

Sidney, Nebraska, March 16, 2015

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 16, 2015 in the City Council Chambers, located at 1115 13th Avenue. Present were: Chairman Spiker and Commissioners: Cortney, Egging, McCarville, Phillips, Sherlock, Smith, and Volkmer. Absent: England. 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.

McCarville moved, Phillips seconded, That the minutes of the February 16, 2015 meeting be approved as corrected. Roll call vote: Yeas: Cortney, McCarville, Phillips, Sherlock, Smith, Spiker, and Volkmer. Abstain: Egging. Absent: England.

Chairman Spiker announced that the Planning Commission would now consider the Preliminary Plat application of the City of Sidney to subdivide a 22.3 acre tract of land located in the West Half of the East Half of Section 33, Township 14 North, Range 49 West of the 6th P.M., more commonly known as the Sidney Industrial Park; 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: Brett Meyer of Baker & Associates, City staff members Gary Person, John Hehnke, J. Leef, and Ben Dayton, and Brent Talich.

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The following filed written objections: None. The following appeared in person or by agent or by attorney and were heard: Brett Meyer of Baker & Associates, City staff members Gary Person, John Hehnke, J. Leef, and Ben Dayton, and Brent Talich.

City Manager Person gave background on the property which was originally purchased by the City because of an industrial prospect, who later went to McCook, largely due to lack of preparation of the property as being site ready. He stated that the property is Zoned Heavy Industrial and geared to both industrial and commercial development. He noted that the timing is good to bring the infrastructure development forward, as funding from the LB840 Economic Development Fund sales tax is now sufficient enough to cover the first phase of the infrastructure costs. He noted that the sewer and water lines were installed to the southwest edge of the property at the time 21st Century John Deere relocated adjacent to the industrial site, and that the City has negotiated a contract with Wheatbelt Public Power District to allow the City to serve the city owned industrial park with electrical service.

Person explained that it is the City's intention to divide the 86 acre tract into four 20-acre sections, with a road down the middle of each section that will branch off to each lot. The sections will eventually require connectivity, as the road will exceed 400 feet. While this does not currently appear on the preliminary plat, Person stated that it will be outlined on the final plat. The State approved access to the property is currently off the Link Rd. L17J at the far southwest corner. A frontage road would also be built adjacent to L17J to serve all of the tracts.

City Attorney Leef read the definition of terminal road requirements from the Codified Ordinances which stated that as long as the road was defined on the Master Plan and not to be permanently closed, it is within the requirements of the ordinance to proceed accordingly with the preliminary plat as presented.

John Hehnke stated that the road will be a concrete surface, with the temporary turn-a-round consisting of gravel until connectivity is established. Because the area will be business oriented with limited traffic, off-street parking is required.

Brett Meyer of Baker & Associates presented the drainage and grading plan for the site. He described Tract A, the 2.06 acre easement which runs along the frontage road, as not necessarily developable. This area will be designated as a retention area.

Person explained that the first 20-acre section will be divided into 4 lots with the front two lots consisting of 4 acres each, and the back two lots approximately 5 acres in size. Each section could be divided in a similar fashion, but keeping the flexibility to redesign in the future also exists because the undeveloped portion will remain not platted at the current time.. He speculated that a proposed project for development on the first 20 acre tract on the far south end of the industrial tract may be brought before the City Council as early as March 24, 2015. The property has went through an appraisal.

Brent Talich, who lives on Rd 117, questioned whether this road would be affected as the project progresses. He noted that when he built his house in this area the County Commissioners told him it was not a designated road and would not be opened as such. Person and Hehnke stated that there was no plan for connectivity to Rd 117 at this time, but it could possibly occur in the future, and maintenance would become the City's responsibility at that time, if the area was ever annexed.

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

Egging moved, Volkmer seconded That the Planning Commission recommend to the City Council that the Preliminary Plat application of the City of Sidney to subdivide a 22.3 acre tract of land located in the West Half of the East Half of Section 33, Township 14 North, Range 49 West of the 6th P.M., more commonly known as the Sidney Industrial Park, be approved. Roll call vote: Yeas: All commissioners present. Absent: England.

Chairman Spiker announced that the Planning Commission would now consider a Landscape Ordinance for the City of 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: Tom Von Seggern, Kent Talich, John Hehnke and J Leef.

Tree Board Chairman Tom Von Seggern introduced the other members of the tree board present: Ryan Reisdorff, Peggy Langley, and Kent Talich. He explained that the Tree Board recognizes the rapid growth of Sidney to the East and has been working on a plan to provide guidance with the tree growth in these new areas. They have come up with an ordinance which will eventually become part of Chapter 1034-Trees and Tree Lawns in the Codified Ordinances. He stated that it was the Tree Board's intention to come up with recommendations for the Planning Commission's consideration.

City Attorney Leef commended the Tree Board on their work on the proposed ordinance. She stated that she had concerns on the clarity and enforceability of the proposed ordinance, which had been modeled from other jurisdictions. Areas of concern included: screening standards, applicability to commercial development rather than residential, definition of irrigation standards, penalty phase language, linking other areas of the code with this section, i.e., fencing. She requested that staff be given time to refine these definitions and present a new working copy to the Planning Commission at a later date.

The item was referred to staff and will be considered at a later date by the Planning Commission.

The meeting adjourned at 6:10 P.M.

CHAIRMAN

DEPUTY CLERK

