

# MCCOOK PLANNING COMMISSION

## REGULAR MEETING

**Monday - March 14, 2016**  
**5:15 P.M. - City Council Chambers**

- **Call to Order and Roll Call.**
- **Open Meetings Act Announcement.**  
*\*A copy of the Open Meetings Act is posted by the entrance to the Council Chambers and is available for public review.*
- 1. Approve the minutes of the February 8, 2016 regular meeting.  
[pc 031416 minutes](#)
- 2. Public Hearing - Consider Replat No. 1 of Block 2, Patton-Boyd Addition to the City of McCook, Red Willow County, Nebraska.  
[pc 031416 replat patton boyd](#)
- 3. Recommend final approval to the McCook City Council of Replat No. 1 of Block 2, Patton-Boyd Addition to the City of McCook, Red Willow County, Nebraska.
- **Adjournment.**

*Note: Commissioners, as a courtesy to those making the requests and to others on the Commission, please let us know if you are unable to attend by calling 345-2022, ext. 0. Without a quorum, we are not able to hold a meeting. Thank you.*

CITY MANAGER'S REPORT  
MARCH 14, 2016

---

ITEM: 1

RECOMMENDATION:

Approve the minutes of the February 8, 2016 regular meeting.

---

BACKGROUND:

Receive and approve the minutes.

FISCAL  
IMPACT: None.

RECOMMENDATION:

Approve the minutes of the February 8, 2016 regular meeting.

APPROVALS:

  
\_\_\_\_\_  
Lea Ann Doak, City Clerk

March 8, 2016

**MCCOOK PLANNING COMMISSION  
REGULAR MEETING**

**MINUTES**

**Monday - February 8, 2016  
5:15 P.M. - City Council Chambers**

Present: Vice Chair Dueland; Commissioners Garey-Vickers, Hilker, Stevens, Wolford; City Manager Schneider; City Attorney Mustion; City Clerk Doak.

Absent: Chair Vosburg; Commissioners Harpst, Lyons, Shipshock, Siegfried.

Vice-Chair Dueland announced that a copy of the Open Meetings Act was posted by the entrance to the Council Chambers and available for public review.

1. Approve the minutes of the December 14, 2015 regular meeting.

Upon a motion by Commissioner Garey-Vickers, seconded by Commissioner Hilker, the Commission voted to approve the minutes of the December 14, 2015 meeting. The motion passed upon the following roll call vote: YEA: Dueland, Garey-Vickers, Hilker, Stevens, Wolford. NAY: None. ABSENT: Vosburg, Harpst, Lyons, Shipshock, Siegfried.

2. Public Hearing - request for a special exception to allow college/university use in a Residential Medium Density (RM) District as part of ownership change; a parcel located in Country Club Addition to the City of McCook, Red Willow County, Nebraska; 905 East 7<sup>th</sup> Street; McCook Community College, Division Mid-Plains Community College, with the City Attorney to act as Hearing Officer.

Upon a motion by Commissioner Dueland, seconded by Commissioner Wolford, the Commission voted to recess as the Planning Commission and convene as a Hearing Board for the purpose of receiving public comment on the request for a special exception to allow college/university use in a Residential Medium Density (RM) District as part of ownership change; a parcel located in Country Club Addition to the City of McCook, Red Willow County, Nebraska; 905 East 7<sup>th</sup> Street; McCook Community College, Division Mid-Plains Community College, with the City Attorney to act as Hearing Officer. The motion passed upon the following roll call vote: YEA: Dueland, Garey-Vickers, Hilker, Stevens, Wolford. NAY: None. ABSENT: Vosburg, Harpst, Lyons, Shipshock, Siegfried.

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the February 8, 2016 Planning Commission meeting (1 page); Exhibit #2 - Notice of Hearing (1 page); Exhibit #3 - Letter from Darin Morgan, Physical Resources Director, McCook Community College (1 page); Exhibit #4 - Land Use Application (5 pages); Exhibit #5 - Quitclaim Deed (2 pages); and Exhibit #6 - Area map (1 page).

