



# **Hall County Regional Planning Commission**

**Wednesday, August 2, 2017  
Regular Meeting**

## **Item E1**

**Minutes 7-5-17**

**Staff Contact: Chad Nabity**



THE REGIONAL PLANNING COMMISSION OF HALL COUNTY, GRAND ISLAND,  
WOOD RIVER AND THE VILLAGES OF ALDA, CAIRO, AND DONIPHAN,  
NEBRASKA

Minutes  
for  
July 5, 2017

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The meeting of the Regional Planning Commission was held Wednesday, July 5, 2017, in the Council Chambers - City Hall – Grand Island, Nebraska. Notice of this meeting appeared in the "Grand Island Independent" on June 24, 2017.

Present: Pat O'Neill                      Dean Sears  
             Les Ruge                         Derek Apfel  
             Hector Rubio                     Tony Randone  
             Leonard Rainforth             Judd Allan (arrived at 6:39 p.m.)

Absent: Carla Maurer, Jaye Monter, Greg Robb, Dean Kjar.

Other: Hall County Supervisor Karen Bredthauer.

Staff: Chad Nabity, Tracy Overstreet Gartner.

Press: Austin Koeller, Grand Island Independent.

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**1. Call to order.**

Chairman O'Neill called the meeting to order at 6:00 p.m.

O'Neill stated that this was a public meeting subject to the open meetings laws of the State of Nebraska. He noted that the requirements for an open meeting are posted on the wall in the room and easily accessible to anyone who may be interested in reading them.

O'Neill also noted the Planning Commission may vote to go into Closed Session on any agenda item as allowed by State Law.

The Commission will discuss and may take action on any item listed on this agenda.

The order of items on the agenda may be reorganized by the Chair to facilitate the flow

of the meeting to better accommodate the public.

**2. Minutes of the June 21, 2017 meeting.**

A motion was made by Rainforth and seconded by Apfel to approve the minutes of the June 21, 2017 meeting.

The motion carried with seven members in favor (Apfel, O'Neill, Ruge, Rainforth, Rubio, Sears, and Randone) and no members voting no or abstaining.

**3. Request Time to Speak.**

Elaine Dooley, 3060 Roselawn, Item 6; Ryan Rozendal, 1308 W. John, Item 6; Matt Perardi, 242 S. Oak, Item 6; Barry Niedfelt, 1015 E. Oklahoma, Item 6; Linda Uhrich, 3126 Goldenrod Drive, Item 6; Christi DePoorter, 3321 Conrad Drive; Ron Depue, 308 N. Locust, Item 7; Keith Marvin, David City, Item 7; Neal Niedfeldt, CEO of Southern Public Power, Item 7; Marlin Sekutera, 3521 Primrose Drive, Item 6; Brett Hopkins, 3115 Goldenrod Drive, Item 6. The following registered for request to speak during the discussion on Item 6: Nadia McCann, 2847 Goldenrod Drive, Item 6; Ray Dooley, 3060 Roselawn, Item 6.

**4. Public Hearing – Zoning Change – Alda –** A request from the Village Board of Alda to amend Section 4.12(a) of the village zoning ordinance to allow cargo storage containers in certain zoning districts. (C-24-2017A)

O'Neill opened the public hearing.

Nabity said the Village of Alda, through its attorney Arend Baack, was requesting that the commission review a change to the village zoning ordinances that would allow for cargo storage containers in the R-9, BGC, BG, I-1, I-2, PUD, AG and TA districts. He said such a zoning change may conflict with the building codes so the village may need to make an amendment or exemption to sections of the building code if this zoning change were approved.

Ruge said cargo storage containers are already in use in the village and the village board wants better control over them. Ruge said some commercial properties use them for storage. The cargo units are also being used for personal storage as sheds, Nabity said.

O'Neill closed the public hearing.

A motion was made by Ruge and seconded by Sears to recommend approval of the zoning change regarding cargo storage units. As part of his motion, Ruge recommended corrections to typographical errors in Section 4.12(a).02 subsection (b), which should be (c) and "It" shall be permissible, with the remaining subsections lettered in succession; and recommended that the village verify compliance/compatibility of the zoning change with existing building codes.

The motion carried with seven members in favor (Apfel, O'Neill, Ruge, Rainforth, Rubio, Sears and Randone) and no members voting no or abstaining.

**5. Public Hearing – Redevelopment Plan – Grand Island** – Concerning an amendment to the redevelopment plan for CRA Area 1 for a Site Specific Redevelopment Plan of 523 E. Division/206 S. Plum, Grand Island, Hall County, Nebraska (C-27-2017GI)

O'Neill opened the public hearing.

Nabity said Weinrich Development intends to demolish a substandard single-family home there and replace it with a new four-plex apartment. The apartment use is consistent with Grand Island's Comprehensive Land Use plan.

O'Neill closed the public hearing.

A motion was made by Apfel and seconded by Rainforth to approve Resolution Number 2017-12, which recommends approval of the redevelopment plan and finds that the plan is in compliance with the comprehensive plan of the City of Grand Island.

