

MINUTES OF THE SPECIAL MEETING OF THE NORTH PLATTE PLANNING COMMISSION HELD ON THE 31ST DAY OF MAY 2022 IN THE CITY HALL COUNCIL CHAMBERS.

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

MEMBERS ABSENT: Lee Davies

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. Fudge moved and Jett seconded the motion to approve the minutes of the meetings held March 22, 2022 and April 26, 2022. Voting Aye: Wurl, Weber, McGahan, Forbes, Fudge, Jett, Bain, Winder. Voting Nay: None. Absent: Davies. Motion carried.

3a. File No. SU22-009 Discuss and consider action on an application by Kleewein Family Trust for Kleewein 4th Replat located at 1920 E Philip in an I-1 Light Industrial District on property described as Lot 2, Industrial Park 7th Replat, North Platte, Lincoln County, Nebraska.

Judy stated that Kleewein 4th Replat will split one lot into two lots. City utilities are available to service the proposed lots; however, a petition for paving will be needed to extend paving south on Devco Avenue. Planning Staff has no objection to approval of the preliminary and final plat for Kleewein 4th Replat provided the petition for paving is completed and submitted to the Planning Office. The proposed subdivision would then meet zoning and subdivision regulations. The property owner cannot be here this evening. He has received a copy of the petition he has to complete and submit.

Chair McGahan questioned if there is a street sign for Devco.

Judy stated the City Engineer or Public Works Director will take a look and see if it's there.

Fudge moved and Bain seconded the motion to approve File No. SU22-009 preliminary and final approval of Kleewein 4th Replat if a petition for paving has been completed. Voting Aye: Wurl, Weber, McGahan, Forbes, Fudge, Jett, Bain, Winder. Voting Nay: None. Absent: Davies. Motion carried.

3b. Public Hearing Discuss and consider action on a resolution regarding the City of North Platte Redevelopment Plan for the DEVCO Housing Project for the real estate described as a tract of land in the Southeast Quarter of Section 29, Township 14 North, Range 30 West of the 6th P.M., Lincoln County, Nebraska more particularly described as follows:

Beginning at the South East right-of-way corner of Adams Avenue and West 17th Street, Cody Land and Cattle Co. Pt. 11; thence S 88°52'46" E on the south right-of-way line of 17th Street, a distance of 796.57 feet to the Northeast Corner of said Lot; thence continuing S 00°19'55" W, a distance of 700 feet to a point on the east line of said lot; thence N 88°52'46" W, a distance of 796.57 feet to the west right-of-way line of Adams Avenue, then N 00°19'55" E on the east line of said right-of-way, a distance of 700.00 feet to the Point of Beginning; said described tract containing 12.8+/- acres, more or less.

Chair McGahan opened the public hearing.

Judy stated that the City Planning Commission's responsibility in the Redevelopment process is to take public comment on whether the real estate described is in conformance with the City of North Platte Comprehensive Plan and if the project meets or will meet subdivision and zoning regulations and is an overall fit for development of the city. The following statements should be considered and confirmed.

- This property as presented is located in an area that has been declared blighted and substandard.
- The property is in conformance with the current City of North Platte Comprehensive Plan
- The project meets or will meet subdivision and zoning regulations.
- That development of this property to its full potential is in the best interest of the City of North Platte and the entire region.

The principal purpose of a comprehensive plan is to provide basic policies to guide the many activities of the city. It is used to help determine investment priorities and guide public and private development. At the same time, a comprehensive plan must be flexible in order to address changing conditions and respond to new situations that cannot be foreseen at the time of adoption. One goal of the current city Comprehensive Plan is to provide for the creation of sufficient housing stock to provide safe choices and options for different types of housing units and cost. The City Comprehensive Plan lays out actions needed to help increase housing stock. Those actions include:

- Redeveloping underutilized land with a mix of land uses that encourage new housing options and neighborhood services.
- Reduce the number of substandard housing units in the community.
- Create alternative housing options such as senior housing or low-to-moderate income households.
- Provide incentives for redevelopment of areas with substandard housing stock into affordable, safe housing including housing programs that encourage construction of multi-family rental units.
- Affirm and support fair housing practices in North Platte.
- Prepare for future growth by extending city infrastructure to areas targeted for development.

