

MINUTES OF THE MEETING OF THE NORTH PLATTE PLANNING COMMISSION HELD ON THE 27<sup>th</sup> DAY OF JUNE 2023 IN THE CITY HALL COUNCIL CHAMBERS.

MEMBERS PRESENT: David Fudge, Jeff Bain, Emily Wurl, Kathleen Matthews, Angie Forbes, Nelson Jett, Lee Davies, Glenn Van Velson, Kert McKeone

MEMBERS ABSENT: None

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

Chair Fudge welcomed Glenn Van Velson to the Planning Commission.

2. Bain moved and Davies seconded the motion to approve the minutes of the meeting held June 27, 2023. Voting Aye: Fudge, Bain, Wurl, Matthews, Forbes, Davies, Jett, McKeone. Voting Nay: None. Abstaining: Van Velson. Absent: None. Motion carried.
3. Public Hearing File No. AM23-006 Discuss and consider action to amend the City of North Comprehensive Plan 2011 Future Land Use Map from Public/Quasi-Public to Commercial on property located at 2118, 2208, 2210 and 2212 Anna Avenue on property described as Lots 6, 7, 8 & 9 Muirhead's 2nd Subdivision, North Platte, Lincoln County, Nebraska.

Chair Fudge opened the public hearing on Items #3 and #4 on the agenda.

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

Judy 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. 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 to occur. Planning Staff has no objections to the amendment. The parcel is currently the site to a church and has been used as a public gathering place since it was built. There is a commercial site less than a block east of the proposed amendment and should not be a detriment to the area. The applicants are requesting the zone change to allow the property to be used as a small venue. The applicants feel this should not increase traffic in the area, the venue will only be open by request and should be an asset for this area of North Platte. They submitted a parking site plan. Planning Staff has no objections to the rezoning. A B-1 Neighborhood Commercial District is the least intensive commercial district. Rezoning to a PB-1 Planned Neighborhood Commercial District requires a plan to be approved. The plan in this application requests creation of a venue, if that plan changes in the future the plan will need to be amended, which will require approval from the planning commission and city council. The property currently is the site for a church with a large parking area. Using the site as a venue should not cause parking issues in the area. The property will not be occupied at all times as use is dependent upon scheduled venue events. The property to the west will remain as a residential zone and residential use.

Wes Meyer, 2016 Anna Avenue, was present and stated he owns 2016, 2018 Anna and 2005 and 2007 West A. He is voicing opposition to the application. He has talked to neighbors next to him who gave him permission to voice their opposition to this. They don't want traffic and noise from the venue.

Jim Falcon, owns property at 2215 West Anna, was present and stated he is in favor of this venue. There is a shortage of locations to have graduation parties, family reunions, etc. He thinks North Platte needs this venue.

Dan Phelps, owns 2219 Anna Avenue (rental property), was present in favor of this application. He feels they will manage things and keep the property nice. North Platte needs these types of properties. There are other properties like this in residential areas.

Randy Pugsley, owns property at 2117 Anna Avenue, against the idea because of the traffic. There is too much going to the grocery store. We don't need that kind of stuff going on across the street from us. If we have these parties, there will be other issues. If there is alcohol involved there will be drugs involved.

Kim Christensen, 2116 Anna, was present and stated she has grandchildren come over and is against it being turned into a commercial venue with big parties.

Ruth Mecham, 2113 Anna Avenue, was present and stated they are against a venue being there in a residential area. Throwing parties and alcohol past quiet hours will disturb the peace of the neighborhood. There will be potential drunk drivers and possible side swiped vehicles.

Scott Standage, applicant, was present and stated they purchased the house and church with the intention of renting out the house. This venue would be by reservation only to have birthday or graduation parties. He has no intentions of getting a liquor license and understands it's a quiet neighborhood. It shouldn't be any busier than Sundays when they have church. There is ample off-street parking. We plan to do an 11 a.m. to 11 p.m. rental and don't intend to have loud bands etc.

In response to questions from the Planning Commission, Mr. Standage stated that the occupancy for the venue is 118 and there are 70 to 80 parking stalls. There is a white privacy fence all the way along there. A person could potentially get a special designated permit for alcohol, but they could do that anywhere.

Judy stated she received phone calls from Bill Thrash, 2104 Anna, who is opposed because of traffic, Janet Reason, 2207 Anna, who said she was opposed, and Buster Haynes, 2007 Anna, opposed because of traffic.

McKeone stated he received a phone call from Tom Miller who owns a rental and he has no objection.

Eric Mecham, 2113 Anna Avenue, was present and stated he is opposed because the appeal to the house they bought was the quiet neighborhood.

Van Velson asked Mr. Standage how often he anticipates this venue would be used.

Mr. Standage stated there are bigger venues out there and he has no idea the people that would call but hopes it would stay busy.

Mr. Meyer stated he is concerned if this is open from 11 to 11 they won't be out of there until midnight or 1:00.

Myrth Morse, 2121 Anna, was present and stated she is concerned when they pull out of that parking lot, lights would shine into their bedroom. She wants to keep the area quiet.

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

Judy explained the reason she suggested a PB-1 for this venue. It is the most restrictive business district allowed in North Platte. They had to come up with a plan so it would be a little different than a straight B-1 District. They wrote the letter; he testified the hours of operation. That gives the plan that will be recorded in the minutes. If they want to change the plan, they'd have to come back to Planning Commission and City Council for approval.

Jett asked if this could be sold as a venue.

Judy explained if they sell it as a venue, they'd have to come back to Planning Commission and City Council to amend the plan.

McKeone asked if a 10:00 shut down would make a difference.