City Manager Schneider reviewed the information presented in the City Manager's Report; "An application for a special exception has been submitted by McCook Community College to allow for a college in the RM District. The location of the building is 905 East 7<sup>th</sup> Street, McCook. The building is formerly known as the Republican Valley Event Center and Elk's Club. McCook

Community College already has its campus in the RM District. This would be a continuation of its campus. When reviewing the A-I considerations established for special exception, Staff believes the requested use fits the neighborhood."

Darin Morgan, McCook Community College Physical Resources Director, addressed the Commission regarding the request. At this time there are no definite plans for the property, the property is vacated, and they have been in contact with the City so that maintenance of the area will continue to meet city standards. Taking care of the special exception now, will allow them to be ready for the necessary permitting, as they move forward.

No one else was present to comment.

Upon a motion by Commissioner Hilker, seconded by Commissioner Wolford, the Commission voted to close the public hearing and reconvene as a Planning Commission. The motion passed upon the following roll call vote: YEA: Dueland, Garey-Vickers, Hilker, Stevens, Wolford. NAY: None. ABSENT: Vosburg, Harpst, Lyons, Shipshock, Siegfried.

3. Recommend to the City Council approval of the request for a special exception to allow college/university use in a Residential Medium Density (RM) District as part of ownership change; a parcel located in Country Club Addition to the City of McCook, Red Willow County, Nebraska; 905 East 7<sup>th</sup> Street; McCook Community College, Division Mid-Plains Community College; that the granting of the special exception will not adversely affect the public interest; and that satisfactory provisions and arrangements have been made by the applicant concerning Special Exception Considerations a - i.

Upon a motion by Commissioner Garey-Vickers, seconded by Commissioner Hilker, the Commission voted to recommend to the City Council approval of the request for a special exception to allow college/university use in a Residential Medium Density (RM) District as part of ownership change; a parcel located in Country Club Addition to the City of McCook, Red Willow County, Nebraska; 905 East 7<sup>th</sup> Street; McCook Community College, Division Mid-Plains Community College; that the granting of the special exception will not adversely affect the public interest; and that satisfactory provisions and arrangements have been made by the applicant concerning Special Exception Considerations a - i. The motion passed upon the following roll call vote: YEA: Dueland, Garey-Vickers, Hilker, Stevens, Wolford. NAY: None. ABSENT: Vosburg, Harpst, Lyons, Shipshock, Siegfried.

4. Review the Redevelopment Plan for the Holiday Inn and Suites Redevelopment Project Area 2016 as to its conformity with the general plan for the development of the City as a whole.

City Manger Schneider reviewed the proposed Redevelopment Plan in its entirety with the Commission.

5. Adopt Resolution No. PC2016-01 recommending approval of a Redevelopment Plan of the City of McCook, Nebraska, approving a Redevelopment Project of the City of McCook, Nebraska; and approval of related actions for the purpose of the development of the 2016 Holiday Inn and Suites Hotel Project Area.

Commissioner Wolford introduced a motion to adopt Resolution No. PC2016-01 recommending approval of a Redevelopment Plan of the City of McCook, Nebraska, approving a Redevelopment Project of the City of McCook, Nebraska; and approval of related actions for the purpose of the

development of the 2016 Holiday Inn and Suites Hotel Project Area. Commissioner Garey-Vickers seconded the motion.

Dr. Deepak Gangahar, Developer, addressed the Commission regarding their proposal. They have a commitment to purchase additional property to the south which will give them about a one acre parcel, the structure will be a 4 story, brick and wood frame structure for 70 - 80 rooms, a pool, a boardroom; they will construct a detention pond on the property; parking will be one stall per room; they will have a national franchise; and no funding will be coming from the City, they will be securing their own loan.

City Manager Schneider stated that at this time only the Redevelopment Plan is being considered as to its conformity to the general plan for development of the City as a whole and that it meets state requirements. The Redevelopment Contract will be brought back to the Community Development Authority and City Council for approval.

Vice-Chair Dueland then stated, "Should the motion on the floor be approved as stated?" The motion passed upon the following roll call vote: YEA: Dueland, Garey-Vickers, Hilker, Stevens, Wolford. NAY: None. ABSENT: Vosburg, Harpst, Lyons, Shipshock, Siegfried.

