

Sidney, Nebraska, September 19, 2016

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 September 19, 2016 in the City Council Chambers, located at 1115 13th Avenue. Present were: Vice-Chairman Phillips and Commissioners: Egging, Karnik, Sherlock, Smith and Volkmer. Absent: England and Cortney. Others present: Zoning Administrator Dayton, Chief Building Official Kubo, Deputy Clerk Heilbrun, City Manager Sadler and Assistant City Manager Martin. 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.

Volkmer moved, Smith seconded "That the minutes of the August 15, 2016, meeting be approved." Roll call vote: Yeas: Karnik, Phillips, Sherlock, Smith, and Volkmer. Abstain: Egging. Absent: England and Cortney.

Vice-Chairman Phillips announced that the Planning Commission would now hold a public hearing to consider the Conditional Use Permit of Jason Juracek to place a cargo container on the lot at 512 10th Avenue, more particularly described as Lot 1, Block 5, Original Town Addition, and currently zoned 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: Jason Juracek, Ben Dayton and Kevin Kubo.

Mr. Juracek stated that he was in the process of renting a brand new 20' wide, white cargo container from a source in Sterling, CO, and needed a permit from the Planning Commission prior to doing so. The container would be used to store items out of the public eye, i.e., air conditioners, furnaces and miscellaneous items from projects and the main building. He proposed to place it on the north side, parallel to the existing building. The unit would have access doors on both ends that would be kept locked at all times. The color (white) of the container would match the garage door and trim of the current building. He stated that it is his intention to build a permanent structure to replace the cargo container in the future.

Zoning Administrator Dayton stated that if not for a residence located across the street from Mr. Juracek's business, a cargo container could be placed at this location without a conditional use permit. He noted that the Commission can put stipulations on the color, time, etc.

Chief Building Official Kubo stated that request posed no detrimental issues to the area.

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

Smith moved, Sherlock seconded "That the Conditional Use Permit of Jason Juracek to place a cargo container on the lot at 512 10th Avenue, more particularly described as Lot 1, Block 5, Original Town Addition, and currently zoned C-3(Heavy Commercial) Zone, be approved for a period of 18 months with conditions that it be aesthetically pleasing to the existing building and area." Roll call vote: Yeas: All commissioners present. Absent: England and Cortney.

Vice-Chairman Phillips announced that the Planning Commission would now hold a public hearing to consider amendments to the Codified Ordinances of the City of Sidney, Nebraska re: Chapter 1254 Travel Trailers; Section 1254.03 Occupancy of Trailer Parks; to provide for occupancy of travel trailers in mobile home parks or travel trailer parks when certain conditions are met; 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: Ben Dayton and Kevin Kubo.

Zoning Administrator Dayton noted that this section of the Ordinance re: Travel Trailers and Occupancy of Trailer Parks was left out of the August meeting notices. He further stated that after visiting with Chief Building Official Kubo they would like to revisit this section of the ordinance and add language regarding 1) conditions for campers of harvest support and 2) inclusion of other properties located in C-2, C-3 or M-1 zones, to allow parking of such units for a limited time with a conditional use permit. They would have to meet the same stipulations as mobile home/trailer parks in regards to hard-

pipng of sewer, etc. It was noted that this happens only a couple of times/year in a couple of places in Sidney. The revised section of the ordinance will be brought to the Planning Commission at their next regular meeting.

Chief Building Official Kubo stated that the issue of travel trailers at residences will also be addressed at the next meeting.

Vice-Chairman Phillips announced that the Planning Commission would now hold a public hearing to consider amendments to the Codified Ordinances of the City of Sidney, Nebraska to add Chapter 1284 Chronic Nuisances, and definitions regarding same; 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: Ben Dayton and Kevin Kubo.

Zoning Administrator Dayton stated that the proposed language in this Chapter was based upon 90% of the Webster City, IA example, with revisions to dates, times and reporting specific to the City Manager. The City Attorney has reviewed the proposed Chapter and has no issues with it. It would pertain to residents living within the City Limits and 2-mile jurisdiction of the City of Sidney, and would pertain to issues after the ordinance has been passed and adopted.

There being no further comment, Vice-Chairman Phillips 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 the amendment to the Codified Ordinances of the City of Sidney, Nebraska to add Chapter 1284 Chronic Nuisances, and definitions regarding same, be approved." Roll call vote: Yeas: All commissioners present. Absent: England and Cortney.

Discussion was held regarding changes to regulations regarding signs throughout the nation and how it could affect the City of Sidney. City Staff and Commissioners were encouraged to research legal opinions such as those in Gilbert, AZ, and prepare revisions to the City's ordinances relating to Signs for discussion and consideration at the October Planning Commission meeting.

The meeting adjourned at 6:02 P.M.

VICE-CHAIRMAN

DEPUTY CLERK

