

AGENDA NORTH PLATTE CITY COUNCIL MEETING Tuesday, July 2, 2024; 5:30 P.M. CITY HALL COUNCIL CHAMBERS

The City of North Platte is inviting you to view the meeting live on YouTube at the following link https://www.ci.north-platte.ne.us/government/city-council/agendas minutes/
To view past and present videos, click Live Stream for the scheduled meeting.

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

OPEN MEETINGS ACT

A CURRENT COPY OF THE OPEN MEETINGS ACT OF NEBRASKA IS POSTED ON THE WALL AT THE BACK OF THE COUNCIL CHAMBERS.

MEETING PROCEDURE

THE PUBLIC MAY ADDRESS SPECIFIC AGENDA ITEMS AT THE PLEASURE OF THE MAYOR. IF RECOGNIZED BY THE MAYOR, PLEASE IDENTIFY YOURSELF BY STATING YOUR NAME AND ADDRESS. PLEASE ADDRESS THE COUNCIL THROUGH THE MAYOR AND LIMIT YOUR REMARKS.

WE RESPECT OUR CITY EMPLOYEES, AND REQUEST THAT ANY COMPLAINTS OR CRITICISMS OF EMPLOYEES NOT BE AIRED IN A PUBLIC MEETING. CONCERNS ABOUT EMPLOYEES SHOULD BE BROUGHT TO THE ATTENTION OF THE CITY ADMINISTRATOR OR MAYOR. INDIVIDUALS IN VIOLATION WILL BE DECLARED OUT OF ORDER.

AWARDS, ACCOLADES, AND PRESENTATIONS

CONSENT AGENDA

ALL MATTERS UNDER "CONSENT AGENDA" ARE CONSIDERED BY THE CITY COUNCIL TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. ANY CITY COUNCIL MEMBER MAY, HOWEVER, REMOVE AN ITEM FROM CONSENT BY REQUEST.

- 1.
- A. Approve the Minutes of June 18, 2024. (Pages 1-3) (Angela Gilbert, City Clerk)
- B. Approve the application by Bodunks Brewing dba Peg Leg Brewing for a Special Designated License on July 12, 2024 from 2:00 p.m. to 11:00 p.m. at Peg Leg Brewery, 2519 Halligan Drive for a music event. (Pages 4-6) (Angela Gilbert, City Clerk)

REGULAR AGENDA

CLOSED SESSION TO DISCUSS PERSONNEL, REAL ESTATE TRANSACTIONS OR POTENTIAL LITIGATION TO PROTECT THE PUBLIC INTEREST (IF NECESSARY)

2. Adopt the recommendation by the City Planning Commission for preliminary and final approval of Mulligan Meadows Second Subdivision located at 1511 North Adams Avenue. (Pages 7-9) (Judy Clark, Planning Administrator)

PUBLIC HEARING

3. Adopt the recommendation by the North Platte Planning Commission for an amendment to the City of North Platte Comprehensive Plan 2011 Future Land Use Map to amend certain land from Agricultural/Vacant to Commercial located at 2211 North Buffalo Bill Avenue. (Pages 10-12) (Judy Clark, Planning Administrator)

PUBLIC HEARING

4. Action to adopt Ordinance No. 4166 to rezone certain land from an A-1 Transitional Agricultural District to a B-2 Highway Commercial District located at 2211 North Buffalo Bill Avenue. (Pages 13-18) (Judy Clark, Planning Administrator)

PUBLIC HEARING

5. Action to adopt Ordinance No. 4171 to rezone certain land from an R-3 Dwelling District to an I-1 Light Industrial District located at 1265 and 1301 North Dodge Avenue. (Pages 19-24) (Judy Clark, Planning Administrator)

PUBLIC HEARING

- 6. Action to adopt Ordinance No. 4170 to rezone certain land from an A-1 Transitional Agricultural District to an R-L Suburban Residential District located at 1825 West State Farm Road. (Pages 25-29) (Judy Clark, Planning Administrator)
- 7. Adopt the recommendation by the City Planning Commission for preliminary and final approval of Post Third Replat located at 1825 West State Farm Road. (Pages 30-34) (Judy Clark, Planning Administrator)
- 8. Approve the Claims. (Pages 1-18) (Dawn Miller, Director of Finance)

PUBLIC AGENDA REQUEST

WE RESPECT OUR CITY EMPLOYEES, AND REQUEST THAT ANY COMPLAINTS OR CRITICISMS OF EMPLOYEES NOT BE AIRED IN A PUBLIC MEETING. CONCERNS ABOUT EMPLOYEES SHOULD BE BROUGHT TO THE ATTENTION OF THE CITY ADMINISTRATOR OR MAYOR. INDIVIDUALS IN VIOLATION WILL BE DECLARED OUT OF ORDER.

INFORMATIONAL ITEMS FROM MAYOR, COUNCIL, ADMINISTRATOR, AND ATTORNEY

ADJOURN

MINUTES OF THE REGULAR CITY COUNCIL MEETING June 18, 2024; 5:30 p.m.

CALL TO ORDER

Invocation was given by Joe Sukraw and the pledge of allegiance was recited.

ROLL CALL

A regular meeting of the Council of the City of North Platte, Nebraska was convened in open and public session at 5:30 p.m. in the City Hall Council Chambers at 211 West 3rd Street. Present were Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. Rieker was absent. Mayor Brandon Kelliher presided and City Clerk Angela Gilbert recorded the proceedings.

OPEN MEETINGS ACT Mayor Kelliher stated that a current copy of the Open Meetings Act of Nebraska is posted on the wall at the back of the Council Chambers.

Notice of the meeting was given in advance thereof by posting in three public places in the City as follows: North Platte Public Library, Lincoln County Courthouse and City Hall; the designated method for giving notice (Certificate of Posting) is attached to these Minutes. Proceedings hereafter shown were taken while the meeting was open to the attendance of the public.

CONSENT AGENDA

Nisley moved and Garrick seconded the motion to approve the Consent Agenda as follows:

1.

