



City of Grand Island

Tuesday, January 13, 2015

Council Session

Item F-1

#9515 - Consideration of Request to Rezone Property Located at 2228 North Webb Road from CD Commercial Development to Amended CD Commercial Development (Second and Final Reading)

Staff Contact: Chad Nabity

Council Agenda Memo

From: Regional Planning Commission

Meeting: January 13, 2015

Subject: To Rezone Properties from CD Commercial Development to Amended Commercial Development Zone

Item #'s: F-1 & G-3

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

Background

A request to change the zoning for property described as Lot 10 Grand Island Mall 8th and Lot 2 of Grand Island Mall 15th Subdivision, also known as 2228 North Webb Road, Grand Island, from CD Commercial Development to Amended Commercial Development Zone. The subject property is located west of Webb Road and south of Capital Avenue in the City of Grand Island, Hall County, Nebraska. (C-01-2015GI)

This proposed development would create 2 additional lots within the development. New parking would be created on the west side of the building and the existing building would be remodeled with a street and pedestrian corridor through the center connecting the 281 and Webb Road sides of the building. No new access drives are being requested or would be approved with this plan. The CD Zone allows for up to 50% of the property to be covered with buildings. The proposed coverage within this development at full development as shown is well below the maximum coverage.

Attached is the memo from the Planning Director to the Planning Commission regarding this project. The project as proposed is consistent with the redevelopment plan approved for Tax Increment Financing and the enhanced employment area occupation tax. Approval of this rezoning will also include approval of the Subdivision for Grand Island Mall Seventeenth Subdivision.

Discussion

At the regular meeting of the Regional Planning Commission, held December 3, 2014 the above item was considered following a public hearing.

O'Neill opened the Public Hearing.

Nabity explained the rezone request.

O'Neill closed the Public Hearing.

A motion was made by Bredthauer and to approve the rezone. Motion was seconded by Ruge to approve the Rezone from CD – Commercial Redevelopment Zone to Amended CD – Commercial Redevelopment Zone.

A roll call vote was taken and the motion passed with 10 members present and 9 voting in favor (Bredthauer, Ruge, Maurer, Robb, Heckman, Haskins, Sears, Connelly and Kjar) and one member abstaining (O'Neill).

The memo sent to the planning commission with staff recommendation is attached for review by Council.

Alternatives

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

1. Approve the rezoning request as presented
2. Modify the rezoning request to meet the wishes of the Council
3. Postpone the issue

Recommendation

City Administration recommends that the Council approve the proposed changes as recommended.

