

**CITY OF SIDNEY, NEBRASKA**

**PLANNING COMMISSION-**

**AGENDA FOR: MONDAY MAY 21, 2018 5:30 P.M.**

**CITY COUNCIL CHAMBERS, 1115 13<sup>TH</sup> AVENUE, SIDNEY, NE 69162**

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 October 16, 2017, as printed.
3. PUBLIC HEARING: Preliminary Plat Application of City of Sidney Economic Development to subdivide a 4.03 acre tract of land located in the Sidney Business Park Addition, located at Highway L-17J, 100 Commerce Court for development; and recommendation to Council regarding same.
4. Comments by the public and action concerning other business by the commission.

ADJOURNMENT

Sidney, Nebraska, October 16, 2017

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 October 16, 2017 in the City Council Chambers, located at 1115 13<sup>th</sup> Avenue. Present were: Vice-Chairman Phillips and Commissioners: Loghry, Long, Smith, and Volkmer. Absent: Egging, England, and Karnik. Others present: Chief Building Official Kubo and Deputy Clerk Heilbrun. 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 Phillips 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.

Long moved, Loghry seconded "That the minutes of the September 18, 2017 meeting be approved." Roll call vote: Yeas: Volkmer, Long, Phillips, and Loghry. Abstain: Smith. Absent: Egging, England, and Karnik.

Vice-Chairman Phillips announced that the Planning Commission would now hold a public hearing to consider the Application of Don Mueller for a waiver for truck parking in a residential zone at 2210 Newton Street, more particularly described as a portion of Lot 7/8, Block 5, Simon-Hardy Addition; that the Board of Education of School District No. 1, Cheyenne County, Nebraska, and the Board of Education of Western Nebraska Community College have been properly notified in the time and manner prescribed by law and have not filed objections.

The following filed written objections: None. The following appeared in person or by agent or by attorney and were heard: Don Mueller.

Mr. Mueller explained that he would like to park his truck, not trailer, in front of his house only on weekends. He does not have a driveway or area for off-street parking. He has been parking at Filsinger's lot but there are no electric plug-ins and he needs to plug in his truck in the cold weather. He has talked to Mr. Filsinger about putting in electric meters, but he is not interested in installing these.

Vice-Chairman Phillips pointed out to Mr. Mueller that the truck parking ordinance strictly prohibits parking on City streets. He explained that the Planning Commission was an advisory board to the City Council, who has the final say as to whether a request such as this would be granted.

There being no further questions or comments, Vice-Chairman Phillips closed the public hearing and asked for a motion on the request.

Smith moved, Volkmer seconded "That the Planning Commission recommend to the City Council that the request of Don Mueller for a waiver for truck parking in a residential zone at 2210 Newton Street, more particularly described as a portion of Lot 7/8, Block 5, Simon-Hardy Addition, be denied." Roll call vote: Yeas: All Commissioners present. Absent: Egging, England, and Karnik.

Vice-Chairman Phillips announced that the Planning Commission would now hold a public hearing to consider the Application of TOC, Inc. to subdivide a parcel of land located in part of the Southwest Quarter of Section 34, Township 14 North, Range 50 West of the 6th PM, more

particularly known as 2025 Link 17D; that the Board of Education of School District No. 1, Cheyenne County, Nebraska, and the Board of Education of Western Nebraska Community College have been properly notified in the time and manner prescribed by law and have not filed objections.

The following filed written objections: None. The following appeared in person or by agent or by attorney and were heard: Scott Saults of Lashley Land and Recreational Brokers of North Platte.

Mr. Saults explained that it is the intent of the property owner to subdivide this property into two or three acre lots. There is an existing house on one lot, which is under a contract to purchase.

There being no further questions or comments, Chairman England closed the public hearing and asked for a motion on the request.

Smith moved, Long seconded "That the Planning Commission recommend to the City Council that the Application of TOC, Inc. to subdivide a parcel of land located in part of the Southwest Quarter of Section 34, Township 14 North, Range 50 West of the 6th PM, more particularly known as 2025 Link 17D, be approved." Roll call vote: Yeas: All Commissioners present. Absent: Egging, England, and Karnik.

