

MINUTES OF THE MEETING OF THE NORTH PLATTE PLANNING COMMISSION HELD ON THE 28th DAY OF MARCH 2023 IN THE CITY HALL COUNCIL CHAMBERS.

MEMBERS PRESENT: David Fudge, Jeff Bain, Emily Wurl, Kathleen Matthews, Chance Schilling, Angie Forbes, Nelson Jett, Lee Davies

MEMBERS ABSENT: Don Weber

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

STAFF MEMBER ABSENT: Bill Troshynski, City Attorney

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 Fudge 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. Bain moved and Jett seconded the motion to approve the minutes of the meeting held January 24, 2023. Voting Aye: Fudge, Bain, Wurl, Schilling, Matthews, Forbes, Davies, Jett. Voting Nay: None. Absent: Weber. Motion carried.

3. File No. SU23-004 Discuss and consider action on an application by MRN Properties, LLC for preliminary and final approval of Nekuda First Replat located at 4004 West 14th Street.

Judy stated that the subdivision will split 1 lot into 2 lots. Proposed Lot 1 will be 1.35 acres and proposed Lot 2 will be 2.53 acres. The property is currently a mobile home park, which will remain in place. The City of North Platte Code of Ordinances Section 156.145 Height and Lot Requirements requires a mobile home park to be a minimum of 4 acres. The applicant submitted a variance request to the City Board of Adjustment, which was heard on February 28, 2023 at 8:30 AM and unanimously approved by the board. City sewer is available to service the proposed lots. City water is not available to the area, an approved well system would meet subdivision regulations within the 2-mile extraterritorial jurisdiction. Planning Staff has no objections to approval of Nekuda First Replat since the variance to lot size has been approved.

Wayne Griffin was present to represent the application.

Jett Moved and Wurl seconded the motion to approve File No. SU23-004 for preliminary and final approval of Nekuda First Replat. Voting Aye: Fudge, Bain, Wurl, Schilling, Matthews, Forbes, Davies, Jett. Voting Nay: None. Absent: Weber. Motion carried.

4. Public Hearing File No. AM23-001 Discuss and consider action on an amendment to the City of North Platte Code of Ordinances Sections 156.085, 156.105, 156.125 Height and Lot Requirements, and Section 156.150 Residential Use Table.

Chair Fudge opened the public hearing.

Judy stated that the recently updated residential zoning code had a few typos and deletions that were discovered after the regulations were codified. These amendments are simply correcting those errors.

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

Wurl moved and Schilling seconded the motion to approve the amendments to the City of North Platte Code of Ordinances Sections 156.085, 156.105, 156.125 Height and Lot Requirements, and Section 156.150 Residential Use Table as proposed. Voting Aye: Fudge, Bain, Wurl, Schilling, Matthews, Forbes, Davies, Jett. Voting Nay: None. Absent: Weber. Motion carried.

5. Public Hearing File No. Z23-001 Discuss and consider action on an application by Barefoot Bet, LLC to rezone certain lands from an F-1 Floodway District to an A-1 Transitional Agricultural District located on West Koubek Road and described as Lot 2 Bryners 2nd Replat, Lincoln County, Nebraska consisting of approximately 46.06 acres.

Chair Fudge opened the public hearing.

Judy stated that the property owners are requesting the zone change to allow for future residential development on the property. Currently, the F-1 Floodway District does not allow for residential construction. The applicants have requested the city consider moving the F-1 Floodway District to be consistent with the FEMA Flood Plain Map and rezone the F-1 Floodway to an A-1 Transitional Agricultural District. Brent Burklund, City Engineer, and Dave Hahn, City Flood Plain Manager, visited the site and prepared a map of the proposed rezoning line. This proposed line is in conformance with the current FEMA Flood Plain Map. Moving the F-1 District south will allow the property owners the ability to build a residential structure toward the north side of the property. Planning Staff has no objections to the rezoning. The F-1 Floodway District will be in line with the FEMA Flood Plain Map and seems to be a better fit for the area. The area is surrounded by agricultural zoned property so rezoning to an A-1 Transitional Agricultural District will not be a detriment to the surrounding area. Property owners and Dave and Brent are in the audience.

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

Bain moved and Matthews seconded the motion to approve File No. Z23-001 to rezone certain lands from an F-1 Floodway District to an A-1 Transitional Agricultural District on property described as Lot 2 Bryners 2nd Replat, Lincoln County, Nebraska. Voting Aye: Fudge, Bain, Wurl, Schilling, Matthews, Forbes, Davies, Jett. Voting Nay: None. Absent: Weber. Motion carried.

