

Planning Commission
Monday, November 14, 2022 7:00 PM
Council Chambers
2500 14 Street
Columbus, NE 68601

The Mayor and City Council reserve the right to go into closed session as per Section 84-1410 of the Nebraska Revised Statutes. A current agenda is on file at the office of the city clerk at City Hall, 2500 14 Street, Columbus, Nebraska. For more information, call 402-562-4224 or visit our website at www.columbusne.us.

- 1. Statement of Compliance with Open Meetings Act and roll call.**

Open Meetings Act

Neb. Rev. Stat. § 84-1407. Act, how cited.

Sections 84-1407 to 84-1414 shall be known and may be cited as the Open Meetings Act.

Neb. Rev. Stat. § 84-1408. Declaration of intent; meetings open to public.

It is hereby declared to be the policy of this state that the formation of public policy is public business and may not be conducted in secret.

Every meeting of a public body shall be open to the public in order that citizens may exercise their democratic privilege of attending and speaking at meetings of public bodies, except as otherwise provided by the Constitution of Nebraska, federal statutes, and the Open Meetings Act.

Neb. Rev. Stat. § 84-1409. Terms, defined.

For purposes of the Open Meetings Act, unless the context otherwise requires:

(1)(a) Public body means (i) governing bodies of all political subdivisions of the State of Nebraska, (ii) governing bodies of all agencies, created by the Constitution of Nebraska, statute, or otherwise pursuant to law, of the executive department of the State of Nebraska, (iii) all independent boards, commissions, bureaus, committees, councils, subunits, or any other bodies created by the Constitution of Nebraska, statute, or otherwise pursuant to law, (iv) all study or advisory committees of the executive department of the State of Nebraska whether having continuing existence or appointed as special committees with limited existence, (v) advisory committees of the bodies referred to in subdivisions (i), (ii), and (iii) of this subdivision, and (vi) instrumentalities exercising essentially public functions; and

(b) Public body does not include (i) subcommittees of such bodies unless a quorum of the public body attends a subcommittee meeting or unless such subcommittees are holding hearings, making policy, or taking formal action on behalf of their parent body, except that all meetings of any subcommittee established under section 81-15,175 are subject to the Open Meetings Act, and (ii) entities conducting judicial proceedings unless a court or other judicial body is exercising rulemaking authority, deliberating, or deciding upon the issuance of administrative orders;

(2) Meeting means all regular, special, or called meetings, formal or informal, of any public body for the purposes of briefing, discussion of public business, formation of tentative policy, or the taking of any action of the public body; and

(3) Virtual conferencing means conducting or participating in a meeting electronically or telephonically with interaction among the participants subject to subsection (2) of section 84-1412.

Neb. Rev. Stat. § 84-1410. Closed session; when; purpose; reasons listed; procedure; right to challenge; prohibited acts; chance meetings, conventions, or workshops.

(1) Any public body may hold a closed session by the affirmative vote of a majority of its voting members if a closed session is clearly necessary for the protection of the public interest or for the prevention of needless injury to the reputation of an individual and if such

individual has not requested a public meeting. The subject matter and the reason necessitating the closed session shall be identified in the motion to close. Closed sessions may be held for, but shall not be limited to, such reasons as:

(a) Strategy sessions with respect to collective bargaining, real estate purchases, pending litigation, or litigation which is imminent as evidenced by communication of a claim or threat of litigation to or by the public body;

(b) Discussion regarding deployment of security personnel or devices;

(c) Investigative proceedings regarding allegations of criminal misconduct;

(d) Evaluation of the job performance of a person when necessary to prevent needless injury to the reputation of a person and if such person has not requested a public meeting;

(e) For the Community Trust created under section 81-1801.02, discussion regarding the amounts to be paid to individuals who have suffered from a tragedy of violence or natural disaster; or

(f) For public hospitals, governing board peer review activities, professional review activities, review and discussion of medical staff investigations or disciplinary actions, and any strategy session concerning transactional negotiations with any referral source that is required by federal law to be conducted at arms length.

Nothing in this section shall permit a closed meeting for discussion of the appointment or election of a new member to any public body.

(2) The vote to hold a closed session shall be taken in open session. The entire motion, the vote of each member on the question of holding a closed session, and the time when the closed session commenced and concluded shall be recorded in the minutes. If the motion to close passes, then the presiding officer immediately prior to the closed session shall restate on the record the limitation of the subject matter of the closed session. The public body holding such a closed session shall restrict its consideration of matters during the closed portions to only those purposes set forth in the motion to close as the reason for the closed session. The meeting shall be reconvened in open session before any formal action may be taken. For purposes of this section, formal action shall mean a collective decision or a collective commitment or promise to make a decision on any question, motion, proposal, resolution, order, or ordinance or formation of a position or policy but shall not include negotiating guidance given by members of the public body to legal counsel or other negotiators in closed sessions authorized under subdivision (1)(a) of this section.