Vice-Chairman Phillips announced that the Planning Commission would now hold a public hearing to consider the Application of TOC, Inc. to rezone Tract 1, TOC Subdivision located in part of the Southwest Quarter of Section 34, Township 14 North, Range 50 West of the 6th PM, more particularly known as 2025 Link 17D, from A (Agricultural) to R1a (Rural Residential) Zone ; that the Board of Education of School District No. 1, Cheyenne County, Nebraska, and the Board of Education of Western Nebraska Community College have been properly notified in the time and manner prescribed by law and have not filed objections.

The following filed written objections: None. The following appeared in person or by agent or by attorney and were heard: Scott Saults and CBO Kevin Kubo.

CBO Kubo explained that subdividing the area into residential lots under 40 acres required rezoning to Rural Residential Estate.

There being no further questions or comments, Vice-Chairman Phillips closed the public hearing and asked for a motion on the request.

Volkmer moved, Loghry seconded "That the Planning Commission recommend to the City Council that the Application of TOC, Inc. to rezone Tract 1, TOC Subdivision located in part of the Southwest Quarter of Section 34, Township 14 North, Range 50 West of the 6th PM, more particularly known as 2025 Link 17D, from A (Agricultural) to R1a (Rural Residential) Zone, be approved. Roll call vote: All commissioners present. Absent: Egging, England, and Karnik.

The meeting adjourned at 5:42 p.m.

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VICE-CHAIRMAN

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DEPUTY CLERK



**SMALL TOWN VALUES**

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SIDNEY NEBRASKA 69162

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**MEMORANDUM**

DATE: May 21<sup>st</sup>, 2018  
MEMO TO: Planning and Zoning Commission  
FROM: Melissa Norgard, Economic Development Director  
RE: Sidney Business Park Plat Update

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**SUMMARY:** The City of Sidney Economic Development is requesting an update to the current plat at the Sidney Business Park. The updated plat would take 4.03 acres to the north of what is currently Lot 3 and separate it from the large section of 68 acres.

This plat update is to accommodate a new business locating at the business park. NexGen Outfitters is launching one of the most technologically advanced online retail business focused on hunting, shooting and camping products. The business is planning on a June 1<sup>st</sup> launch date, which is the gateway to the fall hunting season and fall recreational shooting leagues. The business will feature an optimized assortment of hunting and shooting merchandise. A focused assortment of camping gear will begin in Spring of 2019. The business also plans to launch its own brand of products in the hunt/shoot/camp categories. The hunt/shoot/camp markets are worth \$8.5B. E-commerce is becoming the preferred shopping channel for customers.

**PREVIOUS ACTION:** Infrastructure was placed at the Sidney Industrial Park utilizing Economic Development Plan (LB840) funds. There were originally three separate pieces of land platted out. The Economic Development Office, Economic Development Citizen’s Advisory Review Board and City Council has agreed and approved the agreement to grant 8.06 acres of land to NexGen Outfitters in exchange, they will create 12 new jobs and \$640,000 in new payroll within 5 years.

**BACKGROUND/DISCUSSION:** Currently, there are 4.03 acres of land within Lot 3 at the Sidney Business Park. NexGen Outfitters has requested an additional 4.03 acres of land to the north of what is currently Lot 3 for future expansion and growth.

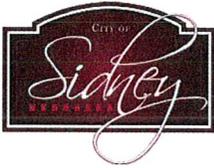
The business will invest approximately \$1.2 million dollars into the building, startup operational costs, working capital and employee salaries. The business will be a valuable piece of the economy in Sidney. The managers/leadership of the business are building a company and creating new jobs that are needed in the community. While they could have located in several other communities, they choose to start the business in Sidney and are committed to growing in Sidney. In addition, having a new business located at the Sidney Business Park will begin the utilization of the land for the purpose it was originally developed for.

