

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 20, 2024, in the City Council Chambers, located at 1115 13th Avenue. Present were: Chairman Schmitt and Commissioners, Glenn, Jones, Loghry, Smith Strommen, Sweetser. Others present: Financial Director Carwin, Chief Building Official Hall and City Clerk 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 that a current copy of the Nebraska Open Meetings Act was available for review at the rear of the room.

Schmitt asked for approval of the November 20, 2023 minutes. Glenn moved, Loghry seconded, "That the November 20, 2023 minutes be approved." Roll call: Yeas: Glenn, Jones, Loghry, Smith, Sweetser. Nays: None. Abstain: Schmitt, Strommen. Absent: Benzel, England. Motion passed.

Schmitt asked for approval of the March 18, 2024 minutes. Sweetser moved, Schmitt seconded, "That the March 24, 2024 minutes be approved." Roll call: Yeas: Jones, Loghry, Schmitt, Smith, Strommen, Sweetser. Nays: None. Abstain: Glenn. Absent: Benzel, England. Motion passed.

Schmitt announced that a public hearing would be held considering the application of a Conditional Use Permit for Sidney 1025, LLC, Jessica McKay, for 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. Schmitt opened the public hearing at 5:33 p.m.

Jessica McKay stated that the vacant lot sits behind Arbys, which she has plans to develop. McKay continued, that costs are expensive so she is looking to offset costs, by generating revenue, using the storage containers to advertise. McKay also reported that this would also be a benefit to local businesses with affordable advertising. McKay is requesting two 40-foot shipping containers in neutral colors be allowed on her property for a 24-month time span. Marshall Hall, Chief Building Inspector, stated that there would have to be setback requirements and the lot is zoned C3, which permits the containers. Schmitt asked what kind of signs would be on the containers. McKay stated that the signs would be hardback. Hall stated that the signs would fall under another permit that would not need to come before the Planning Commission. Schmitt stated that the signs have a limit of 90 days and that there are additional clearance requirements for the signage. Schmitt stated that banners are not permitted. Loghry expressed concerns with statute 1272.03, paragraph 7, "*Any sign nailed or otherwise attached to any tree, pole, building or structure advertising any business, commodity, service or facility sold or offered elsewhere than upon the same zoning lot where the sign is located.*" Loghry understood that this implies that the request should not be permitted. McKay stated that the containers are temporary, not a structure. Glenn questioned why McKay needed a conditional use permit as the containers are moveable. Hall stated that any container requires a conditional use permit. Loghry reported that the containers needed to be placed on a foundation of gravel or concrete according to City code. Hall stated he wasn't aware of this code and other containers are sitting on dirt. Schmitt reiterated that signage permits are separate from the shipping container permit. Loghry was also concerned about visibility. Glenn said that semi-trucks are parked in that lot routinely, with the same visibility. Hall stated that he would make sure that the site triangle is maintained. Strommen asked if McKay was asking for a two-year expiration date. McKay replied yes, 24 months. Gina Elsen, manager of Motel 6, was concerned about the condition of the lot and didn't want it to look worse than it already does. McKay stated that the lot gets mowed every two weeks and she does try to keep it clean. Strommen asked if there would be room for the truck parking or if they would be deterred, which might help the rough condition of the lot. McKay stated that if the lot became a problem, it could be gated off. There were no further comments. Schmitt closed the public hearing at 5:55 pm. Schmitt asked for a motion. Jones moved, Loghry seconded, "That the request for placement of two 40-foot shipping containers of neutral color, to be used for advertisement on a parcel of land, 9 13 49 Lot 2 Block 1 Arby's Addition, Sidney, for the term of 24 months, be approved." Roll call vote: Yeas: Schmitt, Smith, Strommen, Sweetser, Glenn, Jones. Nays: Loghry. Absent: Benzel, England. Motion Passed.

Borchert reported that Schmitt was reappointed for a term of three years by City Council, expiring June 2027. Tim Smith declined reappointment. Jerry Spiker was appointed by City Council for a term of three years, expiring June 2027. There will be an annual election for Chairman in June. Borchert thanked Smith for his 10 ½ years served on the Planning Commission board and presented him with a plaque of appreciation from the City.

There were no further comments.

Meeting adjourned at 5:58 p.m.

CHAIRMAN, BEN SCHMITT

LORI BORCHERT, CITY CLERK