

Sidney, Nebraska, February 18, 2014

A meeting of the Planning Commission of the City of Sidney, Nebraska, was convened in open and public session at 5:30 P.M. on February 18, 2014 in the City Council Chambers, located at 1115 13th Avenue. Present were: Chairman: Spiker and Commissioners: Leever, McCarville, Phillips, Smith, and Volkmer. Absent: Egging, England and Mueller. Others present: City Manager Person, Zoning Administrator Dayton, City Attorney Leef, and Deputy Clerk Heilbrun. Notice of the meeting was given in advance thereof by publication in The Sidney Sun Telegraph, the designated method for giving notice, a copy of the proof of publication being attached to these minutes. Advance notice of the meeting was also given to the Chairman and all members of the Commission, and a copy of their acknowledgment of receipt of notice is attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Planning Commission of this meeting. All proceedings shown hereafter were taken while the convened meeting was open to the attendance of the public.

Chairman Spiker announced to all in attendance, that a current copy of the Nebraska Open Meetings Act was available for review at the rear of the room.

Phillips moved, Leever seconded "That the minutes of the January 20, 2014 meeting be approved as printed." Roll call vote: Yeas: Leever, Phillips, Smith, Spiker, and Volkmer. Abstain: McCarville. Absent: Egging, England, and Mueller.

Chairman Spiker announced that the Planning Commission would now hold a public hearing re: Conditional Use Permit of Cheyenne County Hospital Association, Inc. to construct a new 125,000 square foot replacement facility for Sidney Regional Medical Center on Lot 1, Tracts 1 & 2, Sidney Regional Medical Center, located at the Northeast intersection of Greenwood Road and Toledo Street; that the Board of Education of School District No. 1, Cheyenne County, Nebraska, and the Board of Education of Western Nebraska Community College have been properly notified in the time and manner prescribed by law and have not filed objections to the proposed request.

The following filed written objections: None. The following appeared in person or by agent or by attorney and were heard: Jason Petik and Gary Person.

The public hearing convened at 5:32 p.m., then recessed at 5:33 p.m. due to the absence of representation by the applicant. It reconvened at 5:48 p.m. when Mr. Petik arrived.

City Manager Person stated that the request represents a Use Chart requirement that is obsolete in nature, but nevertheless required for the construction of a new medical facility to proceed.

Jason Petik, CEO of Sidney Regional Medical Center, stated that the purpose of the permit was to apply for permission to designate the specified land for controlled use to construct a hospital and other health care service facilities. The site will be specific to health care services only, including a hospital, physician's offices, etc.

There being no further questions or comments, Chairman Spiker closed the public hearing and asked for a motion on the request.

McCarville moved, Spiker seconded "That the Conditional Use Permit of Cheyenne County Hospital Association, Inc. to construct a new 125,000 square foot replacement facility for Sidney Regional Medical Center on Lot 1, Tracts 1 & 2, Sidney Regional Medical Center, located at the Northeast intersection of Greenwood Road and Toledo Street, be approved for the use of health care services only." Roll call vote: Yeas: All commissioners present. Absent: Egging, England and Mueller.

Chairman Spiker announced that the Planning Commission would now hold a public hearing re: the Preliminary Plat application of The Ranch for a 87.531 acre parcel of land situated in the East Half of Section 32 and the Northeast Quarter of Section 5, Township 14 North, Range 49 West of the Sixth Principal Meridian, in the City of Sidney, Cheyenne County, Nebraska, for the purpose of constructing a high quality master planned community development to provide additional housing in Sidney; that the Board of Education of School District No. 1, Cheyenne County, Nebraska, and the Board of Education of Western Nebraska Community College have been properly notified in the time and manner prescribed by law and have not filed objections to the proposed request.

The following filed written objections: None. The following appeared in person or by agent or by attorney and were heard: Pat Maher of Cabelas, Gary Person, and Ben Dayton.

Pat Maher, project manager, presented a diagram of the proposed housing development. He explained that he has met with the fire chief in regards to the cul-de-sacs and the turning radius of the heaviest equipment for their emergency vehicles. Emergency roads have been included on the final plat to accommodate this. These roads will include signage as “emergency access only” and bollards to deter public access. Emergency personnel will be able to access these roads when necessary. He further explained that the home owners association will take care of snow removal and maintenance within the development, not the City of Sidney.

City Manager Person noted that the subdivision is totally in compliance, with the recent passage by the City Council of modified code revisions.

There being no further questions or comments, Chairman Spiker closed the public hearing and asked for a motion on the request.

Smith moved, Volkmer seconded “That the Planning Commission recommend to the City Council that Preliminary Plat application of The Ranch for a 87.531 acre parcel of land situated in the East Half of Section 32 and the Northeast Quarter of Section 5, Township 14 North, Range 49 West of the Sixth Principal Meridian, in the City of Sidney, Cheyenne County, Nebraska, for the purpose of constructing a high quality master planned community development to provide additional housing in Sidney, be approved.” Roll call vote: Yeas: All commissioners present. Absent: Egging, England, and Mueller.

Discussion was held re: Annexation of properties adjacent to the current existing city limit boundaries.

City Attorney Leef reviewed the annexation process as outlined in the State Statutes/Codified Ordinances. Section 16-117, 16-118, General Requirements, Item 3, which states that “May not be agricultural lands which are rural in nature” was discussed in depth, as a majority of the adjoining properties on the proposed annexation list are zoned agricultural. It was noted that agricultural properties can be annexed if reasonable need is shown, i.e., if the surrounding properties are used for a commercial nature, etc. This is subject to interpretation by the courts.

City Manager Person informed the Commission that there is currently interest for major development on property located by the Interstate, and that the adjacent property owners have also been contacted and are interested in being annexed into the City limits. He noted that when these developers are ready to proceed would be the appropriate time to begin the annexation process, as it is cumbersome and time-consuming. He estimated that this could happen as early as late spring or early summer 2014. He noted that individual properties can be annexed separately, it is not an all-inclusive process. He also explained that while property owners are given the option to be annexed, the Planning Commission/City has the right to annex any property that meets the zoning criteria and shows reasonable need.

Commissioner McCarville asked for clarification regarding a letter that was mailed out to residents affected by the Greenwood Road reconstruction project.

City Manager Person explained that the letter was sent to residents along Greenwood Road asking for a 7 foot right-of-way from each of them for the expansion of Greenwood Road, to accommodate the new developments and improvements throughout the east part of Sidney. He noted that negotiations are ongoing at this time and will be accomplished to the satisfaction of all parties whenever possible.

The meeting adjourned at 6:06 p.m.

CHAIRMAN

DEPUTY CITY CLERK