A. Approve the Minutes of June 4, 2024. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

ITEM #2 PLATTE RIVER CRUISE NIGHT

Garrick moved and Flanders seconded the motion to adopt the Resolution consenting to the sale and consumption of alcoholic liquor in the 100 Block of North Bailey Street for a street dance during Platte River Cruise Night on July 6, 2024. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker, Motion carried.

ITEM #3 PLATTE RIVER CRUISE NIGHT Garrick moved and Lucas seconded the motion to approve the application by TBS Liquors NP LLC dba Bottle Shop for a Special Designated License on July 6, 2024 from 6:00 p.m. to 11:00 p.m. in the 100 block of North Bailey Street during Platte River Cruise Night. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

ITEM #4 LEASE PURCHASE FOR TWO GARBAGE TRUCKS

Garrick moved and Lucas seconded the motion to authorize the purchase of two Freightliner M2-106 chassis with 20-yard Labrie Expert (side-arm garbage trucks) from Sanitation Products, Inc. in the amount of \$683,718 and accept the lease proposal and authorize the Mayor to sign all documents regarding lease purchase financing with U.S. Bancorp Government Leasing and Finance, Inc. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

ITEM #5 ADDENDUM #1 WITH RICE LAKE WEST Garrick moved and Volz seconded the motion to authorize Mayor to negotiate contracts with Rice Lake West for Addendum #1. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

ITEM #6 AGREEMENT WITH UPRR FOR WILLOW BRIDGE Garrick moved and Flanders seconded the motion to authorize Mayor to sign an agreement with Union Pacific Railroad for Preliminary Engineering Services for Willow Bridge Review. Roll call vote: "AYE": Nisley, Tryon, Volz, Garrick, Flanders, Woods. "NAY": Lucas. "ABSENT": Rieker. Motion carried.

ITEM #7 APPROVE ORDINANCE 4167 Mayor Kelliher instructed Ordinance No. 4167 to rezone certain lands from an R-M Mobile Home District to an R-3 Dwelling District located at 2401 East 2nd Street (Proposed Lot 2 Platteview Fourth Replat) to be read by title on its second reading. Garrick moved and Volz seconded the motion to approve Ordinance No. 4167 on its second reading.

Volz moved and Lucas seconded the motion to amend the motion to waive the three readings of Ordinance No. 4167. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

Roll call vote on Ordinance No. 4167 as amended: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

ITEM #8 PLATTEVIEW 4TH REPLAT, 2401 EAST 2ND STREET Garrick moved and Volz seconded the motion to adopt the recommendation by the City Planning Commission for preliminary and final approval of Platteview Fourth Replat located at 2401 East 2nd Street on property described as Lots 59, 60 and 61, Platteview Subdivision, North Platte, Lincoln County, Nebraska. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

ITEM #9
ISSUE WARRANTS
TO MYERS
CONSTRUCTION
AND LEVEL, LLC

Garrick moved and Volz seconded the motion to adopt the Resolution approving claims and authorizing the issuance of one warrant to Myers Construction, Inc. in the amount of \$371,336.62 and one warrant to Level, LLC in the amount of \$41,631.34 to pay approved claims and referring to and incorporating the terms and conditions of Ordinance No. 3874 relating to warrant financing. Roll call vote: "AYE": Nisley, Tryon, Volz, Garrick, Flanders, Woods. "NAY": None. "ABSTAIN": Lucas. "ABSENT": Rieker. Motion carried.

ITEM #10 CLAIMS Volz moved and Garrick seconded the motion to approve the Claims. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

ADJOURN

Garrick moved and Volz seconded the motion to adjourn. Roll call vote: "AYE": Nisley, Tryon, Volz, Lucas, Garrick, Flanders, Woods. "NAY": None. "ABSENT": Rieker. Motion carried.

Adjourned at 5:49 p.m.

Angela Gilbert, City Clerk



AGENDA ITEM TITLE: Special Designated License, Angela Gilbert, City Clerk

SESSION TYPE:
⊠ Consent Agenda
□ Work Session
☐ Information Item
☐ Regular Business
□ Other:
EXECUTIVE SUMMARY:
Bodunks Brewing dba Peg Leg Brewing is requesting to sell alcohol on July 12, 2024 from 2:00 p.m. to 11:00
p.m. at Peg Leg Brewery, 2519 Halligan Drive for a music event.

PRIOR RELATED COUNCIL DISCUSSIONS/ACTIONS:

• N/A

WHY THIS ITEM IS BEFORE THE COUNCIL:

Pursuant to North Platte Code of Ordinances Section 116.26 and NEB. REV. STAT. Section 53-134, the City Council shall approve requests for liquor licenses and submit their approval to the Nebraska Liquor Control Commission in accordance with the Nebraska Liquor Control Act.

ACTION REQUIRED AT THIS COUNCIL MEETING:

Approve application by Bodunks Brewing dba Peg Leg Brewing for a Special Designated License on July 12, 2024 from 2:00 p.m. to 11:00 p.m. at Peg Leg Brewery, 2519 Halligan Drive for a music event.

PROPOSED MOTION:

"I move to approve the application by Bodunks Brewing dba Peg Leg Brewing for a Special Designated License on July 12, 2024 from 2:00 p.m. to 11:00 p.m. at 2519 Halligan Drive for a music event."

NEBRASKA LIQUOR CONTROL COMMISSION
PHONE: (402) 471-2571
Website: www.lcc.nebraska.gov

Special Designated License

Local Recommendation (Form 200)

