning Directors report to the Planning Commission on this item with a summary of the changes.

PROPOSAL:

On March 13, 2007 the Grand Island City Council approved using a map produced from the Hall County GIS as the official zoning map for the City of Grand Island based on the 2004 Comprehensive Plan for the City of Grand Island with all changes to the map as approved through March 13, 2007. As a matter of course, the City of Grand Island occasionally re-adopts the zoning map incorporating all changes since the last re-adoption of the entire map along with other changes as recommended by staff and the Hall County Regional Planning Commission. This will allow a newly revised and adopted copy of the map to be printed for official use by Council, staff and the general public. This hearing is being held for that purpose. This map will also serve to give

notice to all parties that the Grand Island City limits, and 2 mile extraterritorial jurisdiction, is as shown on the map.

BACKGROUND:

The following chart shows the changes that have been approved by the Regional Planning Commission and the Grand Island City Council since March 13, 2007, including proposed changes through February 28, 2008.

Id	FILEDATE	ORDINANCE	CHANGE	LEGAL	CASE
1	3/27/2007	9110	R2 to R3	Woodland Park	C-13-2007GI
2	5/8/2007	9085	M2 to R4	Frank P. Barks E 7th Street	C-16-2007GI
3	5/8/2007	9116	LLR to B2	Chief Industries on Stolley Park Rd	C-15-2007GI
4	5/22/2007	9119	Amended CD Zone	Conestoga Mall (El Toro)	C-18-2006GI
5	7/24/2007	9128	Amended RD Zone	Ponderosa Lake Estates	C-21-2007GI
6	7/25/2006	9129	RO to B2	College Park	C-23-2007GI
7	11/27/2007	9150	Amended RD Zone	Nottingham Estates	C-04-2008GI

The changes shown on this chart are represented on the new version of the Grand Island Zoning map. A map delineating the location of these changes is attached.

There were no additions to the City of Grand Island that changed the city limits lines and/or the extraterritorial jurisdiction since the annexation of industrial property and power plant annexation in southeast Grand Island. Those changes were approved on March 13, 2007. All changes to the zoning map for those changes were incorporated on March 13, of 2007.

ADDITIONAL CHANGES

Staff is recommending that two Commercial Development Zones (Ewoldt Subdivision and Kings Crossing Subdivision) be reverted to their prior zoning classifications due to inactivity at the sites. Commercial Development zones are approved with an initial period of 18 months. If no activity has occurred during that time frame, the Commercial Development zone expires and Planning Commission and Council have to take action to revert the zoning.

ANALYSIS

Staff is not recommending any changes to the Grand Island Zoning Map other than the reversion of the two CD zones. All of the other changes mentioned herein have been previously approved by the Grand Island City Council after proper notice and hearing. This map serves to notify any, and all, interested parties of the current boundaries of the City of Grand Island, the extents of the extraterritorial jurisdiction for the City of Grand Island and the zoning of property within the jurisdiction of the City of Grand Island.

The Kings Crossing Development located south of U.S. Highway 34 and west of South Locust Street (Knot's Auction House) was rezoned from B2 General Business to CD Commercial Development Zone in accordance with the Gateway Corridor Regulations by Ordinance 9019 on November 22, 2005. No activity has occurred on the site and the subdivision plat was not filed. It is recommended by staff, and required by city code, that this tract of ground in the NE ¼ of the NE ¼ of Section 33, Township 11 north, Range 9 west of the 6th P.M. be rezoned from CD Commercial Development Zone to B2 General Business Zone.

The Ewoldt Subdivision, located at the southwest corner of the intersection of U.S. Highway 34 and U.S. Highway 281, was rezoned from TA Transitional Agriculture to CD Commercial Development Zone at the request of Husker Retail Development Group by Ordinance 9035 on March 28, 2006. No activity has occurred on the site. It is recommended by staff, and required by city code, that this tract of ground, all of the Ewoldt Subdivision, be rezoned from CD Commercial Development Zone to TA Transitional Agriculture Zone.