6. Public Hearing - Consider Preliminary Replat No. 1 of Block 2, Patton-Boyd Addition to the City of McCook, Red Willow County, Nebraska.

Upon a motion by Commissioner Dueland, seconded by Commissioner Garey-Vickers, the Commission voted to recess as the Planning Commission and convene as a Hearing Board for the purpose of receiving public comment on the proposed Preliminary Replat No. 1 of Block 2, Patton-Boyd Addition to the City of McCook, Red Willow County, Nebraska. The motion passed upon the following roll call vote: YEA: Dueland, Garey-Vickers, Hilker, Stevens, Wolford. NAY: None. ABSENT: Vosburg, Harpst, Lyons, Shipshock, Siegfried.

The Commission received into evidence Exhibit #1 - City Manager's Report prepared for the December 14, 2015 Planning Commission meeting (1 page); Exhibit #2 - Notice of Hearing published (1 page); and Exhibit #3 - map of Replat No. 1 of Block 1, Patton-Boyd Addition (2 pages).

City Manager Schneider reviewed the information presented in the City Manager's Report; "These items are an effort to clean up the Patton-Boyd Addition to the City of McCook in anticipation of future development. In conjunction with Item No. 5, it has become clear that the Patton-Boyd Addition needs to be adjusted to clean up some of the difficulties that could be created with the addition of a hotel. Some of the concerns are that there would be one lot in the middle of this area that could not be developed due to street frontage concerns and that the description of the lots as they currently exist in the Patton-Boyd Addition were becoming overly burdensome due to prior splits and adjustments. This is just a preliminary approval. It is tied into the successful culmination of a land contract between the property owners to the north and south. If no agreement is reached, this matter will be pulled. If the developer to the north does not develop the hotel/the redevelopment agreement is not approved, this matter will be pulled.

No one else was present to comment.

Upon a motion by Commissioner Dueland, seconded by Commissioner Wolford, the Commission voted to close the public hearing and reconvene as a Planning Commission. The motion passed upon

the following roll call vote: YEA: Dueland, Garey-Vickers, Hilker, Stevens, Wolford. NAY: None. ABSENT: Vosburg, Harpst, Lyons, Shipshock, Siegfried.

7. Recommend approval to the McCook City Council of Replat No. 1 of Block 2, Patton-Boyd Addition to the City of McCook, Red Willow County, Nebraska.

Upon a motion by Commissioner Wolford, seconded by Commissioner Garey-Vickers, the Commission voted to recommend approval to the McCook City Council of Replat No. 1 of Block 2, Patton-Boyd Addition to the City of McCook, Red Willow County, Nebraska pending approval of the Redevelopment Contract for the 2016 Holiday Inn and Suites Hotel Project Area. The motion passed upon the following roll call vote: YEA: Dueland, Garey-Vickers, Hilker, Stevens, Wolford. NAY: None. ABSENT: Vosburg, Harpst, Lyons, Shipshock, Siegfried.

▪ **Adjournment.**

With no further business, Vice-Chair Dueland declared the Planning Commission meeting adjourned at 6:07 P.M.

---

Lea Ann Doak  
Recording Secretary

**CITY MANAGER'S REPORT  
MARCH 14, 2016 PLANNING COMMISSION MEETING**

ITEM NO. 2 Public Hearing - Consider Replat No. 1 of Block 2, Patton-Boyd Addition to the City of McCook, Red Willow County, Nebraska.

ITEM NO. 3 Recommend final approval to the McCook City Council of Replat No. 1 of Block 2, Patton Boyd Addition to the City of McCook, Red Willow County, Nebraska.

---

**BACKGROUND:**

These items are an effort to clean up the Patton-Boyd Addition to the City of McCook in anticipation of future development. It has become clear that the Patton-Boyd Addition needs to be adjusted to clean up some of the difficulties that could be created with the addition of a hotel. Some of the concerns are that there would be one lot in the middle of this area that could not be developed due to street frontage concerns and that the description of the lots as they currently exist in the Patton-Boyd Addition were becoming overly burdensome due to prior splits and adjustments. This is a final approval. There is now a contract in place between the owner of the properties affected by the Replat. If the developer to the north does not reach terms on a redevelopment contract with the City at the next council meeting, this item will be pulled from the Council agenda.