**FINANCIAL IMPLICATIONS:** None

**RECOMMENDATION:** The Economic Development Office is recommending approval of the plat update.

**ALTERNATIVES:** Not approving the plat update.

**CITY MANAGER COMMENTS:**



# City of Sidney, Nebraska

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

## APPLICATION FOR SUBDIVISION

- Name of Subdivision: Sidney Industrial Park
- Name of applicant(s): City of Sidney economic development  
 Address 1115 13th Ave Sidney NE 69162  
(Street No. & Name) (City) (State) (Zip)
- Owner of Record: City of Sidney  
 Address 1115 13th Ave Sidney NE 69162  
(Street No. & Name) (City) (State) (Zip)
- Subdivision Location: Highway L-115 / 100 Commerce Court Sidney, NE
- Legal Description and Address of Subdivision: Lot 4, Block 1 Sidney Business Park Addition situated in the west half of the east half of section 33, township 14 North, Range 49 West of the 6 P.M.
- Current Zoning M-2 Number of Proposed Lots: 1
- Purpose of Subdivision of Land: additional 4.03 acres divided and platted for development / division of original larger piece of land (60 acres).

Signature: Melissa Horgans

Received By: \_\_\_\_\_

Longhorn Investments  
 2109 Wilderness  
 Ridge Drive  
  
 Lincoln, NE  
 68512



**FINAL PLAT**  
**LOT 4, BLOCK 1**  
**SIDNEY BUSINESS PARK ADDITION**  
 SITUATED IN THE WEST HALF OF THE EAST HALF OF SECTION 33,  
 TOWNSHIP 14 NORTH, RANGE 49 WEST OF THE 6TH P.M.,  
 ALSO BEING IN THE CITY OF SIDNEY IN CHEYENNE COUNTY NEBRASKA.

Sheet Revisions		Project Number: 068-154-T5	Land Survey
DATE	DESCRIPTION	Project Location: Sidney, Cheyenne County Nebraska	Cover Sheet
12/28/18	ISSUED PLAT	Owners: City of Sidney	
		Project Code: 068-154-T5	
		Legal Code: 068-154-T5	
		Subsect	Sheet No.

**LEGAL DESCRIPTION**

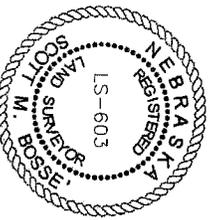
BEGINNING AT THE NORTHEAST CORNER OF LOT 3, BLOCK 1, SIDNEY BUSINESS PARK ADDITION, AS PLATTED AND RECORDED IN THE CHEYENNE COUNTY, NEBRASKA RECORDERS OFFICE, THENCE ALONG THE EAST LINE OF SAID LOT 3, S01°06'05"W TO THE NORTHERLY RIGHT-OF-WAY OF COMMERCE COURT AS PREVIOUSLY PLATTED, BEING A DISTANCE OF 279.03 FEET; THENCE ALONG SAID RIGHT-OF-WAY S88°53'55"E FOR A DISTANCE OF 80.00 FEET; THENCE N01°06'05"E A DISTANCE OF 656.08 FEET; THENCE N88°53'55"W FOR A DISTANCE OF 80.00 FEET; THENCE N01°06'05"E FOR A DISTANCE OF 33.54 FEET; THENCE ALONG A 26.00 FOOT RADIUS CURVE TO THE LEFT, SUPPORTING A CENTRAL ANGLE OF 90°40'00", CHORD BEING N43°53'55"W FOR A DISTANCE OF 35.56 FEET, FOR AN ARC DISTANCE OF 39.27 FEET; THENCE N88°53'55"W FOR A DISTANCE OF 478.43 FEET; THENCE S49°06'05"W FOR A DISTANCE OF 28.28 FEET; THENCE N88°53'55"W FOR A DISTANCE OF 80.00 FEET; THENCE ALONG THE TRUE NORTHERLY EXTENSION OF THE WESTERLY RIGHT-OF-WAY OF ENTERPRISE AVENUE AS PLATTED, S01°06'05"W FOR A DISTANCE OF 317.58 FEET TO THE NORTHERLY RIGHT OF WAY LINE OF SAID ENTERPRISE AVENUE; THENCE ON SAID NORTHERLY RIGHT-OF-WAY, S88°53'55"E FOR A DISTANCE OF 80.00 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF ENTERPRISE AVENUE; SAID POINT ALSO BEING THE NORTHWEST CORNER OF SAID LOT 3; THENCE ALONG THE NORTH LINE OF SAID LOT 3 S88°53'55"E FOR A DISTANCE OF 521.43 FEET TO THE POINT OF BEGINNING, CONTAINING AN AREA OF 5.24 ACRES, MORE OR LESS, OF WHICH 0.17 ACRES OF COMMERCE COURT RIGHT-OF-WAY AND 0.44 ACRES OF ENTERPRISE AVENUE RIGHT-OF-WAY.