As presented in the Redevelopment Plan, the redeveloper intends to acquire vacant property and install infrastructure, paving, water, sewer, and storm water mains for development of a 51 lot residential subdivision for affordable workforce family homes. The redeveloper anticipates creating between twelve and eighteen homes per year on the site. The homes will be moderately priced and specifically intended to house working families. The Redeveloper expects to engage a housing developer and provide the lots at a price point significantly below market in order to substantially lower the price of housing in the subdivision. The property is currently zoned A-1 Transitional Agriculture district and will need to be rezoned to an R-2 Dwelling District to allow the development to occur. The proposed rezoning is Item #5 on the current Planning Commission agenda. Planning staff recommends approval of the City of North Platte Redevelopment Plan for the DEVCO Housing Redevelopment Project and passage of the attached resolution. The redevelopment plan is in conformance with the North Platte Nebraska Comprehensive Plan 2011 and meets, or will meet, current City of North Platte Subdivision and Zoning Regulations and the property is located in an area that has been declared blighted and substandard. This area is appropriate for housing development as the location is in close proximity to public schools and residential related commercial businesses. This proposed project is redeveloping underutilized land into new housing options, creating alternative housing options and helping the community prepare for future growth by extending city infrastructure, all of which are identified in the City's current Comprehensive Plan. A residential development in this location is a good fit for the area and for the growth and development of the City of North Platte and the entire region.

Chair McGahan asked the audience to keep comments brief during the public hearing and try not to repeat what has been said.

Kevin Dancer, 1605 w. 19th St., was present and stated he is the only person that has built a new house in the area. There are 48 modular homes in that neighborhood as a result of the term blighted & substandard. The city didn't pave any new streets or put in sidewalks. The city needs to finish paving the streets in that neighborhood so dust isn't an issue. He is a private investor who spent a sizable amount of money to do his house and feels this is an unfair competition. They could have nicer homes if that option was available.

Gary Person, President, North Platte Area Chamber and Development Co., (DEVCO), 502 S. Dewey, was present and stated he is hoping to answer some of the questions that will surface this evening. This development is being proposed largely because of low housing inventory in North Platte. The city is lucky to have 20 to 30 on the market at one time and a healthy inventory should be 125 to 150. He handed out a paper

showing North Platte's peer communities' similar size in 1980. Population ranged from 17,000 to 24,509 and North Platte was high at that time. North Platte now ranks 7th out of 7. Other communities' aggressiveness towards housing directly related to this. Housing is where jobs live. A developer came forward a couple years ago and the process dragged on throughout the construction season and delayed that houses would get built. This deters other developers. North Platte has demand and potential jobs heading our way. Sustainable Beef and the Industrial Rail Park have the potential of 4000 new jobs and only 20 houses on the market. DEVCO has been aggressive reaching out to developers. Developers ask if city will put in infrastructure or approve TIF. Housing developers want to build houses not infrastructure. Installing infrastructure is an expensive risk and DEVCO is taking that risk. The city purchased a great deal of land to grow the cemetery over time and with changes in funeral practices, such as cremation, the city feels they are good for another 100 years without this property. Creating 52 houses could generate millions of dollars in property taxes. Those people will make decent salaries and benefits and will spend paychecks here which will create additional tax dollars. North Platte has not been very receptive of TIF projects. Other communities have gotten more aggressive and use TIF as a vehicle to help them grow. We need to help developers help us. The Economic Development Committee wanted to target the north side to have a spurt of energy to help facilitate additional development. This vacant property is already blighted and owned by the City.

Mr. Dancer asked why zone it R-2 instead of R-1 like Dixie.

Judy explained that R-2 allows for smaller size lot development. She also pointed out that Dixie Avenue is zoned R-2.

Mike Bacon, 416 10th St, Gothenburg, was present. He works for Redevelopment Authority preparing the plan. If the City is unwilling or unable to provide title to DEVCO, a non-profit developer, this process will die so selling of the land is not what is before the Planning Commission at this time. People cannot build affordable housing at this time. Taxes could be reduced with more taxpayers in this state. He used to think providing jobs would bring the people and housing would come. He was wrong, the community cannot be built without housing. Other communities are growing. Grand Island has a TIF project with 300 new homes that provided over 300 jobs and workers to that community. Builders want to know they can sell those houses without risk. He requests adopting a resolution making a recommendation to the City Council for the redevelopment to be approved.

