

MINUTES OF THE MEETING OF THE NORTH PLATTE PLANNING COMMISSION HELD ON THE 23rd DAY OF APRIL 2024 IN THE CITY HALL COUNCIL CHAMBERS.

MEMBERS PRESENT: David Fudge, Emily Wurl, Kert McKeone, Kathleen Matthews, Glenn Van Velson, Nelson Jett, Jeff Bain, Lee Davies

MEMBERS ABSENT: Angie Forbes

STAFF MEMBERS PRESENT: Judy Clark, Planning Administrator; Michelle Bain, Recording Secretary, Bill Troshynski, City Attorney

Notice of the meeting was given in advance thereof, by posting in at least three places in the City as follows: North Platte Public Library, Lincoln County Courthouse, and City Hall offices.

Notice of the meeting was given to the Chairman and all members of the Planning Commission. Availability of the agenda was communicated in the advance notice and in the notice to the Chairman and members of the Commission.

All proceedings thereafter shown were taken while the convened meeting was open to the attendance of the public.

Chair Fudge called the meeting to order at 5:30 p.m. and stated a current copy of the open meetings act of Nebraska is posted at the back of the Council Chambers.

2. Bain moved and McKeone seconded the motion to approve the minutes of the meeting held March 26, 2024. Voting Aye: Fudge, Wurl, Van Velson, Matthews, Jett, Bain, McKeone, Davies. Voting Nay: None. Absent: Forbes. Motion carried.

3. File No. SU23-018 Discuss and consider action on an application by Blue Sky Development, LLC for Village Park Flats First Subdivision located on West A Street between Dixie Avenue and Pioneer Drive in a PR-3 Dwelling District on property described as Block 3, Lakeview First Subdivision, North Platte, Lincoln County, Nebraska.

Judy stated that the subdivision will split one parcel into 56 lots for phase one and at completion the entire development will consist of approximately 130 lots. Planning Staff has no objections to approval of Village Park Flats First Subdivision. The proposed subdivision meets zoning and subdivision regulations.

Davies moved and Jett seconded the motion to approve File No. SU23-018 preliminary and final approval of Village Park Flats First Subdivision. Voting Aye: Wurl, Van Velson, Matthews, Jett, Bain, McKeone, Davies. Voting Nay: None. Abstaining: Fudge. Absent: Forbes. Motion carried.

4. Public Hearing Discuss and consider action on a resolution regarding the Extremely Blighted Determination Study for North Platte, Nebraska, March 2024 as prepared by information Art and make a recommendation whether the real estate described should be declared extremely blighted for development of the City of North Platte pursuant to Nebraska Community Development Law. The study includes an estimated 1.679 acres, generally the entire block between East 3rd Street and East 2nd Street and between North Chestnut Street and North Walnut Street and is described as Lots 1, 2, 3, 4, 5, 6, 7 and 8, Block 165, Original Town, North Platte, Lincoln County, Nebraska.

Chair Fudge opened the public hearing.

Judy stated that the City Planning Commission's responsibility in the Extremely Blighted Determination Study process is to take public comment on whether the real estate described should be declared extremely blighted as pursuant to the Nebraska Community Development Law and if the study is in conformance legislative requirements. The following statements should be considered and confirmed.

- This property as presented in the study has been declared substandard,
- This property as presented in the study has been declared blighted,
- The property is a substandard and blighted area in which the average rate of unemployment in the area during the period covered by the most recent federal decennial census is at least two hundred percent of the average rate of unemployment in the state during the same period,

- The property is a substandard and blighted area in which the average poverty rate in the area exceeds twenty percent for the total federal census tract or tracts or federal census block group or block groups in the area,
- That development of this property to its full potential is in the best interest of the City of North Platte and the entire region,
- That there are projects ready to develop in this area if they can meet the financial goals of the developers,