(3) Any member of any public body shall have the right to challenge the continuation of a closed session if the member determines that the session has exceeded the reason stated in the original motion to hold a closed session or if the member contends that the closed session is neither clearly necessary for (a) the protection of the public interest or (b) the prevention of needless injury to the reputation of an individual. Such challenge shall be overruled only by a majority vote of the

members of the public body. Such challenge and its disposition shall be recorded in the minutes.

(4) Nothing in this section shall be construed to require that any meeting be closed to the public. No person or public body shall fail to invite a portion of its members to a meeting, and no public body shall designate itself a subcommittee of the whole body for the purpose of circumventing the Open Meetings Act. No closed session, informal meeting, chance meeting, social gathering, email, fax, or other electronic communication shall be used for the purpose of circumventing the requirements of the act.

(5) The act does not apply to chance meetings or to attendance at or travel to conventions or workshops of members of a public body at which there is no meeting of the body then intentionally convened, if there is no vote or other action taken regarding any matter over which the public body has supervision, control, jurisdiction, or advisory power.

Neb. Rev. Stat. § 84-1411. Meetings of public body; notice; method; contents; when available; right to modify; duties concerning notice; virtual meetings authorized; emergency meeting without notice; appearance before public body.

(1)(a) Each public body shall give reasonable advance publicized notice of the time and place of each meeting as provided in this subsection. Such notice shall be transmitted to all members of the public body and to the public.

(b)(i) Except as provided in subdivision (1)(b)(ii) of this section, in the case of a public body described in subdivision (1)(a)(i) of section 84-1409 or such body's advisory committee, such notice shall be published in a newspaper of general circulation within the public body's jurisdiction and, if available, on such newspaper's web site.

(ii) In the case of the governing body of a city of the second class or village or such body's advisory committee, such notice shall be published by:

(A) Publication in a newspaper of general circulation within the public body's jurisdiction and, if available, on such newspaper's web site; or

(B) Posting written notice in three conspicuous public places in such city or village. Such notice shall be posted in the same three places for each meeting.

(iii) In the case of a public body not described in subdivision (1)(b)(i) or (ii) of this section, such notice shall be given by a method designated by the public body.

(c) In addition to a method of notice required by subdivision (1)(b)(i) or (ii) of this section, such notice may also be provided by any other appropriate method designated by such public body or such advisory committee.

(d) Each public body shall record the methods and dates of such notice in its minutes.

(e) Such notice shall contain an agenda of subjects known at the time of the publicized notice or a statement that the agenda, which shall be kept continually current, shall be readily available for public inspection at the principal office of the public body during normal business hours. Agenda items shall be sufficiently descriptive to give the public reasonable notice of the matters to be considered at the

meeting. Except for items of an emergency nature, the agenda shall not be altered later than (i) twenty-four hours before the scheduled commencement of the meeting or (ii) forty-eight hours before the scheduled commencement of a meeting of a city council or village board scheduled outside the corporate limits of the municipality. The public body shall have the right to modify the agenda to include items of an emergency nature only at such public meeting.

(2)(a) The following entities may hold a meeting by means of virtual conferencing if the requirements of subdivision (2)(b) of this section are met:

(i) A state agency, state board, state commission, state council, or state committee, or an advisory committee of any such state entity;

(ii) An organization, including the governing body, created under the Interlocal Cooperation Act, the Joint Public Agency Act, or the Municipal Cooperative Financing Act;

(iii) The governing body of a public power district having a chartered territory of more than one county in this state;

(iv) The governing body of a public power and irrigation district having a chartered territory of more than one county in this state;

(v) An educational service unit;

(vi) The Educational Service Unit Coordinating Council;

(vii) An organization, including the governing body, of a risk management pool or its advisory committees organized in accordance with the Intergovernmental Risk Management Act;

(viii) A community college board of governors;

(ix) The Nebraska Brand Committee;

(x) A local public health department;

(xi) A metropolitan utilities district;

(xii) A regional metropolitan transit authority;

(xiii) A natural resources district; and

(xiv) The Judicial Resources Commission.

(b) The requirements for holding a meeting by means of virtual conferencing are as follows:

(i) Reasonable advance publicized notice is given as provided in subsection (1) of this section, including providing access to a dial-in number or link to the virtual conference;

(ii) In addition to the public's right to participate by virtual conferencing, reasonable arrangements are made to accommodate the public's right to attend at a physical site and participate as provided in section 84-1412, including reasonable seating, in at least one designated site in a building open to the public and identified in the notice, with: At least one member of the entity holding such meeting, or his or her designee, present at each site; a recording of the hearing by audio or visual recording devices; and a reasonable opportunity for input, such as public comment or questions, is provided to at least the same extent as

would be provided if virtual conferencing was not used;

(iii) At least one copy of all documents being considered at the meeting is available at any physical site open to the public where individuals may attend the virtual conference. The public body shall also provide links to an electronic copy of the agenda, all documents being considered at the meeting, and the current version of the Open Meetings Act; and