Bain questioned if the property fits a public/quasi-public area.

Judy explained that Westfield is down the block. There is about a block that is residential before Westfield.

Davies stated right now someone can buy this property and it can be a house. The applicants have a plan being mainly set up for parties and they are controlling the parties because they want a successful business. Someone could buy a house and make noise with motorcycles etc. He doesn't see this as a wild party venue, but as a smaller venue that fits into a neighborhood to have a birthday, graduation, small gathering get together. There are other venues sized for louder things. He feels that the community needs something like this. Some churches let people have events at their church for small get togethers. He doesn't see it detrimental to the area and feels it would be good use of the building.

Bain stated even though it's planned, there is not always have control of what's going on from 11 to 11.

Van Velson Moved and Davies seconded the motion to approve File No. AM23-006 an amendment to the City of North Platte Comprehensive Plan 2011 Future Land Use Map to amend certain land from Public/Quasi-Public to Commercial located at 2118, 2208, 2210 and 2212 Anna Avenue. Voting Aye: Wurl, Matthews, Forbes, Davies, Jett, Van Velson, McKeone. Voting Nay: Fudge, Bain. Absent: None. Motion carried.

4. Public Hearing File No. Z23-008 Discuss and consider action on an application by Scott and Melinda Standage to rezone certain land from an R-2 Dwelling District to a PB-1 Planned Neighborhood Commercial Services District located at 2118, 2208, 2210 and 2212 Anna Avenue on property described as Lots 6, 7, 8 & 9 Muirhead's 2nd Subdivision, North Platte, Lincoln County, Nebraska.

The public hearing for Item No. 4 was held with Item No. 5 above.

Davies moved and McKeone seconded the motion to approve File No. Z23-008 to rezone certain land from an R-2 Dwelling District to a PB-1 Planned Neighborhood Commercial Services District located at 2118, 2208, 2210 and 2212 Anna Avenue.

Attorney Troshynski suggested considering an amendment to reference the applicant's plan and make it part of the approval.

Matthews stated she feels the plan is still pretty vague and suggested requesting a better plan.

There was discussion regarding how to proceed with the application. Scenarios discussed were come back to Planning Commission with a better plan, vote on the current plan and he could return with another plan if the vote is no.

Attorney Troshynski stated depending on how different the amended plan might be, for example if it's just more specific and contains everything discussed at this meeting, it could be voted on now, but if it contains a lot of additions or difference from what was discussed, it may have to come back to another meeting.

Consensus was that the motion could be approved, denied, tabled or amended.

Van Velson moved and Bain seconded the motion to table the current motion to approve. Voting Aye on motion to table: Fudge, Bain, Wurl, Matthews, Forbes, Davies, Jett, Van Velson, McKeone. Voting Nay: None. Absent: None. Motion carried.

Chair Fudge stated the motion will probably be back on planning commission agenda next month.

5. Discussion of parking and storing RVs, Trucks, Boats, and Trailers within the City of North Platte.

Judy stated over the past several years, the number of complaints regarding individuals living in RVs and campers in the city has increased substantially. Currently there are only a few codes that address parking of RVs, and living in RVs becomes a zoning issue addressed through zoning codes. Planning Staff began looking at ways to address these issues and has come up with a suggestion on parking and storing of RVs that would help with enforcement of individuals using the RVs as permanent living quarters in residential neighborhoods. Planning Staff received an inquiry regarding the maximum time limit on parking in public streets and noticed this portion of the code does not address RVs or campers. At the June 27<sup>th</sup> Planning Commission Meeting, members requested some copies of codes regarding RVs from different communities, these copies were sent for review.

Judy further stated that parking and living in RVs are a little bit different. There has been a push to regulate the actual parking but she's more concerned with the people living in these. It is not conducive to residential neighborhood. Her suggested changes were borrowed from Grand Island. There may be some changes to be made.

There was some discussion regarding enforcement.

Judy will bring the proposal based on Grand Island's regulations, with help from the City Attorney, to the next meeting for public hearing.

6. Discussion of Residential Setbacks.

Councilman Mark Woods, 902 N. Emory, was present and stated he looked at this ordinance and noticed the maximum building of 55%. The Planning Commission had copies of some drawings he did and he explained that many of his examples would trigger a variance. He would like to see the maximum building percentage bumped up to 63% to save money on a variance. He feels lowering costs should be a priority. He'd like to see people be able to build one large structure to save costs.

Judy stated the rear yard setback is in place for a couple reasons. One is aesthetic appeal. The Planning Commission had copies of drawings she had done and she explained the scenarios on the drawings. She explained that what may happen with different setbacks is called sawtooth development where there will be houses in the front and back. Someone could build their house off the back lot line and build the garage in the front yard. People tend to pile their junk around their garage and there would be a nice home in the back with a yard and a garage in the front with all their junk. Safety is another issue, if residential dwellings are built closer together, firefighting could be disastrous. She pointed out that she looked through past variances and only two were for a residential structure and the lots were irregularly shaped in those cases. She cannot support this request since she doesn't see a problem.

Discussion among the Planning Commission brought the consensus that there really isn't a problem with the current regulations. They do not want to see lots overbuilt. If there are issues, they can take care of it with a variance.

Mr. Woods stated the city needs housing and this would help to cut costs. He feels planning should make things easier and cheaper for builders.

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

8. New Business. Judy invited the Planning Commission to participate in the Comprehensive Plan studies being held the next week.

9. Adjourn. Chair Fudge adjourned the meeting at 6:48 p.m.

Respectfully Submitted,

Michelle Bain  
Recording Secretary