

CITY OF SIDNEY PLANNING COMMISSION MEETING, MONDAY, FEBRUARY 21, 2022, 5:30 P.M.

AGENDA

Call to Order
Pledge of Allegiance
Welcome
Business and Reports:

1. Announcement of Public Meetings Act: The Open Meetings Law poster is posted at the rear of the room, please refer to posted information if you have any questions regarding the open meetings law.
2. Approval of minutes of January 17, 2022 as printed.
3. **PUBLIC HEARING** re: Conditional Use Permit Application by David Sanders for two storage containers. Section 31 Township 14 Range 49 East ½ of Lot 12 and all of Lots 13-14-15 Block 10 & 5' x 132' of vacated 12th Avenue Original Town Sidney, commonly known as 640 12th Avenue. C3 Zone adjacent to R2.
4. **PUBLIC HEARING** re: Conditional Use Permit Application by Wamsley Construction for a mini warehouse/storage. Section 33 Township 14 Range 49 Part SW ¼ NW (191' x 258') 1.131 Acres, Lands inside Sidney, commonly known as 1109 and 930 Greenwood. M1 & C3 adjacent to C2.
5. **PUBLIC HEARING:** re: Application of Michael & Lesli Baker for a waiver for truck parking in a residential zone located at 604 16th Avenue; and recommendation to Council regarding the same.
6. **PUBLIC HEARING** re: Application of Subdivision for Aaron Buettner | Jamie Buettner to subdivide a tract of land Section 26 Township 14 Range 49 S ½ Less Tract, RR Row, ST of NE & Parcel in SE 1/4
7. **PUBLIC HEARING** re: Application of Rezoning for Aaron Buettner | Jamie Buettner to rezone a tract of land located Parcels 1-3 of Buettner Rezoning Part of the South ½ of Section 26 Township 14 North, Range 49 West of the 6th Principal Meridian Cheyenne County, NE from A (Agricultural) to C3 (Commercial); and recommendation to Council regarding the same.
8. Comments by the public and action concerning other business by the commission.

ADJOURNMENT

NEBRASKA OPEN MEETINGS ACT

NEB REV STAT 84-1407 TO 84-414

(Effective April 22, 2021)

84-1407. Act, how cited.

Sections 84-1407 to 84-1414 shall be known and may be cited as the Open Meetings Act.

84-1408. Declaration of intent; meetings open to public. It is hereby declared to be the policy of this state that the formation of public policy is public business and may not be conducted in secret. Every meeting of a public body shall be open to the public in order that citizens may exercise their democratic privilege of attending and speaking at meetings of public bodies, except as otherwise provided by the Constitution of Nebraska, federal statutes, and the Open Meetings Act.

84-1409. Terms, defined. For purposes of the Open Meetings Act, unless the context otherwise requires: (1)(a) Public body means (i) governing bodies of all political subdivisions of the State of Nebraska, (ii) governing bodies of all agencies, created by the Constitution of Nebraska, statute, or otherwise pursuant to law, of the executive department of the State of Nebraska, (iii) all independent boards, commissions, bureaus, committees, councils, subunits, or any other bodies created by the Constitution of Nebraska, statute, or otherwise pursuant to law, (iv) all study or advisory committees of the executive department of the State of Nebraska whether having continuing existence or appointed as special committees with limited existence, (v) advisory committees of the bodies referred to in subdivisions (i), (ii), and (iii) of this subdivision, and (vi) instrumentalities exercising essentially public functions; and (b) Public body does not include (i) subcommittees of such bodies unless a quorum of the public body attends a subcommittee meeting or unless such subcommittees are holding hearings, making policy, or taking formal action on behalf of their parent body, except that all meetings of any subcommittee established under section 81-15,175 are subject to the Open Meetings Act, and (ii) entities conducting judicial proceedings unless a court or other judicial body is exercising rulemaking authority, deliberating, or deciding upon the issuance of administrative orders; (2) Meeting means all regular, special, or called meetings, formal or informal, of any public body for the purposes of briefing, discussion of public business, formation of tentative policy, or the taking of any action of the public body; and (3) Virtual conferencing means conducting or participating in a meeting electronically or telephonically with interaction among the participants subject to subsection (2) of section 84-1412.

84-1410. Closed session; when; purpose; reasons listed; procedure; right to challenge; prohibited acts; chance meetings, conventions, or workshops. (1) Any public body may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close. Closed sessions may be held for, but shall not be limited to, such reasons as: (a) Strategy sessions with respect to collective bargaining, real estate purchases, pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation to or by the public body; (b) Discussion regarding deployment of security personnel or devices; (c) Investigative proceedings regarding allegations of criminal misconduct; (d) Evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting; (e) For the Community Trust created under section 81-1801.02, discussion regarding the amounts to be paid to individuals who have suffered from a tragedy of violence or natural disaster; or (f) For public hospitals, governing board peer review activities, professional review activities, review and discussion of medical staff investigations or disciplinary actions, and any strategy session concerning transactional negotiations with any referral source that is required by federal law to be conducted at arms length. Nothing in this section shall permit a closed meeting for discussion of the appointment or election of a new member to any public body. (2) The vote to hold a closed session shall be taken in open session. The entire motion, the vote of each member on the question of holding a closed session, and the time when the closed session commenced and concluded shall be recorded in the minutes. If the motion to close passes, then the presiding officer immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session. The public body holding such a closed session shall restrict its consideration of matters during the closed portions to only those purposes set forth in the motion to close as the reason for the closed session. The meeting shall be reconvened in open session before any formal action may be taken. For purposes of this section, formal action shall mean a collective decision or a collective commitment or promise to make a decision on any question, motion, proposal, resolution, order, or ordinance or formation of a position or policy but shall not include negotiating guidance given by members of the public body to legal counsel or other negotiators in closed sessions authorized under subdivision (1)(a) of this section. (3) Any member of any public body shall have the right to challenge the continuation of a closed session if the member determines that the session has exceeded the reason stated in the original motion to hold a closed session or if the member contends that the closed session is neither clearly necessary for (a) the protection of the public interest or (b) the prevention of needless injury to the reputation of an individual. Such challenge shall be overruled only by a majority vote of the members of the public body. Such challenge and its disposition shall be recorded in the minutes. (4) Nothing in this section shall be construed to require that any meeting be closed to the public. No person or public body shall fail to invite a portion of its members to a meeting, and no public body shall designate itself a subcommittee of the whole body for the purpose of circumventing the Open Meetings Act. No closed session, informal meeting, chance meeting, social gathering, email, fax, or other electronic communication shall be used for the purpose of circumventing the requirements of the act. (5) The act does not apply to chance meetings or to attendance at or travel to conventions or workshops of members of a public body at which there is no meeting of the body then intentionally convened, if there is no vote or other action taken regarding any matter over which the public body has supervision, control, jurisdiction, or advisory power.

84-1411. Meetings of public body; notice; method; contents; when available; right to modify; duties concerning notice; videoconferencing or telephone conferencing authorized; emergency meeting without notice; appearance before public body. (1)(a) Each public body shall give reasonable advance publicized notice of the time and place of each meeting as provided in this subsection. Such notice shall be transmitted to all members of the public body and to the public. (b)(i) Except as provided in subdivision (1)(b)(ii) of this section, in the case of a public body described in subdivision (1)(a)(i) of section 84-1409 or such body's advisory committee, such notice shall be published in a newspaper of general circulation within the public body's jurisdiction and, if available, on such newspaper's web site. (ii) In the case of the governing body of a city of the second class or village or such body's advisory committee, such