(iv) Except as otherwise provided in this subdivision or subsection (4) of section 79-2204, no more than one-half of the meetings of the state entities, advisory committees, boards, councils, organizations, or governing bodies are held by virtual conferencing in a calendar year. In the case of an organization created under the Interlocal Cooperation Act that sells electricity or natural gas at wholesale on a multistate basis or an organization created under the Municipal Cooperative Financing Act, the organization may hold more than one-half of its meetings by virtual conferencing if such organization holds at least one meeting each calendar year that is not by virtual conferencing. The governing body of a risk management pool that meets at least quarterly and the advisory committees of the governing body may each hold more than one-half of its meetings by virtual conferencing if the governing body's quarterly meetings are not held by virtual conferencing.

(3) Virtual conferencing, emails, faxes, or other electronic communication shall not be used to circumvent any of the public government purposes established in the Open Meetings Act.

(4) The secretary or other designee of each public body shall maintain a list of the news media requesting notification of meetings and shall make reasonable efforts to provide advance notification to them of the time and place of each meeting and the subjects to be discussed at that meeting.

(5) When it is necessary to hold an emergency meeting without reasonable advance public notice, the nature of the emergency shall be stated in the minutes and any formal action taken in such meeting shall pertain only to the emergency. Such emergency meetings may be held by virtual conferencing. The provisions of subsection (4) of this section shall be complied with in conducting emergency meetings. Complete minutes of such emergency meetings specifying the nature of the emergency and any formal action taken at the meeting shall be made available to the public by no later than the end of the next regular business day.

(6) A public body may allow a member of the public or any other witness to appear before the public body by means of virtual conferencing.

(7)(a) Notwithstanding subsections (2) and (5) of this section, if an emergency is declared by the Governor pursuant to the Emergency Management Act as defined in section 81-829.39, a public body the territorial jurisdiction of which is included in the emergency declaration, in whole or in part, may hold a meeting by virtual conferencing during such emergency if the public body gives reasonable advance publicized notice as described in subsection (1) of this section. The notice shall include information regarding access for the public and news media. In addition to any formal action taken pertaining to the emergency, the public body may hold such meeting for the purpose of briefing, discussion of public business, formation of tentative policy, or the taking of any action by the public body.

(b) The public body shall provide access by providing a dial-in
Open Meetings Act

number or a link to the virtual conference. The public body shall also provide links to an electronic copy of the agenda, all documents being considered at the meeting, and the current version of the Open Meetings Act. Reasonable arrangements shall be made to accommodate the public's right to hear and speak at the meeting and record the meeting. Subsection (4) of this section shall be complied with in conducting such meetings.

(c) The nature of the emergency shall be stated in the minutes. Complete minutes of such meeting specifying the nature of the emergency and any formal action taken at the meeting shall be made available for inspection as provided in subsections (5) and (6) of section 84-1413.

Neb. Rev. Stat. § 84-1412. Meetings of public body; rights of public; public body; powers and duties.

(1) Subject to the Open Meetings Act, the public has the right to attend and the right to speak at meetings of public bodies, and all or any part of a meeting of a public body, except for closed sessions called pursuant to section 84-1410, may be videotaped, televised, photographed, broadcast, or recorded by any person in attendance by means of a tape recorder, a camera, video equipment, or any other means of pictorial or sonic reproduction or in writing.

(2) It shall not be a violation of subsection (1) of this section for any public body to make and enforce reasonable rules and regulations regarding the conduct of persons attending, speaking at, videotaping, televising, photographing, broadcasting, or recording its meetings, including meetings held by virtual conferencing. A body may not be required to allow citizens to speak at each meeting, but it may not forbid public participation at all meetings.

(3) No public body shall require members of the public to identify themselves as a condition for admission to the meeting nor shall such body require that the name of any member of the public be placed on the agenda prior to such meeting in order to speak about items on the agenda. The body shall require any member of the public desiring to address the body to identify himself or herself, including an address and the name of any organization represented by such person unless the address requirement is waived to protect the security of the individual.

(4) No public body shall, for the purpose of circumventing the Open Meetings Act, hold a meeting in a place known by the body to be too small to accommodate the anticipated audience.

(5) No public body shall be deemed in violation of this section if it holds its meeting in its traditional meeting place which is located in this state.

(6) No public body shall be deemed in violation of this section if it holds a meeting outside of this state if, but only if:

(a) A member entity of the public body is located outside of this state and the meeting is in that member's jurisdiction;

(b) All out-of-state locations identified in the notice are located within public buildings used by members of the entity or at a place which will accommodate the anticipated audience;

(c) Reasonable arrangements are made to accommodate the public's right to attend, hear, and speak at the meeting, including making virtual conferencing available at an in-state location to members, the public, or the press, if requested twenty-four hours in advance;

(d) No more than twenty-five percent of the public body's meetings in a calendar year are held out-of-state;

(e) Out-of-state meetings are not used to circumvent any of the public government purposes established in the Open Meetings Act; and

(f) The public body publishes notice of the out-of-state meeting at least twenty-one days before the date of the meeting in a legal newspaper of statewide circulation.

