

MINUTES OF THE MEETING OF THE NORTH PLATTE PLANNING COMMISSION HELD ON THE 25<sup>th</sup> DAY OF AUGUST 2020 IN THE CITY HALL COUNCIL CHAMBERS.

MEMBERS PRESENT: Bonnie Kruse, Brent Barker, Don Weber, Travis Herdt, Marilyn McGahan, Jim Bain, Lee Davies, Tristen Winder, Nelson Jett

MEMBERS ABSENT: None

STAFF MEMBERS PRESENT: Judy Clark, Planning Administrator; Michelle Bain, Recording Secretary

Notice of the meeting was given in advance thereof, by posting in at least three places in the City as follows: North Platte Public Library, Lincoln County Courthouse, and City Hall offices.

Notice of the meeting was given to the Chairman and all members of the Planning Commission. Availability of the agenda was communicated in the advance notice and in the notice to the Chairman and members of the Commission.

All proceedings thereafter shown were taken while the convened meeting was open to the attendance of the public.

Vice-Chair Barker called the meeting to order at 5:30 p.m. and stated a current copy of the open meetings act of Nebraska is posted at the back of the Council Chambers and in the conference room.

2. Weber moved and Bain seconded the motion to approve the minutes of the meeting held July 28, 2020. Roll call vote: "Aye": Davies, Winder, McGahan, Bain, Weber, Barker, Jett, Kruse, Herdt. "Nay": None. Absent: None. Motion carried.
3. File No. SU20-019 Discuss and consider action on application by Willis and Greta Roethemeyer for preliminary and final approval of Lakeview West Third Addition located West of Lakeview Blvd. at the intersection of Brentwood Ct. in a PR-1 Planned Dwelling District.

Judy stated that the subdivision is proposing to create eighteen separate lots with a new cul-de-sac street. The proposed cul-de-sac exceeds the allowed length of 600 feet; therefore, a variance to Section 155.092 (C) Design Standards; Streets Cul-de-sac streets shall not be more than 600 feet in length, measured from the centerline of the intersection of the cross street to the centerline of the cul-de-sac, except where the Planning Commission has approved additional length due to property limitations, with a minimum 55 foot turnaround radius shall be provided. The proposed subdivision shows a cul-de-sac designed at approximately 839 feet in length and has provided the minimum 55 foot turnaround radius which will allow a variance to be granted. The proposed street will be at the developer's expense, improvements are required to be completed or a bond submitted to the city prior to the subdivision being finalized. The proposed lots will have access to city water, sewer and an improved city maintained street when infrastructure improvements are installed. Planning staff has no objections to the subdivision if the developer installs the required improvements or a bond is filed to cover installation and construction costs.

Herdt moved and Bain seconded the motion approve File No. SU20-019 Lakeview West Third Addition and variance to section 155.092 (C) Design Standards; allowing the 839 foot cul-de-sac street. Roll call vote: "Aye": Davies, Winder, McGahan, Bain, Weber, Barker, Jett, Kruse, Herdt. "Nay": None. Absent: None. Motion carried.

4. Public Hearing File No. AM20-005 Discuss and consider action on an application by the City of North Platte for an amendment to the North Platte Comprehensive Plan 2011 Future Land Use Map to amend certain lands from Agricultural/Vacant, Parks and Recreation, Public/Quasi-Public and Commercial to Industrial located east of Newberry Access Road lying between I-80 and Hwy 30 on property described as part of Section 1, Township 13, Range 30 and Section 2, Township 13, Range 30 and Section 11, Township 13, Range 30 West of the 6th P.M. Lincoln County, Nebraska identified as Lincoln County Assessor's parcel numbers 0023621.10, 0023621.20, 0023621.30 ,0023621.00, 0023621.40, 0023597.10, 0023597.00, 0023926.25 and 0023926.26.

Vice-Chair Barker opened the public hearing for item no. 4 (AM20-005) and item no. 5 (Z20-006) on the agenda.

Judy stated that items #4 and #5 on the agenda involve the same property. The items may be discussed together but must be acted on separately. If item #4 is not approved item #5 cannot be acted on.

Judy also stated that in order to rezone a property it is the duty of the planning commission to ensure that the rezoning is in conformance with the current comprehensive plan. A comprehensive plan may be amended as the planning commission deems appropriate; therefore, prior to approving the rezoning of this property, the City of North Platte's Comprehensive Plan must be amended to ensure conformity of the rezoning. Planning Staff feels the amendment is appropriate for future development in this area. This area is currently the site to three businesses and the city waste water treatment plant, all of which are industrial uses. The site is currently zoned I-1 Light Industrial and the amendment should have taken place prior to this request. With direct access to Newberry Access Road, connecting both Hwy. 83 and I-80 this is a good location for future industrial development. In an effort to help attract economic development to the City of North Platte, the city has been working to identify areas that may be attractive for new development within the community that are suited for heavy industrial areas. The city has a few properties zoned for light industrial prospects but lack areas zoned to attract heavy industrial uses. This area is appropriate for heavy industrial uses by providing direct access to Hwy 30 and I-80 without disrupting residential or commercial areas of the community. Over the past several years, the city has had inquiries from heavy industrial businesses and have not been able to provide options for those developers. The city is hoping that by pre-identifying readily developable properties the community may entice interest in some future industrial opportunities. Planning Staff has no objection to the rezoning if the comprehensive plan is amended. The area is conducive to heavy industrial and is appropriate for future development of the area.