**RECOMMENDATIONS:**

ITEM NO. 2 Public Hearing - Consider Replat No. 1 of Block 2, Patton-Boyd Addition to the City of McCook, Red Willow County, Nebraska.

ITEM NO. 3 Recommend approval to the McCook City Council of Replat No. 1 of Block 2, Patton Boyd Addition to the City of McCook, Red Willow County, Nebraska.

**APPROVALS:**

  
Nathan A. Schneider, City Manager

March 8, 2016

  
Lea Ann Doak, City Clerk

March 8, 2016

NOTICE OF PUBLIC HEARING  
FINAL PLAT APPROVAL

NOTICE IS HEREBY GIVEN that a public hearing will be held to consider the final plat on the following described property to be known as Patton-Boyd Addition, Replat No. 1 of Block 2.

A replat of Block Two (2), Patton-Boyd Addition, Lot One (1) is deleted, Lot Two A (2A) and Lot Two B (2B) are deleted; new lots created will be Lot One R (1R), Lot Two R (2R), and Lot Three R (3R), Block Two (2), Patton-Boyd Addition to the City of McCook, Red Willow County, Nebraska.

A PUBLIC HEARING ON THE ABOVE-DESCRIBED PRELIMINARY PLAT APPROVAL WILL BE HELD ON THE DATE, TIME, AND AT THE PLACE LISTED BELOW:

MARCH 14, 2016 - 5:15 P.M.  
MCCOOK PLANNING COMMISSION  
CITY COUNCIL CHAMBERS  
505 WEST "C" STREET

MARCH 21, 2016 - 6:30 P.M.  
MCCOOK CITY COUNCIL  
CITY COUNCIL CHAMBERS  
505 WEST "C" STREET

ANY AND ALL PERSONS desiring to comment on the above-described final plat may attend the public hearing and will be given an opportunity to be heard. For additional information regarding this notice please contact Barry Mooney, City of McCook Building Official, at 345-2022 ext. 232.

-s- Lea Ann Doak  
City Clerk

Publish: March 4, 2016.  
Post: March 4, 2016.  
Mail: March 4, 2016.

Property Owners Notified:

