

MCCOOK PLANNING COMMISSION

REGULAR MEETING

Monday - May 9, 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 March 14, 2016 regular meeting.
[pc 050916 minutes](#)
 2. Recommend to the City Council approval of changing the zoning designation of Lots 7 - 12, Block 8, Brown's Park Addition to the City of McCook, (a/k/a 305 East 12th Street), from Business Commercial (BC) to Residential Medium (RM) Density District.
[pc050916 pinkal](#)
 3. Select new officers for the term of April 2016 through March 2017 - Chair, Vice-Chair, and Secretary - pursuant to Chapter 35, Section 35.001 of the City of McCook Code of Ordinances.
[pc050916 officers](#)
- **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.

MCCOOK PLANNING COMMISSION

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 3. Select new officers for the term of April 2016 through March 2017 - Chair, Vice-Chair, and Secretary - pursuant to Chapter 35, Section 35.001 of the City of McCook Code of Ordinances.
- **Adjournment.**

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**CITY MANAGER'S REPORT
MAY 9, 2016**

ITEM: **1**

RECOMMENDATION:

Approve the minutes of the March 14, 2016 regular meeting.

BACKGROUND:

Receive and approve the minutes.

**FISCAL
IMPACT:** None.

RECOMMENDATION:

Approve the minutes of the March 14, 2016 regular meeting.

APPROVALS:



Lea Ann Doak, City Clerk

May 4, 2016

**MCCOOK PLANNING COMMISSION
REGULAR MEETING**

MINUTES

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

Present: Chair Vosburg; Vice Chair Dueland; Commissioners Garey-Vickers, Harpst, Lyons, Shipshock; City Manager Schneider; City Attorney Mustion; City Clerk Doak.

Absent: Commissioners Hilker, Stevens, Wolford, Siegfried.

Chair Vosburg 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 February 8, 2016 regular meeting.

Upon a motion by Commissioner Garey-Vickers, seconded by Commissioner Dueland, the Commission voted to approve the minutes of the February 8, 2016 meeting. The motion passed upon the following roll call vote: YEA: Vosburg, Dueland, Garey-Vickers, Harpst, Lyons, Shipshock. NAY: None. ABSENT: Hilker, Stevens, Wolford, Siegfried.

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

Upon a motion by Commissioner Vosburg, seconded by Commissioner Dueland, the Commission voted to recess as the Planning Commission and convene as a Hearing Board for the purpose of receiving public comment on 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: Vosburg, Dueland, Garey-Vickers, Harpst, Lyons, Shipshock. NAY: None. ABSENT: Hilker, Stevens, Wolford, Siegfried.

The City Attorney received into evidence Exhibit #1 - City Manager's Report prepared for the March 14, 2016 Planning Commission meeting (1 page); Exhibit #2 - Notice of Hearing published (1 page); Exhibit #3 - listing of property owners receiving advance notice of public hearing (2 pages); Exhibit #4 - map of Replat No. 1 of Block 2, 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. 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 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."

Developers Dr. Deepak Gangahar and Kirti Trivedi were present to address questions from the Commission.

No one else was present to comment.

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

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.

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

City Manager Schneider stated that nothing is currently scheduled for an April Planning Commission meeting.

Commissioner Vosburg noted that election of officers should be included on the agenda of the next meeting.

▪ **Adjournment.**

With no further business, Chair Vosburg declared the Planning Commission meeting adjourned at 5:26 P.M.

Lea Ann Doak
Recording Secretary

**CITY MANAGER'S REPORT
MAY 9, 2016 PLANNING COMMISSION MEETING**

ITEM NO. 2 Recommend approval of changing the zoning designation of Lots 7-12, Block 8, Brown's Park Addition to the City of McCook, (a/k/a 305 East 12th Street), from Business Commercial to Residential Medium Density District.

BACKGROUND:

An application to modify the zoning designation of property located at 305 East 12th Street and legally described as Lots 7-12, Block 8, Brown's Park Addition to the City of McCook, has been received. The applicants, Rob and Barbara Pinkal are requesting to change the zoning designation from Business Commercial to Residential Medium Density. The reason for the request is to allow the applicants to proceed with a building permit for a house and garage. The applicants purchased the property in 2012. Historically, this property did have a residence on it. It was demolished in approximately 2010 or 2011. The real estate at issue currently is flanked to the east and west by Business Commercial zones. The property is adjacent to Residential districts to the north.

On review of the area, there is a combination of business and residential structures. A change from Business Commercial to Residential Medium Density District would not negatively impact the layout of the area. Staff recommends approval of the application.

RECOMMENDATIONS:

ITEM NO. ___ Recommend approval of changing the zoning designation of Lots 7-12, Block 8, Brown's Park Addition to the City of McCook, (a/k/a 305 East 12th Street), from Business Commercial to Residential Medium Density District.