notice shall be published by: (A) Publication in a newspaper of general circulation within the public body's jurisdiction and, if available, on such newspaper's web site; or (B) Posting written notice in three conspicuous public places in such city or village. Such notice shall be posted in the same three places for each meeting. (iii) In the case of a public body not described in subdivision (1)(b)(i) or (ii) of this section, such notice shall be given by a method designated by the public body. (c) In addition to a method of notice required by subdivision (1)(b)(i) or (ii) of this section, such notice may also be provided by any other appropriate method designated by such public body or such advisory committee. (d) Each public body shall record the methods and dates of such notice in its minutes. (e) Such notice shall contain an agenda of subjects known at the time of the publicized notice or a statement that the agenda, which shall be kept continually current, shall be readily available for public inspection at the principal office of the public body during normal business hours. Agenda items shall be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the meeting. Except for items of an emergency nature, the agenda shall not be altered later than (i) twenty-four hours before the scheduled commencement of the meeting or (ii) forty-eight hours before the scheduled commencement of a meeting of a city council or village board scheduled outside the corporate limits of the municipality. The public body shall have the right to modify the agenda to include items of an emergency nature only at such public meeting. (2)(a) The following entities may hold a meeting by means of virtual conferencing if the requirements of subdivision (2)(b) of this section are met: (i) A state agency, state board, state commission, state council, or state committee, or an advisory committee of any such state entity; (ii) An organization, including the governing body, created under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act; (iii) The governing body of a public power district having a chartered territory of more than one county in this state; (iv) The governing body of a public power and irrigation district having a chartered territory of more than one county in this state; (v) An educational service unit; (vi) The Educational Service Unit Coordinating Council; (vii) An organization, including the governing body, of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act; (viii) A community college board of governors; (ix) The Nebraska Brand Committee; (x) A local public health department; (xi) A metropolitan utilities district; (xii) A regional metropolitan transit authority; (xiii) A natural resources district; and (xiv) The Judicial Resources Commission. (b) The requirements for holding a meeting by means of virtual conferencing are as follows: (i) Reasonable advance publicized notice is given as provided in subsection (1) of this section, including providing access to a dial-in number or link to the virtual conference; (ii) In addition to the public's right to participate by virtual conferencing, reasonable arrangements are made to accommodate the public's right to attend at a physical site and participate as provided in section 84-1412, including reasonable seating, in at least one designated site in a building open to the public and identified in the notice, with: At least one member of the entity holding such meeting, or his or her designee, present at each site; a recording of the hearing by audio or visual recording devices; and a reasonable opportunity for input, such as public comment or questions, is provided to at least the same extent as would be provided if virtual conferencing was not used; (iii) At least one copy of all documents being considered at the meeting is available at any physical site open to the public where individuals may attend the virtual conference. The public body shall also provide links to an electronic copy of the agenda, all documents being considered at the meeting, and the current version of the Open Meetings Act; and (iv) Except as otherwise provided in this subdivision or subsection (4) of section 79-2204, no more than one-half of the meetings of the state entities, advisory committees, boards, councils, organizations, or governing bodies are held by virtual conferencing in a calendar year. In the case of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act, the organization may hold more than one-half of its meetings by virtual conferencing if such organization holds at least one meeting each calendar year that is not by virtual conferencing. The governing body of a risk management pool that meets at least quarterly and the advisory committees of the governing body may each hold more than one-half of its meetings by virtual conferencing if the governing body's quarterly meetings are not held by virtual conferencing. (3) Virtual conferencing, emails, faxes, or other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act. (4) The secretary or other designee of each public body shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification to them of the time and place of each meeting and the subjects to be discussed at that meeting. (5) When it is necessary to hold an emergency meeting without reasonable advance public notice, the nature of the emergency shall be stated in the minutes and any formal action taken in such meeting shall pertain only to the emergency. Such emergency meetings may be held by virtual conferencing. The provisions of subsection (4) of this section shall be complied with in conducting emergency meetings. Complete minutes of such emergency meetings specifying the nature of the emergency and any formal action taken at the meeting shall be made available to the public by no later than the end of the next regular business day. (6) A public body may allow a member of the public or any other witness to appear before the public body by means of virtual conferencing. (7)(a) Notwithstanding subsections (2) and (5) of this section, if an emergency is declared by the Governor pursuant to the Emergency Management Act as defined in section 81-829.39, a public body the territorial jurisdiction of which is included in the emergency declaration, in whole or in part, may hold a meeting by virtual conferencing during such emergency if the public body gives reasonable advance publicized notice as described in subsection (1) of this section. The notice shall include information regarding access for the public and news media. In addition to any formal action taken pertaining to the emergency, the public body may hold such meeting for the purpose of briefing, discussion of public business, formation of tentative policy, or the taking of any action by the public body. (b) The public body shall provide access by providing a dial-in number or a link to the virtual conference. The public body shall also provide links to an electronic copy of the agenda, all documents being considered at the meeting, and the current version of the Open Meetings Act. Reasonable arrangements shall be made to accommodate the public's right to hear and speak at the meeting and record the meeting. Subsection (4) of this section shall be complied with in conducting such meetings. (c) The nature of the emergency shall be stated in the minutes. Complete minutes of such meeting specifying the nature of the emergency and any formal action taken at the meeting shall be made available for inspection as provided in subsections (5) and (6) of section 84-1413.

84-1412. Meetings of public body; rights of public; public body; powers and duties. (1) Subject to the Open Meetings Act, the public has the right to attend and the right to speak at meetings of public bodies, and all or any part of a meeting of a public body, except for closed sessions called pursuant to section 84-1410, may be videotaped, televised, photographed, broadcast, or recorded by any person in attendance by means of a tape recorder, a camera, video equipment, or any other means of pictorial or sonic reproduction or in writing. (2) It shall not be a violation of subsection (1) of this section for any public body to make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, televising, photographing, broadcasting, or recording its meetings, including meetings held by virtual conferencing. A body may not be required to allow citizens to speak at each meeting, but it may not forbid public participation at all meetings. (3) No public body shall require members of the public to identify themselves as a condition for admission to the meeting nor shall such body require that the name of any member of the public be placed on the agenda prior to such meeting in order to speak about items on the agenda. The body shall require any member of the public desiring to address the body to identify himself or herself, including an address and the name of any organization represented by such person unless the address requirement is waived to protect the security

of the individual. (4) No public body shall, for the purpose of circumventing the Open Meetings Act, hold a meeting in a place known by the body to be too small to accommodate the anticipated audience. (5) No public body shall be deemed in violation of this section if it holds its meeting in its traditional meeting place which is located in this state. (6) No public body shall be deemed in violation of this section if it holds a meeting outside of this state if, but only if: (a) A member entity of the public body is located outside of this state and the meeting is in that member's jurisdiction; (b) All out-of-state locations identified in the notice are located within public buildings used by members of the entity or at a place which will accommodate the anticipated audience; (c) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including making virtual conferencing available at an in-state location to members, the public, or the press, if requested twenty-four hours in advance; (d) No more than twenty-five percent of the public body's meetings in a calendar year are held out-of-state; (e) Out-of-state meetings are not used to circumvent any of the public government purposes established in the Open Meetings Act; and (f) The public body publishes notice of the out-of-state meeting at least twenty-one days before the date of the meeting in a legal newspaper of statewide circulation. (7) Each public body shall, upon request, make a reasonable effort to accommodate the public's right to hear the discussion and testimony presented at a meeting. (8) Public bodies shall make available at the meeting or the in-state location for virtual conferencing as required by subdivision (6)(c) of this section, for examination and copying by members of the public, at least one copy of all reproducible written material to be discussed at an open meeting, either in paper or electronic form. Public bodies shall make available at least one current copy of the Open Meetings Act posted in the meeting room at a location accessible to members of the public. At the beginning of the meeting, the public shall be informed about the location of the posted information.

84-1413. Meetings; minutes; roll call vote; secret ballot; when. (1) Each public body shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed. (2) Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the public body in open session, and the record shall state how each member voted or if the member was absent or not voting. The requirements of a roll call or viva voce vote shall be satisfied by a public body which utilizes an electronic voting device which allows the yeas and nays of each member of such public body to be readily seen by the public. (3) The vote to elect leadership within a public body may be taken by secret ballot, but the total number of votes for each candidate shall be recorded in the minutes. (4) The minutes of all meetings and evidence and documentation received or disclosed in open session shall be public records and open to public inspection during normal business hours. (5) Minutes shall be written, except as provided in subsection (6) of this section, and available for inspection within ten working days or prior to the next convened meeting, whichever occurs earlier, except that cities of the second class and villages may have an additional ten working days if the employee responsible for writing the minutes is absent due to a serious illness or emergency. (6) Minutes of the meetings of the board of a school district or educational service unit may be kept as an electronic record. (7) Beginning July 31, 2022, the governing body of a natural resources district, the city council of a city of the metropolitan class, the city council of a city of the primary class, the city council of a city of the first class, the county board of a county with a population greater than twenty-five thousand inhabitants, and the school board of a school district shall make available on such entity's public web site the agenda and minutes of any meeting of the governing body. The agenda shall be placed on the web site at least twenty-four hours before the meeting of the governing body. Minutes shall be placed on the web site at such time as the minutes are available for inspection as provided in subsection (5) of this section. This information shall be available on the public web site for at least six months.

84-1414. Unlawful action by public body; declared void or voidable by district court; when; duty to enforce open meeting laws; citizen's suit; procedure; violations; penalties. (1) Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in violation of the Open Meetings Act shall be declared void by the district court if the suit is commenced within one hundred twenty days of the meeting of the public body at which the alleged violation occurred. Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in substantial violation of the Open Meetings Act shall be voidable by the district court if the suit is commenced more than one hundred twenty days after but within one year of the meeting of the public body in which the alleged violation occurred. A suit to void any final action shall be commenced within one year of the action. (2) The Attorney General and the county attorney of the county in which the public body ordinarily meets shall enforce the Open Meetings Act. (3) Any citizen of this state may commence a suit in the district court of the county in which the public body ordinarily meets or in which the plaintiff resides for the purpose of requiring compliance with or preventing violations of the Open Meetings Act, for the purpose of declaring an action of a public body void, or for the purpose of determining the applicability of the act to discussions or decisions of the public body. It shall not be a defense that the citizen attended the meeting and failed to object at such time. The court may order payment of reasonable attorney's fees and court costs to a successful plaintiff in a suit brought under this section. (4) Any member of a public body who knowingly violates or conspires to violate or who attends or remains at a meeting knowing that the public body is in violation of any provision of the Open Meetings Act shall be guilty of a Class IV misdemeanor for a first offense and a Class III misdemeanor for a second or subsequent offense.

