

Sidney, Nebraska, November 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 November 17, 2014 in the City Council Chambers, located at 1115 13th Avenue. Present were: Chairman Spiker and Commissioners: Cortney, Egging, McCarville, Phillips, and Volkmer. Absent: England, Mueller, and Smith. 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.

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.

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

Chairman Spiker announced that the Planning Commission would now hold a public hearing re: the revised Preliminary Plat application of Love's Travel Stops & Country Stores, Inc., for Lots 1 and 2, Block 2 Love's Addition to the City of Sidney, situated in the SW/4 of Section 9, Township 13 North, Range 49 West of the 6th P.M., Cheyenne County, Nebraska; 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: Dave Pierson, Sr. Project Manager of Galloway Engineering, via teleconference.

City Manager Person introduced the item to modify parameter boundaries of the Love's development, noting that all property was purchased previous to the October meeting. He explained that Love's management has since decided to incorporate additional acreage into the project on Block 2, making it necessary for the Planning Commission to consider the changes being proposed tonight. He introduced Dave Pierson, Sr. Project Manager of Galloway Engineering, who is attending the meeting via teleconference from Utah.

Mr. Pierson, senior project manager on the Love's project, explained that the proposed Subdivision is a re-definition of newly platted lands, following a modification of boundaries to incorporate more of the land which was previously purchased by Love's. This decision was made by Mr. Love following the Planning Commission's initial meeting on the plat on October 20th. He felt that this modification would allow the hotel and employee housing units to be spread out, incorporating a more user friendly circulation of space. The revisions to the plat will not affect Block 1.

Mr. Pierson also noted that the pipeline easements, which appear on the preliminary plat, are still recorded as easements. However, there are no pipes in the ground, having been abandoned approximately 20 years ago. They are trying to get the easements removed from the plat, but this is a non-issue as to the progress of the project.

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

Phillips moved, Egging seconded “That the Planning Commission recommend to the City Council that the revised Preliminary Plat application of Love’s Travel Stops & Country Stores, Inc., for Lots 1 and 2, Block 2 Love’s Addition to the City of Sidney, situated in the SW/4 of Section 9, Township 13 North, Range 49 West of the 6th P.M., Cheyenne County, Nebraska, be approved.” Roll call vote: Yeas: All commissioners present. Absent: England, Mueller and Smith.

Chairman Spiker announced that the Planning Commission would now hold a public hearing re: the Rezoning request of Love’s Travel Stops & Country Stores, Inc. for Lots 1 & 2, Block 2 Love’s Addition to the City of Sidney, situated in the SW/4 of Section 9, Township 13 North, Range 49 West of the 6th P.M., Cheyenne County, Nebraska; that 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 requests. He noted that that each lot proposed for rezoning would be considered separately.

The following filed written objections: None. The following appeared in person or by agent or attorney and were heard: Dave Pierson, Sr. Project Manager of Gallaway Engineering, via teleconference.

There being no additional discussion on the item, Chairman Spiker closed the public hearing and asked for a motion on the request.

a. Lot 1, Block 2 from A to C-3 Zone (location of hotel)

Egging moved, McCarville seconded “That the Planning Commission recommend to the City Council that Lot 1, Block 2, Love’s Addition be rezoned from A (Agricultural) to C-3 (Heavy Commercial) Zone.” Roll call vote: Yeas: All commissioners present.

Absent: England, Mueller and Smith.

b Lot 2, Block 2 from A to R-3 (Heavy Density Multi-family Zone (location of employee housing units)

Egging moved, Phillips seconded “That the Planning Commission recommend to the City Council that Lot 2, Block 2, Love’s Addition be rezoned from A (Agricultural) to R-3 (Heavy Density Multi-Family) Zone.” Roll call vote: Yeas: All commissioners present. Absent: England, Mueller and Smith.

Chairman Spiker announced that the Planning Commission would now hold a public hearing re: the Annexation request of Love’s Travel Stops & Country Stores, Inc. for a 4.97 Acre tract of land located within Section 9, Township 13 North, Range 49 West of the 6th P.M., more particularly described as Block 2, Love’s Addition; 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 attorney and were heard: Dave Pierson, Sr. Project Manager of Gallaway Engineering, via teleconference.

City Manager Person stated that during preliminary conversations with Love's for this development, they discussed the advantages of annexation, such as long term maintenance and care of streets as well as sanitary sewer services. This annexation will bring the newly acquired land to be developed into the City limits, along with the portion that has already been annexed.

Mr. Pierson noted that Love's will be building all the infrastructure as part of the project. There will be no need to establish improvement districts. He stated that they are getting ready to resubmit their plans to NDOR and the City and hope to have all items ready for consideration by the City Council at the December 9th meeting.

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

Spiker moved, Volkmer seconded "That the Planning Commission recommend to the City Council that the Annexation request of Love's Travel Stops & Country Stores, Inc. for a 4.97 Acre tract of land located within Section 9, Township 13 North, Range 49 West of the 6th P.M., more particularly described as Block 2, Love's Addition, be approved." Roll call vote: Yeas: All commissioners present. Absent: England, Mueller and Smith. The meeting adjourned at 5:48 P.M.

CHAIRMAN

DEPUTY CLERK