Applications must be entered on the portal after local approval – no exceptions

Late applications are non-refundable and will be rejected

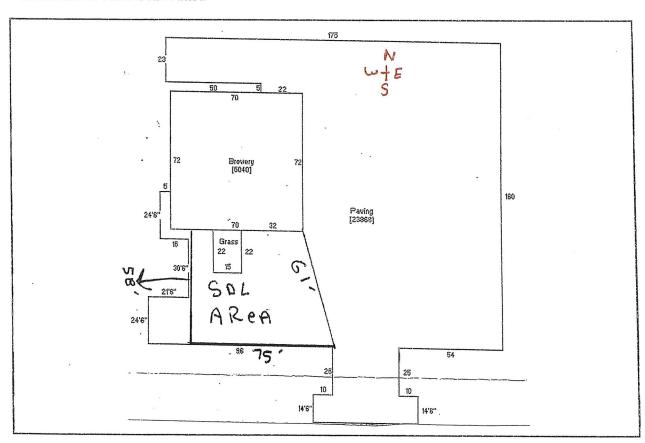
~ · · · · · · · · · · · · · · · · · · ·
Retail Liquor License Name or *Non-Profit Organization (*Must include Form #201 as Page 2)
Retail Liquor License Address or Non-Profit Business Address
123757
Retail License Number or Non-Profit Federal ID#
Consecutive Dates only
Event Date(s):
Event Start Time(s): 3PM
Event End Time(s): 110 m
Alternate Date: V/A
Alternate Location Building & Address:
Event Building Name: Peg Leg Brewing
Event Street Address/City: 2519 Halligan Drive
Indoor area to be licensed in length & width: $\frac{72}{x}$
Outdoor area to be licensed in length & width: \(\frac{1}{2} \) \(\frac{1}{2} \) \(\frac{1}{2} \) (Diagram Form #109 must be attached)
Type of Event: Music Estimate # of attendees: 100
Type of alcohol to be served: Beer X Wine Distilled Spirits X (If not marked, you will not be able to serve this type of alcohol)
Event Contact Name: Daniel neff Event Contact Phone Number: 308- 252-1658
Event Contact Email: Pegleg brew @9.mail. Com
*Signature Authorized Representative: I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.
*Retail licensee – Must be signed by a member listed on permanent license *Non-Profit Organization – Must be signed by a Corporate Officer
Local Governing Body completes below:
The local governing body for the City/Village of Orth County of approves
the issuance of a Special Designated License as requested above. (Only one should be written above)
Unacla (a) best
Local Governing Body Authorized Signature Date

OUTDOOR AREA DIAGRAM

HOW AREA WILL BE PATROLLED _____

- IF APPLICABLE, OUTDOOR AREA MUST BE CONNECTED TO INDOOR AREA IF INDOOR AREA IS TO LICENSED
- MEASUREMENT OF OUTER WALLS OF AREA TO BE LICENSED MUST INCLUDED LENGTH & WIDTH IN FEET
- DOUBLE FENCING IS REQUIRED FOR ALL NON-PROFIT ORGANIZATIONS UNLESS FORM #140 IS
 FILED WITH THIS FORM AND IS APPROVED BY THE COMMISSION
- RETAILER LIQUOR LICENSE HOLDERS ARE NOT REQUIRED TO DOUBLE FENCE, ALTHOUGH MEASURES NEED TO BE TAKEN TO SECURE THE AREA

DIAGRAM OF PROPOSED AREA:



Form 109 Rev Nov 2016



AGENDA ITEM TITLE: Mulligan Meadows Second Subdivision, Judy Clark, Planning Administrator

SESSION TYPE:
☐ Consent Agenda
□ Work Session
☐ Information Item
□ Regular Business
□ Other:
EXECUTIVE SUMMARY: Application by North Platte Area Chamber of Commerce and Development Corporation for preliminary and final approval of Mulligan Meadows Second Subdivision located at 1511 North Adams Avenue on property described as Lot 9, Mulligan Meadows First Subdivision, North Platte, Lincoln County, Nebraska.
The subdivision will create six lots and a portion of West 16th Street in an R-2 Dwelling District.
Public utilities will be extended to service the lots with extension of West 16th Street at the developer's expense.
On June 25, 2024, the City Planning Commission unanimously made a recommendation for preliminary and final approval of Mulligan Meadows Second Subdivision.
Planning Staff has no objections to the subdivision, this is the second phase of a proposed multi-lot housing development.
PRIOR RELATED COUNCIL DISCUSSIONS/ACTIONS: None
WHY THIS ITEM IS BEFORE THE COUNCIL:

North Platte City Code of Ordinances §155.067 requires subdivisions to be approved by the City Council.

ACTION REQUIRED AT THIS COUNCIL MEETING:

Preliminary and Final approval of Mulligan Meadows Second Subdivision.

PROPOSED MOTION:

"I move to adopt the recommendation by the City Planning Commission for preliminary and final approval of Mulligan Meadows Second Subdivision."

lls635@outlook.com



AGENDA ITEM TITLE: <u>Public Hearing – Amend Land Use Plan from Agricultural/Vacant to</u> Commercial, Judy Clark, Planning Administrator

SESSION TYPE: □ Consent Agenda	
□ Work Session	
☐ Information Item	
□ Regular Business	
☐ Other:	

EXECUTIVE SUMMARY:

Discuss and consider action on an application by Nick and Faylene Hudson (Deep Waters Retreat, LLC) for an amendment to the North Platte Nebraska Comprehensive Plan 2011 Future Land Use Map amending certain lands from Agricultural/Vacant to Commercial located at 2211 North Buffalo Bill Avenue on property described as a tract of land in Lots 14 and 15 Cody Land and Cattle Co. Subdivision in the Northwest Quarter of Section 29, Township 14 North, Range 30 West of the 6th P.M., Lincoln County, Nebraska consisting of 49.10 acres.

The request for the amendment has been submitted in conjunction with a rezoning. The applicants are requesting the amendment to allow a change in zoning for future development. If the amendment is not approved the rezoning cannot be acted on and must be pulled from the agenda.

In order to rezone a property, it is the duty of the planning commission to ensure that the rezoning is in conformance with the current comprehensive plan. On June 25, 2024, the Planning Commission made a motion to recommend approval of the amendment by unanimous vote.

A copy of the current land use plan showing the proposed amendment is attached.

Planning Staff has no objections to the amendment. The parcel is currently a vacant cornfield. To the north there are uses that still remain under the agricultural land use category; however, they are more commercial in nature. The Lincoln County Museum, Wild West Arena and Dusty Trails are all commercial uses that neighbor this property. On the south, a proposed church with riding stables and arena is being considered, again more commercial in nature. There is residential land use to the west of the property; however, changing this to future commercial use should not be a detriment to neighboring properties.