Nebraska State Statute 18-2103(3) regulates the percentage of city limits that may be declared blight and substandard pursuant to Nebraska Community Development Law and states a city of the first class shall not designate more than thirty-five percent (35%) of the city as blighted. Currently, the city limits of the City of North Platte contain 11,867.37 acres with 2,833.13 acres designated as blighted and substandard or 23.87%. Reasons a developer may ask for an extreme blight designation is to allow for 1) state income tax credit for qualified home buyers in the area, 2) special funding preferences to affordable housing developers in the area, and 3) maximum of 20 years for the use of TIF for qualified redevelopment projects. Planning Staff recommends approval of the study and passage of the resolution. The study is in conformance with legislative requirements under Nebraska Community Development Law. Extremely blighted designation provides benefits not only to the developer but also to qualified home buyers in the area. By declaring this area as extreme blight the city remains below the 35% designated blighted and substandard areas threshold leaving acres available for future blight and substandard declarations. This project is proposing workforce and affordable housing apartments that would be a benefit to the City of North Platte and the entire region.

Charles Burwick, 212 W. Circle Dr., North Platte, was present and stated they are proposing a 28 unit apartment complex. There are over 100 trees on that lot that will need to be removed and an old transformer in the middle of the alley that will need to be buried. The first \$500,000+ will be used to get the lot ready to build up. The units will rent for \$1,100 - \$1,500 which is within the affordable limits with what building costs are these days. They will have two separate buildings with the alley cutting the middle. There will be 48 to 50 parking spaces paved and green spaces for dogs.

Gary Person, President, North Platte Area Chamber and Development Corporation, 502 S. Dewey, was present and stated this is a great example of a MicroTIF project in the heart of our town. That lot is very overgrown. Mr. Burwick has remodeled several apartments in the downtown area. This is an opportunity to capture investment in some of the distressed areas of the community. He is proposing and will discuss with quality growth fund committee so this process can be expedited, is to do a comprehensive plan on anything that has been predetermined to have extreme blight and designate it then redevelopment plans could come forward more expeditiously.

Bain moved and Van Velson seconded the motion to close the public hearing. Voting Aye: Fudge, Wurl, Van Velson, Matthews, Jett, Bain, McKeone, Davies. Voting Nay: None. Absent: Forbes. Motion carried.

Matthews and Chair Fudge stated they will abstain from the discussion and decision on this project.

Vice-Chair Nelson will take over the remainder of the discussion.

Bain and Nelson stated they feel this project really fits this area.

Bain moved and Davies seconded the motion to approve the resolution and recommend adoption of the Extremely Blighted Determination Study for North Platte, Nebraska, March 2024 as prepared by Information Art and approval of related actions. Voting Aye: Wurl, Van Velson, Jett, Bain, McKeone, Davies. Voting Nay: None. Abstaining: Fudge, Matthews. Absent: Forbes. Motion carried.

5. Public Hearing Discuss and consider action on a resolution regarding the City of North Platte, Nebraska Blight and Substandard Study – Horizon Builders as prepared by Marvin Planning Consultants, Inc. The purpose of the hearing is to obtain public comment on whether the real estate described in this notice should be declared substandard and blighted pursuant to the Nebraska Community Development Law and for Planning Commission to forward a recommendation on the study to the North Platte City Council. The study includes an estimated 17 acres generally between North Buffalo Bill Avenue to North Hayes Avenue and between West 19th Street to the centerline of the alley south of West 18th Street.

Chair Fudge opened the public hearing.

Judy stated that the City Planning Commission's responsibility in the Blight & Substandard Determination Study process is to take public comment on whether the real estate described should be declared substandard and blighted as pursuant to the Nebraska Community Development Law and if the study is in conformance with the City of North Platte Comprehensive Plan. The following statements should be considered and confirmed.

- This property as presented in the study meets the requirements to be declared substandard,
- This property as presented in the study meets the requirements to be declared blighted,
- The factors necessary to declare the property blighted and substandard are sufficiently distributed to impact development across the entire site,
- That development of this property to its full potential is in the best interest of the City of North Platte and the entire region,

- That there are projects ready to develop in this area if they can meet the financial goals of the developers

Nebraska State Statute 18-2103(3) regulates the percentage of city limits that may be declared blight and substandard pursuant to Nebraska Community Development Law and states a city of the first class shall not designate more than thirty-five percent (35%) of the city as blighted. Currently, the city limits of the City of North Platte contain 11,867.37 acres with 2,833.13 acres designated as blighted and substandard or 23.87%. The proposed study will designate an additional 17 acres as blighted and substandard within city limits which would increase the city's percentage to 24.01% designated as blighted and substandard.