Sec. 15, Legislative Bill 83, One Hundred Seventh Legislature, First Session, 2021. (The Revisor of Statutes will assign a statute number after the Legislature adjourns sine die.) No motion, resolution, rule, regulation, ordinance, or formal action made, adopted, passed, or taken at a meeting as defined in section 84-1409 of a public body as defined in such section shall be invalidated because such motion, resolution, rule, regulation, ordinance, or formal action was made, adopted, passed, or taken at a meeting or meetings on or after March 17, 2020, and on or before April 30, 2021, pursuant to a Governor's Executive Order which waived certain requirements of the Open Meetings Act.

Sidney, Nebraska, January 17, 2022

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 January 17, 2022 in the City Council Chambers, located at 1115 13th Avenue. Present were: Chairman Schmitt and Commissioners: England, Glenn, Loghry, Long, Smith and Benzel. Absent: Sweetser. Others present: City Manager, David Scott and City Clerk, Lori Borchert. 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 Schmitt 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.

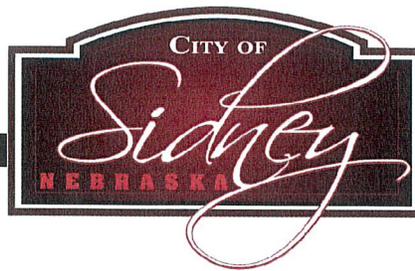
Chairman Schmitt called for a motion to approve the December 20, 2021 minutes. Glenn noted a correction on the minutes. Glenn stated that he did not abstain on the two zoning issues. Clerk Borchert stated that the minutes would be amended. Schmitt asked if there was a motion to approve the minutes as amended. Glenn moved, Loghry seconded, "That the minutes from December 20, 2021 be approved as amended." Roll call vote: Yeas: England, Glenn, Loghry, Long, Schmitt, Smith. Nays: None. Abstain: Benzel. Absent: Sweetser. Motion passed.

City Manager, David Scott, brought before the Commission a Blight and Substandard Study. Bobbi Pettit was present on behalf of the Five Rule Planning. Scott stated that the study was brought before Council at the November 23, 2021 meeting, which was approved to engage with the Five Rule Planning to complete the study. Scott presented preliminary maps for the Commission to review. Scott stated that the NE Department of Economic Development (DED) requires that a blight study be conducted every ten years. The last study being in 1994. Scott noted that in order for the city to move forward with applying for workforce housing funds through DED, NIFA, or HUD, an updated blight study is needed. Scott also stated, that the city is also working with Michael Sands of Baird Holm to put together an incentive package for developers and builders. Tax incentive Financing (TIF) is one option that the city has to incentivize builders. In order to use this incentive, the blight study is also needed. Discussion was held on areas to add as well as areas to trim down from the blight study map. Pettit stated she would have an updated blight map prepared to take to Council at the next meeting for review. Pettit noted that once approved by the Planning Commission and City Council, it would move forward to public hearings for both the Planning Commission and City Council.

Chairman Schmitt announced, "That the Planning Commission would now hold a public hearing at 6:03 p.m., to consider a plat application of City of Sidney to subdivide a 3.2-acre tract of land located in the ALL CHIDESTER ADDITION EXCEPT BLOCKS 3 & 4 & LOTS 1 THRU 5 BLOCK 2, & PART S ½ WEST OF CB & Q RR ROW IN 29-14-49 SIDNEY LANDS." Manager Scott stated that the purpose of the subdivision is to construct a new non-profit Table of Grace location. The land would be purchased from the city by Sandhills Publishing and donated to the Table of Grace. Scott mentioned that a septic system would need the approval of the Planning Commission in order to move forward. Schmitt said he didn't think that a septic would be a problem. The Planning Commission mentioned the height of the bridge that may be a problem for semi-trucks. Scott stated that they do have an alternative route, but he would bring this to the attention to Sandhills and the Table of Grace.

Chairman Schmitt asked if there were additional comments by the public. Schmitt closed the public hearing at 6:17 p.m. Schmitt asked for a motion. Motion by England, seconded by Loghry, "That the Plat Application of City of Sidney to subdivide a 3.2-acre tract of land located in the ALL CHIDESTER ADDITION EXCEPT BLOCKS 3 & 4 & LOTS 1 THRU 5 BLOCK 2, & PART S ½ WEST OF CB & Q RR ROW IN 29-14-49 SIDNEY LANDS be approved." Roll call vote: Yeas: Benzel, England, Glenn, Loghry, Long, Schmitt, Smith. Nays: None. Abstain: None. Absent: Sweetser. Motion passed.

Meeting adjourned at 6:17 p.m.

**SMALL TOWN VALUES**

1115 13TH AVENUE PO Box 79
SIDNEY NEBRASKA 69162

BIG TIME OPPORTUNITIES

PHONE (308) 254-5300 FAX (308) 254-3164
www.cityofsidney.org

MEMORANDUM

DATE: February 21, 2022

MEMO TO: Planning Commission

FROM: Lane Kizzire, Finance Director

RE: Conditional Use Permit Application for Dave Sanders

SUMMARY: Mr. Sanders is asking for a Conditional Use Permit for the property located at 640 12th Ave Sidney, NE in order to have his cargo containers there.

BACKGROUND/DISCUSSION: According to City Code 1280.16, cargo containers are only permitted in M-1, M-2, C-3 or A zone, not adjacent to an R, C-1, or C-2 zone. They are permitted in the aforementioned zones adjacent to R, C-1 or C-2 with a CUP. Mr. Sanders lot is currently zoned C-3 however he is adjacent to an R-2 zone, hence the request for a CUP.

RECOMMENDATION: The area where these are cargo containers are located is very well-hidden and not an eyesore on the area of town that he is requesting the CUP for. I recommend that we approve the CUP with the condition that he paint the current cargo containers to match the existing building that is on the property.



City of Sidney, Nebraska

1115 13th Avenue, P.O. Box 79, Sidney, NE 69162, (308-254-5300)

APPLICATION FOR CONDITIONAL USE PERMIT

DATE: 1-13-22

Filing Fee: \$200.00

Receipt No.: _____

NAME OF OWNER(s): David Sandee

ADDRESS OF OWNER(s): 340 11th Ave

ADDRESS OF CONDITIONAL USE PERMIT: _____

LOT: 12 BLOCK: 10 5 ADDITION: 12th AVE Sidney

CURRENT ZONING: C-3¹³² ZONE THE USE IS PERMITTED: C-3

DESCRIPTION OF USE: Storage (2) 640 12th

STATE REASON OR REASONS WHY THE PERMIT SHOULD ISSUED:

Joining R-2

Phone number of Applicant/Owner: 308-247

Anders@Hamilton.net, 0643

Anders@Hamilton.net

David Sandee
Signature of Owner/Owners

Official Use Only _____

APPROVED: _____ DISAPPROVED: _____ DATE: _____

CHAIRPERSON, PLANNING COMMISSION

SECRETARY, PLANNING COMMISSION
PERMIT No. ISSUED: _____
DATE PERMIT EXPIRES: _____

D & D GUTTER & CONSTRUCTION

340 11TH AVE PH. 308-254-1181
SIDNEY, NE 69162

DATE 1-13-22

76-220/1041

PAY
TO THE
ORDER OF

City of Sidney

\$ 200.00

Two hundred dollars + no/100

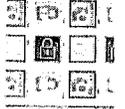
DOLLARS



American Bank
of Sidney
PO Box 19 Sidney NE 69162

FOR Ap's

[Signature]



⑈001168⑈ ⑆104102202⑆ 0088224⑈

Details on back
Security Features

Parcels

PID	OwnerName	Property/Address	OwnerAddress	LegalDesc
170054292	KOGL, DAVID & TAMMY (JT	1244 GRANT STREET SIDNEY	108 MANOR ROAD SIDNEY NE 69162-1142	0-14-49 LOTS 5 AND 6 BLOCK 10 ORIGINAL TOWN SIDNEY
170054306	KOGL, DAVID F & TAMMY M (JT	1230 GRANT STREET SIDNEY	108 MANOR ROAD SIDNEY NE 69162-1142	0-14-49 LOTS 7 & 8 AND W 1/2 OF LOT 9 BLOCK 10 ORIGINAL TOWN SIDNEY