PRIOR RELATED COUNCIL DISCUSSIONS/ACTIONS: None

WHY THIS ITEM IS BEFORE THE COUNCIL:

North Platte City Code of Ordinances §156.001 requires amendments to the Comprehensive Plan be approved by the City Council after recommendation of the Planning Commission.

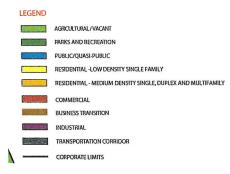
ACTION REQUIRED AT THIS COUNCIL MEETING:

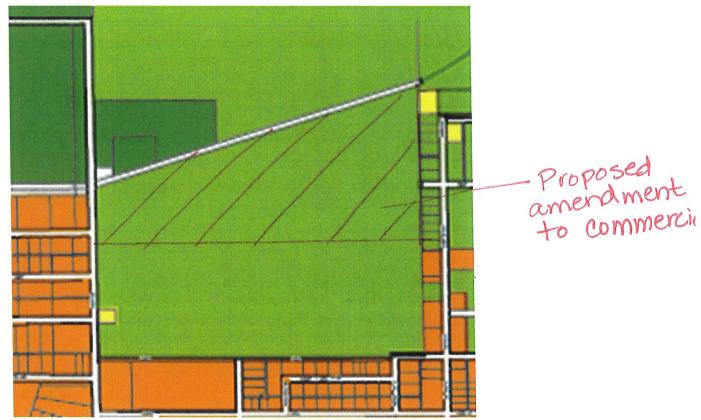
Hold public hearing and consider adopting recommendation by North Platte Planning Commission for approval of the Amendment to the Land Use Plan.

PROPOSED MOTION:

"I move to adopt the recommendation by the North Platte Planning Commission for an amendment to the City of North Platte Comprehensive Plan 2011 Future Land Use Map to amend certain land from Agricultural/Vacant to Commercial located at 2211 North Buffalo Bill Avenue."

Future Land Use Map 2011







AGENDA ITEM TITLE: <u>Public Hearing - Ord No. 4166 Rezone from A-1 to B-2</u>, Judy Clark, Planning Administrator

SE	SSION TYPE:
	Consent Agenda
	Work Session
	Information Item
\boxtimes	Regular Business
	Other:

EXECUTIVE SUMMARY:

Discuss and consider action on an application by Nick and Faylene Hudson (Deep Waters Retreat, LLC) to rezone certain lands from an A-1 Transitional Agricultural District to a B-2 Highway Commercial District located at 2211 North Buffalo Bill Avenue on property described as a tract of land in Lots 14 and 15 Cody Land and Cattle Co. Subdivision in the Northwest Quarter of Section 29, Township 14 North, Range 30 West of the 6th P.M., Lincoln County, Nebraska consisting of 49.10 acres.

In order to rezone a property, it is the duty of the planning commission to ensure that the rezoning is in conformance with the current comprehensive plan. The rezoning was filed in conjunction with a land use amendment, if the amendment is not approved the rezoning cannot be acted on and must be pulled from the agenda.

The applicant states the area is to be used for commercial business, tourism including camping/cabins, a garden, museum and the eastern portion set aside for possible future housing. The property is currently vacant and new structures will be necessary. The change in zoning will allow the applicant's services to reach more people in North Platte and the surrounding area.

A justification and site plan provided by the applicant, along with a copy of the current zoning map showing the proposed rezoning are attached.

On June 25, 2024 the Planning Commission voted unanimously to recommend approval of rezoning certain lands from an A-1 Transitional Agricultural District to a B-2 Highway Commercial District located at 2211 North Buffalo Bill Avenue.

Planning Staff has no objections to the rezoning if the amendment has been approved. The B-2 zoning district will allow for the proposed commercial businesses, the future camping/cabins will require a conditional use permit and the future residential may require a portion of the property to be rezoned in the future. The parcel is currently a vacant cornfield. To the north there are uses that still remain under the agricultural land use category; however, they are more commercial in nature. The Lincoln County Museum, Wild West Arena and Dusty Trails are all commercial uses that neighbor this property. On the south, a proposed church with riding stables and arena is

being considered, again more commercial in nature. There is residential land use to the west of the property; however, changing this to future commercial use should not be a detriment to neighboring properties.

PRIOR RELATED COUNCIL DISCUSSIONS/ACTIONS:

None

WHY THIS ITEM IS BEFORE THE COUNCIL:

North Platte City Code of Ordinances §156.001 requires Zoning Map Amendments be approved by the City Council.

ACTION REQUIRED AT THIS COUNCIL MEETING:

Hold public hearing and action on the recommendation by the North Platte Planning Commission to adopt Ordinance No. 4166 to rezone certain lands from an A-1 Transitional Agricultural District to a B-2 Highway Commercial District.

PROPOSED MOTION:

If council decides to go through all three readings:

"I move to adopt Ordinance No. 4166 to rezone certain land from an A-1 Transitional Agricultural District to a B-2 Highway Commercial located at 2211 North Buffalo Bill Avenue on first reading."

If council decides to waive the three readings, two motions are required:

"I move to waive the three required readings on Ordinance No. 4166." and

"I move to adopt Ordinance No. 4166 to rezone certain land from an A-1 Transitional Agricultural District to a B-2 Highway Commercial District located at 2211 North Buffalo Bill Avenue."

ORDINANCE NO. 4166

AN ORDINANCE OF THE CITY OF NORTH PLATTE, LINCOLN COUNTY, NEBRASKA, REZONING CERTAIN LANDS DESCRIBED AS A TRACT OF LAND IN LOTS 14 AND 15 CODY LAND AND CATTLE CO. SUBDIVISION IN THE NORTHWEST QUARTER OF SECTION 29, TOWNSHIP 14 NORTH, RANGE 30 WEST OF THE 6TH P.M., LINCOLN COUNTY, NEBRASKA FROM AN A-1 TRANSITIONAL AGRICULTURAL DISTRICT TO A B-2 HIGHWAY COMMERCIAL DISTRICT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR THE EFFECTIVE DATE AND PUBLICATION THEREOF.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF NORTH PLATTE, LINCOLN COUNTY, NEBRASKA:

<u>Section 1</u>. That the following described tract of land be rezoned from an A-1 Transitional Agricultural District to a B-2 Highway Commercial District:

A tract of land in Lots 14 and 15 Cody Land and Cattle Co. Subdivision in the Northwest Quarter of Section 29, Township 14 North, Range 30 West of the 6th P.M., Lincoln County, Nebraska

Section 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed.