Sample Motion

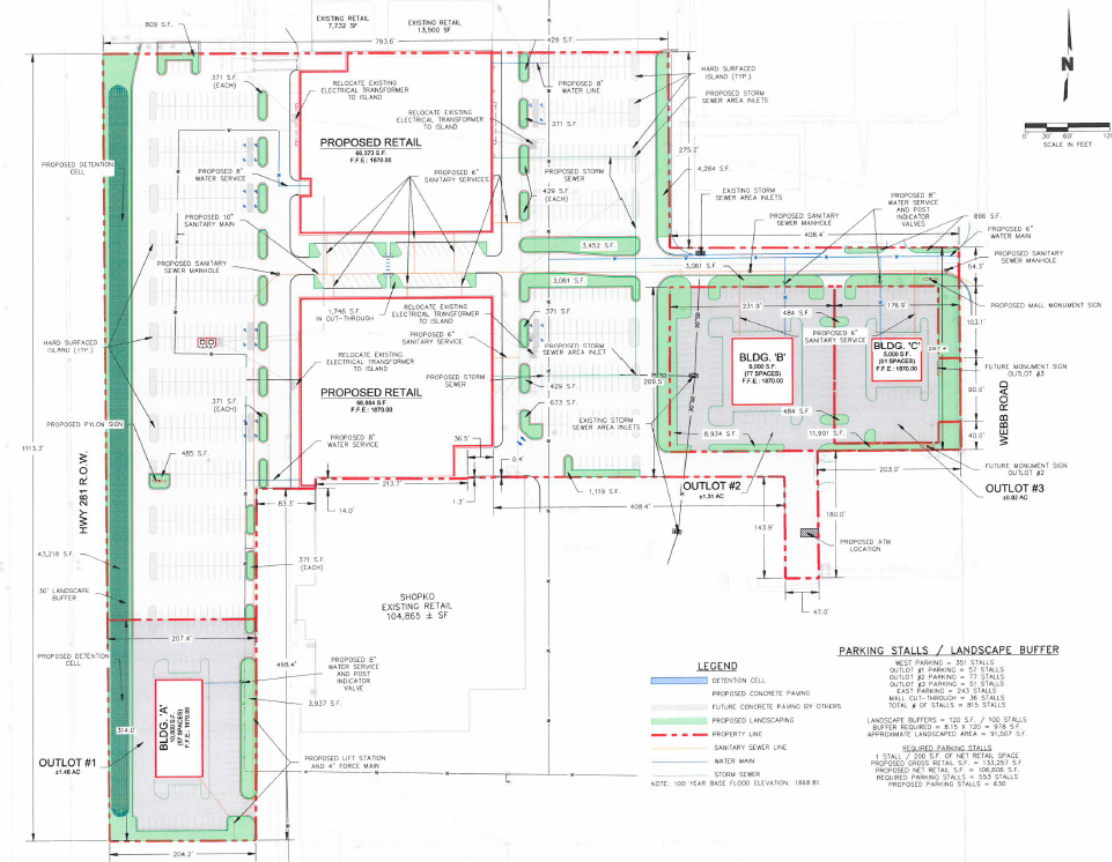
Move to approve the ordinance and development plan as presented.

Agenda Item 4

PLANNING DIRECTOR RECOMMENDATION TO REGIONAL PLANNING COMMISSION:

November 19, 2014

SUBJECT: Concerning change of zoning for property located described as Lot 10 Grand Island Mall 8th and Lot 2 of Grand Island Mall 15th, also known as 2228 N. Webb Road, Grand Island NE, from CD Commercial Development to Amended CD Commercial Development Zone. (C-01-2015GI)



PROPOSAL: This proposed development would create 2 additional lots within the development one on the east side of the existing building. New parking would be created on the west side of the building and the existing building would be remodeled with a street and pedestrian corridor through the center connecting the 281 and Webb Road sides of the building. No new access drives are being requested or would be approved with this plan. The CD Zone allows for up to 50% of the property to be covered with buildings. The proposed coverage within this development at full development as shown is well below the maximum coverage.

OVERVIEW:

Site Analysis

Current zoning designation: CD-Commercial Development Zone.
Permitted and conditional uses: Commercial, Office and Retail Uses
Comprehensive Plan Designation: Commercial development
Existing land uses. Retail development and vacant property

Adjacent Properties Analysis

Current zoning designations: **South and East** CD Commercial Development Zone

North: B1- Light Business

West: B2 General Business

Permitted and conditional uses: CD – Commercial, office and retail uses as permitted and built according to the approved development plan. B2- Commercial, office, retail and service uses along with residential uses up to a density of 43 units per acre. B1 limited commercial, office, and interior retail to support the immediate neighborhood and residential uses up to a density of 43 units per acre.

Comprehensive Plan Designation: **North, South, East and West:**
Designated for commercial development and uses.

Existing land uses: **North:** Gordman Property Retail Development
East: Webb Road, Taco John, Burger King, Strip Commercial
West: U.S. Highway 281 and Commercial Uses
South: Shopko, and Northwest Crossings Commercial Development

EVALUATION:

Positive Implications:

- *Consistent with the City's Comprehensive Land Use Plan:* The subject property is designated for commercial development.
- *Is infill development.* This development is using property that is within the existing functional and legal boundaries of the City of Grand Island. This is a piece of property that is in need of redevelopment. The City and the Community Redevelopment Authority have already approved the use of Tax Increment Financing to further this project.
- *Accessible to Existing Municipal Infrastructure:* Water and sewer services are available to service the area.