Mark Woods, 902 N. Emory, was present and stated he likes the idea but is concerned this would impact the sewage treatment lagoons and the river. He asked if other uses in the area would be allowed to continue what they're doing.

Judy stated to her knowledge this is all city owned property. If someone is cutting grass or haying, they would be allowed to continue. The concern with the impact to a river would depend on what type of development would come in. The two properties to the south are above ground storage tank facility and metal scrapping facility.

Gary Person, President, NP Area Chamber and Development Corporation, 502 So. Dewey, was present and stated from a community standpoint it is nice to have an area zoned heavy industrial. The fact the city owns it makes it easier to do this.

Amy Svoboda, Lincoln, was present. She stated that she grew up in western Nebraska and objects to changing the Comprehensive Plan. She owns, with her sister, the land to the west of Newberry Access and right now it's an alfalfa field next to the river. That area is a beautiful, peaceful area. She feels it would be great for some kind of residential mixed use.

Kruse asked Mr. Person if he has any insight as to what industrial company may want to locate there and if they could contaminate the North Platte river.

Mr. Person explained that they get inquiries from various places and sometimes they don't want their names known because they don't want competitors to know. Most communities have an industrial zone to try to attract companies. This is easy on and easy off. The lagoons don't make a real good neighbor and he can't imagine residential directly west of the lagoons. For a while they were working with an egg production company to locate in North Platte but the site wasn't working for them and it would be great to land something like that to capture the tax base. They would market this how they market business parks and industrial parks. The property is currently zero based tax value and this would create valuation and jobs. There are rules in place that any operation would have to be engineered properly by engineers, DEQ, etc. There are a lot of checks

and balances. People go where they're welcome. North Platte needs to be creative with their thinking in the future.

Davies questioned the differences between the amendment and the rezoning areas.

There was some discussion regarding the differences with the consensus being that they should be the same area as the proposed rezoning.

Kruse moved and Herdt seconded the motion to close the public hearing. Roll call vote: "Aye": Davies, Winder, McGahan, Bain, Weber, Barker, Jett, Kruse, Herdt. "Nay": None. Absent: None. Motion carried.

Herdt moved and Kruse seconded the motion to approve File No. AM20-005 amendment to the North Platte Nebraska Comprehensive Plan 2011 Future Land Use Map to amend certain lands from Agricultural/Vacant, Parks and Recreation, Public/Quasi-Public to industrial located east of Newberry Access Road lying between I-80 and Hwy 30. Roll call vote: "Aye": Davies, Winder, McGahan, Bain, Weber, Barker, Jett, Kruse, Herdt. "Nay": None. Absent: None. Motion carried.

5. Public Hearing File No. Z20-006 Discuss and consider action on an application by the City of North Platte to rezone certain lands from an I-1 Light Industrial District to an I-2 Heavy Industrial District located east of Newberry Access Road lying between I-80 and Hwy 30 as part of Section 1, Township 13, Range 30 and Section 2, Township 13, Range 30 and Section 11, Township 13, Range 30 West of the 6th P.M. Lincoln County, Nebraska identified as Lincoln County Assessor's parcel numbers 0023621.10, 0023621.20, 0023621.30 ,0023621.00, 0023621.40, 0023597.10, 0023597.00, 0023926.25 and 0023926.26.

The public hearing and discussion for Item No. 5 (File No. Z20-006) was held with Item No. 4 (File No. AM20-005) above.

Davies moved and McGahan seconded the motion to approve File No. Z20-006 to rezone certain land from an I-1 Light Industrial District to an I-2 Heavy Industrial District located east of Newberry Access Road lying between I-80 and Hwy 30 as part of Section 1, Township 13, Range 30 and Section 2, Township 13, Range 30 and Section 11, Township 13, Range 30 West of the 6th P.M. Lincoln County, Nebraska. Roll call vote: "Aye": Davies, Winder, McGahan, Bain, Weber, Barker, Jett, Kruse, Herdt. "Nay": None. Absent: None. Motion carried.

6. Public Hearing File No. CU20-004 Discuss and consider action on an application by Higley, LLC, owner, and Rev Development LLC, purchaser, for a conditional use permit to allow a mixed use development (apartments or living quarters situated in an office or business building) in a B-2 Highway Commercial District located at 3010 Sitting Bull Road on property described as Lot 3 Higley First Subdivision, North Platte, Nebraska.

Vice-Chair Barker opened the public hearing.