The motion carried with seven members in favor (Apfel, O'Neill, Ruge, Rainforth, Rubio, Sears and Randone) and no members voting no or abstaining.

**6. Public Hearing – Rezone – Grand Island** – A request to rezone Lots 1, 2, and 3 of Meadow Lane Sixth Subdivision from LLR Large Lot Residential to B-2 General Business Zone, in the City of Grand Island, Hall County, Nebraska (C-26-2017GI)

O'Neill opened the public hearing.

Nabity said the requested rezoning is to allow use of this property for a small machine shop and a semi-trailer sales and repair facility. The proposed future land use for these three lots is MO Medium Density Residential to Office Use. Nabity said the lots are adjacent to existing B-2 General Business use along Highway 34 and the Grand Island City Council has already allowed additional B-2 use at the former Milebridge School site that was rezoned a few years ago to the west of this site. Nabity said the Hall County Public Works Department did send a letter, entered into the public record, which stated that they will not permit commercial access onto Conrad Drive, which has sections of gravel and asphaltic concrete.

Nabity said he was contacted by the Cooks, who reside in the subdivision to the north and they are against the rezoning.

Elaine Dooley, 3060 Roselawn, spoke against the rezoning. Her concerns are that the area is residential and homeowners don't want increased traffic, the existing Highway 34 traffic is already treacherous, and there will be an increase in noise and air pollution. She said a petition was circulated and 72 people signed that they object to businesses on the lots. Once the lots are rezoned, they could be used for other businesses besides the one proposed. She also raised concerns about property taxes going up and Conrad being paved in the future and assessed back to homeowners.

Ryan Rozendal, 1308 W. John, spoke in favor of the rezoning. He owns Harris Manufacturing and would like to locate on Lot 1. He said his business does not have a lot of traffic. It amounts to two cars in the morning, two at night and a UPS truck a day and a supply truck each quarter. He said his business has no reason to use commercial access from Conrad or Goldenrod.

Matt Perardi, 242 S. Oak, spoke in favor of the rezoning. He owns MP Custom Trucks, a semi-repair business and would like to locate the business on Lot 2 and use Lot 3 for overflow truck parking. He estimated he will have 20 to 40 trucks a month and they will access the business via from Highway 34. Business hours are 8 a.m. to 6 p.m. and the business will have a septic tank. Construction on the business likely won't start for 2.5 to 3 years, he said.

Barry Niedfelt, 1015 E. Oklahoma Ave., spoke in favor of the rezoning. He is a current owner of Lots 1, 2, and 3 and is available to answer questions.

Linda Uhrich, 3126 Goldenrod Drive, spoke against the rezoning. She said many of the properties are against the slough and groundwater and drainage can be a problem. She submitted four pictures of drainage problems, which are included as part of the record. She said the neighborhood has many children. It is currently quiet and clean and has no crime. She raised concerns of an increase in noise, traffic and property taxes.

In response to questions from the commission, Nabity said Lots 1, 2 and 3 are not in the regulatory floodplain. They were removed by the Wood River Flood Division Channel, he said.

Christi DePoorter, 3321 Conrad Drive, spoke in favor of the rezoning. She is a current owner of Lots 1, 2, and 3. She said the proposed business uses will not have an impact on Conrad Drive. The business owners are young entrepreneurs who should be supported. They want access to Highway 34 and the visibility the highway brings. She said they are concerned about being good neighbors and the Niedfelt family, as sellers, could come up with covenants to ensure factors such as not having commercial access to Conrad and Goldenrod and how the north borders should be maintained. She said the Niedfelt family business, Platte Valley Construction, is very familiar with grading and drainage work and could ensure that grading was done properly. She said she will host an information session at her home at 5:30 p.m. Monday, July 10 to speak with homeowners.

Commissioner Allan arrived at 6:39 p.m.

Marlin Sekutera, 3521 Primrose Drive, spoke against the rezoning. He said he lives on the north end of the subdivision. He said Grand Island and Hall County have invested money in developing industrial parks and that would be a better fit for these businesses than this residential area. Sekutera called the proposal "spot zoning." He said previous work has been done to improve drainage with little effect. He said hard surfacing the proposed area will mean more water runoff. He said one inch of rain on six acres of land equates to 165,000 gallons of water that will need to go someplace.

Brett Hopkins, 3115 Goldenrod Drive, spoke against the rezoning. He said the Northwest School District has a pickup/drop off near his home. There's a lack of sidewalks and kids walk along the sides of the road and down the center of the roads. He's concerned about truck traffic.

O'Neill asked about drainage. Nabity said the traditional drainage runs to the northeast. Randone asked about road/highway access to the lots and whether the Conrad access could be eliminated. Nabity said all lots must have road access. Lots 1 and 3 access Conrad, while Lot 2 has Highway 34 access. The proposal is to build a driveway from Highway 34 across Lot 2 to access Lot 1 with Lot 3 accessed via Lot 2.

Ruge said this does not constitute spot zoning because there is existing B2 on the east side of the property to be rezoned. O'Neill said he supports B2 zoning along Highway 34, but this rezoning application is tough because it also places the B2 next to residential uses, however there are residential uses already adjacent to the existing B2.

