

City of Sidney Planning Commission Meeting, Monday, May 20, 2024, 5:30 pm

AGENDA

Call to Order
Pledge of Allegiance
Welcome
Business and Report

1. Announcement of Public Meetings Act: The Open Meetings Law poster is posted at the rear of the room, please refer to the posted information if you have any questions regarding the open meetings law.
2. Approval of minutes for November 20, 2023
3. Approval of minutes for March 18, 2024
4. **PUBLIC HEARING:** The application of a Conditional Use Permit for Sidney 1025, LLC, Jessica McKay, for the placement of a shipping container, to be used for advertisement on a parcel of land, 9 13 49 Lot 2 Block 1 Arby's Addition, Sidney, Cheyenne County, Nebraska. Current zoning, C3.
5. Comments by the public and action concerning other business by the commission.

ADJOURNMENT

Planning Commission Meeting

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 November 20, 2023 in the City Council Chambers, located at 1115 13th Avenue. Present were: Vice-Chairman Loghry and Commissioners Benzel, Glenn, Jones, Loghry, Smith, Sweetser. Others present: City Manager David Scott, Chief Building Official, Marshall Hall 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.

Vice-Chairman Loghry announced that a current copy of the Nebraska Open Meetings Act was available for review at the rear of the room.

Loghry called for a motion to approve the August 21, 2023 minutes. Glenn moved, Benzel seconded, "That the minutes from August 21, 2023 be approved." Roll call vote: Yeas: Benzel, Glenn, Jones, Loghry, Sweetser. Nays: None. Absent: Smith, England, Schmitt, Strommen. Motion passed.

Loghry announced, "That the Planning Commission would be considering the Redevelopment Plan for the R Perry Workforce Housing Redevelopment Project, lots 1 through 11, inclusive, Block 4, Prairie Winds Addition to the City of Sidney - Phase 1, an addition to the City of Sidney, Cheyenne County, Nebraska; and recommendation to Council regarding the same." Loghry called the hearing at 5:32 p.m.

Commissioner Smith arrived at 5:33 pm.

City Manager Scott explained to the Commissioners what TIF (Tax Increment Financing) is and how it works. TIF operates by utilizing ad valorem property tax revenue for a specified period to repay debt incurred by the project developer. Scott passed handouts to the Commissioners of the housing options. The City will be working with R Perry Construction to act as the developer and construct eleven new single-family homes. A sale agreement has been reached and signed between R Perry Construction and Fort Sidney Development Group. Loghry asked if Perry will be building from start to finish. Scott replied that Perry would be using local subcontractors as much as possible. Scott stated that Perry would be building in phases, five to six houses, making this a "tiered TIF". Scott recommended approval of the TIF plan so that construction can begin on the new workforce housing as soon as early spring. Loghry asked if there was any more discussion or questions. Scott pointed out the Chief Building Official, Marshall Hall, was available for questions. There were no questions. Loghry closed the hearing at 5:56 pm. Glenn moved, Jones seconded, "That the Redevelopment Plan for the R Perry Workforce Housing Redevelopment Project be approved and recommendation be made to City Council." Yeas: Glenn, Jones, Loghry, Smith, Sweetser, Benzel. Nays: None Absent: England, Schmitt, Strommen. Motion passed.

Loghry asked for a motion for Resolution 20231101. Benzel moved, Sweetser seconded, "That Resolution 20231101, a resolution of the Planning Commission of the City of Sidney, Nebraska, recommending approval of a redevelopment plan entitled, "Redevelopment Plan for the R Perry Workforce Housing Redevelopment Project," to the Mayor and City Council of the City of Sidney, Nebraska, be approved." Yeas: Jones, Loghry, Smith, Sweetser, Benzel, Glenn. Nays: None Absent: England, Schmitt, Strommen. Motion passed.

There were no further comments.

Meeting adjourned at 5:58 p.m.