- *Monetary Benefit to Applicant:* Would allow the applicant to further develop this site.

Negative Implications:

- *None foreseen*

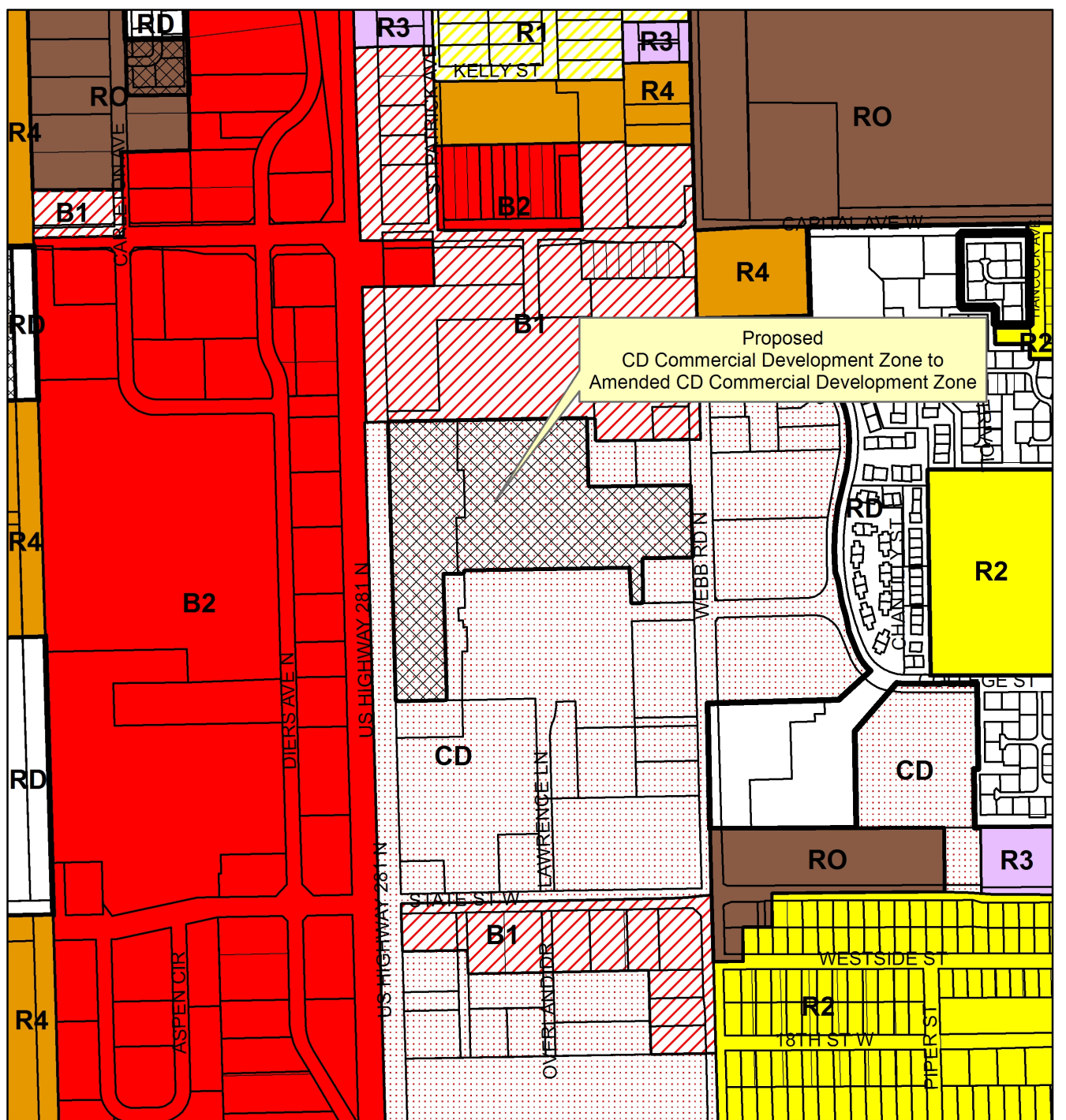
Other Considerations

Commercial development zones allow up to 50% of the property within the CD zone to be covered with buildings.