Sections

T	R	SEC	acres
14	49W	31	646.85527

Z - Zoning

Shape	ParcelID	ParcelType	CellID	Area	Order	PIN	Site	Street	Intersect	Lot	Block	Address	Original	Zoning	Use	Area	ParcelID	Block	Address	Original	Order	Area	RL	PH	Hyperlink	Shape	Length	
360.0	204			Comr	0	1244	Grant	1244	St	5-6	10		Origin	C-3		0.145	6336	5	8199	4926		http://	&type	http://	(A6A	1039	145.9	
									Grant				Town					6					http://	&type	http://	(A6A	1039	145.9
383.0	205			Indivi	0	1230	Grant	1230	St	7-8	10		Origin	C-3		0.180	7854	7, 8	8200	4926		http://	&type	http://	(A9D	1288	155.2	
									Grant				Town					9					http://	&type	http://	(A9D	1288	155.2
									Grant	9			Addit										http://	&type	http://	(A9D	1288	155.2
									Grant				Addit										http://	&type	http://	(A9D	1288	155.2





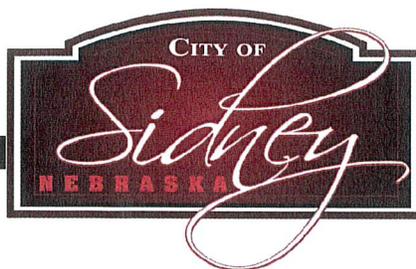
Parcel Information	
Parcel ID:	170084655
Map Number	50
State Geo Code	2839-00-0-10001-010-0012
Cadastral #	42-222-5
Images	Photo #1 Photo #2 Photo #3 Photo #4 Photo #5 Photo #6 Photo #7 Photo #8 Photo #9 Photo #10 Photo #11 Photo #12 Photo #13 Photo #14 Photo #15 Photo #16
Current Owner:	MCDONALD/ZACHARY C & MELISSA A (JT DBA ZCMC INTERPRISES 302 JANE STREET IRWIN, IA 51446-0212
Situs Address:	640 12TH AVENUE SIDNEY
Tax District:	5
School District:	SIDNEY 1, 17-0001
Account Type:	Commercial
Legal Description:	31 14 49 EAST 1/2 OF LOT 12 AND ALL OF LOTS 13-14-15 BLOCK 10 & 5' X 132' OF VACATED 12TH AVENUE ORIGINAL TOWN SIDNEY
Lot Width:	89.00
Lot Depth:	132.00
Total Lot Size:	11748.00 sq ft

Assessed Values				
Year	Total	Land	Outbuilding	Dwelling
2021	\$128,936	\$11,631	\$0	\$117,305
2020	\$132,893	\$12,923	\$0	\$119,970

Yearly Tax Information		
Year	Amount	Levy
2021	\$3,014.30	2.44537900
2020	\$3,102.30	2.43665200
2019	\$3,143.24	2.42152600
2018	\$3,303.12	2.35432000
2017	\$3,257.54	2.32446800
2016	\$3,115.82	2.22879100
2015	\$3,258.02	2.25795500
2014	\$3,375.86	2.31366700
2013	\$3,401.16	2.32340500
2012	\$3,420.92	2.34205000

2021 Tax Levy	
Description	Rate
SIDNEY 1	1.05000000
NRD	0.05036000
COUNTY GENERAL	0.40664700
SIDNEY CITY	0.58637000
SIDNEY 1 QCPUF	0.02505700
HS SCHOOL BOND	0.16316200
AIRPORT AUTHORITY	0.04521200
ED SERVICE UNIT 13	0.01548800
HISTORICAL SOCIETY	0.00143000
WNCC	0.10165300

3 Year Sales History
No previous sales information is available (for the past 3 years).



SMALL TOWN VALUES

1115 13TH AVENUE PO Box 79
SIDNEY NEBRASKA 69162

BIG TIME OPPORTUNITIES

PHONE (308) 254-5300 FAX (308) 254-3164
www.cityofsidney.org

MEMORANDUM

DATE: February 21, 2022

MEMO TO: Planning Commission

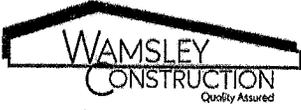
FROM: Lane Kizzire, Finance Director

RE: Conditional Use Permit Application for Wamsley Construction

SUMMARY: Wamsley Construction is asking for a Conditional Use Permit for the properties located at 1109 Greenwood Rd and 930 Greenwood Rd, Sidney, NE in order to have his cargo containers there.

BACKGROUND/DISCUSSION: According to City Code 1280.16, cargo containers are only permitted in M-1, M-2, C-3 or A zone, not adjacent to an R, C-1, or C-2 zone. They are permitted in the aforementioned zones adjacent to R, C-1 or C-2 with a CUP. 930 Greenwood Road is currently zoned C-3 and 1109 Greenwood Road is currently zoned M-1. 1109 Greenwood was recently rezoned from A to M-1 in order for Wamsley Construction to construct cargo container storage for RV's and was approved by the Planning Commission and City Council.

RECOMMENDATION: This was a detail missed by the City while we went through the process of the rezoning of the property located at 1109 Greenwood Road. Both of these locations are in a commercial or manufacturing district. Currently the containers that are there are the same color and blend into the current structure (930 Greenwood). I recommend the approval of the CUP under the condition that the cargo containers stay the same color as the existing structure on 930 Greenwood Road and that any containers that go onto 1109 Greenwood Road be the same color.



Wamsley Construction, LLC
1408 Illinois Street
Sidney, NE 69162
308-254-4142



82-136/1021

1/20/2022

PAY TO THE ORDER OF City of Sidney

\$ **200.00

Two Hundred and 00/100*****

DOLLARS

City of Sidney
P. O. Box 79
Sidney, NE 69162



Christine Wamsley
AUTHORIZED SIGNATURE

MEMO

⑈014249⑈ ⑆102101360⑆ 3⑈6388⑈7⑈

Wamsley Construction, LLC

14249

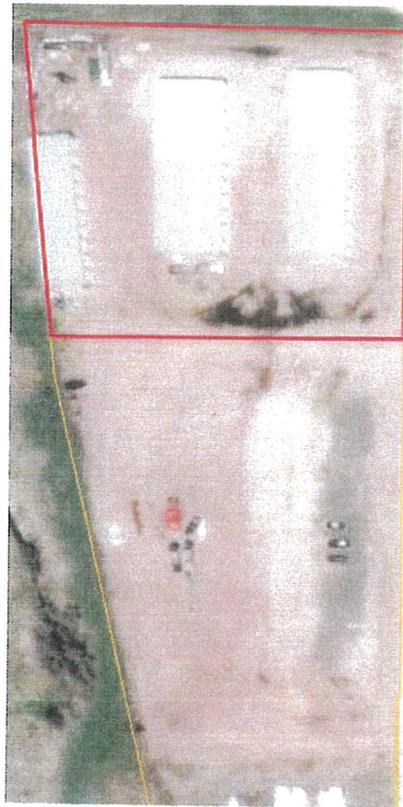
Date	Type	Reference	Original Amt.	Balance Due	1/20/2022 Discount	Payment
1/20/2022	Bill		200.00	200.00		200.00
					Check Amount	200.00

Wamsley Construction, LLC

14249

Date	Type	Reference	Original Amt.	Balance Due	1/20/2022 Discount	Payment
1/20/2022	Bill		200.00	200.00		200.00
					Check Amount	200.00

\$ 200.00 **City Of Sidney** 36639
 Sidney, Nebraska 1/27 2022 200.00
 Received of Wamsley Construction
Two hundred and 00/100 DOLLARS
 For Concl 118, permit
401/140301 Ken City Cashier



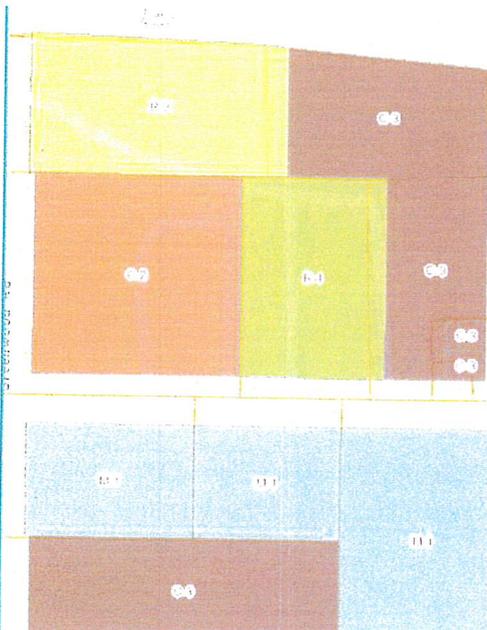
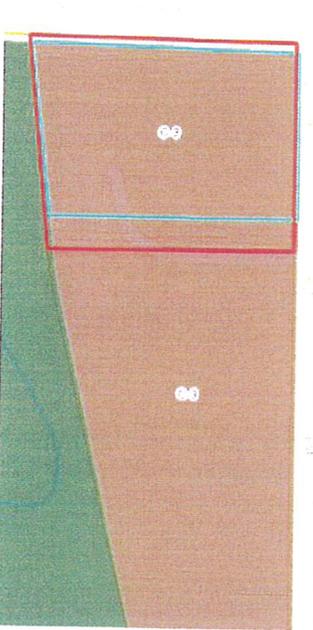
I Want To...