VICE-CHAIR, DOUG LOGHRY

CITY CLERK, LORI BORCHERT

Planning Commission Meeting

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 March 18, 2024 in the City Council Chambers, located at 1115 13th Avenue. Present were: Chairman Schmitt and Commissioners, Loghry, England, Sweetser, Strommen, Smith, Jones and Benzel. Others present: Financial Director Carwin, Chief Building Official Hall and Administrative Assistant Mowery. 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 that a current copy of the Nebraska Open Meetings Act was available for review at the rear of the room.

Schmitt stated the approval of the November 20, 2023 minutes would be tabled since copies were not distributed.

Schmitt announced that a public hearing would be held considering the application of a Conditional Use Permit for Dan Munson, for placement of a shipping container, to be used for storage on a parcel of land located 31 14 49 Part of Lot 2; All of Lots 3 & 4 Block 16 Clarkson Addition, Sidney & Row (S40' of Newton St. Adj to said Lots), Cheyenne County, Nebraska. Current zoning, M1. Schmitt called the hearing at 5:30 p.m.

Dan Munson of Dan's Auto & Metal stated he is selling the property east to his shop where he currently stores tractors and extra parts in the garage. He is looking to place a shipping container on his lot across the street next to the railroad tracks to replace that storage. He said the container looks new with no dents or scratches and would be located in the middle of the pie-shaped lot. Marshall Hall, Chief Building Official, confirmed the zoning allows for the placement of the shipping container and the container can be set directly on the ground with no concrete slab. There were no comments by the public. Public hearing closed at 5:37 p.m. Schmitt asked for a motion. Strommen moved, England seconded, "To approve the application for a Conditional Use Permit for Dan Munson, for the placement of a shipping container, to be used for storage on a parcel of land located 31 14 49 Part of Lot 2; All of Lots 3 & 4 Block 16 Clarkson Addition, and Right Of Way, Cheyenne County, Nebraska. Current zoning, M1." Roll call vote: Yeas: Benzel, England, Jones, Loghry, Schmitt, Smith, Strommen, Sweetser Nays: None Motion Passed.

There were no further comments.

Meeting adjourned at 5:41 p.m.

CHAIRMAN, BEN SCHMITT

ADMINISTRATIVE ASSISTANT, KELLIE MOWERY



City of Sidney, Nebraska

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

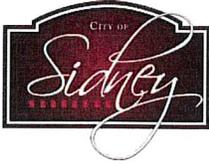
APPLICATION FOR CONDITIONAL USE PERMIT

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.

- Applicant(s) must submit with the application the names and addresses of all property owners within 300 feet of the proposed Conditional Use location. These names and addresses must be the current owners as listed with the Cheyenne County Assessor's Office.
- A non-refundable \$200.00 filing fee must be paid at the time the application is submitted. Make checks payable to "City of Sidney".
- A minimum of 10 days before the date of the public hearing, the City is required to:
 - Publish a legal notice in the Sidney Sun-Telegraph regarding this request
 - Post a sign on the property for the Conditional Use permit.
 - Mail a letter to all property owners regarding the application for Conditional Use permit.

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

The City of Sidney claims jurisdiction 2 miles outside the City Limits. Under certain Conditional Uses as specified in Ordinance 1607, to defray the costs associated with the repair and maintenance of roads, particularly on the perimeter areas within the City, or in the zoning jurisdiction outside of the City corporate limits when truck or heavy equipment traffic is expected to be established or expanded due to a conditional use permit use, an annual road maintenance fee as determined by the Planning Commission in an amount of up to Twelve Thousand and No/100 Dollars (\$12,000.00) shall be required as a condition for issuance within specific section of the Ordinance. The fee will be paid proportionately on a monthly basis with the first payment due at the time the conditional use permit is granted. Any permit for which such a fee is set will be issued for a specific time period up to one year. A permit holder who wishes to continue the use must reapply to the Planning Commission.