RECOMMENDATION:

That the Regional Planning Commission recommend that the Grand Island City Council approve the amended CD zoning district and final development plan as shown.

_____ Chad Nabity AICP, Planning Director



Requested Zoning



Scale : NONE

C-01-2015GI



From CD : Commercial Development Zone



to CD : Amended Commercial Development Zone

November 18, 2014

Dear Members of the Board:

RE: Rezoning – A request to rezone the properties from CD Commercial Development to Amended Commercial Development in the City of Grand Island, Hall County, Nebraska.

For reasons of Section 19-923 Revised Statutes of Nebraska, as amended, there is herewith submitted a rezone request to the Grand Island Zoning Map from CD Commercial Development to Amended Commercial Development Zone. As shown on the enclosed map.

You are hereby notified that the Regional Planning Commission will consider this zoning change at the next meeting that will be held at 6:00 p.m. on December 3, 2014 in the Council Chambers located in Grand Island's City Hall.

Sincerely,

Chad Nabity, AICP
Planning Director

cc: City Clerk
City Attorney
City Public Works
City Building Department
City Utilities

This letter was sent to the following School Districts 1R, 2, 3, 19, 82, 83, 100, 126.

November 18, 2014

Dear Members of the Board:

RE: Preliminary & Final Plat – Grand Island Mall 17th Subdivision

For reasons of Section 19-923 Revised Statutes of Nebraska, as amended, there is herewith submitted a final plat of Grand Island Mall 17th Subdivision, located in the City of Grand Island, in Hall County Nebraska.

This final plat proposes to create 4 lots, on a tract of land comprising of a replat of all of Lot 10, Grand Island Mall 8th Subdivision and all of Lot 2, Grand Island Mall 15th Subdivision, all in the City of Grand Island, Hall County, Nebraska, said tract containing 16.43 acres.

You are hereby notified that the Regional Planning Commission will consider this final plat at the next meeting that will be held at 6:00 p.m. on December 3, 2014 in the Council Chambers located in Grand Island's City Hall.

Sincerely,

Chad Nabity, AICP
Planning Director

Cc: City Clerk
City Attorney
City Public Works
City Building Department
City Utilities
Manager of Postal Operations
Olsson Associates

This letter was sent to the following School Districts 1R, 2, 3, 19, 82, 83, 100, 126.

GRAND ISLAND MALL SEVENTEENTH SUBDIVISION
CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA
FINAL PLAT

LEGAL DESCRIPTION

A REPLAT OF ALL OF LOT 10, GRAND ISLAND MALL 8TH SUBDIVISION AND ALL OF LOT 2, GRAND ISLAND MALL 15TH SUBDIVISION, ALL IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA. SAID TRACT CONTAINS A CALCULATED AREA OF 715,560.22 SQUARE FEET OR 16.43 ACRES MORE OR LESS.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT ON _____, 2014, I COMPLETED AN ACCURATE SURVEY, UNDER MY PERSONAL SUPERVISION, OF "GRAND ISLAND MALL SEVENTEENTH SUBDIVISION" IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING PLAT THEREOF; THAT IRON MARKERS, EXCEPT WHERE INDICATED, WERE FOUND AT ALL CORNERS; THAT THE DIMENSIONS ARE AS SHOWN ON THE PLAT; AND THAT SAID SURVEY WAS MADE WITH REFERENCE TO KNOWN AND RECORDED MONUMENTS.