**SURVEYORS CERTIFICATE**

I, SCOTT M. BOSSE, NEBRASKA REGISTERED LAND SURVEYOR NUMBER 603, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE TRACT OF LAND DESCRIBED IN THE LEGAL DESCRIPTION AND SHOWN ON THE ACCOMPANYING DRAWING; THAT THE ACCOMPANYING DRAWING IS A CORRECT DELINEATION OF SAID SURVEY DRAWN TO A SCALE OF 200 FEET TO THE INCH; THAT SAID SURVEY AND DRAWING WAS CONDUCTED BY ME OR UNDER MY DIRECT SUPERVISION; THAT THE DISTANCES ARE GROUND DISTANCES GIVEN IN FEET AND DECIMALS OF A FOOT; AND THE MONUMENTS WERE FOUND OR SET AS INDICATED.

WITNESS MY HAND AND SEAL THIS 30<sup>th</sup> DAY OF May, 2018

SCOTT M. BOSSE  
 NEBRASKA REGISTERED LAND SURVEYOR NUMBER 603

**DEDICATION STATEMENT**

WE, THE UNDERSIGNED, BEING ALL THE OWNERS, MORTGAGEES, BENEFICIARIES OF DEEDS OF TRUST AND HOLDERS OF OTHER INTERESTS IN OF ABOVE DESCRIBED LANDS, HEREBY PLAT SAID LANDS INTO LOT 4, BLOCK 1, SIDNEY BUSINESS PARK ADDITION, SITUATED IN THE WEST HALF OF THE EAST HALF OF SECTION 33, TOWNSHIP 14 NORTH, RANGE 49 WEST OF THE 6TH P.M., ALSO BEING IN THE CITY OF SIDNEY IN CHEYENNE COUNTY, NEBRASKA, AS SHOWN HEREON.

WE HEREBY ALSO DEDICATE THE EXTENSIONS OF COMMERCE COURT AND ENTERPRISE AVENUE TO THE USE AND BENEFIT OF THE PUBLIC.

BY:

AUTHORIZED REPRESENTATIVE  
 CITY OF SIDNEY

NOTARY PUBLIC

**APPROVAL & ACCEPTANCE**

THE FOREGOING PLAT OF LOT 4, BLOCK 1, SIDNEY BUSINESS PARK ADDITION, SITUATED IN WEST HALF OF THE EAST HALF OF SECTION 33, TOWNSHIP 14 NORTH, RANGE 49 WEST OF THE 6TH P.M., ALSO BEING IN THE CITY OF SIDNEY IN CHEYENNE COUNTY, NEBRASKA.

WE HEREBY ACCEPT THE STREET RIGHT-OF-WAYS AS SHOWN ON THE FOREGOING PLAT FOR THE USE AND BENEFIT OF THE PUBLIC.

THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018

BY:

MAYOR

ATTESTED:

CITY CLERK

STATE OF NEBRASKA )  
 ) SS  
 COUNTY OF CHEYENNE )

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018

BY \_\_\_\_\_  
 WITNESS MY HAND AND OFFICIAL SEAL

MY COMMISSION EXPIRES: