

MINUTES OF THE MEETING OF THE LINCOLN COUNTY PLANNING COMMISSION HELD IN THE LINCOLN COUNTY COURT HOUSE ON THE 9th DAY OF FEBRUARY 2021. CHAIR KOCH CALLED THE MEETING TO ORDER AT 5:30 P.M.

MEMBERS PRESENT: Steve Koch, Linda Hansen, Brent Roggow, Rod Rayburn, Chuck Boden, Travis Herdt

MEMBERS ABSENT: Marlene Flaming, Zak Eickhoff, Mitch Moorhead, Brad Stickelman, Roger Merritt

STAFF MEMBERS PRESENT: Judy Clark, County Planner; Michelle Bain, Recording Secretary; Stephen King, Deputy County Attorney

Notice of the meeting was given in advance thereof, by posting on in at least three places in the City as follows: North Platte Public Library, Lincoln County Courthouse, and City Hall offices.

Notice of the meeting was given to the Chairman and all members of the Planning Commission. Availability of the agenda was communicated in the advance notice and in the notice to the Chairman and members of the Commission. All proceedings thereafter shown were taken while the convened meeting was open to the attendance of the public.

1. Roll Call.

Chair Koch stated that a current copy of the open meetings act of Nebraska is posted at the back of the room.

2. Rayburn moved and Boden seconded the motion to approve the order of the agenda. Roll call vote: "Aye": Boden, Rayburn, Roggow, Koch, Hansen, Herdt. "Nay": None. Absent: Stickelman, Eickhoff, Flaming, Moorhead, Merritt. Motion carried.
3. Rayburn moved and Herdt seconded the motion to approve the minutes of the August 11, 2020 meeting. Roll call vote: "Aye": Boden, Rayburn, Merritt, Roggow, Koch, Hansen, Herdt. "Nay": None. Absent: Stickelman, Eickhoff, Flaming, Moorhead. Motion carried.
4. Public Hearing File No. AM21-001 discuss and consider Public Hearing and action on an application by Wesley and Kelly Kudera for an amendment to the Lincoln County Comprehensive Development Plan 2013 Future Land Use Map to amend certain lands from Transitional Agricultural to Urban Reserve located at the intersection of East Suburban Road and North Highway 83 on property described as part of the W ½ NW ¼ of Section 15, Township 14 North, Range 30 West of the 6th P.M., North Platte, Lincoln County, Nebraska.

Chair Koch opened the public hearing for Item Nos. 4 and 5 on the agenda (File Nos. AM21-001 and Z21-001) and stated that notice is taken with regards to the Lincoln County Comprehensive Plan, Lincoln County Zoning Regulations and Subdivision Regulations, and Lincoln County Zoning Map and those materials are present on the table up front before this Planning Commission.

Judy explained that Items #4 and #5 on the agenda involve the same property. The items may be discussed together but must be acted on separately. If item #4 is not approved item #5 cannot be acted on.

Judy further stated that in order to rezone a property it is the duty of the planning commission to ensure that the rezoning is in conformance with the current comprehensive plan. A comprehensive plan may be amended as the planning commission deems appropriate; therefore, prior to approving the rezoning of this property, the City of North Platte's Comprehensive Plan must be amended to ensure conformity of the rezoning. The request for the amendment has been submitted in conjunction with a rezoning. The applicants are requesting the amendment to allow a change in zoning. Planning Staff has no objections to the amendment to the future land use plan. Being located along Hwy 83 with residential development already occurring to the north, rezoning this property for residential development seems like a good fit for the area. They are planning to rezone the property to allow for single family residences to be constructed on individual residential sites. The property is currently undeveloped so new homes will be constructed when the parcels are subdivided and sold. The property to the north and east is currently zoned R-2, with TA-1 located to the south and west of the property.

Norman Newport, 159 Mill Park Drive, was present representing the application. The applicants are his daughter and son-in-law. He stated they bought the property with the of developing it with housing that will assess out in excess of a million dollars within about 5 years.

There were questions about the proposed road.

Mr. Newport explained that the road will be developed to the middle of the lots and most likely have a permanent easement and they will maintain it.

Chair Koch explained that the Planning Commission likes to receive comments from the roads department and this road will come off a county road. If this application is approved, there will probably be stipulations about the road and driveway.

There was more discussion about what might happen with the proposed road such as whether the easement will transfer or if the original owners will keep ownership.

Deputy County Attorney Stephen King stated if there are easements for the road and it is kept to county standards it should be fine.

Judy explained that likely the lots would own to the center of the road and grant easements to the ones on the end.

Mr. Newport explained they will try to set covenants up so somebody doesn't bring in 20 heads of horses to ruin the grass. But they won't limit it to the point where they can't have a horse.

Judy explained that by rezoning to R-2 they are limited to a couple of horses per the regulations.

Justin Roberts, 678 E. Suburban Road, North Platte, was present. He explained that from what he understands, the road will come off of Suburban Road and go south. The two houses would be at the one side and the road would stop. He is concerned about the horses. People put more horses on the ground than what is able to support. The horses eat the good grass and pretty soon there's a weed patch. He is also concerned about having four pieces of property on that one property and what will happen with traffic. Other homes in that area have more acres than these will have.