Street View
 Show On Map
 Export To PDF

Email Current PDF

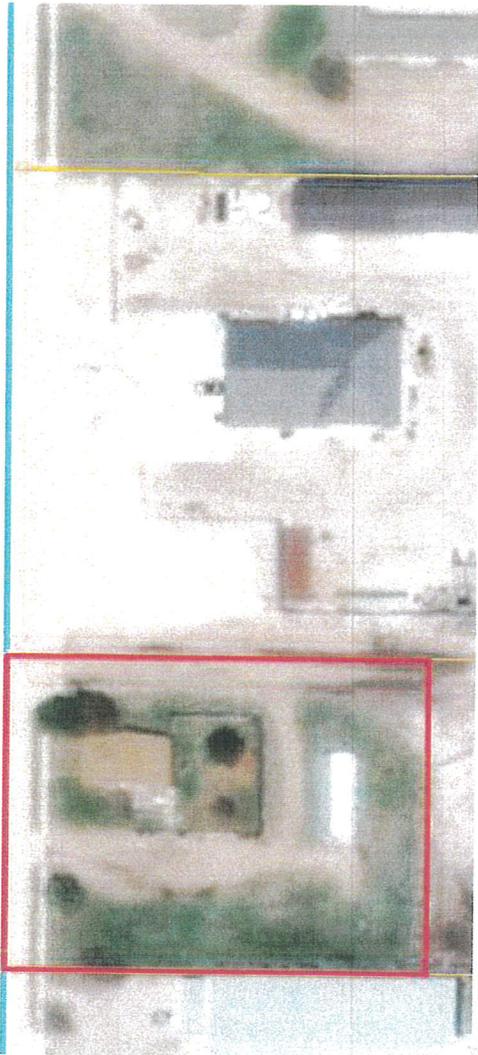
cityofsidney Assessor Report

Parcel Information	
Parcel ID:	170175596
Map Number:	361
State Geo Code:	2839-32-0-10010-000 0001
Cadastral #:	21-229-361
Images:	Photo #1 Photo #2 Photo #3 Photo #4 Photo #5 Photo #6 Photo #7 Photo #8 Photo #9 Photo #10 Photo #11 Photo #12
Current Owner:	WAMSLEY CONSTRUCTION LLC 1403 ILLINOIS STREET SIDNEY, NE 69162-1532
Situs Address:	930 GREENWOOD ROAD SIDNEY
Tax District:	5
School District:	SIDNEY 1, 17-0001
Account Type:	Commercial
Legal Description:	32 14 49 TRACT 1 BORCHERT S/D SIDNEY
Lot Width:	N/A



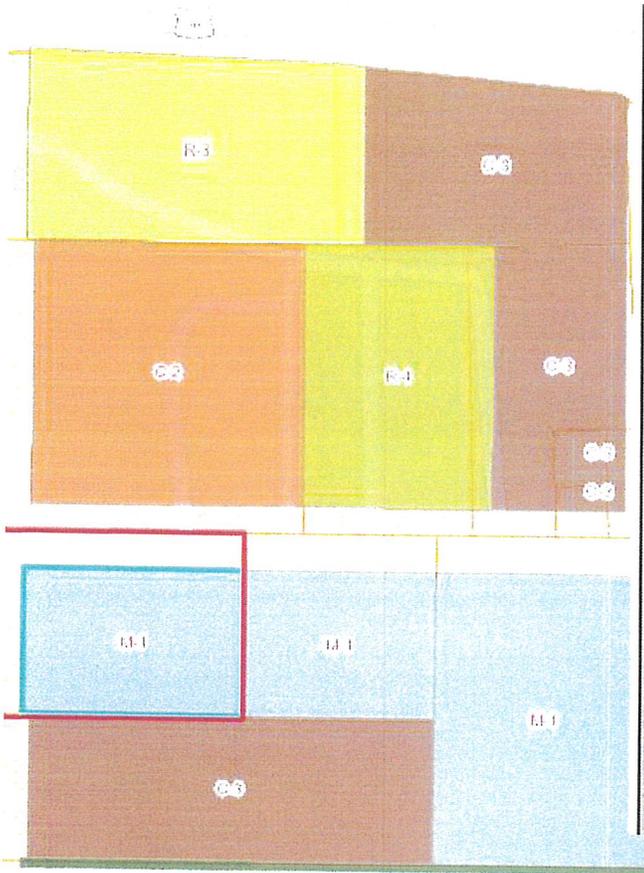
Details	
Shape_Leng	1142.627509
ParcelID	3923
ParcelType	
ParcelName	
OwnerClass	Commercial
OwnerOrMan	
PIN	0
Situs	930
StreetName	Greenwood Rd
SitusWithS	930 Greenwood Rd
Lot	1
Block	
Subdivisio	Borchert Subdivision
Addition	
Zoning	C-3
LandUseGro	
Acres	1.785329

cityofsidney Assessor Report



Parcel Information

<u>Parcel ID:</u>	170001857
<u>Map Number</u>	3602
<u>State Geo Code</u>	2839-33-2-10343-000-0019
<u>Cadastral #</u>	21-150A-3602
<u>Images</u>	Photo #1 Photo #2 Photo #3 Photo #4 Photo #5 Photo #6 Photo #7 Photo #8
<u>Current Owner:</u>	WAMSLEY CONSTRUCTION LLC 1403 ILLINOIS STREET SIDNEY, NE 69162-1532
<u>Situs Address:</u>	1109 GREENWOOD ROAD SIDNEY
<u>Tax District:</u>	5
<u>School District:</u>	SIDNEY 1, 17-0001
<u>Account Type:</u>	Industrial
<u>Legal Description:</u>	33 14 49 PART SW 1/4 NW 1/4 (191' X 258') (1.131 ACRES) LANDS INSIDE SIDNEY
<u>Lot Width:</u>	N/A
<u>Lot Depth:</u>	N/A
<u>Total Lot Size:</u>	1.13 acres



Details	
Shape_Leng	749.68357
ParcelID	3318
ParcelType	
ParcelName	
OwnerClass	Individual
OwnerOrMan	
PIN	Null
Situs	1109
StreetName	Greenwood Rd
SitusWithS	1109 Greenwood Rd
Lot	
Block	
Subdivisio	By Deed
Addition	
Zoning	M-1
LandUseGro	
Acres	0.773979

(28) Conditional use permit. "Conditional use permit" means: A permit which allows the city to consider special uses which may be essential or desirable to a particular zoning district through a public hearing process. A conditional use permit can provide flexibility within an ordinance and enable a municipality to control certain uses which could have detrimental effects on the community.



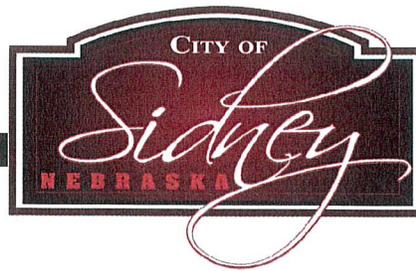
Parcel Information	
Parcel ID:	170001857
Map Number	3602
State Geo Code	2839-33-2-10343-000-0019
Cadastral #	21-150A-3602
Images	Photo #1 Photo #2 Photo #3 Photo #4 Photo #5 Photo #6 Photo #7 Photo #8
Current Owner:	WAMSLEY CONSTRUCTION LLC 1403 ILLINOIS STREET SIDNEY, NE 69162-1532
Situs Address:	1109 GREENWOOD ROAD SIDNEY
Tax District:	5
School District:	SIDNEY 1, 17-0001
Account Type:	Industrial
Legal Description:	33 14 49 PART SW 1/4 NW 1/4 (191'X 258') (1.131 ACRES) LANDS INSIDE SIDNEY
Lot Width:	N/A
Lot Depth:	N/A
Total Lot Size:	1.13 acres

Assessed Values				
Year	Total	Land	Outbuilding	Dwelling
2021	\$18,848	\$18,848	\$0	\$0
2020	\$90,790	\$17,135	\$0	\$73,655

Yearly Tax Information		
Year	Amount	Levy
2021	\$440.64	2.44537900
2020	\$2,119.44	2.43665200
2019	\$2,046.02	2.42152600
2018	\$2,327.94	2.35432000
2017	\$2,669.56	2.32446800
2016	\$2,385.36	2.22879100
2015	\$2,412.84	2.25795500
2014	\$2,500.10	2.31366700
2013	\$2,000.88	2.32340500
2012	\$2,012.50	2.34205000

2021 Tax Levy	
Description	Rate
SIDNEY 1	1.05000000
NRD	0.05036000
COUNTY GENERAL	0.40664700
SIDNEY CITY	0.58637000
SIDNEY 1 QCPUF	0.02505700
HS SCHOOL BOND	0.16316200
AIRPORT AUTHORITY	0.04521200
ED SERVICE UNIT 13	0.01548800
HISTORICAL SOCIETY	0.00143000
WNCC	0.10165300

Sales Information				
Sale Date	Sale Price	Book & Page	Grantor	Parcel Ids
06/29/2021	\$48,000.00	2021 / 1229	UNCERTAIN INVESTMENTS, LLC	

**SMALL TOWN VALUES**

1115 13TH AVENUE PO BOX 79
SIDNEY NEBRASKA 69162

BIG TIME OPPORTUNITIES

PHONE (308) 254-5300 FAX (308) 254-3164
www.cityofs Sidney.org

MEMORANDUM

DATE: February 21, 2022

MEMO TO: Planning Commission

FROM: Lane Kizzire, Finance Director

RE: Waiver for Truck Parking for Michael and Lesli Baker

SUMMARY: Michael and Lesli Baker are requesting a waiver in order to park one semi and trailer unit on their property located at 604 16th Avenue Sidney, NE.