Terry Woods, 902 N. Emory, was present and stated her issue is this land was set aside hundreds of years ago to be cemetery land. If the community is on the cusp of greatness, how do we know what 100s of years or even 10 years will look. The people that move here may have different funeral practices and burial beliefs. She suggested turning the empty land into a park not houses.

Rick Miller, 1317 W. 17th St., ½ block from the corner of this property was present and stated he disagrees about it being 100 years before cemetery needs to expand. He believes it will cost taxpayers a great amount of money to purchase the same amount of land and develop it into a cemetery. He feels there is already too many low income duplexes and modulars in that area. He's concerned about traffic on Adams and Rodeo Road. He feels it would be better to leave the land cemetery land. Putting middle income stick built houses would be fantastic.

Tracy Martinez, 1003 W. 9th St., was present and also doesn't think it's a good idea to take the property away from the cemetery. He believes the city should be growing outwards, this is congesting the city.

Judy showed a map of the little over 12 acre area they are talking about. There is 12 or 13 acres of property to the south that would still be city owned property.

Rita Hernandez, 2121 W. 9th, former City Council Ward 4, was present and stated she is for housing and feels this is disrespecting the people being put in the ground. Fort McPherson anticipated not needing more ground and now the north side is getting full. North Platte is making money selling plots even though it might not be taxed.

Ed Rieker, 916 N. Emory Ave, was present and stated it was mentioned in the initial comments that it has to work into the overall fit of the community. He reiterated what has been said about giving up cemetery land. In

10 years we could be a community of 35,000 to 40,000. Gary Person has worked hard to bring these industries to our community. Mr. Rieker isn't convinced this is the place to put this. He thinks a park would be an excellent idea. Nebraska is the 38th highest taxed state in the nation. There are costs associated with TIF. Admittedly they do recover the basic tax assessed to it. If the value increases the tax value increases as well. The money that would be generated is gone for maybe 15 to 20 years depending on the life of the bond. He finds it hard to believe that a developer will sell a home below the market value. North Platte is on the cusp of gains. There will be good jobs in town. We need to let the market work things out instead of getting government involved and subsidizing this.

Brandon Jones, 2115 Birchwood Road, Chamber Board of Directors, was present and stated this is not low income housing, it is workforce housing. Using this land still leaves 10 acres for future development. This area is not part of existing cemetery. They spoke to a funeral director that said there is ample space there after this. TIF will be used for infrastructure and this land was chosen because it was blight & substandard. This project will not happen without TIF.

Rita Hernandez and Rick Miller spoke again about the price of these houses possibly not being a good fit for the north side of town.

Mark Woods was speaking against TIF. One application was turned down on Sugarberry and within 30 days the developer was building homes. He doesn't believe TIF is for housing.

Cassie Condon, former north side resident, was present and stated the north side is not the bad side. Housing is needed to stop this decline and to have the jobs so they have somewhere to live. We want all of North Platte to grow equally.

Donna Tryon, 820 South Bryan, was present and stated she would like to get back to free enterprise supply and demand not use TIF.

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

Judy reiterated the Planning Commission's responsibility in the Redevelopment process is to take public comment on whether the real estate described is in conformance with the City of North Platte Comprehensive Plan and if the project meets or will meet subdivision and zoning regulations, and is an overall fit for development of the city. The following statements should be considered and confirmed.

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- The property is in conformance with the current City of North Platte Comprehensive Plan
- The project meets or will meet subdivision and zoning regulations.
- That development of this property to its full potential is in the best interest of the City of North Platte and the entire region.

There was some discussion among the Planning Commission that the Comprehensive Plan designates this area for housing and if the cemetery wants to expand they would have to do an amendment to the Comprehensive Plan.

Fudge stated there are legitimate concerns about the cemetery and asked if he could have that question answered.

Chair McGahan allowed the question.

Layne Groseth, 1201 W. Philip, Public Works Director, Public Service Director and Interim City Administrator, was present and basically stated even if burials tripled each year they would still have enough property for over 100 years.

Fudge also asked about the Rodeo Road access from Adams. If someone wanted to pave their gravel road, can they petition for paving.