RECOMMENDATION:

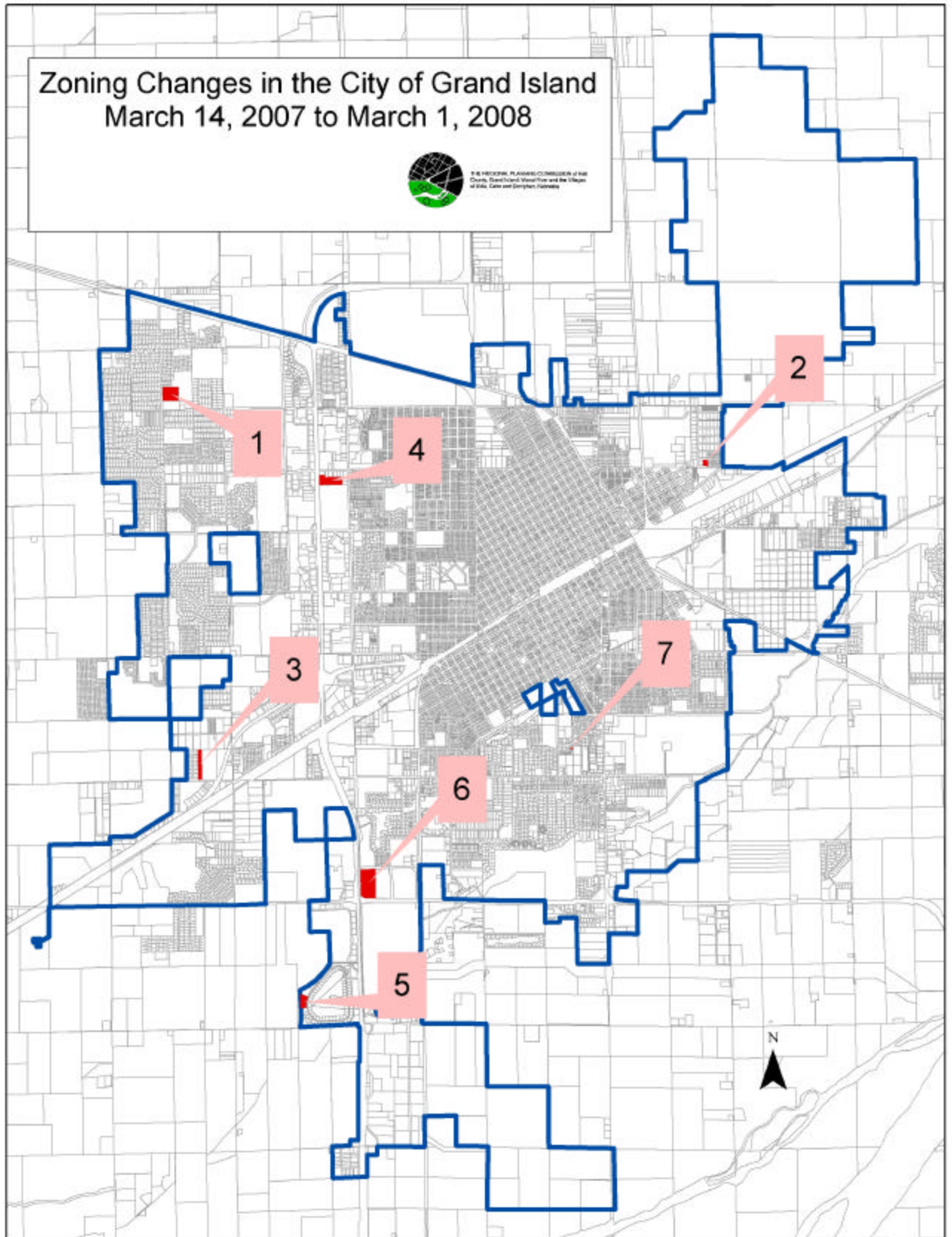
That the Regional Planning Commission recommend that the City Council of Grand Island revert the CD Zones for the Kings Crossing Development and the Ewoldt Subdivision and adopt this map as presented as the official Zoning Map for the City of Grand Island.