<u>Section 3.</u> This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

<u>Section 4.</u> If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

PASSED AND APPROVED THIS	DAY OF	, 2024.
ATTEST:		
City Clerk	Mayor	
(SEAL)		

Deep Water Retreat LLC

2211 N Buffalo Bill Ave North Platte, NE 69101 (308)386-4799 deepwatersretreat@gmail.com

May 7th, 2024

The City of North Platte 211 West Third St. North Platte, NE 69101

Dear Planning commission,

- The area is to be used for commercial business, tourism including camping/cabins, potential garden, potential museum and the eastern portion of the property will remain for potential housing development in the future.
- 2. It will be necessary to build any structure we are needing. It is currently agricultural land and the developments to the property will be new.
- 3. There will be increased traffic on Buffalo Bill Avenue. There is great road development already in place to our location.
- 4. The economic character of the area will change and grow. We desire a serene and tucked away location and experience for our clientele.
- There is similar zoning around us. North of our property is a museum, east and west are housing developments and south is agricultural and church.
- The zone change will allow us to bring our already established services to the community. This will allow our services to reach more people in the North Platte and surrounding area.

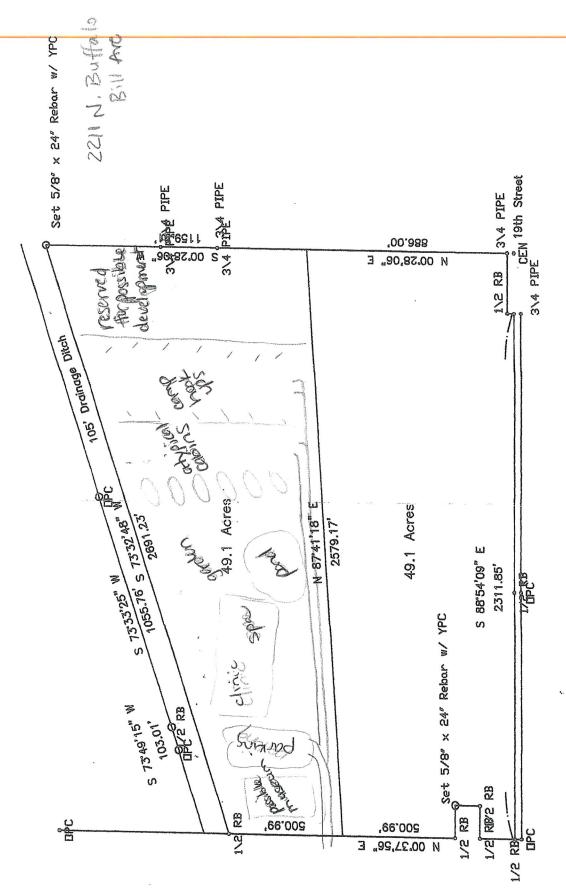
Thank you kindly for your work and consideration,

Nick+ Faylene Hudson

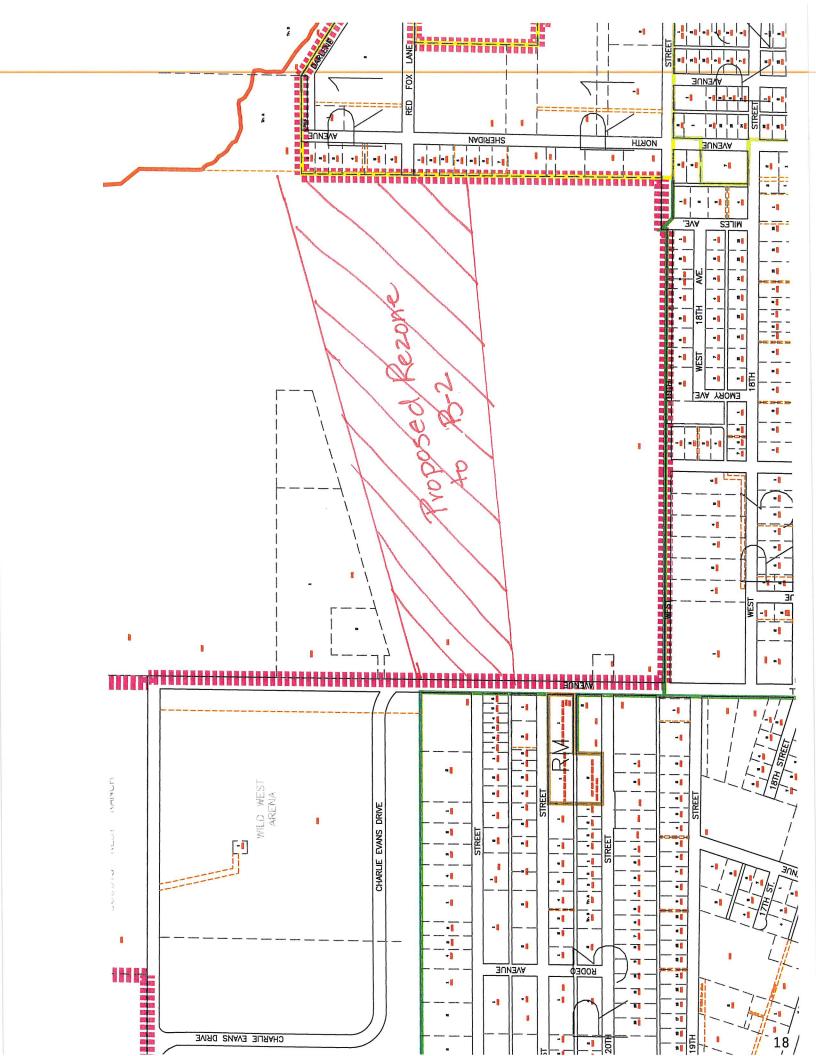
Sincerely,

Nick and Faylene Hudson

Deep Waters Retreat LLC



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AGENDA ITEM TITLE: <u>Public Hearing - Ord No. 4171 Rezone from R-3 to I-1</u>, Judy Clark, Planning Administrator

SESSION TYPE:
☐ Consent Agenda
□ Work Session
☐ Information Item
□ Regular Business
□ Other:

EXECUTIVE SUMMARY:

Discuss and consider action on an application by Kim Sellers, owner, and Titan Machinery, purchaser, to rezone certain land from an R-3 Dwelling District to an I-1 Light Industrial District located at 1265 and 1301 North Dodge Avenue on property described as Lot 4 and Lot 5, Lincoln Highway 1st Replat, North Platte, Lincoln County, Nebraska.