(7) Each public body shall, upon request, make a reasonable effort to accommodate the public's right to hear the discussion and testimony presented at a meeting.

(8) Public bodies shall make available at the meeting or the in-state location for virtual conferencing as required by subdivision (6)(c) of this section, for examination and copying by members of the public, at least one copy of all reproducible written material to be discussed at an open meeting, either in paper or electronic form. Public bodies shall make available at least one current copy of the Open Meetings Act posted in the meeting room at a location accessible to members of the public. At the beginning of the meeting, the public shall be informed about the location of the posted information.

Neb. Rev. Stat. § 84-1413. Meetings; minutes; roll call vote; secret ballot; when.

(1) Each public body shall keep minutes of all meetings showing the time, place, members present and absent, and the substance of all matters discussed.

(2) Any action taken on any question or motion duly moved and seconded shall be by roll call vote of the public body in open session, and the record shall state how each member voted or if the member was absent or not voting. The requirements of a roll call or viva voce vote shall be satisfied by a public body which utilizes an electronic voting device which allows the yeas and nays of each member of such public body to be readily seen by the public.

(3) The vote to elect leadership within a public body may be taken by secret ballot, but the total number of votes for each candidate shall be recorded in the minutes.

(4) The minutes of all meetings and evidence and documentation received or disclosed in open session shall be public records and open to public inspection during normal business hours.

(5) Minutes shall be written, except as provided in subsection (6) of this section, and available for inspection within ten working days or prior to the next convened meeting, whichever occurs earlier, except that cities of the second class and villages may have an additional ten working days if the employee responsible for writing the minutes is absent due to a serious illness or emergency.

(6) Minutes of the meetings of the board of a school district or educational service unit may be kept as an electronic record.

(7) Beginning July 31, 2022, the governing body of a natural resources district, the city council of a city of the metropolitan class, the city council of a city of the primary class, the city council of a city of the first class, the county board of a county with a population greater than twenty-five thousand inhabitants, and the school board of a school district shall make available on such entity's public web site the agenda and minutes of any meeting of the governing body. The agenda shall be placed on the web site at least twenty-four hours before the meeting of

the governing body. Minutes shall be placed on the web site at such time as the minutes are available for inspection as provided in subsection (5) of this section. This information shall be available on the public web site for at least six months.

Neb. Rev. Stat. § 84-1414. Unlawful action by public body; declared void or voidable by district court; when; duty to enforce open meeting laws; citizen's suit; procedure; violations; penalties.

(1) Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in violation of the Open Meetings Act shall be declared void by the district court if the suit is commenced within one hundred twenty days of the meeting of the public body at which the alleged violation occurred. Any motion, resolution, rule, regulation, ordinance, or formal action of a public body made or taken in substantial violation of the Open Meetings Act shall be voidable by the district court if the suit is commenced more than one hundred twenty days after but within one year of the meeting of the public body in which the alleged violation occurred. A suit to void any final action shall be commenced within one year of the action.

(2) The Attorney General and the county attorney of the county in which the public body ordinarily meets shall enforce the Open Meetings Act.

(3) Any citizen of this state may commence a suit in the district court of the county in which the public body ordinarily meets or in which the plaintiff resides for the purpose of requiring compliance with or preventing violations of the Open Meetings Act, for the purpose of declaring an action of a public body void, or for the purpose of determining the applicability of the act to discussions or decisions of the public body. It shall not be a defense that the citizen attended the meeting and failed to object at such time. The court may order payment of reasonable attorney's fees and court costs to a successful plaintiff in a suit brought under this section.

(4) Any member of a public body who knowingly violates or conspires to violate or who attends or remains at a meeting knowing that the public body is in violation of any provision of the Open Meetings Act shall be guilty of a Class IV misdemeanor for a first offense and a Class III misdemeanor for a second or subsequent offense.

Neb. Rev. Stat. § 84-1415. Open Meetings Act; requirements; waiver; validity of action.

No motion, resolution, rule, regulation, ordinance, or formal action made, adopted, passed, or taken at a meeting as defined in section 84-1409 of a public body as defined in such section shall be invalidated because such motion, resolution, rule, regulation, ordinance, or formal action was made, adopted, passed, or taken at a meeting or meetings on or after March 17, 2020, and on or before April 30, 2021, pursuant to a Governor's Executive Order which waived certain requirements of the Open Meetings Act.

2. Minutes of September 12, 2022, meeting.

PLANNING COMMISSION
September 12, 2022

A meeting of the Planning Commission of the City of Columbus, Nebraska, was convened in open and public session on September 12, 2022, at 7 p.m. in the Council Chambers, 1369 25 Avenue, Columbus, Nebraska.