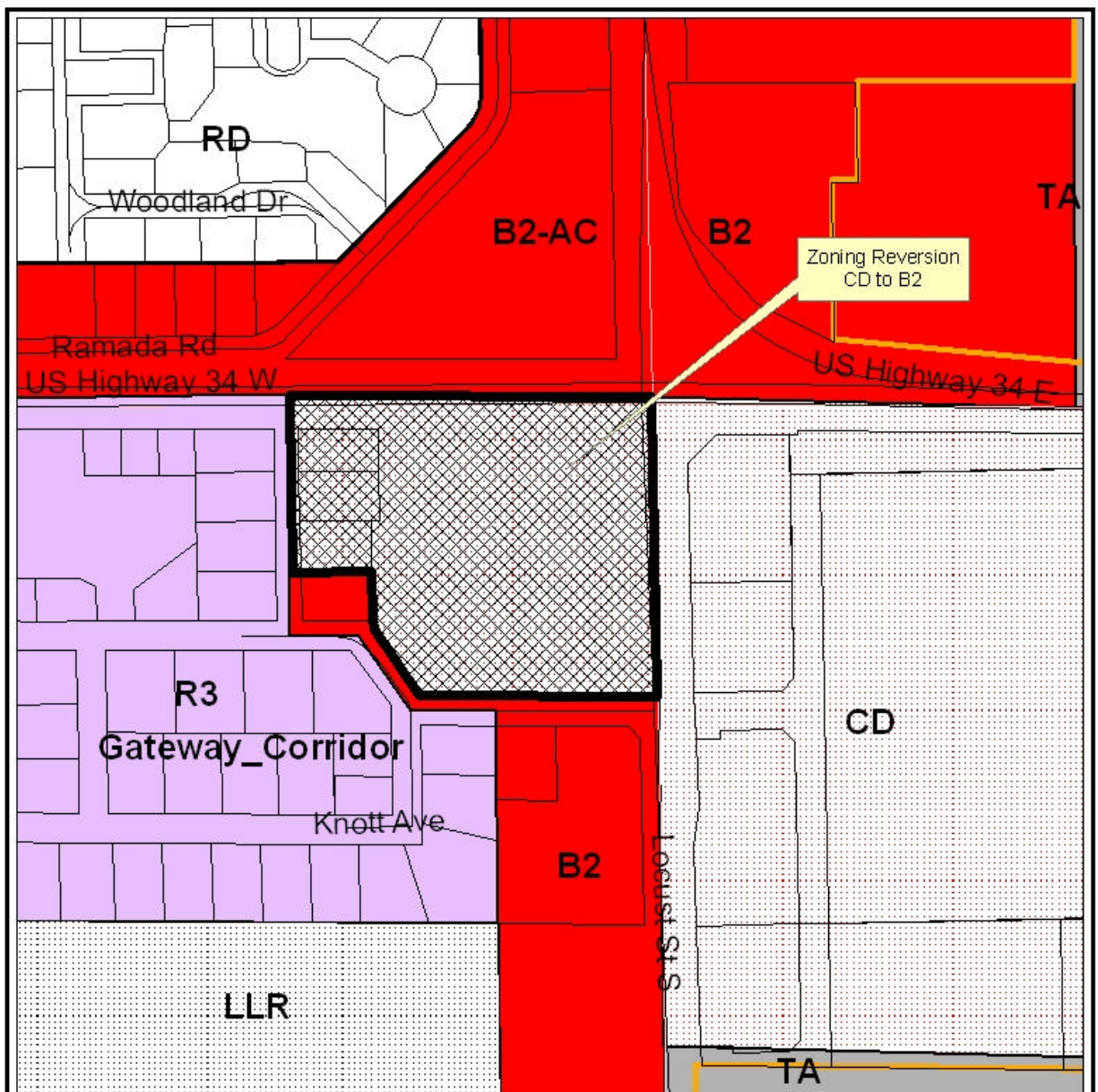
Chad Nabity AICP, Planning Director

Zoning Changes in the City of Grand Island March 14, 2007 to March 1, 2008





THE HISTORICAL PLANNING COMMISSION of the
County Board (Grand Island) and the Village
of Grand Island, Ohio and its members





Zoning Reversion

-  From CD : Commercial Development Zone
-  To B2 : General Business Zone



Scale : NONE

C-11-2008GI



No members of the public spoke in favor or opposed to the zoning map.

Alternatives

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

1. Approve the Grand Island Zoning Map as presented
2. Modify the Grand Island Zoning Map to meet the wishes of the Council
3. Table the issue

Recommendation

A motion was made by Ruge, 2nd by Amick, to approve the Grand Island Zoning Map as presented.

A roll call vote was taken and the motion passed with 10 members present (Miller, Amick, O'Neill, Ruge, Hayes, Reynolds, Haskins, Bredthauer, Heineman, Snodgrass) voting in favor.

Sample Motion

Approve the adoption of the Grand Island Zoning Map.

ORDINANCE NO. 9161

An ordinance repealing ordinance number 9019 and ordinance number 9035 and reverting the zoning designation of certain tracts of land within the zoning jurisdiction of the City of Grand Island; specifically reverting the land use classification of a tract of land comprising of a part of the Northeast Quarter (NE1/4) of Section 36, Township 11 North, Range 10 West of the 6th P.M. in Hall County, Nebraska, from CD-Commercial Development Zone to TA-Transitional Agricultural Zone; specifically reverting the land use classification of a tract of land consisting of Lots 6, 7 and 10 of Palu Subdivision and unplatted tracts of land as recorded in Instrument No. 200412508, Instrument No. 200412510 and Instrument No. 200500184 at the Hall County Register of Deeds, all located in the Northeast Quarter of the Northeast Quarter (NE1/4, NE1/4) of Section 33, Township 11 North, Range 9 West of the 6th P.M., City of Grand Island, Hall County, Nebraska from CD-Commercial Development Zone within the GCO-Gateway Corridor Overlay to B2-General Business Zone within the GCO-Gateway Corridor Overlay; directing the such zoning change and classification be shown on the Official Zoning Map of the City of Grand Island according to the provisions of Section 36-44; and providing for publication and an effective date of this ordinance.