The applicant is requesting the rezoning in order to purchase the properties that adjoin the current Titan Machinery location at 3211 Rodeo Road and would like to explore adding additional shop/retail/parking to the site. The area for the proposed rezoning has two unoccupied mobile homes on site.

A copy of the current zoning map showing the proposed rezoning is attached along with a letter from Titan Machinery.

On June 25, 2024 the Planning Commission voted unanimously to recommend approval of rezoning certain lands from an R-3 Dwelling District to an I-1 Light Industrial District located at 3211 Rodeo Road.

Planning Staff has no objections to the zone change. The property abuts the current Titan Machinery location and would make a good addition to the site. The properties they are proposing to rezone and purchase have two mobile homes, one of which appears to be in the process of demolition. Rezoning these parcels should not be a detriment to the area.

PRIOR RELATED COUNCIL DISCUSSIONS/ACTIONS: None

WHY THIS ITEM IS BEFORE THE COUNCIL:

North Platte City Code of Ordinances §156.001 requires Zoning Map Amendments be approved by the City Council.

ACTION REQUIRED AT THIS COUNCIL MEETING:

Hold public hearing and action on the recommendation by the North Platte Planning Commission to adopt Ordinance No. 4171 to rezone certain lands from an R-3 Dwelling District to an I-1 Light Industrial District.

PROPOSED MOTION:

If council decides to go through all three readings:

"I move to adopt Ordinance No. 4171 to rezone certain land from an R-3 Dwelling District to an I-1 Light Industrial District located at 1265 and 1301 North Dodge Avenue on first reading."

If council decides to waive the three readings, two motions are required:

"I move to waive the three required readings on Ordinance No. 4171." and

"I move to adopt Ordinance No. 4171 to rezone certain land from an R-3 Dwelling District to an I-1 Light Industrial District located at 1265 and 1301 North Dodge Avenue."

ORDINANCE NO. 4171

AN ORDINANCE OF THE CITY OF NORTH PLATTE, LINCOLN COUNTY, NEBRASKA, REZONING CERTAIN LANDS DESCRIBED AS LOT 4 AND LOT 5, LINCOLN HIGHWAY 1ST REPLAT, NORTH PLATTE, LINCOLN COUNTY, NEBRASKA FROM AN R-3 DWELLING DISTRICT TO AN I-1 LIGHT INDUSTRIAL DISTRICT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR THE EFFECTIVE DATE AND PUBLICATION THEREOF.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF NORTH PLATTE, LINCOLN COUNTY, NEBRASKA:

<u>Section 1</u>. That the following described tract of land be rezoned from an R-3 Dwelling District to an I-1 Light Industrial District:

Lot 4 and Lot 5, Lincoln Highway 1st Replat, North Platte, Lincoln County, Nebraska.

<u>Section 2.</u> All ordinances or parts of ordinances in conflict herewith are hereby repealed.

<u>Section 3.</u> This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

<u>Section 4.</u> If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

PASSED AND APPROVED THIS	DAY OF	, 2024.
ATTEST:		
City Clerk	Mayor	
(SEAL)		

To Zoning Commission/City of North Platte

Titan Machinery is working with Mrs Kim Sellers to purchase properties that ajoin to our current location at 3211 Rodeo Rd. We would like to explore additional shop/retail/parking area to our current location. We have made offer continent on the rezoning of the property. The area that we are requesting to have rezoned currently has 2 trailer house on it, that are not occupied. It has also been used for storage.

Titan Machinery is a Ag/CE based business, serving North Platte, Lincoln and surrounding counties.

Feel free to contact my self or Larry Luther with any question or corcerns.