Mr. Groseth stated controls are currently staying green on Rodeo Road unless someone pulls up there. They can be controlled differently with more traffic. If an owner petitions for paving, the cost is assessed to property owners.

Winder asked Mr. Person why this property.

Mr. Person explained it is to do something for the north side to help revitalize those neighborhoods. It would add value to north side image. This property is designated for housing and is already blighted. The only negative was it was perceived to be for cemetery expansion but apparently the Planning Commission 10 years ago thought this was an ideal place for housing.

Bain asked if there is any consideration of a park area in the site.

Mr. Person explained that this is not that far from Cody Park. Parks are expensive to maintain. There will be green space. The Superintendent of Schools felt it was an ideal area for housing. Park space doesn't help make a development cost effective. It's expensive to put in infrastructure. He doesn't believe anything can be built for less than \$400,000 in the state of Nebraska without TIF. That cost savings goes back to the person buying the house.

Wurl stated she is passionate about that the green space as well. There are no playgrounds for young people in certain areas. She's concerned about home density and how tight these are. She wonders if this neighborhood will raise itself out of the blighted and substandard. She does understand the predicament with not having houses for people to live in.

Bain stated with increasing cost of development, this is a great place for TIF and development. He sees values rising across town and less of a difference from south to north side for the past 10 years because a lot of homes have been fixed up. He thinks a development like this would help.

Forbes asked about the residential designation in the Comprehensive Plan.

Judy stated when the ground was purchased it was probably designated for cemetery land. A Comprehensive Plan should be updated every 5 to 10 years. Plans are intended to be a working document and change as communities change. In 2012 Planning Commission looked at trends at that time and felt this was a great location for residential development. Housing has been on the mind of the Planning Commission for years.

Fudge asked Gary Person if the city expects to need 1000 units.

Person stated it is a noble goal to get 1000 units over the next decade. In order to take advantage of the economy in front of us, build houses people will come here.

Fudge Moved and Jett seconded the motion to approve the resolution recommending approval of the City of North Platte Redevelopment Plan for the DEVCO Housing Redevelopment Project and approval of related actions. Voting Aye: Wurl, Weber, McGahan, Forbes, Fudge, Jett, Bain, Winder. Voting Nay: None. Absent: Davies. Motion carried.

4. Public Hearing Discuss and consider action on a resolution regarding the City of North Platte Amended Redevelopment Plan for a Portion of the Twin Rivers Industrial Park for the real estate described as a tract of land in the Southeast Quarter of Section 15, Township 13 North, Range 30 West of the 6th P.M., Lincoln County, Nebraska more particularly described as follows:

Beginning at the Northwest Corner of Lot 1, Iron Trail First Subdivision, North Platte, Lincoln County, Nebraska; thence N 89°32'20" W (an assumed bearing) on the north line of said Lot 1, and Parcel ID 0023926.70 a distance of 1097.33 feet to the Northwest Corner of parcel 0023926.70, thence continuing S 00°29'09" W on west line of parcel 0023926.70, a distance of 2152.77 feet to a point on the north line of State Farm Road right-of-way; thence east on north right-of-way line of State farm road S 89°25'05" E, a distance of 1116.57 to west line of Twin Rivers Road right-of-way and thence parallel to Twin Rivers right-of-way N

00°01'25" W a distance of 2155.20' to the Point of Beginning; said described tract containing 54.75 acres, more or less.

Chair McGahan opened the public hearing.

Judy stated that the City Planning Commission's responsibility in the Redevelopment process is to take public comment on whether the real estate described is in conformance with the City of North Platte Comprehensive Plan and if the project meets or will meet subdivision and zoning regulations, and is an overall fit for development of the city. The following statements should be considered and confirmed.

- This property as presented is located in an area that has been declared blighted and substandard.
- The property is in conformance with the current City of North Platte Comprehensive Plan
- The project meets or will meet subdivision and zoning regulations.
- That development of this property to its full potential is in the best interest of the City of North Platte and the entire region.

As presented in the Redevelopment Plan, the Redeveloper intends to add additional developable area in the park by expanding sanitary sewer, water, storm sewer mains, paved streets and electrical infrastructure.

