

MINUTES OF THE MEETING OF THE NORTH PLATTE PLANNING COMMISSION HELD ON THE 26<sup>TH</sup> DAY OF OCTOBER 2021 IN THE CITY HALL COUNCIL CHAMBERS.

MEMBERS PRESENT: Don Weber, Emily Wurl, Marilyn McGahan, Angie Forbes, David Fudge, Tristen Winder, Nelson Jett

MEMBERS ABSENT: Lee Davies, Jeff Bain

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.

Chair McGahan 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.

2. Winder moved and Jett seconded the motion to approve the minutes of the meeting held September 28, 2021. Voting Aye: Winder, Weber, McGahan, Forbes, Fudge, Wurl, Jett. Voting Nay: None. Absent: Davies, Bain. Motion carried.
3. Public Hearing File No. AM21-005 Discuss and consider action on an application by Carl and Darlene Maline for an amendment to the North Platte Comprehensive Plan 2011 Land Use Map amending certain lands from Commercial to Residential on property located at 4321 and 4421 South Willow Street described as Lot 3, Malines Subdivision, North Platte, Lincoln County, Nebraska (Proposed Lots 1, 2, and 3 Maline 3rd Replat).

Chair McGahan opened the public hearing on Item Nos. 3 and 4 on the agenda and stated item Nos. 3, 4 and 5 involve the same property.

Judy stated that Items #3, #4 and #5 on the agenda involve the same property and may be discussed together. If Item #3 is not approved, items #4 and #5 cannot be acted on and will be pulled from the agenda.

Judy stated 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. The request for the amendment has been submitted in conjunction with a rezoning. The applicants are requesting the amendment to allow a change in zoning. Planning Staff has no objections to the proposed amendment. The area surrounding the property is currently a mixture of commercial, residential and agricultural uses and zoned properties. With easy access to Highway 83, this property is a good location for residential, commercial and light industrial development. The applicants are requesting the zone change to allow for development of two residential lots. Currently Proposed Lot 1 Maline 3<sup>rd</sup> Replat is a non-conforming residential dwelling site. Rezoning Lot 1 will bring the current residential site into compliance. Planning Staff has no objections to the rezoning if the amendment to the City of North Platte Comprehensive Plan 2011 Land Use Map is approved. The area is located in close proximity to other single-family homes, commercial and agricultural uses. Rezoning this area to residential would not be detrimental to neighboring property owners and with easy access to Highway 83, this is a good area for residential, commercial and light industrial development.

The applicant was not present and Judy stated she would try to answer questions.

Weber moved and Winder seconded the motion to close the public hearing. Voting Aye: Winder, Weber, McGahan, Forbes, Fudge, Wurl, Jett. Voting Nay: None. Absent: Davies, Bain. Motion carried.

Fudge asked if one of the lots is on the highway.

Judy stated the lot that is furthest north is on the highway and the only access allowed would be to Willow. This lot will be addressed off of Willow.

Fudge moved and Jett seconded the motion to approve File No. AM21-005 an amendment to North Platte Comprehensive Plan 2011 Future Land Use Map to amend certain lands from Commercial to Residential on property located at 4321 and 4421 South Willow Street. Voting Aye: Winder, Weber, McGahan, Forbes, Fudge, Wurl, Jett. Voting Nay: None. Absent: Davies, Bain. Motion carried.

4. Public Hearing File No. Z21-006 Discuss and consider action on an application by Carl and Darlene Maline to rezone certain lands from an A-1 Transitional Agricultural District to an R-1 Dwelling District on property located at 4321 and 4421 South Willow Street described as Lot 3, Malines Subdivision, North Platte, Lincoln County, Nebraska (Proposed Lots 1, 2, and 3 Maline 3rd Replat).

The public hearing for Item No. 4 was held with Item No. 3 above.

Fudge moved and Weber seconded the motion to approve File No. Z21-006 to rezone certain lands from a A-1 Transitional Agricultural District to an R-1 Dwelling District located at 4321 & 4421 South Willow Street as shown on the attached map. Voting Aye: Winder, Weber, McGahan, Forbes, Fudge, Wurl, Jett. Voting Nay: None. Absent: Davies, Bain. Motion carried.

5. File No. SU21-014 Discuss and consider action on an application by Carl and Darlene Maline for Maline 3rd Replat located at 4321 and 4421 South Willow Street described as Lot 3, Malines Subdivision, North Platte, Lincoln County, Nebraska.

Judy explained that Maline 3<sup>rd</sup> Replat will split two lots into three lots and is currently zoned A-1 Transitional Agricultural. In order to create lots smaller than 10 acres, the property must be rezoned to meet current regulations. City utilities are available to service the proposed lots. Proposed Lot 3 Maline 3<sup>rd</sup> Replat will only have legal access to an improved street (Willow) from a 30' wide access and utility easement. Planning Staff has no objection to approval of the preliminary and final plat for Maline 3<sup>rd</sup> Replat provided the amendment and rezoning are approved. The proposed subdivision would then meet zoning and subdivision regulations and more than likely the lots will transition into residential or a residential/commercial area in the future.

Winder Moved and Wurl seconded the motion to approve File No. SU21-014 preliminary and final approval of Maline 3<sup>rd</sup> Replat. Voting Aye: Winder, Weber, McGahan, Forbes, Fudge, Wurl, Jett. Voting Nay: None. Absent: Davies, Bain. Motion carried.

6. Discussion of upcoming Zoning Map and Zoning Regulation amendments.

Judy explained that this section is working on non-conforming uses. There are some residential homes in commercial areas. Nonconforming structure is different than a nonconforming use. Structure would mean not meeting setbacks. The use would mean a different use. The city would like to see them come into conformance. This would allow someone to appeal to the BA or City Council to possibly increase the nonconforming use. She asked for thoughts or suggestions.

There was some discussion about how to address these issues such as adding a sunset clause to non-conforming structures and uses. The city should encourage redevelopment without damaging someone's value on their property.

Judy suggested discussing this again in December and possibly January.

Chair McGahan suggested having a special meeting in January that only involves this item.

7. Old Business. There was no old business to be discussed.

8. New Business.

Forbes suggested using the TV screens in the council chambers to look at the maps in the future.

9. Adjourn. Chair McGahan adjourned the meeting at 6:07 p.m.

Respectfully Submitted,

Michelle Bain  
Recording Secretary