

MINUTES OF THE MEETING OF THE LINCOLN COUNTY PLANNING COMMISSION HELD IN THE IN THE CITY HALL COUNCIL CHAMBERS ON THE 11th DAY OF OCTOBER 2022. CHAIR ROGGOW CALLED THE MEETING TO ORDER AT 5:30 P.M.

MEMBERS PRESENT: Brent Roggow, Judy Pederson, Aaron Edwards, Zak Eickhoff, Rod Rayburn, Linda Hansen, Chuck Boden

MEMBERS ABSENT: Mitch Moorhead, Roger Merritt, Lee Davies, Marlene Flaming (arrived at 5:47 p.m.)

STAFF MEMBERS PRESENT: Judy Clark, County Planner; Michelle Bain, Recording Secretary; Tyler Volkmer, 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 Roggow stated that a current copy of the open meetings act of Nebraska is posted at the back of the room.

2. Rayburn moved and Eickhoff seconded the motion to approve the order of the agenda. Roll call vote: "Aye": Hansen, Roggow, Rayburn, Edwards, Pederson, Eickhoff, Boden. "Nay": None. Absent: Moorhead, Merritt, Davies, Flaming. Motion carried.

3. Boden moved and Rayburn seconded the motion to approve the minutes of the September 13, 2022 meeting. Roll call vote: "Aye": Hansen, Roggow, Rayburn, Eickhoff, Boden. "Nay": None. "Abstain": Pederson, Edwards. Absent: Moorhead, Merritt, Davies, Flaming. Motion carried.

4. Public Hearing File No. AM22-002 Discuss and consider action on a resolution for an application by Kent and Linda Swanson for an amendment to the Lincoln County Comprehensive Future Land Use Plan from Agricultural Production to Residential Acreage on property located at 19898 W Wildlife Road and described as Tract A of Margaret Boyles's Subdivision of part of Government Lot 2 of a part of the NW ¼ of Section 9, Township 14 North, Range 32 W of the 6th P.M., Lincoln County, Nebraska.

Chair Roggow opened the public hearing on items #4 and #5 on the agenda.

Judy stated 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 and will be removed from the agenda. 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 Lincoln County Comprehensive Plan must be amended to ensure conformity of the rezoning. The request for the amendment has been submitted in conjunction with a rezoning and subdivision. The applicants are requesting the amendment to allow a change in zoning in order to split the property into two separate parcels. Planning Staff determined that the abutting property to the east would fit better in a Residential Acreage land use designation due to the existing small lot size and current residential site and have expanded the amendment to include not only the Swanson property but also the neighboring property located at 19670 W Wildlife Rd. Planning Staff has no objections to the amendment to the future land use plan and the expanded the amendment to include the additional property to the east. The area in the proposed amendment is currently being developed as small rural residential sites and amending the land use map for residential development seems like a good fit

for the area. Planning Staff has no objections to the rezoning if the amendment to the future land use plan is approved.

Eickhoff moved and Pederson seconded the motion to close the public hearing. Roll call vote: "Aye": Hansen, Roggow, Rayburn, Edwards, Pederson, Eickhoff, Boden. "Nay": None. Absent: Moorhead, Merritt, Davies, Flaming. Motion carried.

Eickhoff moved and Edwards seconded the motion to adopt Resolution AM22-002 "A", which recommends approval of the amendment application for an amendment to the Lincoln County Comprehensive Development Plan 2013 Future Land Use Map from Agricultural Production to Residential Acreage on property located in Section 9, Township 14 North, Range 32 West of the 6th P.M., Lincoln County, Nebraska. Roll call vote: "Aye": Hansen, Roggow, Rayburn, Edwards, Pederson, Eickhoff, Boden. "Nay": None. Absent: Moorhead, Merritt, Davies, Flaming. Motion carried.

5. Public Hearing File No. Z22-002 Discuss and consider action on a resolution for an application by Kent and Linda Swanson to rezone certain land from an A-1 Agricultural District to an R-1 Rural Estates Residential District on property located at 19898 W Wildlife Road and described as Tract A of Margaret Boyles's Subdivision of part of Government Lot 2 of a part of the NW ¼ of Section 9, Township 14 North, Range 32 W of the 6th P.M., Lincoln County, Nebraska.

The public hearing for Item No. 5 was held with Item No. 4 above.

Eickhoff moved and Rayburn seconded the motion to adopt Resolution Z22-002 "A", which recommends approval of the rezoning application by Kent and Linda Swanson to rezone certain land from an A-1 Agricultural District to an R-1 Rural Estates Residential District on property located at 19898 W Wildlife Road and described as Tract A of Margaret Boyles's Subdivision of part of Government Lot 2 of a part of the NW ¼ of Section 9, Township 14 North, Range 32 W of the 6th P.M., Lincoln County, Nebraska. Roll call vote: "Aye": Hansen, Roggow, Rayburn, Edwards, Pederson, Eickhoff, Boden. "Nay": None. Absent: Moorhead, Merritt, Davies, Flaming. Motion carried.