Development has been stymied in this industrial park due to the lack of infrastructure. Expanding the infrastructure will encourage private investment in the redevelopment area and contribute to the economic wellbeing of the city. Planning staff recommends approval of the City of North Platte Amended Redevelopment Plan for a Portion of the Twin Rivers Industrial Park Redevelopment Project and passage of the attached resolution. The redevelopment plan is in conformance with the North Platte Nebraska Comprehensive Plan 2011 and meets, or will meet, current City of North Platte Subdivision and Zoning Regulations and the property is located in an area that has been declared blighted and substandard. This area is appropriate for industrial uses by providing direct access to Hwy 30 and I-80 without disrupting residential or commercial areas of the community. Additionally, industrial development in this location is a good fit for the area and for the growth and development of the City of North Platte and the entire region.

Gary Person stated they hope to expand the infrastructure at the Business Park. They would like to have shovel ready sites. They want to build an east-west road to go along with the only road into the area and expand utilities. The area is properly zoned, it is blighted, the west half of the property in the business park is not blighted. The road would be put in a blighted area and everything east would qualify, the west side would benefit but not be eligible.

Mike Bacon, 416 10th St, Gothenburg, Nebraska, was present and stated they prepared this amended plan because it takes in account 30 acres and adds land to it. DEVCO doesn't have money to put paving, sewer and water in, so they want a way to finance putting it in. The plan is to put infrastructure in as the money comes in. They can do it sequentially.

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

Winder Moved and Forbes seconded the motion to approve the resolution recommending approval of the City of North Platte Amended Redevelopment Plan for a Portion of the Twin Rivers Industrial Park Redevelopment Project and approval of related actions. Voting Aye: Wurl, Weber, McGahan, Forbes, Fudge, Jett, Bain, Winder. Voting Nay: None. Absent: Davies. Motion carried.

5. Public Hearing File No. Z22-001 Discuss and consider action on an application by the North Platte Area Chamber & Development Corporation, purchaser, and the City of North Platte, owner, to rezone certain lands from an A-1 Transitional Agricultural District to an R-2 Dwelling District on property located on the corner of North Adams Avenue and West 17th Street on property described as A tract of land in the Southeast Quarter of Section 29, Township 14 North, Range 30 West of the 6th P.M., Lincoln County, Nebraska more particularly described as follows:

Beginning at the South East right-of-way corner of Adams Avenue and West 17th Street, Cody Land and Cattle Co. Pt.11; thence S 88°52'46" E on the south right-of-way line of 17th Street, a distance of 796.57 feet to the Northeast Corner of said Lot; thence continuing S 00°19'55" W, a distance of 700 feet to a point on the east line of said lot; thence N 88°52'46" W, a distance of 796.57 feet to the west right-of-way line of Adams Avenue,

then N 00°19'55" E on the east line of said right-of-way, a distance of 700.00 feet to the Point of Beginning; said described tract containing 12.8+/- acres, more or less.

Chair McGahan opened the public hearing.

Judy stated that this coincides with housing redevelopment plan that was just recommended to be sent on. 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. The applicants are requesting the zone change to allow for development of a 51 lot residential subdivision. The goal is for the area to accommodate modular or stick built homes. New housing construction should be an upgrade to the area and attractive to neighbors. Housing is critical through the community and this development will provide housing options to existing and new families in the area. Planning Staff has no objections to the rezoning, the rezoning is in conformance with the City of North Platte Comprehensive Plan 2011 Land Use Map. The area is located in close proximity to other single-family homes, schools and commercial businesses. Rezoning this area to residential would not be detrimental to neighboring property owners and is a good location for additional residential development.

There was some discussion among Planning Commission members regarding the definition of modular versus manufactured homes.

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

Fudge Moved and Winder seconded the motion to approve File No. Z22-001 to rezone certain lands from an A-1 Transitional Agricultural District to an R-2 Dwelling District located at the corner of West 17th Street and North Adams Avenue as shown on the attached map. Voting Aye: Wurl, Weber, McGahan, Forbes, Fudge, Jett, Bain, Winder. Voting Nay: None. Absent: Davies. Motion carried.

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

Jett left at 7:15 p.m.

Judy stated this will be discussed at the next Planning Commission meeting.

7. Old Business. There was no old business to be discussed.
8. New Business. There was no new business to be discussed.
9. Adjourn. Chair McGahan adjourned the meeting at 7:26 p.m.

Respectfully Submitted,

Michelle Bain
Recording Secretary