City of Sidney, Nebraska

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

APPLICATION FOR CONDITIONAL USE PERMIT

DATE: 4-11-24

Filing Fee: \$200.00

Receipt No.: _____

NAME OF OWNER(s): Sidney 1025, LLC (c/o Jessica McKay)

ADDRESS OF OWNER(s): 501 S. Cherry St Suite 1100 Denver, CO 80246

ADDRESS OF CONDITIONAL USE PERMIT: Vacant Lot SW corner

LOT: 2 BLOCK: 1 ADDITION: old Post Road and Silverberg Dr. Arby's Addition

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

DESCRIPTION OF USE: Currently a vacant lot where trucks park. We would like to place a neutral colored 40 ft Shipping container to place advertising signs for local businesses (for business and and causes/non profits). STATE REASON OR REASONS WHY THE PERMIT SHOULD ISSUED: now hiring signs

Currently a vacant lot which we plan to develop. Holding costs are expensive. Looking to offset costs so we can move forward w/ development. This is also a benefit to local businesses w/ advertising (affordable) for business or hiring. Benefit to all. we will continue to allow trucks to park as well. to patronize those businesses surrounding the lot. Timeline of use ~~24~~ 24 months only.

Phone number of Applicant/Owner: _____ Signature of Owner/Owners: Jessica McKay
720-628-4444