BACKGROUND/DISCUSSION: According to City code 460.18, owners of commercial vehicles may not park in a residential area unless a Conditional Use Permit/Waiver is issued by the Planning Commission and the Mayor and City Council. Michael and Lesli Baker own two lots right next too each other with a large open area.

RECOMMENDATION: Looking at the property, a tractor-trailer would not have any issues getting in and out of the location and barring any complaints from neighbors, who were all sent letters notifying them that this application for a waiver of truck parking, I do not have any issues with them parking a tractor-trailer on the lot they own adjacent to the lot that their house is on. Since this falls under the precedents of any other special use permit, Planning Commission is allowed to approve this application with conditions as well.

City of Sidney, Nebraska

1115 13th Avenue P.O. Box 79 Sidney, NE 69162 Phone (308) 254-5300 Fax (308) 254-3164



APPLICATION FOR WAIVER FOR TRUCK PARKING IN RESIDENTIAL ZONES

INSTRUCTIONS

Complete all blanks on the application and return to the City offices, City of Sidney, 1115 13th Avenue, P.O. Box 79, Sidney, NE 69162 a minimum of 2 WEEKS prior to the meeting of the Planning Commission. The Board meets on the 3rd Monday of each month at 5:30 PM in the Council meeting room.

- The application must be returned to the City a minimum of two weeks before the Planning Commission meeting date.
- Applicant(s) must submit with the application the names and addresses of all property owners within 300 feet of the proposed parking location. These names and addresses must be the current owners as listed with the Cheyenne County Assessor's Office.
- A minimum of 10 days before the date of the public hearing, the City is required to:
 1. Publish a legal notice in the Sidney Sun-Telegraph regarding this request.
 2. Post a sign on the property for the variance application.
 3. Mail a letter to all property owners regarding the application for Variance for Truck Parking in Residential Zones.

IMPORTANT NOTICE TO THE APPLICANT(s): THIS APPLICATION WILL BE AUTOMATICALLY TABLED IF THE APPLICANT OR THEIR REPRESENTATIVE IS NOT PRESENT AT THE PLANNING COMMISSION'S PUBLIC HEARING. PHONE ATTENDANCE MUST BE ARRANGED 24 HOURS IN ADVANCE OF THE MEETING. APPLICANTS OR THEIR REPRESENTATIVE MUST ALSO BE PRESENT AT THE COUNCIL'S PUBLIC HEARING.

Homes within 300 feet of 604 16th Ave. parking for Semi Tractor and flatbed trailer

1616 Forrest St. Sidney, NE. Mary Acevedo

1630 Forrest St. Sidney, NE. Kody Wood

1631 and 1645 Forrest St. Sidney, NE. Val Peters, 1407 Linden St. Sidney, NE. 69162

1642 Forrest St. Sidney, NE. Lloyd Crow

544 16th Ave. Sidney, NE. Dale Steffens, 1842 East E Street, Torrington, WY 82240

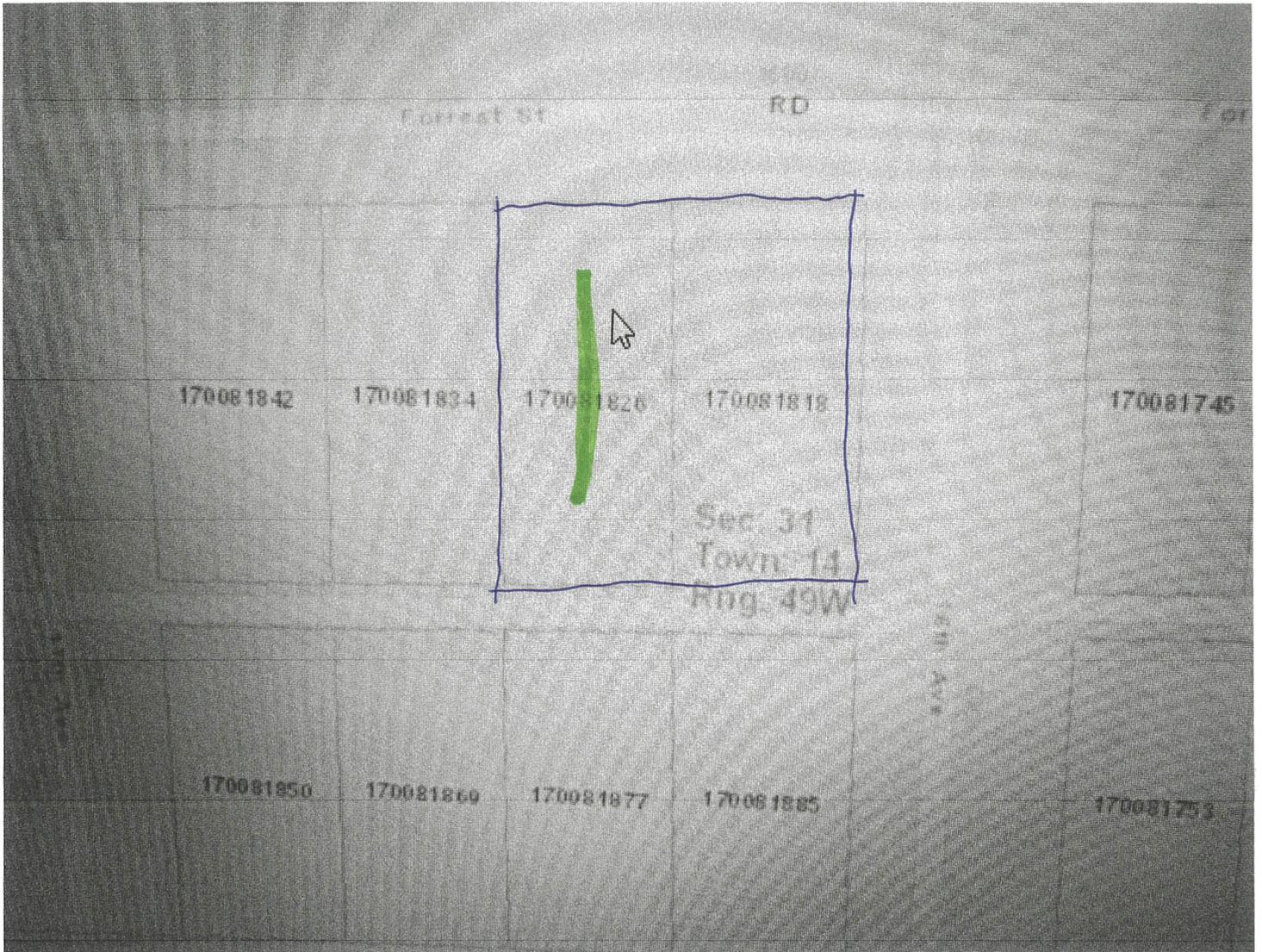
1543 Forrest St. Sidney, NE. Charles Gartner

1542 Grant St. Sidney, NE. Patrick Farnsworth 665 Rd 113, Sidney, NE 69162

1606 and 1624 Grand St, Sidney, NE. Guadalupe Gutierrez 5074 Rd. 133 Dalton, NE. 69131-7228

1616 Grant St. Sidney, NE. John and Maureen Murray

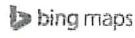
1640 Grant St. Sidney, NE. Lonnie Eugene Kuhns Sr. 1641 41st St. Evans, CO. 80620-2428



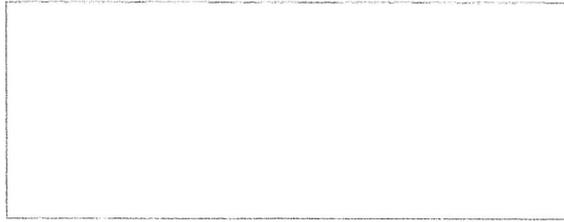
WE own lots 170081818
 170081826
 TRUCK & TRAILER
 will be parked on
 170081826

