

Sidney, Nebraska, March 17, 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 March 17, 2014 in the City Council Chambers, located at 1115 13th Avenue. Present were: Vice-Chairman Phillips and Commissioners: Egging, Leever, McCarville, Smith, and Volkmer. Absent: England, Mueller, and Spiker. Others present: City Manager Person, Zoning Administrator Dayton, 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.

Vice-Chairman Phillips 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.

McCarville moved, Volkmer seconded "That the minutes of the February 18, 2014 meeting be approved as printed." Roll call vote: Yeas: Leever, McCarville, Phillips, Smith, and Volkmer. Abstain: Egging. Absent: England, Mueller, and Spiker.

Vice-Chairman Phillips announced that the Planning Commission would now hold a public hearing re: Rezoning Application of K & W LLC to rezone a parcel of land situated in the Southwest Quarter of Section Nine, Township Thirteen North, Range Forty-Nine West of the 6th Principal Meridian, Cheyenne County, Nebraska, containing 14.63 acres, more commonly known as 675 Chase Blvd, from A (Agricultural) to C-3 (Heavy Commercial) Zone; 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: Steve Walters and Dave Pierson representing Love's Travel Stops & Country Stores, and Gary Person.

Steve Walters, project manager for Love's Travel Stops & Country Stores, gave an overview of the Love's family business, stating that they had been in business for fifty years, and operate 307 stores in 39 states. He described the proposed Sidney location as a full-service truck stop which will employ 30 to 45 employees, with 4 to 5 of these being managerial positions. All employees will be offered a fair market wage along with a benefit package. There will be a tire shop and at least one franchise-type restaurant included in the development. He noted that Love's holds several name-brand franchise licenses, so they will operate the food business themselves.

Mr. Walters noted that there are currently two access points to the site from Chase Blvd., however improvements need to be made to sustain the truck traffic as the current pavement is not thick enough. They, along with the City, are currently working with the State of Nebraska to obtain an access point from the Link Road., as well as a paving project on Upland Parkway.

He estimated that the City approval process would take between 90 to 100 days, with the final project completion date estimated at January/February 2015.

City Manager Person noted that this property would need to be annexed into the city limits in order to create the necessary improvement districts for this development. He noted that Love's was supportive of annexation.

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

Egging moved, Smith seconded "That the Planning Commission recommend to the City Council that the Rezoning Application of K & W LLC to rezone a parcel of land situated in the Southwest Quarter of Section Nine, Township Thirteen North, Range Forty-Nine West of the 6th Principal

Meridian, Cheyenne County, Nebraska, containing 14.63 acres, more commonly known as 675 Chase Blvd, from A (Agricultural) to C-3 (Heavy Commercial) Zone, be approved.” Roll call vote: Yeas: All commissioners present. Absent: England, Mueller, and Spiker.

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

City Manager Person reviewed the proposed annexation map, pointing out parcel #9 which is the Love’s project, as well as parcel #8, which is owned by the Jensen Family Trust. He noted that because the two properties are zoned agricultural, the owners would need to show an intent to develop the property commercially in order to be considered eligible for annexation. The Love’s proposal constitutes such intent. He also presented a develop diagram from the Jensen Family Trust showing their intent to develop the north half of tract 8 into four commercial lots, and leaving the south half as agricultural. He recommended that annexation of these two tracts be placed on the next Planning Commission agenda.

Discussion was held regarding additional tracts on the proposed map. It was suggested that Tracts 1 and 2 also be added to the April agenda for proposed annexation. City Manager Person noted that each property is considered individually in this process. So if there was a problem with any of the 4 proposed, it would not hold up the progress on the others. He also noted that the City Council will be asked to weigh in on this issue as the process goes forward.

McCarville moved, Egging seconded “That tracts 1, 2, 8 and 9 on the proposed annexation map be placed on the agenda for April 21, 2014.” Roll call vote: Yeas: All commissioners present. Absent: England, Mueller, and Spiker.

The meeting adjourned at 6:06 p.m.

CHAIRMAN

DEPUTY CITY CLERK