Notice of this meeting was given in advance thereof by publication in the Columbus Telegram on August 31, 2022, with a copy of the proof of publication being on file in the office of the city clerk. Availability of the agenda was communicated in the advance notice and in the notice to the mayor, members of the city council, and members of the planning commission of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the public.

- 1. Statement of Compliance with Open Meetings Act and Roll Call:** Chair Mueller announced that a copy of the Open Meetings Act is available at this meeting. Present were members Steve Anderson, Kim Hoefler, Fernando Lopez, Jr., Josh Mueller, and Tom Pillen. Bob Elsasser and Tom Lange were absent and excused. Members Colleen Bray and Melissa Goc were absent. City staff members included City Administrator Tara Vasicek, City Attorney Gene Schumacher, City Engineer Rick Bogus, City Clerk Janelle Kline, and Assistant City Clerk Kelli Keyes. Also present was Mayor James Bulkley.
- 2. Minutes of August 8, 2022, meeting:** The minutes were approved as presented with a motion by Anderson and a second by Lopez. Anderson, Hoefler, Lopez, Mueller, and Pillen voted "Aye" and none voted "Nay". Bray, Elsasser, Goc, and Lange were absent.
- 3. Public hearing – Receive public comment and consider a recommendation on a blight and substandard study by Marvin Panning Consultants for Area 12 (east of 48 Avenue between 34 Street and 36 Street).** Keith Marvin, with Marvin Planning Consultants, explained that improving the area with affordable housing apartments, trails, and parks would help with the housing shortage and draw people to the community while increasing the value of the area. No public testimony was heard. The public hearing closed with a motion by Lopez and a second by Anderson. Anderson, Hoefler, Lopez, Mueller, and Pillen voted "Aye" and none voted "Nay". Bray, Elsasser, Goc, and Lange were absent. A recommendation was made with a motion by Anderson and a second by Lopez to declare the area as blighted and substandard and in need of redevelopment pursuant to the Community Development Law. Anderson, Hoefler, Lopez, Mueller, and Pillen voted "Aye" and none voted "Nay". Bray, Elsasser, Goc, and Lange were absent.
- 4. Public hearing – Receive public comment and consider a recommendation on a blight and substandard study prepared by RDG Planning & Design for Area 11 (southeast of intersection of 1 Street and S 14 Avenue).** Quelbin

Izaguirre, with NeighborWorks Northeast Nebraska, explained the plans to develop 80 lots for low-income to workforce-income families and said the area will need to be platted and rezoned prior to development. No public testimony was heard. The public hearing closed with a motion by Anderson and a second by Lopez. Anderson, Hoefler, Lopez, Mueller, and Pillen voted "Aye" and none voted "Nay". Bray, Elsasser, Goc, and Lange were absent. A recommendation was made with a motion by Lopez and a second by Anderson to declare the area as blighted and substandard and in need of redevelopment pursuant to the Community Development Law. Anderson, Hoefler, Lopez, Mueller, and Pillen voted "Aye" and none voted "Nay". Bray, Elsasser, Goc, and Lange were absent.

5. **Building report for August 2022.** Bogus noted that permit fees for the fieldhouse are included in this report.
6. **Adjournment:** The meeting adjourned at 7:13 p.m.

OFFICE OF THE CITY CLERK

: Janelle Kline

3. **Public hearing - Redevelopment Plan for Innate Concepts Redevelopment Project located east of 48 Avenue, between 34 Street and 36 Street.**
4. **Public hearing - Application of Foreman Properties, LLC for preliminary plat of West Oak Addition (Northwest corner of the intersection of U.S. Hwy. 81 and 63 Avenue).**

**NOTICE OF HEARING
TO ALL PARTIES IN INTEREST AND CITIZENS OF
COLUMBUS, NEBRASKA**

You are hereby notified that a public hearing before the Planning Commission of the City of Columbus, Nebraska, will be held on Monday, November 14, 2022, at 7 p.m. in the Council Chambers, 1369 25th Avenue, Columbus, Nebraska, on the preliminary plat of West Oak Addition, a tract of land located in the east 500 feet of the SE 1/4 of the SE 1/4 located north of the north right-of-way line of U.S. Highway No. 81 in Section 10, T17N, R1W of the 6th P.M., Platte County, Nebraska, more particularly described as follows: Beginning at the northeast corner of the SE 1/4 of the SE 1/4 of Section 10, T17N, R1W of the 6th P.M., Platte County, Nebraska, and assuming the east line of said SE 1/4 of the SE 1/4 to have a bearing of S 00°30'27" E; thence S 00°30'27" E, on the east line of said SE 1/4 of the SE 1/4, a distance of 1038.50 feet to the north right-of-way line of said highway; thence S 89°29'33" W, on said north right-of-way line, a distance of 33.00 feet; thence S 17°35'28" W, on said north right-of-way line, a distance of 189.37 feet; thence N 50°45'40" W, on said north right-of-way line, a distance of 531.06 feet; thence N 00°30'17" W, a distance of 885.97 feet to the north line of said SE 1/4 of SE 1/4; thence S 89°42'10" E, on the north line of said SE 1/4 of the SE 1/4, a distance of 500.15 feet, to the point of beginning, containing 12.18 acres, more or less (Northwest corner of the intersection of U.S. Hwy. No.81 and 63rd Avenue) and at said time and place you may appear and be heard.