Judy stated that the applicant generally states that they are proposing to develop a mixed use building that will include first floor commercial uses ranging from a restaurant and wine bar to salons and insurance agencies. Floors 2, 3, and 4 will be market rate apartments. The applicants feel that the proposed mixed-use building would be a great example of a commercial/business building that bring benefits to both the businesses and residences of the building. A mixed-use building can increase residential density, reduce distances between residential and commercial uses, promote biking and pedestrian friendly environments. Planning Staff has no objections to the conditional use permit as presented.

Mike Works, Lincoln, Ne, on behalf of Rev Development and Higley LLC, and Tad Haneborg representing Higley were present.

Mr. Works stated they think apartment living makes a ton of sense. It is zoned B-2 which only allows apartments situated in an office building. They propose a commercial building with apartments above it. What they would like to do with the first floor is extended stay executive suites that would run in conjunction with the

hotel next door. Above them would be apartments. This meets the requirements of the conditional use in the rezoning.

McGahan asked if the idea of an apartment building with the first floor being offices, restaurants, wine bar, etc. is off the table.

Mr. Works stated in terms of what makes sense with hotels and extended stay living that they do best, it makes the most sense this way.

Tad Haneborg, 4300 Janice Court, stated their goal is a great development site right off the interstate. Development in that area is key to this community. Expansion is in their vision for the events center. Extended stay living on the first floor is pretty rare around here. The hotel would be able to service the rooms and clean etc. The goal is development. The future is bright for this community.

Winder asked about the impact with jobs.

Mr. Haneborg feels they could generate 30 employees. He envisions restaurants in the future and perhaps 80-100 employees.

Kruse asked the definition of extended stay.

Mr. Works stated extended stay is generally anything more than 7 days but less than 30 days.

Winder asked if this would contribute the lodging tax.

Judy stated the first floor would contribute because of being less than 30 days.

Herd moved and McGahan seconded the motion to close the public hearing. Roll call vote: "Aye": Davies, Winder, McGahan, Bain, Weber, Barker, Jett, Kruse, Herdt. "Nay": None. Absent: None. Motion carried.

McGahan questioned needing more motel rooms.

Judy stated developers know what they need to make a profit and she doesn't think they would be proposing to build if they didn't feel it would be something they will be successful at.

McGahan moved and Bain seconded the motion to find the request for a conditional use permit to allow a mixed use development (apartments or living quarters situated in an office or business building) located at 3010 Sitting Bull Road meets the minimum standards stated in The North Platte Code of Ordinances Section 156-322 and approve and grant the conditional use permit based on the following factual findings:

1. The use shall conform to all applicable ordinances, laws and regulations of any governmental jurisdiction.
  2. The use shall have adequate water, sewer, and drainage facilities.
  3. Ingress and egress shall be so designated as to minimize traffic congestion in the public streets.
  4. The use shall in all other respects conform to the applicable regulations of the district in which it is located
  5. The use shall be in harmony with the character of the area and the most appropriate use of the land
- Roll call vote: "Aye": Davies, Winder, McGahan, Bain, Weber, Barker, Jett, Kruse, Herdt. "Nay": None. Absent: None. Motion carried.

7. Discuss amendment to North Platte Code of Ordinances Section 150.094 Footings and Section 156.083 Accessory Uses.

Judy stated that the Development Department was asked to review the footings and foundations codes as they pertain to accessory buildings. Over the past several years, portable or temporary accessory structures have become more common with community members feeling that city regulations for these buildings are excessive. Dave Hahn, Building Inspector, is in attendance to answer any specific questions.

There was discussion and a few changes suggested to the amendment.

Judy stated this item will be on the next agenda as a public hearing.

8. Discuss amendment to North Platte Nebraska Comprehensive Plan 2011 Chapter 10 Land Use and Development and Chapter 11 Annexation.

Judy stated that City Planning Commission has discussed the North Platte Land Use and Annexation Plan amendments on a number of occasions; however, due to recent changes at the Nebraska State Legislature regarding housing issues, there are a few changes that need to be made prior to adoption of the amendments. Keith Marvin, Marvin Planning Consultants, Inc., is in attendance to discuss those needed changes and provide information regarding newly signed legislation that may affect planning, zoning and land use regulations.

There was discussion between the Planning Commission and the consultant regarding the amendment.

Judy stated the proposed revisions will be on the next Planning Commission agenda.

9. Election of Chairperson. Due to the previous Chairperson's term limit expiring, a new chairperson needs to be elected.

Vice-Chair Barker thanked Greg Wilke and Pat Smith for their years on the commission and stated he is not eligible for Chairperson. He has other commitments.

Bain moved and the rest of the Planning Commission seconded the motion to elect McGahan as Chairperson. Roll call vote: "Aye": Davies, Winder, Bain, Weber, Barker, Jett, Kruse, Herdt. "Nay": None. "Abstain": McGahan. Absent: None. Motion carried.

10. Old Business. There was no old business to discuss.

11. New Business. There was no new business to discuss.

12. Adjourn. Vice-Chair Barker adjourned the meeting at 6:52 p.m.

Respectfully Submitted,

Michelle Bain  
Recording Secretary