

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

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

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.

2. Van Velson and Matthews mentioned they were going to abstain from voting on the minutes because they were not at that meeting.

Bain moved and Jett seconded the motion to approve the minutes of the meeting held October 24, 2023. Voting Aye: Fudge, Bain, Wurl, Forbes, Davies, McKeone, Jett. Voting Nay: None. Abstaining: Van Velson, Matthews. Absent: None. Motion carried.

3. Public Hearing Discuss and consider action on a resolution regarding the City of North Platte, Nebraska Chief Blight and Study as prepared by Marvin Planning Consultants, Inc., and make a recommendation regarding its conformity with the City of North Platte Comprehensive Plan 2011 whether the real estate described should be declared substandard and blighted for the development of the City of North Platte pursuant to Nebraska Community Development Law. The study area includes an estimated 370.21 acres generally between the NPPD Canal Outlet and Newberry Access Road bordered on the south by Interstate 80 and bordered on the north by the South Platte River.

Chair Fudge opened the public hearing.

Judy stated that the City Planning Commission's responsibility in the Blight & Substandard Determination Study process is to take public comment on whether the real estate described should be declared substandard and blighted as pursuant to the Nebraska Community Development Law and if the study is in conformance with the City of North Platte Comprehensive Plan. The following statements should be considered and confirmed.

- This property as presented in the study meets the requirements to be declared substandard,
 - This property as presented in the study meets the requirements to be declared blighted,
 - The factors necessary to declare the property blighted and substandard are sufficiently distributed to impact development across the entire site,
 - That development of this property to its full potential is in the best interest of the City of North Platte and the entire region,
 - That there are projects ready to develop in this area if they can meet the financial goals of the developers
- Nebraska State Statute 18-2103(3) regulates the percentage of city limits that may be declared blight and substandard pursuant to Nebraska Community Development Law and states a city of the first class shall not designate more than thirty-five percent (35%) of the city as blighted. Currently, the city limits of the City of North Platte contain 11,867.37 acres with 2,462.92 acres designated as blighted and substandard or 20.8%. The proposed study will designate an additional 370.21 acres as blighted and substandard within city limits which would increase the city's percentage to 23.87% designated as blighted and substandard. Planning Staff recommends approval of the study and passage of the resolution. The study is in conformance with the North Platte Nebraska Comprehensive Plan 2011 and meets the requirements to be declared substandard and blighted.

By declaring this area as blight and substandard the city remains below the 35% threshold leaving acres available for future blight and substandard declarations.

Roger Bullington, 3935 Westgate Rd, Grand Island 68803, was present and explained that they acquired some properties in that area and the city should grow in that area with the interstate, river and other motel developments. They would help facilitate commercial development on Halligan with a mixed use housing component and senior living housing and recreation. He highlighted some of his ideas focusing the areas in the 500 year flood plain on a recreational area. Without TIF the huge infrastructure of dirt work, city streets, utilities, paving would not happen.

Wurl asked if the development would happen without TIF.

Mr. Bullington replied that it would absolutely not happen without TIF, especially now with interest rates. Cities used to build roads, paving, storm water, and sewer, now it's left up to the developer. The cost would be so absorbent they couldn't do anything. They want to do a development right. The vision is for elderly housing.

Keith Marvin, Marvin Planning Consultants, 382 N. 4th Street, David City, Nebraska, was present and stated one thing different in this study is not relying pretty heavily on age of structures normally. One reason this is critical is to address flooding issues on these properties. The developer will deal with flood plain issues as they design this.

Van Velson stated he doesn't see where it includes additional development such as Capones which happened without any TIF.

Mr. Marvin explained the brewery is outside of this study area. The hotel and Capones are in there but there are still enough structures that meet the average condition. This is leaning hard on the way this land is subdivided, flood plain and other characteristics of the land.

There was more discussion among the Planning Commission and Mr. Marvin about the study and what it affects.

Mr. Bullington explained his plan to mitigate water issues on the property improvements.

Cassie Condon, 3020 W. Philip, was present on behalf of North Platte Area Chamber and Development Corporation. She stated they fully support this project and have been in discussion with these people since 2019 when Covid hit. This project will not happen without TIF. It's a critical development the community needs.

Greg Renner, 19124 S. Osage Ct., was present and stated the way a planning study works, the developer pays a firm to come out with the outcome they want. Chief bought this land (170 acres of golf course) for \$10,000. They are not going to change the flow of the river. If this land is blighted, Chief Industries said they will not develop without TIF. He expressed his opinion on how much he thinks Chief Industries will make and they say they won't develop that land without free money.

Donna Tryon, 820 S. Bryan, was present as a taxpayer. She knows there is a lot of red tape when dealing with the river and canal and would think there would be other land in North Platte to be developed instead of taking on the challenge of doing that.

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

Van Velson stated he wants the development to happen but doesn't want the taxpayers to be upset or bear too much of the burden of it. He wants to make sure the criteria are met for this that the statute says it can be done, but the question is should it be done. He questioned whether the land meets the criteria for blighted and substandard.

There was discussion about how much of the area could make it more than 40 years average age.

Jett stated he thinks a lot of people in this community wonder why things are done on some of the projects that have come to fruition after declaring these areas. But then they see these projects come to fruition, and they don't question it any more, they say it's good for the community. Planning Commission isn't voting on this project, they are voting on whether this is blighted and substandard enough to let them come in at a future date to build.

McKeone pointed out that the Walmart Distribution Center used TIF, and Walmart has deep pockets, but without TIF he doesn't think they would have developed and it would be cornfield today.

Matthews reiterated that Mr. Bullington made the comment that back in the day cities used to put in the infrastructure and now developers are required to do that. She thinks that's why TIF is used. It is almost impossible to put in a development without the use of TIF. Planning Commission should decide if this will be a benefit to the city.

Chair Fudge asked Mr. Marvin how long he has been doing these studies. Mr. Marvin replied he has been doing them since 1993 or 1994.

Chair Fudge asked Mr. Marvin the following questions:

Does the property as presented in the study meet the requirements to be declared substandard?

Does the property as presented in the study meet the requirements to be declared blighted?

Are the factors necessary to declare the property blighted and substandard sufficiently distributed to impact development across the entire site?

Mr. Marvin responded yes to all three questions and explained there are criteria for decreasing population. With zero population, that's stable, so that's the factor to make that work. There is a project in the works and it will not go forward unless this is declared blighted and substandard.

Chair Fudge reiterated no population increase or decrease meets the definition, and he mentioned the five points being considered.

The City Attorney stated that is all part of the resolution being considered.

McKeone moved and Wurl seconded the motion to approve the resolution and recommend adoption of the City of North Platte, Nebraska Chief Blight and Substandard Study, prepared by Marvin Planning Consultants, Inc., and approval of related actions. Voting Aye: Fudge, Bain, Wurl, Matthews, Forbes, Davies, McKeone, Jett. Voting Nay: Van Velson. Absent: None. Motion carried.

4. Old Business. There was no old business.
5. New Business.

Judy asked if there would be a quorum for the next regular meeting on December 26th since it's the day after Christmas. It seems there should be enough members available to have a quorum.

6. Adjourn. Chair Fudge adjourned the meeting at 6:27 p.m.

Respectfully Submitted,

Michelle Bain
Recording Secretary