6. Public Hearing File No. CU22-007 Discuss and consider action on a resolution for an application by Dawn Jessup for a conditional use permit to allow construction of a special events venue in a TA-1 Transitional Agricultural District on property located at 17863 E State Farm Rd and described as Lot 1 Mildred Administrative Subdivision of part of Government Lot 6 in the Fort McPherson Reservation in Section 6, Township 12 North, Range 28 West of the 6th P.M., Lincoln County, Nebraska.

Chair Roggow opened the public hearing.

Judy stated that the applicant generally states she is wanting to provide a worry-free location for any type of gathering. The facility will eventually include a sand volleyball court, outdoor theater, sunset gatherings and a fire pit and gazebo near the home. It is the idea that this venue will provide a relaxing atmosphere for family reunions, weddings, graduations and other gatherings. Jason Schultz, County Roads Superintendent, states he does not foresee any issues with the increased traffic on East State Farm Road associated with the proposed project. Any additional driveways or widening of existing driveway will need to be approved by the County Department of Roads. Planning Staff contacted the applicant on September 9, 2022 regarding a possible zoning violation located at this site. Construction had already begun without a permit being issued. The applicant has been very cooperative as she has stated she did not realize a permit was required. Planning Staff has no objections to the proposed project; however, based on the small size of the parcel, parking may need to be addressed. Planning Commission may add reasonable conditions to the application as deemed appropriate. There is only one property owner surrounding the entire site, that property is used as agricultural production, so the proposed project should not be detriment to the surrounding area.

Bruce Dodson, Agri-Affiliates in North Platte, Landowner in Lincoln County, was present and stated he has strong feelings towards the preservation of private property rights. He represented Robert Dickinson, the farm owner that surrounds this property and handed out aerial photos to the Planning Commission.

Flaming arrived at 5:47 p.m.

The handout contained 3 maps, general location map, aerial imagery showing Mrs. Jessup's property surrounded by the operation of Robert Dickinson with access to her property. The third page is Mrs. Jessup's property on how it sits relative to their pivot point which is a high voltage power panel within approximately 100' of the building. With this small footprint, keeping guests in the area is a concern. Parking limitations could be an issue as well.

Pederson asked about and estimated number of cars that could be parked in that area.

Dawn Jessup, 2802 Wright Avenue, was present and stated she doesn't know how many cars will be parked there. There is a site plan and she isn't sure what is on there.

Judy stated there is an area for parking with dimensions, but not a sketch and asked how many acres are involved.

Ms. Jessup stated it is 1.2 acres. The property owner drives on her property and has trashed the asphalt road. She can build a fence around it if the issue is to keep people off.

Edwards asked about the expected occupancy.

Ms. Jessup stated it is 50' x 48' with a 50' x 20' dance pad in the back that will be fenced off.

Edwards stated for 160 people, three is the average number of people per car, so approximately 55 cars.

Pederson stated it doesn't appear on site plan that there is a spot for overflow parking if they have a big event.

Ms. Jessup explained in front of a three car garage is a cement pad and parking will be there to carport and in front of building that will be built, and on the whole circle drive.

There was discussion about parking and back up and turn around areas. Edwards is concerned about access to parking, he feels there may be room for about 20 cars currently. Ms. Jessup explained that the trees will come out for more parking.

Ms. Jessup explained the current house will be an Air BNB.

Judy explained that the Planning Commission can add reasonable conditions on this such as a fence or certain number of parking stalls. They could table the application and ask for a more detailed site plan. Or they can grant or deny the application.

There was discussion about the plan and issues such as how many people could be allowed, number of parking stalls, what type of bathroom facilities would be available, what type of fence could/should be installed, and turning radius for cars.

Ms. Jessup asked what happens if she puts money into a fence and combines run over her fence.

Deputy County Attorney Volkmer stated that would be a civil issue.

Mr. Dodson apologized to Ms. Jessup for damage to the driveway and asked her to let him know if something else happens. He explained that this is an access easement and Mr. Dickinson wants to be a good neighbor. If there's a problem, please let them know. They don't want children in the cornfield or getting electrocuted. The right type of fence would solve a lot of their safety concerns. If any farm equipment damages the fence, they will be liable and happy to fix it.

Edwards moved and Pederson seconded the motion to postpone to the next meeting, November 8th, with the condition to bring an engineered site plan back to Planning Commission. Roll call vote: "Aye": Hansen, Roggow, Rayburn, Edwards, Pederson, Eickhoff, Boden, Flaming. "Nay": None. Absent: Moorhead, Merritt, Davies. Motion carried.

7. Old Business.

Eickhoff and Roggow asked about the street situation in the subdivision by golf course.

Attorney Volkmer stated it was approved.

8. New Business.

Judy stated Planning Staff was contacted by the county to put contact information on the website. She thinks Commissioners put email on there.

Eickhoff stated he feels it's good to have phone conversations.

Judy told the Planning commission phone numbers will be put on the website with their name if she doesn't hear otherwise.

9. Adjourn. Chair Roggow adjourned the meeting at 6:10 p.m.

Submitted by,

Michelle Bain
Recording Secretary