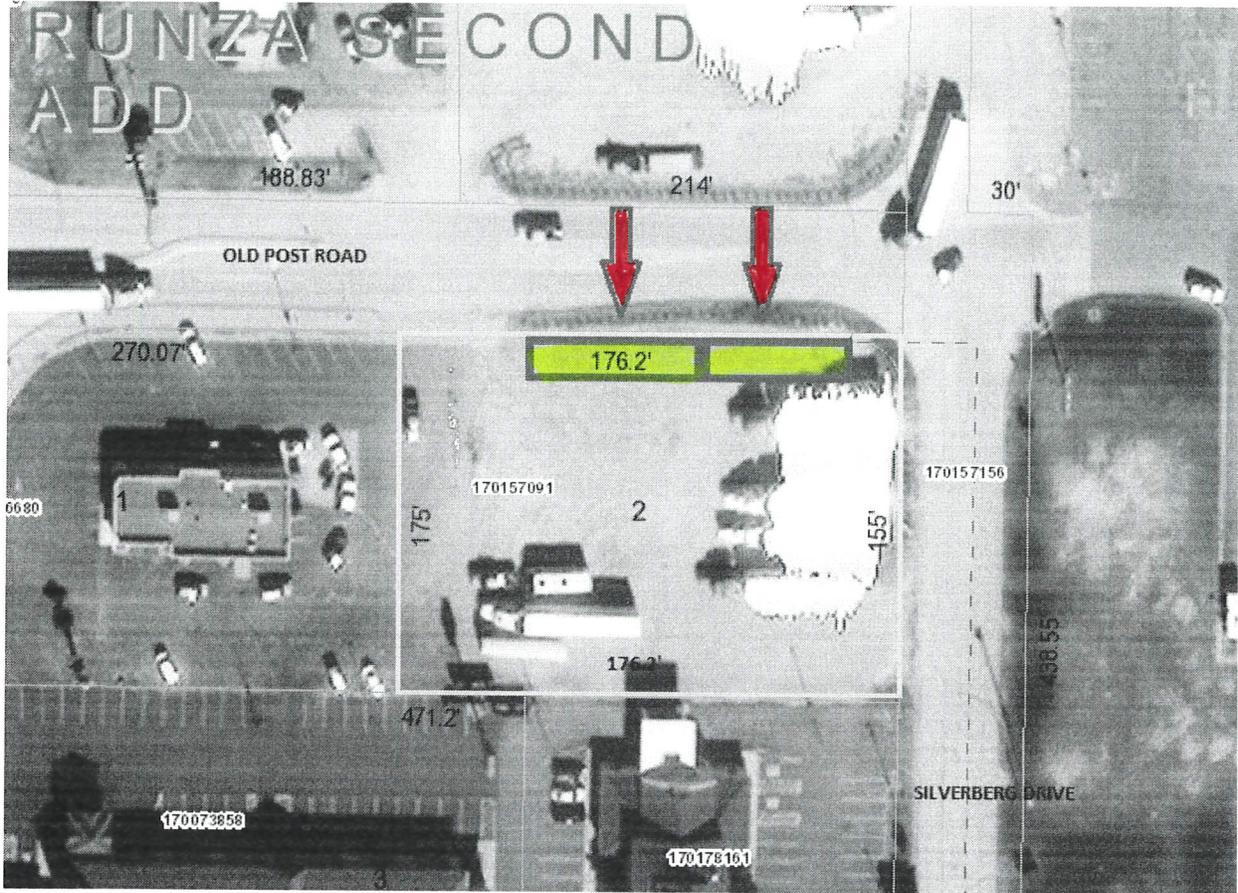
Official Use Only _____

APPROVED: _____ DISAPPROVED: _____ DATE: _____

CHAIRPERSON, PLANNING COMMISSION

SECRETARY, PLANNING COMMISSION

PERMIT No. ISSUED: _____
DATE PERMIT EXPIRES: _____



Two 40' shipping containers (noted by the boxes) to be placed on the north side of the parcel. These sit 8'6" tall. Truckers use this lot currently for overnight parking. I currently keep the lot mowed and clean from debris. These would be neutral colored (tan like to blend in with the surroundings) and would feature advertising from local businesses, entities, nonprofits, and events etc. Advertising would be on the north side of the containers. I would adhere to all setback requirements with the utility easement on the property. There would also be plenty of room for trucks to continue to park there to patronize the surrounding businesses (happy to continue to allow this as long as they remain respectful of the property until I develop the site).

Conditional Land Use Permit for Parcel 170157091 Landowners within 300 Feet

- ✓ 1. Parcel 170181812 (Walmart)
WAL-MART REAL ESTATE BUSINESS TRUST PO BOX 8050 BENTONVILLE, AR 72712-8050
- ✓ 2. Parcel 170181731 (Vacant Land)
MAT TRANSPORT INC AN ARIZONIA CORPORATION 12651 S 71ST ST TEMPE, AZ 85284-3105
- ✓ 3. Parcel 170178161 (Motel 6)
MIETUS/JANEK & TERESA (JT 3040 SILVERBERG DRIVE SIDNEY, NE 69162-3033
- ✓ 4. Parcel 170073858 (Days Inn)
MAHADEV LLC JTWROS 601 STAGECOACH TRAIL OGALLALA, NE 69153-311
- ✓ 5. Parcel 170156680 (Arby's)
GORARB SIDNEY LLC C/O FINGER MANAGEMENT RON FINGER 20 TUCKAHOE ROAD YONKERS, NY 10710-5319
- ✓ 6. Parcel 170128415 (Runza)
EATING ESTABLISHMENT-SIDNEY LTD/THE C/O JEFF HELLER 826 OLD POST ROAD SIDNEY, NE 69162-3037
- ✓ 7. Parcel 170191885 (Vacant Lot)
AGEDGE HOLDINGS LLC PO BOX 1004 508 W SOUTH STREET ALMA, NE 68920-1004
- ✓ 8. Parcel 170191796 (Fairfield Hotel)
RAJ MOTEL INC PO BOX 1127 LARAMIE, WY 82073-1127
- ✓ 9. Parcel 170182754 (Vacant Lot)
WILKINSON DEVELOPMENT INC. A NEBRASKA CORPORATION PO BOX 768 NORTH PLATTE, NE 69103-0768
- ✓ 10. Parcel 170157105 (Fat Dogs)
WILKINSON DEVELOPMENT INC. A NEBRASKA CORPORATION PO BOX 768 NORTH PLATTE, NE 69103-0768