QUALITY REAL ESTATE LLC  
PO BOX 420  
YUMA CO 80759-0420

TIMMERMAN/RYAN  
804 WEST 14TH STREET  
MCCOOK NE 69001

PACE/JESSE & KRISTINA BUDKE  
805 WEST 14TH  
MCCOOK NE 69001

TOP/NICOLAS R & KARA J  
1405 WEST H STREET  
MCCOOK NE 69001

MAPLEWOOD APARTMENTS L.L.C.  
PO BOX 1185  
NORTH PLATTE NE 69103-1185

PARKS/GARY L & SANDRA E  
38415 RD 719  
MCCOOK NE 69001-7502

MASHEK/SARA R  
606 WEST 12TH STREET  
MCCOOK NE 69001

HARDIN/BENJAMIN R & SUSAN D  
602 WEST 12TH  
MCCOOK NE 69001

ELLERTON/DALE & GLENDA  
1402 WEST H  
MCCOOK NE 69001

HAZEN/MATTHEW F & JENNIFER R  
1304 WEST H  
MCCOOK NE 69001

FELKER-OLSEN/NICOLE  
216 PARK AVENUE  
MCCOOK NE 69001

SMITH/RON L  
PO BOX 446  
MCCOOK NE 69001-0446

VONTZ/KRISTOPHER M  
#12 12TH STREET COURT

MAHON/MELVIN E & JANET B  
806 WEST 14TH  
MCCOOK NE 69001-0000

CUELLAR/CHRISTOPHER M  
1501 WEST H  
MCCOOK NE 69001

CARFIELD/DARIN L  
803 WEST 14TH  
MCCOOK NE 69001-2957

KIRKUS/DOROTHY JEAN  
1401 WEST H  
MCCOOK NE 69001

MCCOOK HOUSING AUTHORITY  
1307 WEST F STREET  
MCCOOK NE 69001

ROSE/THOMAS C & DAWN R  
LYTLE-ROSE  
608 WEST 12TH STREET  
MCCOOK NE 69001

KNOLL/SHAWN A & JOANNA R  
604 WEST 12TH STREET  
MCCOOK NE 69001

LYNE/STEPHEN G & KAREN L  
1404 WEST H  
MCCOOK NE 69001

RALSTON/NICHOLAS J & AFTON C  
1308 WEST H STREET  
MCCOOK NE 69001

WOODS/EDWARD D & SHARON J  
12TH STREET COURT #7  
MCCOOK NE 69001

URLING/BONNIE L  
#9 12TH ST COURT  
MCCOOK NE 69001

LAMBERT/DAVID E  
#11 12TH STREET CT  
MCCOOK NE 69001

MCCOOK NE 69001

STATE OF NE DEPT OF ROADS  
P O BOX 94759  
LINCOLN NE 68509-4759

B & S PROPERTIES LLC  
PO BOX 994  
MCCOOK NE 69001-0994

HCC LEASING LLC  
PO BOX 364  
MCCOOK NE 69001-0364

MCCOOK LODGING LLC  
PO BOX 3847  
OMAHA NE 68103-0847

HIGH PLAINS LAND MANAGEMENT  
LLC  
% JAMES ALLEN  
PO BOX 788  
MCCOOK NE 69001-0788

HORSE CREEK LLC  
% PERRY STROMBECK  
#1 BISON HOLIDAY DRIVE  
MCCOOK NE 69001

**DEDICATION**

McCook Lodging LLC and B&S Properties LLC, as it appears on the foregoing Plat and as described in the Surveyor's Certificate is with the free consent and in accordance with the desires of the undersigned owners and proprietors. The said owners hereby dedicate the streets, alleys, easements and other open areas to the Public use and benefit.

By: McCook Lodging LLC, Operating Partner: Kirti Trivedi

By: B&S Properties LLC, Owner: Samuel H. O'Toole

By: B&S Properties LLC, Owner: Bart J. Stromberger

**ACKNOWLEDGMENT**

Personally appeared before me a Notary Public in and for the State of Nebraska, Kirti Trivedi, known to me to be the identical person whose name is affixed to the foregoing instrument and he acknowledges the same to be his voluntary act and deed.

Witness my hand and official Seal this \_\_\_\_\_ day of \_\_\_\_\_ 2016.

My commission expires \_\_\_\_\_  
Notary Public \_\_\_\_\_

**ACKNOWLEDGMENT**

Personally appeared before me a Notary Public in and for the State of Nebraska, Samuel H. O'Toole, known to me to be the identical person whose name is affixed to the foregoing instrument and he acknowledges the same to be his voluntary act and deed.

Witness my hand and official Seal this \_\_\_\_\_ day of \_\_\_\_\_ 2016.

My commission expires \_\_\_\_\_  
Notary Public \_\_\_\_\_

**ACKNOWLEDGMENT**

Personally appeared before me a Notary Public in and for the State of Nebraska, Bart J. Stromberger, known to me to be the identical person whose name is affixed to the foregoing instrument and he acknowledges the same to be his voluntary act and deed.

Witness my hand and official Seal this \_\_\_\_\_ day of \_\_\_\_\_ 2016.

My commission expires \_\_\_\_\_  
Notary Public \_\_\_\_\_

**PLANNING COMMISSION APPROVAL**

This Plat was duly approved by the City of McCook, Red Willow County, Nebraska Planning Commission on this \_\_\_\_\_ day of \_\_\_\_\_ 2016.

Nate Schneider, Secretary      Kurt Vosburg, Chairman

**MUNICIPAL APPROVAL**

This Plat was duly approved by the City of McCook, Red Willow County, Nebraska on this \_\_\_\_\_ day of \_\_\_\_\_ 2016.

LeaAnn Dock, City Clerk      Mike Gonzales, Mayor

**RECORDING INFORMATION**

State of Nebraska) County of Red Willow)

Instrument No. \_\_\_\_\_

DATE: \_\_\_\_\_

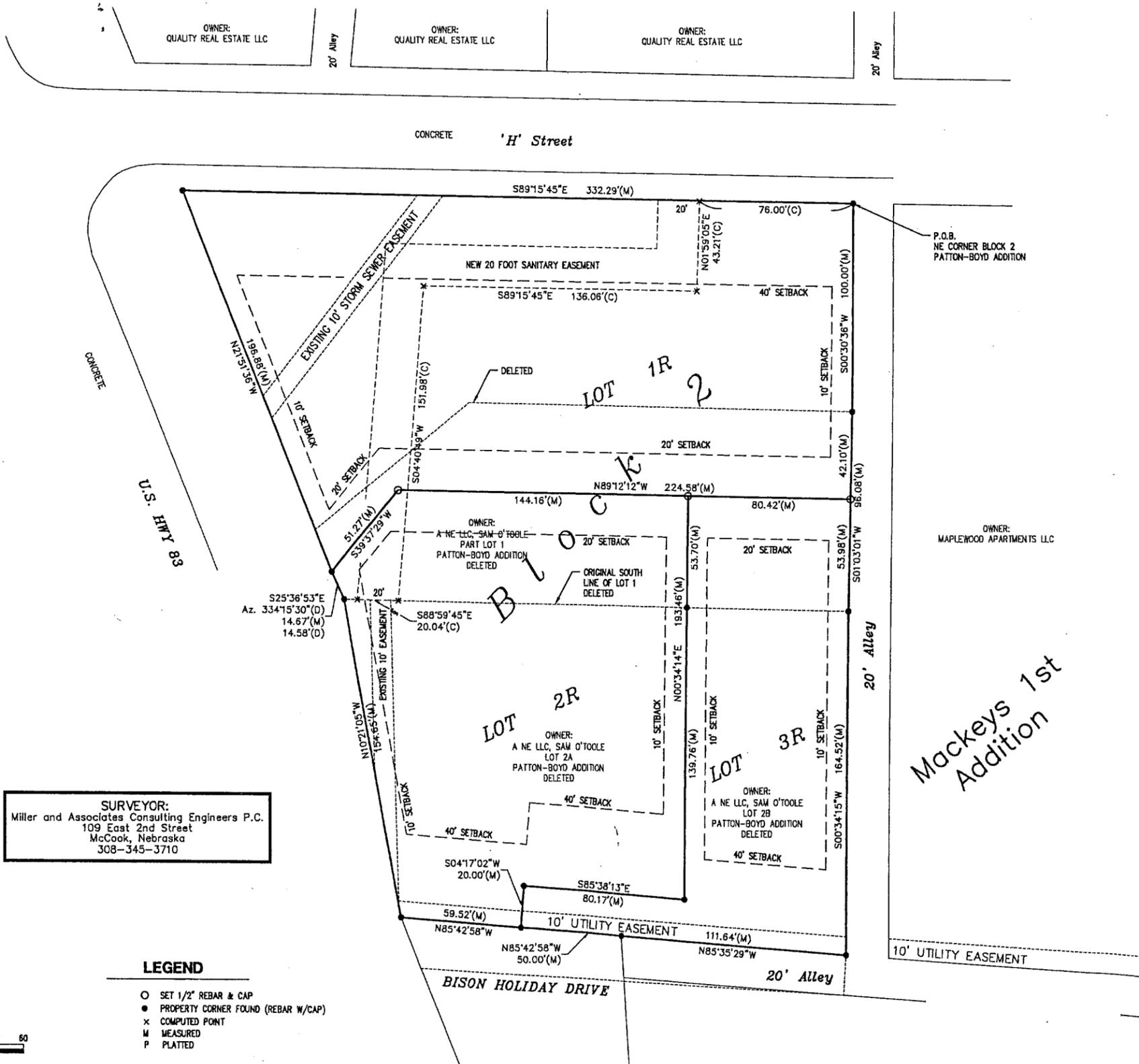
TIME: \_\_\_\_\_

Register of Deeds: Tamil Teel

# REPLAT No. 1 of BLOCK 2 PATTON-BOYD ADDITION TO THE CITY OF MCCOOK, RED WILLOW COUNTY, NEBRASKA

LOT 1 IS DELETED, LOT 2A AND LOT 2B ARE DELETED

NEW LOTS CREATED WILL BE LOT 1R, LOT 2R, LOT 3R BLOCK 2, PATTON-BOYD ADDITION TO THE CITY OF MCCOOK, RED WILLOW COUNTY NEBRASKA



**SURVEYOR:**  
Miller and Associates Consulting Engineers P.C.  
109 East 2nd Street  
McCook, Nebraska  
308-345-3710

**LEGEND**

- SET 1/2" REBAR & CAP
- PROPERTY CORNER FOUND (REBAR W/CAP)
- x COMPUTED POINT
- M MEASURED
- P PLATTED



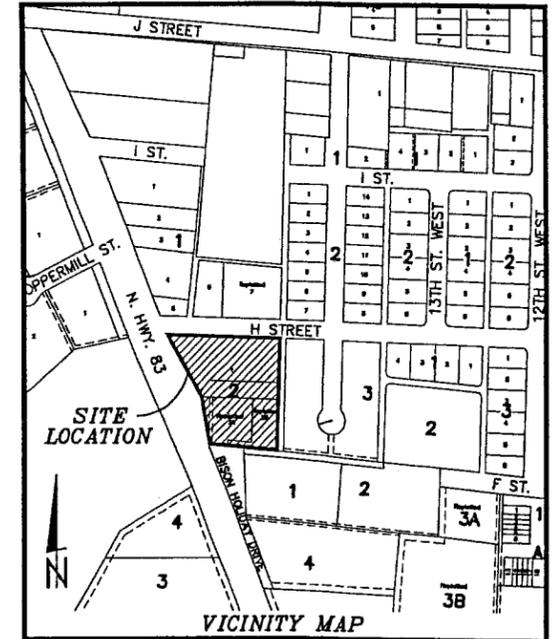
**SURVEYORS CERTIFICATE**

I hereby state that during the month of February, 2016 I surveyed a tract of land which is part of Block 2 Patton-Boyd Addition to the City of McCook, Red Willow County, Nebraska. This tract of land will now be referred to as REPLAT NO. 1, of BLOCK 2, PATTON-BOYD ADDITION to the City of McCook, Red Willow County Nebraska and is more particularly described as follows:

Beginning at the NE corner of Block 2, Patton-Boyd Addition, thence S00°30'36"W along the east line of Block 2 a distance of 100.00 feet; thence S01°03'01"W along the east line of Block 2 a distance of 96.08 feet; thence S00°34'15"W along the east line of Block 2 a distance of 164.52 feet to the SE corner of BLOCK 2; thence N85°35'29"W along the south line of BLOCK 2 a distance of 111.64 feet; thence N85°42'58"W along the south line of BLOCK 2 a distance of 109.52 feet to a point on the east right of way line of Highway 83; thence N10°21'05"W along said right of way line a distance of 154.65 feet; thence N25°36'53"W along said right of way line a distance of 14.67 feet; thence N21°51'36"W along said right of way line a distance of 196.88 feet to a point on the south right of way line of West "H" Street; thence S89°15'45"E along said right of way line a distance of 332.29 feet to the point of beginning;

Said tract containing 2.16 acres (94,122.24 Sq. Ft.), more or less, subject to any existing easements, right-of-ways or reservations of record.

GERHARD H. DICENTA, RLS 514



**OWNERS**

McCook Lodging LLC  
P.O. Box 3847  
McCook, Nebraska 69001  
Kirti Trivedi - Operating Partner

B&S Properties LLC  
705 North Hwy 83  
P.O. Box 994  
McCook, Nebraska 69001  
Samuel H O'Toole  
Bart J. Stromberger

**ZONED: HIGHWAY COMMERCIAL**

FRONT YARD SETBACK - 40'  
SIDE YARD SETBACK - 10'  
REAR SETBACK - 20'

**DEVELOPERS:**

McCook Lodging LLC  
P.O. Box 3847, McCook, Nebraska 69001  
Kirti Trivedi - Operating Partner

B&S Properties LLC  
P.O. Box 994, 705 North Highway 83  
Samuel H. Toole, Bart J. Stromberger

1/23/2016 2:50 PM  
 SAVES: 1/23/2016 2:50 PM  
 PLOT#: 1/23/2016 2:50 PM  
 © 2015 Miller & Associates Consulting Engineers, P.C. All rights reserved.