APPROVALS:



Nathan A. Schneider, City Manager

May 3, 2016



Lea Ann Doak, City Clerk

May 3, 2016

CITY OF McCOOK

LAND USE ACTION REQUEST FORM

This request is for a:
(Check all that apply)

- Zone Change
 Special Exception
 Administrative Permit (Personal Wireless Facility)
 Special Exception (Personal Wireless Facility)
 Minor Subdivision
 Major Subdivision
 Planned Development(Includes Zone Change)

Name of Project: _____

Description of Project: _____

Project sponsor or developer:

Name: _____

Address: _____

Phone number: _____

Fax number: _____

E-mail Address: _____

Land owner or owners:

Name: Rob & Barbara Pinkal

Address: 612 N 2nd St, Indianola NE 69034

Phone number: 308-737-8257 & 737-1435

Fax number: —

E-Mail Address: brpinkal@gmail.com

Authorization of the land use action by land owner:

I hereby certify that I own and/or control the following land where the land use action is being requested. (Attach evidence of ownership or control. e.g. power of attorney, deed, or purchase agreement)

Rob Pinkal
Printed Name:

Barbara Pinkal
Printed Name:

Rob Pinkal
Signature:

Barbara Pinkal
Signature:

4-4-16
Date:

Address and physical location of the Proposed Land Use Action: 305 E. 12th St, McCook
Brown's Park Addition, McCook Blk 8, Lots 7-12, Section T3 R 29 W Sec 28
Property Description (Of the parent parcel for subdivisions): _____

Required Information:

See Attached sheets for required information for:

- _____ Subdivisions
- _____ Zone Changes and special exceptions
- _____ Planned developments

FEE PAID: \$ _____ (See attached schedule of fees)

Fee, complete application, and required attachments accepted by:

Printed name	Signature	Date
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REQUIRED ATTACHMENTS:

For Zone Changes and Special Exceptions:

(For Zone Changes or Amendments see Article 27 of the Zoning Ordinance; for Special Exceptions see Article 24 Special Exceptions)

✓ Include a description of the reason for the request for a change of zone:

Requesting zone change from business commercial to residential.
If granted, we will proceed with a building permit for a house
and garage (out of flood plain, of course).

_____ Include a description of any special exception requested including the section of the zoning ordinance under which it is requested: (Example: Special exception to construct multi-family dwellings in (RM) Residential Medium Density area comprised of single family dwellings.)

_____ Include a site plan (minimum 17" X 11") and a letter of explanation showing and explaining the following special exception requirements:

- (A) ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe;
- (B) off-street parking and loading areas where required, with particular attention to the items in (A) above, the economic, noise, glare or odor effects of the special exception or change of zone on adjoining properties and the properties generally in the district or the area;
- (C) the location of refuse and service areas, with particular reference to the items in (A) and (B) above;
- (D) utilities, with reference to locations, availability, and compatibility;
- (E) screening and buffering with reference to type, dimensions, and character;
- (F) signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district;

(G) required yards and other open space;

(H) general compatibility with adjacent properties and other properties in the district.

_____ Explain how the project complies with the Comprehensive Plan: _____

FINDINGS AND DETERMINATIONS OF MCCOOK CITY COUNCIL

CASE NO. _____

SIGNED: _____
Mayor

DATE _____

ATTEST: _____
City Clerk

SPECIAL EXCEPTION CONSIDERATIONS:

YES

NO

1. The proposed special exception use would satisfactorily provide for:

a) ingress and egress to property and proposed structures thereon with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe;

b) off street parking and loading areas where required, with particular attention to the items in a) above, and the economic, noise, glare, or odor effects of the special exception on adjoining properties and properties generally in the district;

c) refuse and service areas, with particular attention to the items in a) and b) above;

d) utilities, with reference to locations, availability and compatibility;

e) screening and buffering with reference to type, dimensions and character;

f) signs, if any, and proposed exterior lighting with reference to glare, traffic safety and economic effect and comparability and harmony with properties in the district;

g) required yard and other open space;

h) general compatibility with adjacent properties and other property in the district.

i) Compatibility with existing and future land use plan in the McCook Comprehensive Plan.

2. The specific rules governing special exceptions have been complied with.

CITY COUNCIL FINDINGS AND DECISION:

The McCook City Council hereby determines that the special exception will _____, will not _____ adversely affect the public interest. The special exception herein requested is _____, is not _____ hereby granted subject to the stipulations noted below, if any.

THIS _____ DAY OF _____, 2014.

**CITY MANAGER'S REPORT
MAY 9, 2016 PLANNING COMMISSION MEETING**

ITEM: **3**

RECOMMENDATION:

Select new officers for the term of April 2016 through March 2017 - Chair, Vice-Chair, and Secretary - pursuant to Chapter 35, Section 35.001 of the City of McCook Code of Ordinances.

BACKGROUND:

Current officers are Kurt Vosburg, Chair; Dale Dueland, Vice-Chair; and Adam Wolford, Secretary. They were elected at the February 9, 2015 meeting for the term of April 2015 through March 2016.

**FISCAL
IMPACT:** None.

RECOMMENDATION:

Select new officers for the term of April 2016 through March 2017 - Chair, Vice-Chair, and Secretary - pursuant to Chapter 35, Section 35.001 of the City of McCook Code of Ordinances.

APPROVALS:



Lea Ann Doak, City Clerk

May 4, 2016