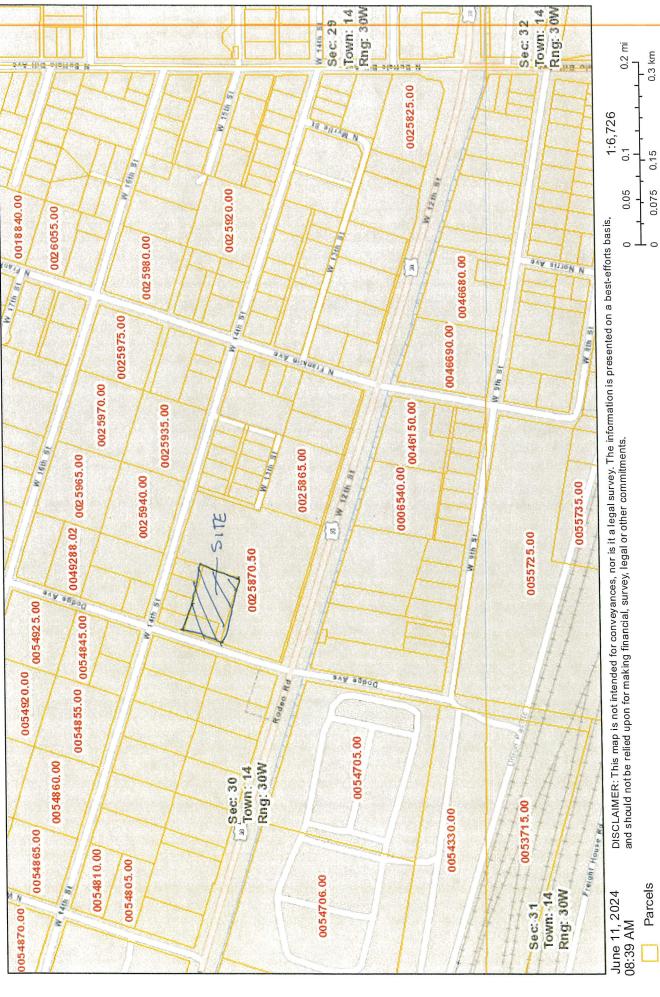
Ted Hoatson 308-520-2646

Larry Luther 308-325-2547

Thank you

Ted Hoatson

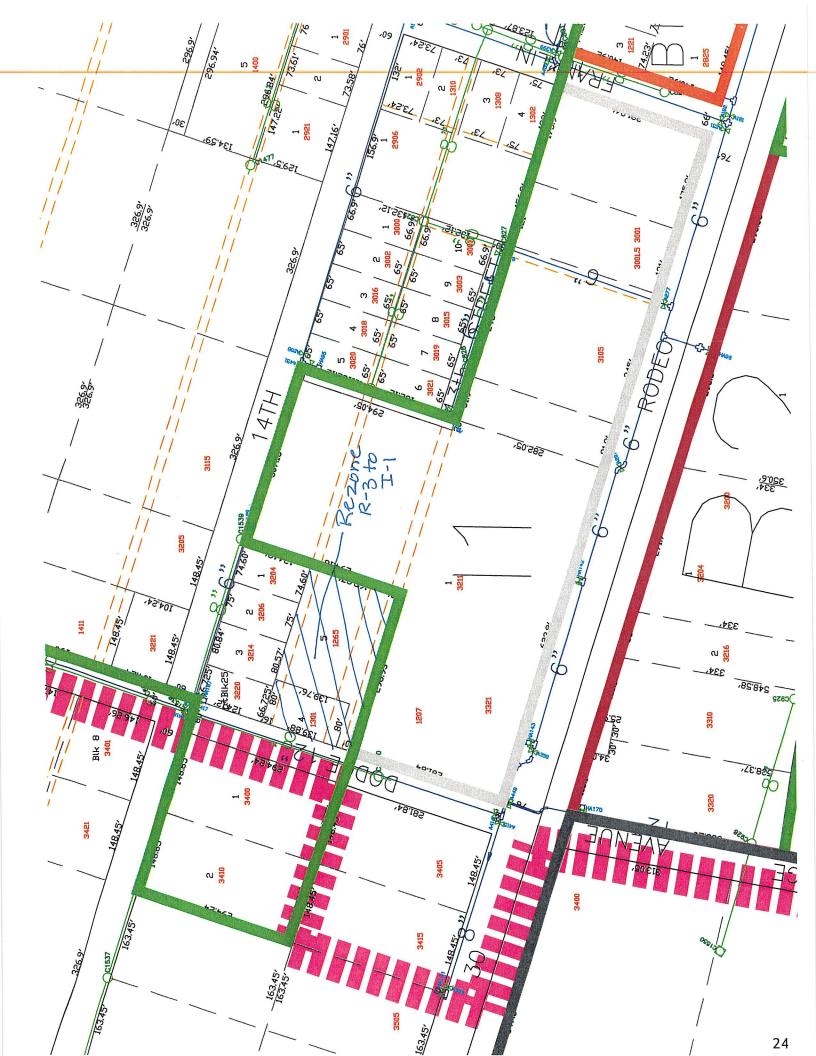
APSM-Titan Machinery



gWorks

Sections

Lincoln County gWorks.





AGENDA ITEM TITLE: <u>Public Hearing - Ord No. 4170 Rezone from A-1 to R-L</u>, Judy Clark, Planning Administrator

SESSION TYPE:		
☐ Consent Agenda		
□ Work Session		
☐ Information Item		
□ Regular Business		
☐ Other:		
EXECUTIVE SUMMARY:		

Discuss and consider action on an application by Tom Timmerman to rezone certain lands from an A-1 Transitional Agricultural District to an R-L Suburban Residential District located at 1825 West State Farm Road on property described as Lot 2, Post Administrative Subdivision, North Platte, Lincoln County, Nebraska.

The applicant is requesting the rezoning to allow a subdivision to occur for future sale of two lots, proposed Lot 2 and 3 Post Third Replat, and allow the owner to retain a small lot with his existing home, proposed Lot 1 Post Third Replat.

A copy of the current zoning map showing the proposed rezoning is attached.

On June 25, 2024 the Planning Commission voted unanimously to recommend approval of rezoning certain lands from an A-1 Transitional Agricultural District to an R-L Suburban Residential District located at 1825 West State Farm Road.

Planning Staff has no objections to the zone change. Currently the property is zoned A-1 Transitional Agricultural. City of North Platte Code of Ordinances states the minimum lots size for agricultural zone properties is over 10 acres. In order to subdivide, proposed Lot 2 and Lot 1 need to be rezoned to meet minimum acre requirements. The area is designated as future residential according to the City of North Platte Comprehensive Plan 2011 and will not need to be amended. Neighboring properties are zoned R-L Suburban Residential and A-1 Transitional Agricultural so the rezoning will not be a detriment to the area.

PRIOR RELATED COUNCIL DISCUSSIONS/ACTIONS: None

WHY THIS ITEM IS BEFORE THE COUNCIL:

North Platte City Code of Ordinances §156.001 requires Zoning Map Amendments be approved by the City Council.

ACTION REQUIRED AT THIS COUNCIL MEETING:

Hold public hearing and action on the recommendation by the North Platte Planning Commission to adopt Ordinance No. 4170 to rezone certain lands from an A-1 Transitional Agricultural District to an R-L Suburban Residential District.

PROPOSED MOTION:

If council decides to go through all three readings:

"I move to adopt Ordinance No. 4170 to rezone certain land from an A-1 Transitional Agricultural District to an R-L Suburban Residential District located at 1825 West State Farm Road on first reading."

If council decides to waive the three readings, two motions are required:

"I move to waive the three required readings on Ordinance No. 4170." and

"I move to adopt Ordinance No. 4170 to rezone certain land from an A-1 Transitional Agricultural District to an R-L Suburban Residential District located at 1825 West State Farm Road."