6. Public Hearing File No. AM23-002 Discuss and consider action on an amendment to the City of North Platte Nebraska Comprehensive Plan 2011 Future Land Use Map to amend certain land from a Residential Low Density Single Family to Commercial located at 2620 South Willow Street and described as Part of Lot 3 and Part of the NW ¼ SW ¼ of Section 9, Township 13 N, Range 30 W of the 6th P.M., North Platte, Lincoln County, Nebraska.

Chair Fudge opened the public hearing on Items No. 6 and 7 on the agenda.

Judy stated that Items #6 and #7 on the agenda involve the same property and may be discussed together. If Item #6 is not approved, then Item #7 cannot be acted on and will be pulled from the agenda. 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 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 amendment. The parcel currently shows commercial on the east and residential on the west, it makes sense to have the entire parcel under one zoning designation to allow for future business expansion. Being the current site to FedEx it is reasonable to rezone the entire parcel to commercial. The property to the south is zoned residential; however, it is currently a large vacant lot and could potentially develop into either residential or commercial.

The applicants are requesting the zone change to allow expansion of parking on the existing FedEx site. The applicants do not feel that the business would be detrimental to the area as adjoining properties to the east are commercial businesses. Planning Staff has no objections to the rezoning if the amendment has been approved. The area is bordered on the north by Interstate 80, to the east by commercial businesses and should not be a detriment to the surrounding area.

Troy Grasz, 2511 So. Oak St., was present and stated he the letter and asked how it pertains to him.

Judy stated the city is required by Nebraska State Statues to notify property owners within 300' of a zone change.

Robert Stefka, 2016 William Ave, was present on behalf of Blickenstaff Realty. He stated this is a unique situation where they are asking for a rezoning of a parcel bisected with two separate zones. The request is to make the entirety of the parcel uniform within the same zoning. FedEx plans to expand their footprint for more parking, no structures are being planned.

Schilling moved and Davies seconded the motion to close the public hearing on item nos. 6 and 7 on the agenda. Voting Aye: Fudge, Bain, Wurl, Schilling, Matthews, Forbes, Davies, Jett. Voting Nay: None. Absent: Weber. Motion carried.

Schilling moved and Bain seconded the motion to approve File No. AM23-002 an amendment to North Platte Comprehensive Plan 2011 Future Land Use Map to amend certain land from a Residential Low Density Single Family to Commercial on located at 2620 South Willow Street. Voting Aye: Fudge, Bain, Wurl, Schilling, Matthews, Forbes, Davies, Jett. Voting Nay: None. Absent: Weber. Motion carried.

7. Public Hearing File No. Z23-002 Discuss and consider action on an application by Blickenstaff Realty Corporation to rezone certain land from an R-1 Dwelling District to a B-2 Highway Commercial District on property located at 2620 South Willow Street and described as Part of Lot 3 and Part of the NW ¼ SW ¼ of Section 9, Township 13 N, Range 30 W of the 6th P.M., North Platte, Lincoln County, Nebraska.

The public hearing for Item No. 7 was held and discussed with Item No. 6 above.

Fudge asked Brent Burklund, City Engineer, to come forward and asked if he has any concerns about traffic. There is not a lot of ingress and egress.

Mr. Burklund stated he doesn't think zoning is the right time to talk about traffic. That can be discussed with operational discussions. City staff will have to work through it.

Bain asked about the gravel road.

Judy stated there has been discussion about ingress and egress on Willow only, not on gravel road. But that shouldn't be addressed with the rezoning.

Wurl Moved and Forbes seconded the motion to approve File No. Z23-002 to rezone certain land from an R-1 Dwelling District to a B-2 Highway Commercial District on property located at 2620 South Willow Street. Voting Aye: Fudge, Bain, Wurl, Schilling, Matthews, Forbes, Davies, Jett. Voting Nay: None. Absent: Weber. Motion carried.