CITY OF COLUMBUS, NEBRASKA
Janelle Kline, City Clerk

Publish: 11:03:22
Two Affidavits of Publication

The City of **Columbus**

MEMORANDUM

DATE: November 10, 2022
FROM : Richard J. Bogus, City Engineer
TO: Tara Vasicek, City Administrator
RE: West Oaks Addition – Preliminary Plat

RECOMMENDATION:

I recommend the approval of the preliminary plat of West Oaks Addition as it is amenable with the adjacent land use, and is in accordance with the Unified Land Development Ordinance.

DISCUSSION:

The addition consists of 5 commercial lots which are being rezoned and will be annexed into the city. Access will be from two locations off of 63rd Avenue, the main one will be a roundabout interconnected with an ingress/egress easement. No direct access off of US Hwy 81 (Howard Boulevard). Concrete sidewalks will be required along 63rd Avenue and a concrete trail along US Hwy No. 81.

Individual properties will be required to provide the storm water treatment and detention requirements with overflow connections to 63rd Avenue.

Water, sanitary sewer, paving, and storm on 63rd Avenue by others.

FISCAL IMPACT:

Minor costs for street and utility maintenance.

ALTERNATIVE:

Do not approve.

SIGNATURE:

By: Richard J. Bogus

Approved By: 

**MAJOR APPLICATION
FOR SUBDIVISION OR ADDITION
PRELIMINARY PLAT / FINAL
(CIRCLE ONE)**

DATE: October 24, 2022

NAME OF SUBDIVISION: West Oak Addition

NAME OF PROPERTY OWNER: Foreman Properties LLC

CONTACT INFORMATION:

NAME OF REPRESENTATIVE OR PROPERTY OWNER: Lynn Birkel

ADDRESS OF REPRESENTATIVE OR PROPERTY OWNER: 2670 33rd Avenue, Columbus, NE 68601

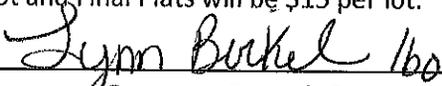
PHONE NUMBER: 402-564-2807

REPRESENTATIVE OR PROPERTY OWNER E-MAIL: lbirkel@gilmore-engineering.com

NUMBER OF LOTS IN SUBDIVISION: 4

ADDRESS OF SUBDIVISION: Northwest corner of the intersection of U.S. Hwy. No. 81 and 63rd Avenue

I hereby apply for a Major Subdivision / Addition and have paid \$300.00 application fee plus additional lot review fees - Preliminary Plats will be \$20 per lot and Final Plats will be \$15 per lot.



Owner or Owner's Representative

Tom Maul

Attorney / Legal Counsel for Applicant

Development Agreement submitted on: _____

City Attorney
Neal Valorz – nvalorz@1492law.com
Gene G. Schumacher – gschum@1492law.com

CITY COUNCIL APPROVAL

This preliminary plat of WEST OAK ADDITION to the City of Columbus, Nebraska, approved by the City Council this _____ day of _____, 2022.

Mayor _____ City Clerk _____

PLANNING COMMISSION

This preliminary plat of WEST OAK ADDITION to the City of Columbus, Nebraska, approved by the Planning Commission this _____ day of _____, 2022.

Chairman _____

LEGAL DESCRIPTION

The east 500 feet of the SE 1/4 of the SE 1/4 located north of the north right-of-way line of U.S. Highway No. 81 in Section 10, T17N, R1W of the 6th P.M., Platte County, Nebraska, more particularly described as follows: Beginning at the northeast corner of the SE 1/4 of the SE 1/4 of Section 10, T17N, R1W of the 6th P.M., Platte County, Nebraska, and assuming the east line of said SE 1/4 of the SE 1/4 to have a bearing of S 00°30'27" E; thence S 00°30'27" E, on the east line of said SE 1/4 of the SE 1/4, a distance of 1038.50 feet to the north right-of-way line of said highway; thence S 89°29'33" W, on said north right-of-way line, a distance of 33.00 feet; thence S 17°35'28" W, on said north right-of-way line, a distance of 189.37 feet; thence N 50°45'40" W, on said north right-of-way line, a distance of 531.06 feet; thence N 00°30'17" W, a distance of 885.97 feet to the north line of said SE 1/4 of SE 1/4; thence S 89°42'10" E, on the north line of said SE 1/4 of the SE 1/4, a distance of 500.15 feet, to the point of beginning, containing 12.18 acres, more or less.