JAI JASON ANDRIST, REGISTERED LAND SURVEYOR NUMBER, LS-630

DEDICATION OF PLAT

KNOW ALL MEN BY THESE PRESENTS, THAT GRAND ISLAND JOINT VENTURE, LLC, BEING THE OWNER OF THE LAND DESCRIBED HEREON, HAVE CAUSED SAME TO BE SURVEYED, SUBDIVIDED, PLATTED AND DESIGNATED AS "GRAND ISLAND MALL SEVENTEENTH SUBDIVISION" IN THE CITY OF GRAND ISLAND, HALL COUNTY, NEBRASKA, AS SHOWN ON THE ACCOMPANYING PLAT THEREOF AND DO HEREBY DEDICATE THE EASEMENTS, AS SHOWN THEREON TO THE PUBLIC FOR THEIR USE FOREVER FOR THE LOCATION, CONSTRUCTION AND MAINTENANCE FOR PUBLIC SERVICE UTILITIES, TOGETHER WITH THE RIGHTS OF INGRESS AND EGRESS THERETO, AND HEREBY PROHIBITING THE PLANTING OF TREES, BUSHES AND SHRUBS, OR PLACING OTHER OBSTRUCTIONS UPON, OVER, ALONG OR UNDERNEATH THE SURFACE OF SUCH EASEMENTS; AND THAT THE FOREGOING SUBDIVISION IS MORE PARTICULARLY DESCRIBED IN THE DESCRIPTION HEREON AS APPEARS ON THIS PLAT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF THE UNDERSIGNED OWNERS AND PROPRIETORS.

IN WITNESS WHEREOF, I HAVE AFFIXED MY SIGNATURE HERETO, AT _____, THIS ____ DAY OF _____, 2014.

GRAND ISLAND JOINT VENTURE, LLC
BY: TSG GRAND ISLAND INVESTORS, LLC

BY:
MICHAEL H. STAENBERG, MANAGER

ACKNOWLEDGMENT

STATE OF MISSOURI
COUNTY OF ST. LOUIS SS

ON THIS ____ DAY OF _____, 2014, BEFORE ME _____, NOTARY PUBLIC WITHIN AND FOR SAID COUNTY, PERSONALLY APPEARED MICHAEL H. STAENBERG, THE MANAGER OF TSG GRAND ISLAND INVESTORS, LLC, THE MANAGER OF GRAND ISLAND JOINT VENTURE, LLC, TO ME PERSONALLY KNOWN TO BE THE IDENTICAL PERSON WHOSE SIGNATURE IS AFFIXED HERETO AND ACKNOWLEDGED THE EXECUTION THEREOF TO BE HIS VOLUNTARY ACT AND DEED. IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL AT ST. LOUIS, MISSOURI, ON THE DATE LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC

APPROVAL

SUBMITTED TO AND APPROVED BY THE REGIONAL PLANNING COMMISSION OF HALL COUNTY, CITIES OF GRAND ISLAND, WOOD RIVER, AND THE VILLAGES OF ALDA, CAIRO, AND DONIPHAN, NEBRASKA.