8. Public Hearing Discuss and consider action on a resolution regarding Wilkinson Exit 179 Commercial Redevelopment Plan on property described as the following tract in Section 11, Township 13 North, Range 30 West of the 6th P.M., Lincoln County, Nebraska, to wit:
All that part of Government Lot 5 lying East of the Easterly right-of-way line of Newberry Access Road and all of Government Lots 6, 7 and 8 Except a 34.94 acre tract described in survey recorded at Instrument #: 301203101 on May 23, 2012 and quitclaimed in Quitclaim deed recorded at instrument #: 201203113 on May 24, 2012 in the Office of the Lincoln County Nebraska, Register of Deeds pursuant to Nebraska Community Development Law.

Chair Fudge 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 create a diversified economic base that stimulates local investment and spending. Economic diversification is obtained by:

- Providing the City and its planned growth area a generous supply of developable, strategically located sites for office, research and development, and industrial uses.
- Providing adequate public facilities and services to areas that are planned for employment center development.
- Retaining and expanding North Platte's existing base of offices, research and development businesses, and industrial facilities.

As presented in the Redevelopment Plan, the Redevelopment Project is an eight-lot commercial development that will not only generate significant economic activity but will also provide an inviting entrance to the City of North Platte. At full development the Redevelopment Project will include the next Fat Dog's Travel Center and Truck Stop, a stand-alone restaurant, and 50,000 square foot of retail stores, a hotel, corporate offices and additional office and food service building. Site preparation and infrastructure costs are estimated at \$5,122,694 with building construction estimated to exceed \$16,000,000. New jobs created at project completion is estimated to reach 98 full-time positions. Planning staff recommends approval of the Wilkinson Exit 179 Commercial Redevelopment Plan 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 commercial uses by providing direct access to I-80 and Highway 30 without disrupting residential areas of the community. Additionally, commercial development in this location is a good fit for the area and for the growth and development of the City of North Platte.

Mike Bacon, Gothenburg, Nebraska, special counsel to the redevelopment authority, was present. He stated he has prepared this plan based on the application by Wilkinson Development Inc. The analysis asks w\What will it do to the school, police, fire, and fiscal input to community. It will provide wages and the amount of money used for TIF will offset it against what sales taxes will be generated. This appears to meet all the pieces required for community development law and is a good use of that piece of property. All the costs for infrastructure will be paid for by Wilkinson Development before they build their building.

Jerrad Shephard, 76031 Road 412, Gothenburg, was present and stated he is excited for growth, but doesn't want it to impede customers at the I-80 campground. He has concerns about legal easement on the road coming into them. That road needs to stay open. Another concern would be a fence around the truck stop to keep trash away from them. He would like consideration about how it comes in and get along with each other.

Gary Person, President, North Platte Area Chamber & Development Corp., 502 S. Dewey, was present and stated they brought forward the blight study to take the old city lagoon and make it development worthy of recruiting an industry in NP. They incorporated that area of the interstate that was undeveloped since 1968. This is cost prohibitive with enormous infrastructure costs. They wanted to bring in an industry that would make sense to generate revenue for the city. When Sustainable Beef came in, they decided they will have additional truck traffic on that intersection and should try to accommodate truck traffic etc. They are fortunate a local developer stepped up to develop that property. They encourage the community to embrace this project.

Clarine Eickhoff, and Mark Wilkinson, Wilkinson Development, were present.

Matthews asked about access to I-80 campground especially during development.

Ms. Eickhoff stated that this is part of the TIF process to make sure they can go through with TIF financing. When that happens, they will work with city staff to see what the subdivision will look like and how the road will be obtained. They heard the concerns and will address them.

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

There was consensus from much of the Planning Commission that this project answers all four questions

Davies excused himself from the vote.

Schilling Moved and Bain seconded the motion to approve the resolution recommending approval of the Wilkinson Exit 179 Commercial Redevelopment Plan and approval of related actions. Voting Aye: Fudge, Bain, Wurl, Schilling, Matthews, Forbes, Jett. Voting Nay: None. Abstaining: Davies. Absent: Weber. Motion carried.

9. Discuss changes to definitions and commercial zoning regulations.

Judy will send the Planning Commission an email with some ideas that will include Home Occupation and a redo of some of the zoning regulations.

10. Discuss possible future annexation.

Judy stated the city received a request for annexation near the golf course area. The NPPD land in that area may be annexed as well. The city limits are on the south and north of river. That river area is kind of a pocket. It would make sense to close it in.

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

12. New Business. There was no new business to be discussed.

13. Adjourn. Chair Fudge adjourned the meeting at 6:13 p.m.

Respectfully Submitted,

Michelle Bain
Recording Secretary