WHEREAS, the Regional Planning Commission on February 6, 2008, 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 March 25, 2008, the City Council found and determined the reversion in zoning be approved and made and the prior ordinances be repealed.

ORDINANCE NO. 9061 (Cont.)

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

SECTION 1. Ordinance Number 9019 and Ordinance Number 9035 are hereby
repealed.

SECTION 2. The following tract of land is hereby reverted and reclassified and
changed from CD-Commercial Development Zone to TA-Transitional Agricultural Zone :

Commencing at the northeast corner of said NE1/4; thence on an assumed bearing
of S02°04'06"E along the east line of said NE1/4 a distance of 104.43 feet; thence
S87°55'54"W a distance of 116.80 feet to the point of intersection of the south
right-of-way (R.O.W.) line of Husker Highway and the west R.O.W. line of U.S.
Highway 281, said point also being the Point of Beginning; thence S02°24'13"E
along and upon said west R.O.W. line a distance of 1468.77 feet; thence
S01°30'13"E a distance of 1065.29 feet to the point of intersection of said west
R.O.W. line and the south line of said NE1/4; thence S88°06'48"W along the
south line of said NE1/4 a distance of 1207.02 feet; thence N02°02'58"W a
distance of 1321.89 feet; thence S88°13'36"W a distance of 827.63 feet; thence
N02°03'03"W a distance of 1279.01 feet to a point on the south R.O.W. line of
Husker Highway; thence N88°20'15"E along and upon said south R.O.W. line a
distance of 997.68 feet; thence N88°21'56"E a distance of 289.92 feet; thence
N88°21'41"E a distance of 287.28 feet; thence N88°20'40"E a distance of 35.49
feet; thence N01°39'20"W a distance of 12.00 feet; thence S82°01'25"E a distance
of 431.92 feet to the point of beginning. Said tract contains 4,195,681 square feet
or 96.32 acres more or less.

SECTION 3. The following tract of land is hereby reverted and reclassified and
changed from CD-Commercial Development Zone within the GCO-Gateway Corridor Overlay
to B2-General Business Zone within the GCO-Gateway Corridor Overlay:

Commencing at the northeast corner of said NE1/4; thence on an assumed bearing
of S89°28'08"W along the north line of said NE1/4 a distance of 721.20 feet;
thence S01°17'57"E a distance of 46.53 feet to the point of intersection of the east
right-of-way (R.O.W.) line of Tri Street and the south R.O.W. line of U.S.
Highway 34, said point also being the Point of Beginning; thence N89°44'53"E
along said south R.O.W. line a distance of 614.30 feet to the point of intersection
of said south R.O.W. line and the west R.O.W. line of Locust Street; thence
S37°03'26"E along said west R.O.W. line a distance of 74.44 feet; thence
S05°51'03"E a distance of 113.01 feet; thence S02°13'38"E a distance of 237.70

ORDINANCE NO. 9061 (Cont.)

feet; thence S02°13'38"E a distance of 111.27 feet; thence S45°03'16"W a distance of 33.95 feet to the point of intersection of said west R.O.W. line and the north R.O.W. line of Lake Street; thence N89°59'19"W along said north R.O.W. line a distance of 409.80 feet; thence N36°21'09"W a distance of 162.56 feet; thence N00°30'19"W a distance of 19.97 feet to the southeast corner of Lot 11 of said Palu Subdivision; thence N01°21'58"W along the east line of said Lot 11 a distance of 103.40 feet to the northeast corner of said Lot 11, said point also being the southeast corner of Lot 10 of said Palu Subdivision; thence S89°22'40"W along the south line of said Lot 10 a distance of 144.60 feet to the southwest corner of said Lot 10, said point also being on the east R.O.W. line of Tri Street; thence N01°21'03"W along said east R.O.W. line a distance of 289.12 feet to the point of beginning. Said tract contains 317,873 square feet or 7.30 acres more or less of which 0.79 acres is new dedicated public road right of way.

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: March 25, 2008.

Margaret Hornady, Mayor

Attest:

RaNae Edwards, City Clerk