The commission discussed other uses for Lot 3, including the density of apartments that could be built there.

Nadia McCann, 2847 Goldenrod Drive, asked about access to Conrad Drive in the future. She also raised questions about DePoorter's house having a for sale sign in the yard. The commission said that wasn't relevant to the rezoning application. Ray Dooley, 3060 Roselawn Drive, said DePoorter doesn't live there.

Allan asked how many trucks would be parked on Lot 3. Perardi estimated about 5 to 15 trucks would be parked for long-term jobs.

Sears said he would like the developers to go back to the drawing board. Apfel said he understands the citizens' concerns, but also supports business growth.

O'Neill closed the public hearing.

A motion was made by Sears and seconded by Rainforth to recommend denial of the rezoning to the Grand Island City Council.

The motion carried with five members in favor (Allan, O'Neill, Rainforth, Sears and Randone) and three members voting no (Apfel, Ruge and Rubio) and no members abstaining.

7. **Public Hearing – Blight and Substandard Study – Grand Island** – Concerning a blight and substandard study for approximately 12,230 acres in Proposed Community Redevelopment Area No. 25 at the Cornhusker Army Ammunition Plant (CAAP), bordered by Airport Road on the north, Husker Highway on the south, Schauppsville Road on the west and 60<sup>th</sup> Road on the east, excluding areas that have been previously declared blighted and substandard at CAAP in Hall County, Nebraska. (C-28-2017GI) O'Neill handled the gavel over to Secretary Ruge to run this portion of the meeting as O'Neill provided information to the consultant for the blight and substandard study.

O'Neill's company has done past cleanup work at the former defense site. Ruge appointed Rainforth as secretary pro-tem.

Ruge opened the public hearing.

Nabity said the Central Nebraska Growth Foundation , a foundation of the Grand Island Area Economic Development Corp., paid for a blight and substandard study on the 20-square mile former defense site, minus the two areas previously studied. The study found that the area could be declared blighted and substandard. Nabity said the two affected school districts, Northwest Public Schools and Wood River Public Schools, both expressed support for the blight and substandard declaration.

Ron Depue, 308 N. Locust, said the area is a Superfund site and it makes sense to have it blighted and substandard so that redevelopment tools are available to it.

Keith Marvin, of Marvin Consulting in David City, conducted the study. He said the site still has substantial footings and other buried material that developers will likely need assistance in clearing. He said declaring the area blighted and substandard could help stimulate new growth and development at the former plant site.

Neal Niedfeldt, 4550 W. Highway 30, is the chief executive officer of Southern Public Power District. He spoke in favor of the blight and substandard designation. Southern had owned about 1,200 acres at the plant and now owns 720 acres. They would like the designation in order to offer incentives for promoting industrial growth there.

Ruge closed the public hearing.

A motion was made by Sears and seconded by Rubio to approve the blight and substandard designation and Resolution 2017-13.

The motion carried with seven members in favor (Apfel, Allan, Ruge, Rainforth, Rubio, Sears and Randone) and no members voting no or abstaining. O'Neill was not part of the vote.

Following the vote, Ruge returned the gavel to O'Neill, who presided over the rest of the meeting.

#### **Consent Agenda**

8. **Final Plat – GIPS Jefferson Subdivision** – located south of 8<sup>th</sup> Street and east of Broadwell. (2 lots and 5.0 acres)
9. **Final Plat – Hope Valley Subdivision (originally submitted as Jack Voss Horse Country Club Fifth Subdivision)** – located north of Capital Avenue and east of Engleman Road. (2 lots and 1.934 acres)
10. **Final Plat – Phoenix Acres Second Subdivision** – located south of Lepin Road and east of Hilltop Road. (2 lots and 5.312 acres)

11. **Final Plat – Clough Subdivision** – located north of One-R Road and west of Gunbarrel Road. (1 lot and 4.105 acres)

Nabity reported that the Jack Voss Horse Country Club Fifth Subdivision was renamed to Hope Valley Subdivision. There was an easement update to accommodate a sewer manhole.

A motion was made by Rainforth and seconded by Apfel to approve the consent agenda.

The motion carried with eight members in favor (Apfel, Allan, O'Neill, Ruge, Rainforth, Rubio, Sears and Randone) and no members voting no or abstaining.

12. **Budget – Proposed budget for 2017-18 fiscal year beginning October 1, 2017. (C-21-2017)**

Nabity detailed the \$277,678 budget. He reported the fee schedule will increase for rezoning from \$800 to \$850.

A motion was made by Ruge and seconded by Sears to approve the 2017-18 budget.

The motion carried with eight members in favor (Apfel, Allan, O'Neill, Ruge, Rainforth, Rubio, Sears and Randone) and no members voting no or abstaining.

13. **Director's Report.**

Nabity said Hall County Zoning Review Committee will resume meetings in the near future. He said a rural subdivision will be coming before the commission in August.

12. **Next Regular Meeting August 2, 2017.**

13. **Adjourn**

O'Neill adjourned the meeting at 7:37 p.m.

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Leslie Ruge, Secretary  
By Tracy Overstreet Gartner