1/3/22, 11:02 AM

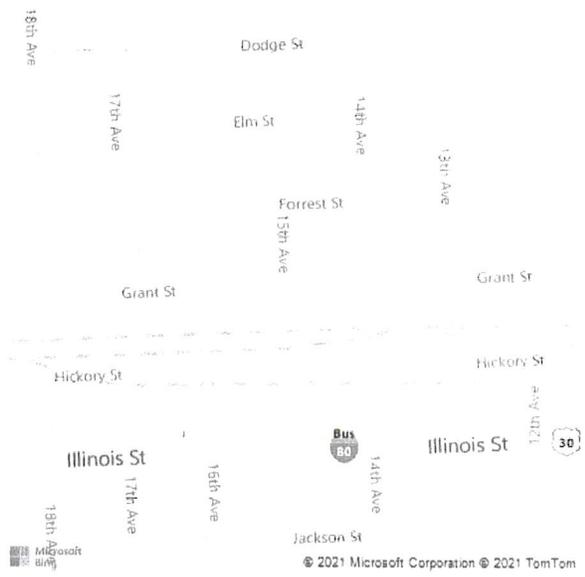
Bing Maps - Directions, trip planning, traffic cameras & more



Notes



WE OWN
~~THE~~
2 LOTS

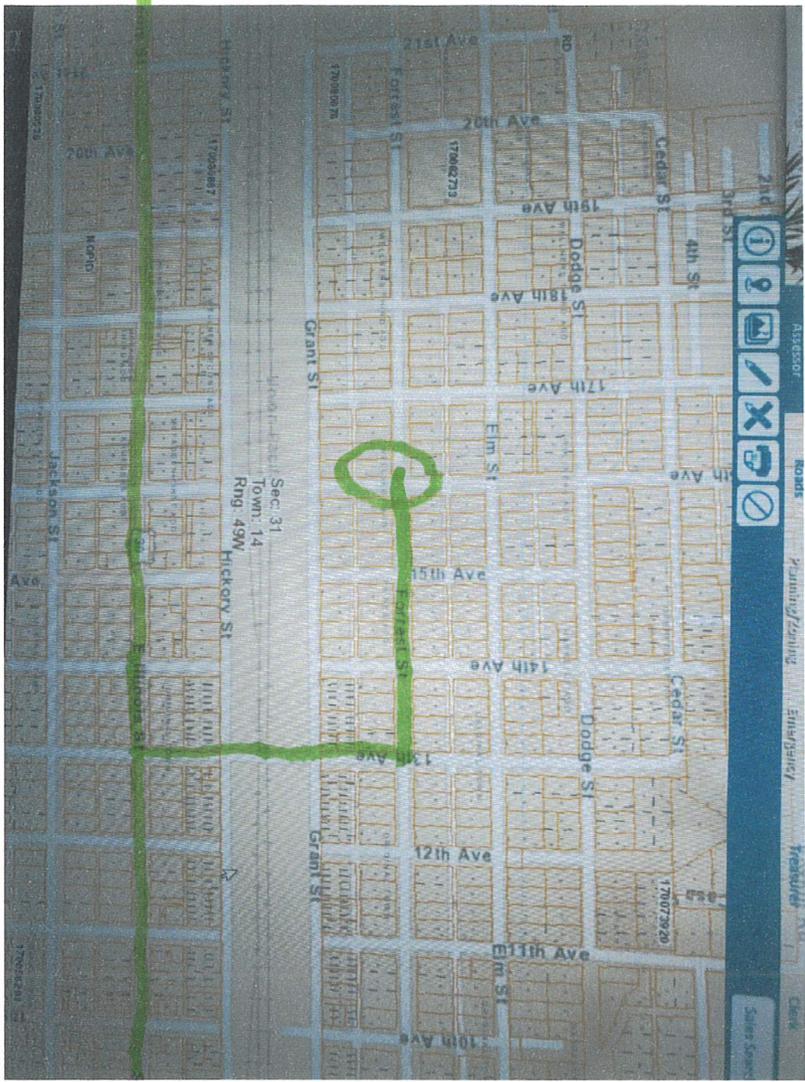


1/3/22, 11:13 AM

Google Maps

Google Maps





NEBRASKA
 Good Life. Great Future.
 DEPARTMENT OF MOTOR VEHICLES

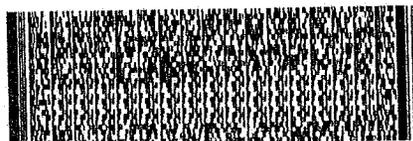
NEBRASKA APPORTIONED REGISTRATION CAB CARD

Plate Number 407775	Issue Date 01/01/2022	Expiration Date 12/31/2022	Enforcement Date 02/01/2023				
Carrier Number 7253		Fleet Number 1			Unit Number 7		
Vehicle Identification Number 3WKDDB9X6YF850862	Year 2000	Make KW	Type TT	Fuel D	Axles 3	Bus HP	Bus Seats
Combined Gross Weight (CGW) 92,000		Gross Weight 54,000			Unladen Weight 18,000		
Owner (Titleholder) BAKERS R TRUCKING LLC					Title Number NE N0002236142		
IRP Registrant DBA Name		BAKERS R TRUCKING LLC					
Address		604 16TH AVE SIDNEY NE 69162 1231					
Motor Carrier US DOT Number		BAKERS R TRUCKING LLC 3777360					
Address		604 16TH AVE SIDNEY NE 69162 1231					

The vehicle described above has been proportionally registered between the State of Nebraska and the Jurisdictions shown below:

NE 92,000	AB 36,287	AL 92,000	AR 80,000	AZ 80,000	BC 36,287
CA 80,000	CO 80,000	CT 80,000	DC 80,000	DE 80,000	FL 80,000
GA 80,000	IA 92,000	ID 92,000	IL 80,000	IN 80,000	KS 85,500
KY 80,000	LA 88,000	MA 80,000	MB 36,287	MD 80,000	ME 80,000
MI 92,000	MN 92,000	MO 80,000	MS 80,000	MT 92,000	NB 36,287
NC 80,000	ND 92,000	NH 80,000	NJ 80,000	NL 36,287	NM 86,400
NS 36,287	NV 92,000	NY 80,000	OH 80,000	OK 90,000	ON 36,287
OR 80,000	PA 80,000	PE 36,287	QC 5 Axles	RI 80,000	SC 80,000
SD 92,000	SK 36,287	TN 80,000	TX 80,000	UT 80,000	VA 80,000
VT 80,000	WA 80,000	WI 80,000	WV 80,000	WY 92,000	** *****

**NEBRASKA DEPARTMENT OF MOTOR VEHICLES
 MOTOR CARRIER SERVICES**



~~NEBRASKA~~

Good Life. Great Future.

DEPARTMENT OF MOTOR VEHICLES

NEBRASKA APPORTIONED REGISTRATION CAB CARD

Plate Number 289582	Issue Date 01/01/2022	Expiration Date Non Expiring				Enforcement Date Non Expiring	
Carrier Number 7253		Fleet Number 1			Unit Number T7		
Vehicle Identification Number 5MC12531XL3192224	Year 2020	Make MANA	Type ST	Fuel N	Axles 2	Bus HP	Bus Seats
Combined Gross Weight (CGW)		Gross Weight 48,000			Unladen Weight 11,628		
Owner (Titleholder)	BAKERS R TRUCKING LLC					Title Number NE N0002270886	
IRP Registrant	BAKERS R TRUCKING LLC						
DBA Name							
Address	604 16TH AVE SIDNEY NE 69162 1231						
Motor Carrier							
US DOT Number							
Address							

The vehicle described above has been proportionally registered between the State of Nebraska and the Jurisdictions shown below:

✖ ✖✖✖✖✖✖✖

**NEBRASKA DEPARTMENT OF MOTOR VEHICLES
MOTOR CARRIER SERVICES**





SMALL TOWN VALUES

1115 13TH AVENUE PO BOX 79
SIDNEY NEBRASKA 69162

BIG TIME OPPORTUNITIES

PHONE (308) 254-5300 FAX (308) 254-3164
www.cityofsidney.org

MEMORANDUM

DATE: February 21, 2022

MEMO TO: Planning Commission

FROM: Lane Kizzire, Finance Director

RE: Subdivision Application for Aaron and Jamie Buettner

SUMMARY: Aaron and Jamie Buettner have applied for a Subdivision and Rezoning of their parcel of land located on Highway 30, just inside the City's two-mile jurisdiction.

BACKGROUND/DISCUSSION: Arron and Jamie Buettner have had the land subdivided and upon the passing of the subdivision application they are requesting the new parcel be rezoned from A to C-3 in order for them to put an RV campground on the property. If the Planning Commission and the City Council both approve the rezoning, according to City Code 1262.03, a Conditional Use Permit would also be required to have the RV campground.