Gary & Carol Garrison, 6187 N. Hwy. 83, were present. Mr. Garrison is also concerned about horses. He can't imagine 2 acres with a couple horses. There is nothing else like that development in that area. Living in the country, he doesn't expect to move into a subdivision. If the goal is housing, there are a lot of areas in North Platte that need housing. He is concerned that during development of the houses, building material and debris will blow away. Sometimes trash and junk cars, etc. are brought in which could be unappealing to look at. When the letters were sent out it wasn't specified there would be four houses out there.

Mrs. Garrison mentioned they have covenants on our property stating things like the roofline has to be of a certain width and a business can't be run out of the house. Theft is a concern. Four wells and septic systems are concerns. The homes currently in the area are spread out.

Mr. Garrison added he could see problems with maintaining the road.

Jim Neal, 6194 N. Hwy. 83, was present and stated he has no objection to one house. Other than that he is against this application.

Mr. Newport suggested this development would be similar to Hillcrest. He believes the state allows anything over one acre to have a well and septic system. He suggested that anyone concerned about the covenants send into Judy the covenants on their property and they will look at them. They don't want to create a problem in the neighborhood. That piece of property has been there over 30 years, he has never seen one head of livestock on that property and it is time for someone to do something with it.

There were suggestions from the Planning Commission to build only two houses with larger acreages.

Mr. Newport stated he doesn't think they could recapture the equity with 2 houses. They would like to make some money on it. They want quality homes and will probably set covenants to not allow a modular with a frame or double wide trailer house etc.

Chair Koch stated he was concerned they haven't been given enough information to approve this tonight.

Mr. Newport suggested that the rezoning won't allow horses or cows which would eliminate that opposition. As far as cost of houses, he was trying to be conservative and feels they may build larger homes than \$250,000. Taxes would be more than a \$30,000 piece of grass.

Mrs. Garrison questioned if this would raise their assessed value.

Judy stated that's hard to answer but generally taxes are based off of values around you.

Michelle McFarland, 135 W. Suburban Road, was present and suggested building in the Sandhills needs someone with experience. Septic systems are a concern because of the type or ground. She feels building a larger house or two would be as profitable as four smaller homes.

Roggow Moved and Herdt seconded the motion to close the public hearing on both items. Roll call vote: "Aye": Boden, Rayburn, Roggow, Koch, Hansen, Herdt. "Nay": None. Absent: Stickelman, Eickhoff, Flaming, Moorhead, Merritt. Motion carried.

Judy suggested the Planning Commission could table the decision to next month, make a decision for or against the application. Since the land has already been purchased, the applicants could put the subdivision and covenants forth to the next meeting. If the Planning Commission recommends approval to rezone this to R-2 the property could be split to as small as ¼ of an acre, although there would be a lot more hoops to build a road, etc. Standards are being met with the four lots if it's rezoned to R-2.

Several Planning Commission members expressed that they would like to see a layout of the proposed road and how it's going to be constructed and something from the County Roads Department regarding connecting to Suburban Road. They would like to see a list of the proposed covenants. They would prefer two \$500,000 houses instead of four \$250,000 houses since this is in the country.

Chair Koch reminded the Planning Commission that in the end it's the applicant's decision and they can't dictate it.

Hansen moved and Herdt seconded the motion to table action on File No. AM21-001 application by Wesley and Kelly Kudara for an amendment to the Lincoln County Comprehensive Development Plan 2013 Future Land Use Map to amend certain lands from Transitional Agricultural to Urban Reserve located at the intersection of East Suburban Road And North Highway 83 on property described as part of the W ½ NW ¼ of Section 15, Township 14 North, Range 30 West of the 6th P.M., North Platte, Lincoln County, Nebraska to the next scheduled meeting. Roll call vote: "Aye": Boden, Rayburn, Roggow, Koch, Hansen, Herdt. "Nay": None. Absent: Merritt, Stickelman, Eickhoff, Flaming, Moorhead. Motion carried.

5. Public Hearing File No. Z21-001 discuss and consider Public Hearing and action on an application by Wesley and Kelly Kudara to rezone certain lands from a TA-1 Transitional Agricultural District to an R-2 Urban Density Residential District located at the intersection of East Suburban Road and North Highway 83 on property described as part of the W ½ NW ¼ of Section 15, Township 14 North, Range 30 West of the 6th P.M., North Platte, Lincoln County, Nebraska.

The public hearing was held and closed with Item No. 4 above.

No action was taken because there was no action on the amendment.

6. Old Business. Judy stated a vice-chair will need to be elected at the next meeting.

7. New Business. There was no new business to be discussed.
8. Adjourn. Chair Koch adjourned the meeting at 6:25 p.m.

Submitted by,

Michelle Bain
Recording Secretary

PASSED AND APPROVED _____
Date

Michelle Bain
Recording Secretary