SURVEYOR'S CERTIFICATE

I, Lynn D. Birkel, a Registered Land Surveyor of the State of Nebraska, hereby certify that this Preliminary Plat of WEST OAK ADDITION was made under my direction.

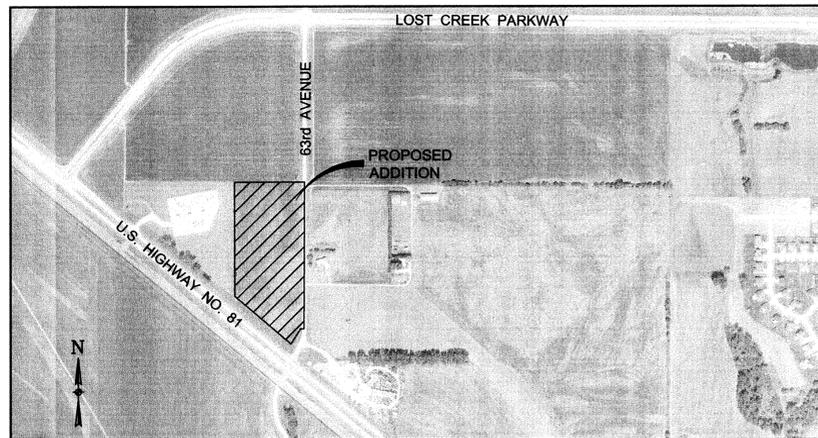
Signed this 24th day of OCTOBER, 2022.



Lynn D. Birkel, Nebraska L.S. #497
Gilmore & Associates, Inc.

PRELIMINARY PLAT
WEST OAK ADDITION

A SUBDIVISION OF PART OF THE SE 1/4, OF THE SE 1/4
OF SECTION 10, T17N, R1W OF THE 6th P.M.,
PLATTE COUNTY, NEBRASKA



KEY MAP
1" = 600'

REQUIRED STORM WATER DETENTION VOLUMES

- LOT 1 = 5,721 CUBIC FEET
- LOT 2 = 4,121 CUBIC FEET
- LOT 3 = 4,121 CUBIC FEET
- LOT 4 = 4,121 CUBIC FEET
- LOT 5 = 10,365 CUBIC FEET

NOTES:

- 1) STORMWATER DETENTION POND SHOWN FOR ILLUSTRATIVE PURPOSES ONLY. ACTUAL SIZE AND LOCATION TO BE DESIGNED BY OTHERS AND APPROVED BY THE CITY OF COLUMBUS.
- 2) ALL 63RD AVENUE WATER, SANITARY SEWER, STORM SEWER, AND PAVING IMPROVEMENTS ARE CURRENTLY BEING DESIGNED/CONSTRUCTED BY OTHERS.