The City of North Platte Nebraska Comprehensive Plan Chapter 4 sets several goals, objectives and action steps for housing in the community, listed are the objectives to creating sufficient housing stock to provide safe choices and options in the community:

- Mixed use – Redevelop underutilized land with a mix of land uses that encourage new housing options.
- Workforce Housing – Create alternative housing options such as senior or low-to-moderate income households.
- Housing alternatives – Provide incentives such as density bonuses for redevelopment of areas with substandard housing stock into affordable, safe housing including housing programs that encourage construction of multi-family residential units.
- Keeping pace – Prepare for future growth by extending city infrastructure to areas targeted for development.

Planning Staff recommends approval of the study and passage of the resolution. The study is in conformance with the North Platte Nebraska Comprehensive Plan 2011 and meets the requirements to be declared substandard and blighted. By declaring this area as blight and substandard the city remains below the 35% threshold leaving acres available for future blight and substandard declarations. Allowing development of this property to its full potential is in the best interest of the city and the entire region.

Kristi Smith, 2418 W. 18th St., was present and stated she lives in the area of this study. She doesn't oppose the area being blighted and substandard but is concerned about the way it has been presented. She highlighted reasons she feels the study was misrepresented. For example, the picture on the cover of the study is not an accurate representation of the whole area, the area has 9 brand new houses built since 2019, the neighborhood is quiet and safe not detrimental to health and safety, the roads are in pretty good condition. She questioned how a developer buys a property without knowing if it can be developed. There are only 11 property owners in the area, not 13 as the study says which makes her question the validity of the study. The study had to "cookie cutter" what houses they could use and didn't use a whole block to make the homes fit the criteria to accommodate the need for TIF. She questions the need for TIF in that area.

Josh Rhoads, 830 Bronze Rd., Developer on this project, was present and explained that the TIF came into play due to the sewer main on 18th and Hayes. The sewer doesn't work at a certain depth. The city could put a lift station in and there wouldn't be a need for TIF but discussion was that the city doesn't want to put in or maintain another lift station. The sewer main goes through an alley which increased the cost by \$1.1 million. The fill has to go in to accommodate the sewer.

Bain moved and Davies seconded the motion to close the public hearing. Voting Aye: Fudge, Wurl, Van Velson, Matthews, Jett, Bain, McKeone, Davies. Voting Nay: None. Absent: Forbes. Motion carried.

There was discussion among the Planning Commission members about the area. There are valid points on both sides. When asked how the consultant determines an area blighted, Judy explained they do skew it to try to get the area that fits the blight. There was discussion about the sewer and where they would have to hook up and that it would be at developer cost.

Chair Fudge read through the following points they are supposed to test.

- This property as presented in the study meets the requirements to be declared substandard,
- This property as presented in the study meets the requirements to be declared blighted,
- The factors necessary to declare the property blighted and substandard are sufficiently distributed to impact development across the entire site,
- That development of this property to its full potential is in the best interest of the City of North Platte and the entire region,
- That there are projects ready to develop in this area if they can meet the financial goals of the developers

Matthews feels the study as it is written meets the 1st three criteria.

Bain stated he can argue point 3.

Wurl moved and Davies seconded the motion to approve the resolution and recommend adoption of the City of North Platte, Nebraska Blight and Substandard Study – Horizon Builders, prepared by Marvin Planning Consultants, Inc., and approval of related actions. Voting Aye: Fudge, Wurl, Matthews, Jett, McKeone, Davies. Voting Nay: Bain, Van Velson. Absent: Forbes. Motion carried.

6. Old Business. There was no old business.
7. New Business. There was no new business.
8. Adjourn. Chair Fudge adjourned the meeting at 6:15 p.m.

Respectfully Submitted,

Michelle Bain
Recording Secretary