

MINUTES OF THE MEETING OF THE LINCOLN COUNTY PLANNING COMMISSION HELD IN THE NORTH PLATTE CITY HALL COUNCIL CHAMBERS ON THE 10<sup>TH</sup> DAY OF MARCH 2020. VICE-CHAIR PIEPER CALLED THE MEETING TO ORDER AT 5:30 P.M.

MEMBERS PRESENT: Brad Stickelman, Jim Bain, Chuck Boden, Kurt Pieper, Zak Eickhoff, Rod Rayburn, Marlene Flaming, Linda Hansen

MEMBERS ABSENT: Mitch Moorhead, Roger Merritt, Steve Koch (arrived at 5:31 p.m.)

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 March 3, 2020 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.

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

Chair Steve Koch arrived at 5:31 p.m.

2. Stickelman moved and Rayburn seconded the motion to approve the order of the agenda. Roll call vote: "Aye": Koch, Stickelman, Bain, Eickhoff, Boden, Pieper, Rayburn, Flaming, Hansen. "Nay": None. Absent: Moorhead, Merritt. Motion carried.
3. Rayburn moved and Boden seconded the motion to approve the minutes of the January 21, 2020 special meeting. Roll call vote: "Aye": Koch, Stickelman, Bain, Eickhoff, Boden, Pieper, Rayburn, Flaming, Hansen. "Nay": None. Absent: Moorhead, Merritt. Motion carried.
4. Public Hearing CU20-001 application by Jason and Sharon Axthelm, Old Depot Vineyard and Winery, LLC, for a conditional use permit to allow a vineyard and winery to be located in an A-1 Transitional Agricultural District. The property is located at 33651 East Banner Road, Brady, Nebraska consisting of approximately 4 acres and is described as Tract A in the SE ¼ of Section 35, Township 12 N, Range 27 West of the 6th P.M., Lincoln County, Nebraska.

Chair Koch opened the public hearing and stated that notice is taken with regards to the Lincoln County Comprehensive Plan, Lincoln County Zoning Regulations and amendments thereto, and Subdivision Regulations, and Lincoln County Zoning Map and amendments thereto, and those materials are present on the table up front before this Planning Commission.

Judy stated that the applicant generally states that they are planning to use the area as a new Nebraska Farm Winery. The Old Depot Vineyard and Winery will be a family friendly venue to enjoy Nebraska wine and a farm to table experience. As the craft wine industry has grown in Nebraska in recent years, having an intermediate location for patrons to visit between Lexington and North Platte will promote agri-tourism in the area. They do not plan to build a new structure due to the fact that the old Gothenburg Union Pacific Train Depot has already been moved to the location and it will be used to house both the production facility and wine-tasting rooms. Renovations and improvements will be made to the building to facilitate operations. The business will generate increased traffic; however, they do not anticipate the traffic causing a detriment to the adjoining properties. They also expect surrounding property values to remain unchanged. The current plan is to have the winery open 1 p.m. – 8 p.m. Friday and Saturday and 1 p.m. to 5 p.m. Sunday. The maximum number of customers expected at one time could be up to 50 and the parking shown will easily accommodate 50 vehicles. A letter from Carla O'Dell, County Highway Superintendent, is attached stating that she does not foresee any problems with increased traffic. Any additional driveways will need to be approved by the County Road Superintendent. The Lincoln County Comprehensive Plan shows this area designated as Transitional

Agricultural in the future which allows some types of commercial development. Planning Staff has no objections to this application.

Jason and Sharon Axthelm, 33757 East Banner Rd, and Jeff and Necole Miller, 326 W. Popleton Rd, Brady, were present to represent the application.

Mr. Axthelm stated they have the background work in place for this project and want to get the conditional use permit to complete the renovations etc. There is a lot of traffic on Old Lincoln Highway already. Because of the proximity to Jeffrey Lake south of Brady they feel it will be a benefit to them as well. The vineyards have been started, some are 4 years old. They have about 7 acres of property. They hope to open the operation in 2020 and will probably have a light harvest this year. There is a good resource for grapes around. They feel this is a good agri-tourism product. They will have limited food available. The farm winery liquor license is a restricted license and other alcohols cannot be served with it.

Judy stated she received a phone call on March 2<sup>nd</sup> from Joe Wahlgren, 21138 S. Wahlgren Rd. He lives in the area and farms 3 of the 4 sides surrounding this property and supports this project.

Pieper moved and Rayburn seconded the motion to close the public hearing. Roll call vote: "Aye": Koch, Stickelman, Bain, Eickhoff, Boden, Pieper, Rayburn, Flaming, Hansen. "Nay": None. Absent: Moorhead, Merritt. Motion carried.

Pieper moved and Stickelman seconded the motion to adopt Resolution CU20-001 "A", which grants and approves the conditional use application of Jason and Sharon Axthelm, Old Depot Vineyard and Winery under File No. CU20-001, to allow a vineyard and winery located at 33651 East Banner Road on property described as Tract A in the SE ¼ of Section 35, Township 12 N, Range 27 West of the 6th P.M., Lincoln County, Nebraska and all elements of the application are complied with and with the following conditions based on the following factual findings, to wit:

1. The application complies with current Lincoln County Zoning Regulations.
2. The application complies with current Lincoln County Subdivision Regulations.
3. The application is in conformance with the current Lincoln County Comprehensive Plan and Lincoln County Zoning Map.

Roll call vote: "Aye": Koch, Stickelman, Bain, Eickhoff, Boden, Pieper, Rayburn, Flaming, Hansen. "Nay": None. Absent: Moorhead, Merritt. Motion carried.

Judy mentioned to the applicant that they add another structure they will need to get a land use permit.

5. Discuss Wind Tower Regulations – Action by Board of Commissioners regarding the amendment and their discussion of the decommissioning portion of the regulations.

Judy informed the Planning Commission that the Board of Commissioners adopted the wind regulation as it was submitted. They were having an issue with requiring them to take out 4' of the concrete when decommissioned. They thought they should take all the concrete out but that may not be feasibly possible. The Commissioner's adopted the regulations and asked that the Planning Commission address this issue. In her research, all of them require no more than 4'.

Mr. King also stated 4' is the largest and added that some are as low as 30".

There was discussion regarding whether 4' would be enough and that if the landowner was concerned he could also require more than 4' to be removed.

Mr. King mentioned to the Planning Commission that as a board they can require more stringent rules and could make a case for more in certain instances. He cautioned if they place too much of a burden on the applicant they could go to court to try to get rid of the regulations.

After some discussion, the consensus was to not pursue any additional changes to the regulations.

6. Old Business. There was no old business to be discussed.
7. New Business. There was no new business to be discussed.
8. Adjourn. Chair Koch adjourned the meeting at 6:04 p.m.

Submitted by,

Michelle Bain  
Recording Secretary

PASSED AND APPROVED \_\_\_\_\_  
Date

Michelle Bain  
Recording Secretary