RECOMMENDATION: This parcel is barely inside the City's two-mile jurisdiction and has a nice location for a campground. With the influx of construction going on in the area and a lack of campground space in the area, I recommend we approve the application for rezoning and the subdivision.



City of Sidney, Nebraska

1115 13th Avenue P.O. Box 79, Sidney, NE 69162, (308-254-5300)

APPLICATION FOR SUBDIVISION

1. Name of Subdivision: Buettner Subdivision

2. Name of applicant(s): Aaron & Jamie Buettner

Address 11723 RD 26 Sidney NE 69162
(Street No. & Name) (City) (State) (Zip)

3. Owner of Record: Aaron & Jamie Buettner

Address 11723 RD 26 Sidney NE 69162
(Street No. & Name) (City) (State) (Zip)

4. Subdivision Location: _____

5. Legal Description and Address of Subdivision: Section 26 Township 14
Range 49 South 1/2 less Tract RR ROW, State of NE Parcel in SE 1/4

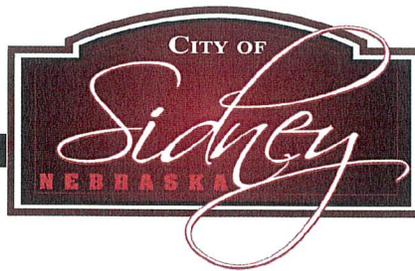
6. Current Zoning A Number of Proposed Lots: 2

7. Purpose of Subdivision of Land: Create RV Park

Signature: _____

Received By: [Signature]

Date: 8-2-2022

**SMALL TOWN VALUES**

1115 13TH AVENUE PO Box 79
SIDNEY NEBRASKA 69162

BIG TIME OPPORTUNITIES

PHONE (308) 254-5300 FAX (308) 254-3164
www.cityofsidney.org

MEMORANDUM

DATE: February 21, 2022

MEMO TO: Planning Commission

FROM: Lane Kizzire, Finance Director

RE: Rezoning Application for Aaron and Jamie Buettner

SUMMARY: Aaron and Jamie Buettner have applied for a Subdivision and Rezoning of their parcel of land located on Highway 30, just inside the City's two-mile jurisdiction.

BACKGROUND/DISCUSSION: Arron and Jamie Buettner have had the land subdivided and upon the passing of the subdivision application they are requesting the new parcel be rezoned from A to C-3 in order for them to put an RV campground on the property. If the Planning Commission and the City Council both approve the rezoning, according to City Code 1262.03, a Conditional Use Permit would also be required to have the RV campground.

RECOMMENDATION: This parcel is barely inside the City's two-mile jurisdiction and has a nice location for a campground. With the influx of construction going on in the area and a lack of campground space in the area, I recommend we approve the application for rezoning and the subdivision.



City of Sidney, Nebraska

1115 13th Avenue, P.O. Box 79, Sidney, NE 69162, (308-254-5300)

PETITION FOR REZONING

The undersigned owner(s) of the premises, situated within the corporate limits and within the zoning jurisdiction of the City of Sidney, Nebraska, legally described as:

26-14 49 5 1/2 Less Tract RR ROW ST OF NE 1/4 Parcel in SE 1/4

two sites

and commonly known as _____
(Street address or location)

do hereby petition and request the rezoning of the above described property in accordance with the following:

Petition to rezone from: Agricultural, _____
to: Commercial C3, _____

Name(s), address, and phone number(s) of owner(s):

<u>Aaron Buehner</u>	<u>11723 Rd 26 Sidney NE</u>	<u>469 559 7967</u>
<u>Jamie Buehner</u>	<u>11723 Rd 26 Sidney NE</u>	<u>432 294 2432</u>

Names(s) address, and phone number(s) of Developer(s) if different than the owner.

Proposed use of the property: RV

Dated this 27 day of Oct, 2021.

Signature(s): [Signature]

Date Received: 1-10-2022

Received by: [Signature]



City of Sidney, Nebraska

1115 13th Avenue, P.O. Box 79, Sidney, NE 69162. (308-254-5300)

PETITION FOR REZONING

1. Complete all blanks on the application and return it to the City Inspectors Offices, City of Sidney, 1115 13th Avenue, P.O. Box 79, Sidney, NE 69162 a minimum of two (2) weeks prior to the meeting of the Planning Commission. The Commission meets on the 3rd Monday of each month at 5:30 PM.
2. Applicant(s) must submit with the application the names and addresses of all property owners within 300 ft. of the property being rezoned. These names and addresses must be the current owners as listed at the Cheyenne County Assessor's Office.
3. A non-refundable \$100.00 filing fee must be paid at the time the application is submitted. Make checks payable to "City of Sidney".

IMPORTANT NOTICE TO THE APPLICANT(S): THIS APPLICATION WILL BE TABLED IF THE APPLICANT OR THEIR REPRESENTATIVE IS NOT PRESENT AT THE PUBLIC HEARING. PHONE ATTANDANCE MUST BE ARRANGED 24 HOURS IN ADVANCE OF THE MEETING.

AARON OR JAMIE BUETTNER
 PH. 469-559-7967 432-294-2432
 11723 ROAD 26
 SIDNEY, NE 69162

76-1381/1041 383

Date 27 Oct 21

Pay to the order of City of Sidney \$ 100⁰⁰
one hundred dollars⁰⁰ Dollars

Security First Bank
 Member FDIC
 308-254-4525 P.O. Box 137 Sidney, Nebraska 69162-0137

Memo Rezone App.

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Parcel Information	
Parcel ID:	170215172
Map Number	6061
State Geo Code	2839-26-1-00000-001-0002
Cadastral #	21-64A-6061
Images	Photo #1 Photo #2 Photo #3
Current Owner:	BUETTNER/AARON D & JAMIE L BUETTNER JT 11723 ROAD 26 SIDNEY, NE 69162-3126
Situs Address:	
Tax District:	30
School District:	SIDNEY 1, 17-0001
Account Type:	Agricultural
Legal Description:	26 14 49 S 1/2 LESS TRACT, RR ROW, ST OF NE & PARCEL IN SE 1/4
Lot Width:	N/A
Lot Depth:	N/A
Total Lot Size:	N/A

Assessed Values				
Year	Total	Land	Outbuilding	Dwelling
2021	\$48,465	\$48,465	\$0	\$0
2020	\$48,465	\$48,465	\$0	\$0

Yearly Tax Information		
Year	Amount	Levy
2021	\$831.40	1.84448500
2020	\$833.46	1.84235200
2019	\$826.24	1.83300900
2018	\$829.22	1.81797900
2017	\$813.08	1.78637700
2016	\$817.56	1.77964100
2015	\$724.18	1.80871000

2021 Tax Levy	
Description	Rate
SIDNEY 1	1.05000000
NRD	0.05036000
COUNTY GENERAL	0.40664700
SIDNEY 1 QCPUF	0.02505700
HS SCHOOL BOND	0.16316200
FIRE DIST 1	0.03068800
ED SERVICE UNIT 13	0.01548800
HISTORICAL SOCIETY	0.00143000
WNCC	0.10165300



Agricultural Land Information					
<u>Soil Symbol</u>	<u>Landuse</u>	<u>LVG</u>	<u>Unit Value</u>	<u>Acres</u>	<u>Total Value</u>
1118	GRAS	3G	\$375.00	19.580	\$7,343.00
1301	GRAS	4G1	\$365.00	19.090	\$6,968.00
1327	GRAS	4G1	\$365.00	10.500	\$3,833.00
1502	GRAS	3G	\$375.00	0.600	\$225.00
1506	GRAS	4G1	\$365.00	0.590	\$215.00
1571	GRAS	4G	\$312.00	55.970	\$17,463.00
1572	GRAS	4G	\$312.00	18.930	\$5,906.00
1618	GRAS	4G1	\$365.00	0.302	\$110.00
1727	GRAS	3G	\$375.00	0.550	\$206.00
1736	GRAS	4G1	\$365.00	2.880	\$1,051.00
1839	GRAS	4G	\$312.00	7.580	\$2,365.00
5150	GRAS	4G	\$312.00	8.910	\$2,780.00
Total:				145.482	\$48,465.00

Sales Information				
<u>Sale Date</u>	<u>Sale Price</u>	<u>Book & Page</u>	<u>Grantor</u>	<u>Parcel Ids</u>
09/15/2020	\$115,000.00	2020 / 1547	KIELIAN/CHARLES A	
03/26/2019	\$80,300.00	2019 / 0489	N-C RANCH LLC	

Residential Datasheet	
Zoning:	Agricultural
Year Built:	0
Exterior:	N/A
Bedrooms:	0
Plumbing Fixtures:	0
Basement Size:	0 sq. ft
Building Size:	0 sq. ft
Quality:	
Condition:	N/A
Style:	N/A
Bathrooms:	0.00
Heating/Cooling:	
Min Finish:	0 sq. ft
Part Finish:	0 sq. ft