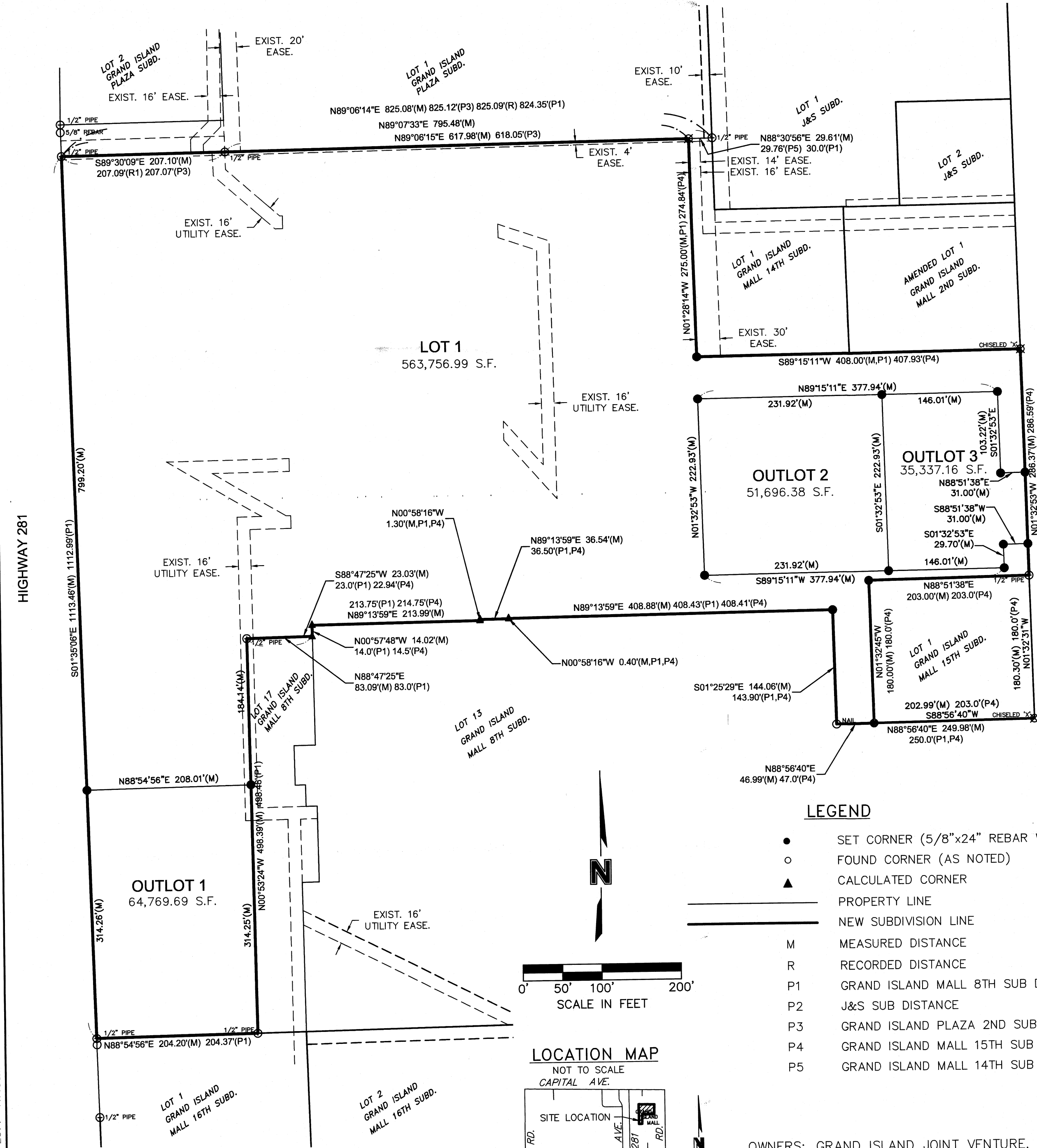
CHAIRMAN _____ DATE _____

APPROVED AND ACCEPTED BY THE CITY OF GRAND ISLAND, NEBRASKA

THIS ____ DAY OF _____, 2014.

MAYOR _____

CITY CLERK _____



OLSSON ASSOCIATES

201 East 2nd Street
P.O. Box 1072
Grand Island, NE 68802-1072
TEL 308.384.8750
FAX 308.384.8752

PROJECT NO. 2014-2360
GRAND ISLAND MALL SURVEY
FB GI 2014-4

OWNERS: GRAND ISLAND JOINT VENTURE, LLC
SUBDIVIDER: GRAND ISLAND JOINT VENTURE, LLC
SURVEYOR: OLSSON ASSOCIATES
ENGINEER: OLSSON ASSOCIATES
NUMBER OF LOTS: 1 & 3-OUTLOTS

ORDINANCE NO. 9515

An ordinance rezoning a certain tract of land within the zoning jurisdiction of the City of Grand Island; amending the Commercial Development district and Final Development Plan for Grand Island Mall Seventeenth Subdivision (Lots 1, 2, 3, 4, 5 and Outlot A Inclusive); 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; to repeal any ordinance or parts of ordinances in conflict herewith, and to provide for publication and the effective date of this ordinance.

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

SECTION 1. That the final development plan for Grand Island Mall Seventeenth Subdivision is amended as shown on the development plan approved and signed by the Subdivider and the City with the Subdivision agreement.

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.

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: January 13, 2015.

Jeremy L. Jensen, Mayor

Attest:

RaNae Edwards, City Clerk

Approved as to Form	▣ _____
January 9, 2015	▣ City Attorney