ORDINANCE NO. 4170

AN ORDINANCE OF THE CITY OF NORTH PLATTE, LINCOLN COUNTY, NEBRASKA, REZONING CERTAIN LANDS DESCRIBED AS LOT 2, POST ADMINISTRATIVE SUBDIVISION, (PROPOSED LOTS 2 AND 3 POST THIRD REPLAT) NORTH PLATTE, LINCOLN COUNTY, NEBRASKA FROM AN A-1 TRANSITIONAL AGRICULTURAL DISTRICT TO AN R-L SUBURBAN RESIDENTIAL DISTRICT; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR THE EFFECTIVE DATE AND PUBLICATION THEREOF.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF NORTH PLATTE, LINCOLN COUNTY, NEBRASKA:

<u>Section 1</u>. That the following described tract of land be rezoned from an A-1 Transitional Agricultural District to an R-L Suburban Residential District:

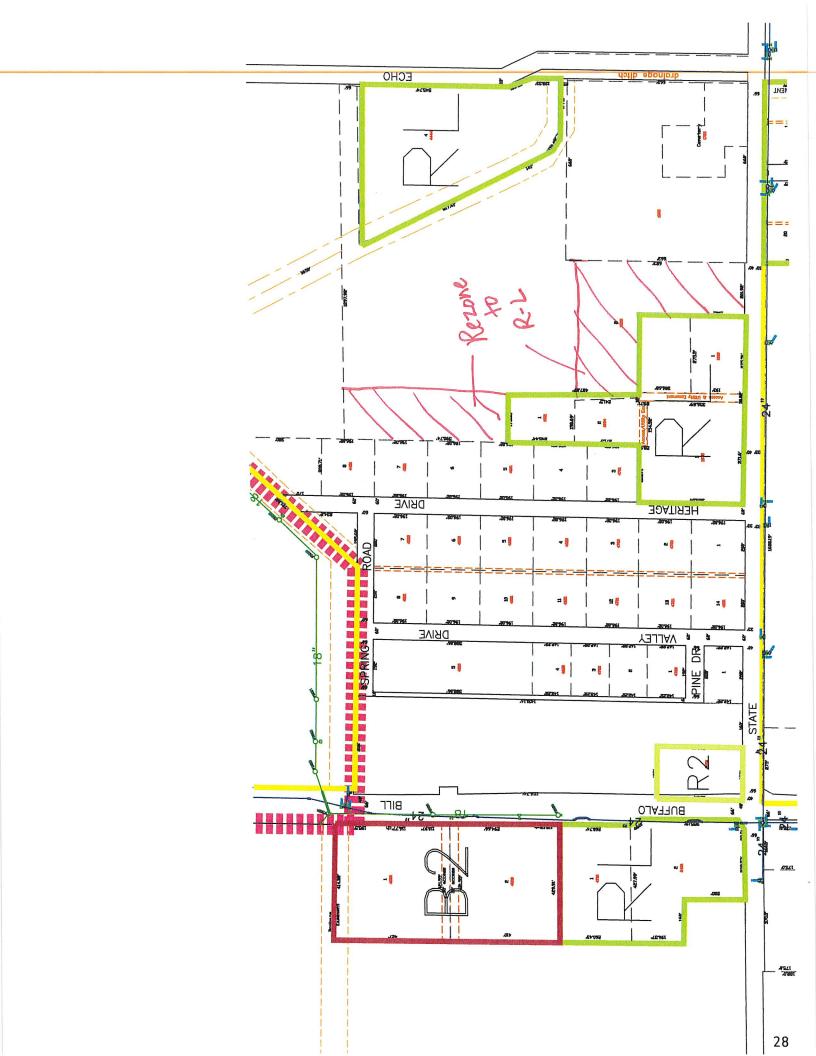
Lot 2, Post Administrative Subdivision (Proposed Lot 2 and 3 Post Third Replat), North Platte, Lincoln County, Nebraska.

<u>Section 2.</u> All ordinances or parts of ordinances in conflict herewith are hereby repealed.

<u>Section 3.</u> This ordinance shall take effect and be in full force from and after its passage, approval, and publication or posting as required by law.

<u>Section 4.</u> If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof.

PASSED AND APPROVED THIS	DAY OF	, 2024.
ATTEST:		
City Clerk	Mayor	
(SEAL)		





SESSION TYPE:



CITY OF NORTH PLATTE STAFF SUMMARY REPORT July 2, 2024

AGENDA ITEM TITLE: Post Third Replat, Judy Clark, Planning Administrator

☐ Consent Agenda
□ Work Session
☐ Information Item
□ Regular Business
□ Other:
EXECUTIVE SUMMARY: Application by Thomas Timmerman for preliminary and final approval of Post Third Replat located at 1825 West State Farm Road on property described as Lot 2, Post Administrative Subdivision, North Platte, Lincoln County, Nebraska.
This subdivision was filed in conjunction with a zoning request. If the rezoning is not approved, the subdivision cannot be acted on and must be pulled from the agenda.
The subdivision will split one lot into three lots for the purposes of future sale of the property.
Public utilities are not currently available to service the lots; if developed, the owner will need to use well and septic or extend water and sewer services at the owner's expense.
On June 25, 2024, the City Planning Commission unanimously made a recommendation for preliminary and final approval of Post Third Replat.
Planning Staff requested easements for future public right of way as shown on the plat, the reason for the easements is to plan for future development of the large lot, proposed lot 2. It seems reasonable to add the easements to insure access to all properties for possible future development. Planning staff has no objections to the proposed subdivision if the rezoning has been approved.
PRIOR RELATED COUNCIL DISCUSSIONS/ACTIONS: None

ACTION REQUIRED AT THIS COUNCIL MEETING:

Preliminary and Final approval of Post Third Replat.

WHY THIS ITEM IS BEFORE THE COUNCIL:

PROPOSED MOTION:

"I move to adopt the recommendation by the City Planning Commission for preliminary and final approval of Post Third Replat."

North Platte City Code of Ordinances §155.067 requires subdivisions to be approved by the City Council.