LEGEND

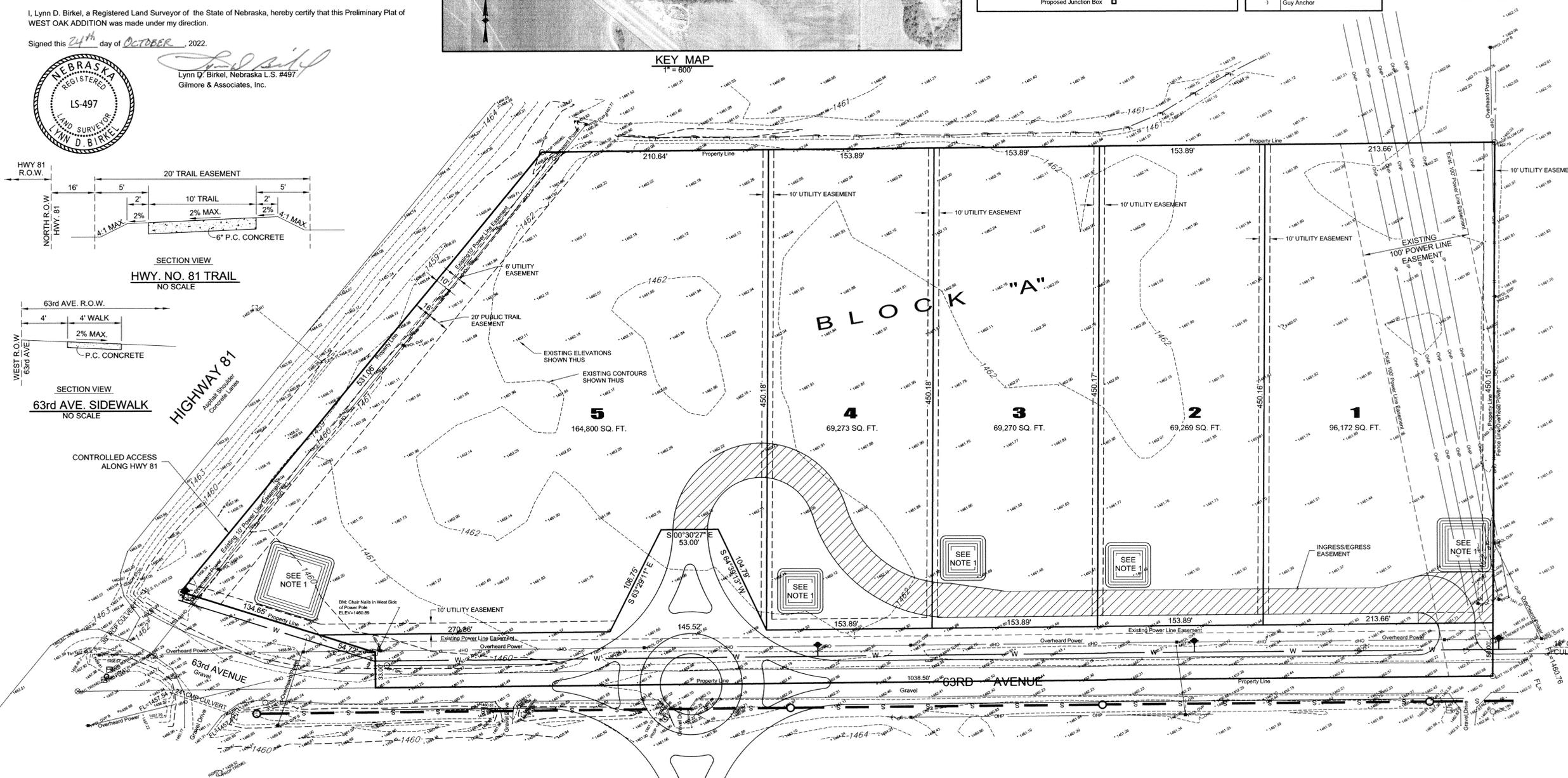
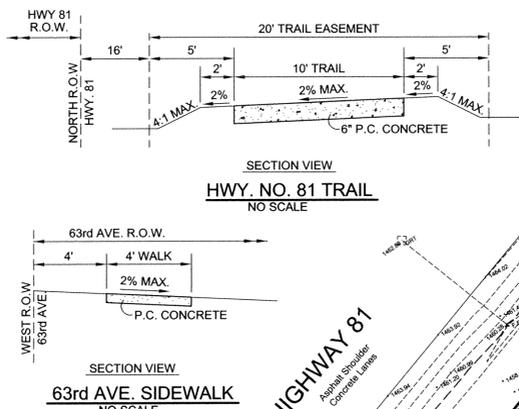
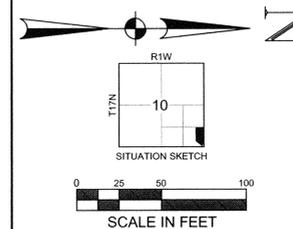
Proposed 12" PVC DR18 Water Main	— W —
Proposed 10" Sanitary Sewer Main	— S —
Proposed Storm Sewer Main	— S —
Proposed Drainage	→
Proposed Sanitary Sewer Manhole	○
Proposed Top Of Integral Curb Elevation	XXXXXX
Proposed Finished Earthwork Elevation	XXXX
Proposed Water Valve	⊕
Proposed Fire Hydrant	⊕
Proposed 6" Open Throat Inlet	⊕
Proposed Area Inlet	○
Proposed Junction Box	□

EXISTING ZONING: MLC1
PROPOSED ZONING: B-2

SYMBOL	DESCRIPTION
○	Water Curb Stop
○	Property Corner
○	NGS (Station Monument)
○	Control Point
○	Sewer Manhole
○	Sign
○	Mailbox
○	Tree
○	Power Pole
○	Anchor
○	Air Conc.
○	Fire Hydrant
○	Tree
○	Light Pole
○	Deciduous Bush
○	Coniferous Shrub
○	Telephone Pedestal
○	Post
○	Elec. Ped.
○	Water Valve
○	Sprinkler
○	Gas Meter
○	Storm Sewer Manhole
○	Guy Anchor

OWNER / DEVELOPER:
FOREMAN PROPERTIES, LLC
3920 23rd STREET
COLUMBUS, NE 68601
Ph: 402-564-2775
Email: craig@foremanlumber.com

SURVEYOR/ENGINEER:
GILMORE & ASSOCIATES, INC.
2670 33RD AVENUE
P.O. Box 565
COLUMBUS, NE 68601
Ph: 402-564-2807
Email: lbirkel@gilmore-engineering.com



GILMORE & ASSOCIATES, INC.
Engineers - Surveyors

WEST OAK ADDITION
COLUMBUS, NEBRASKA
PRELIMINARY PLAT

DRN BY: RTK
DATE: 10/24/22
SCALE: AS SHOWN
PROJ.: 211.875
F.B.:
SHEET: 1 of 1

5. **Public hearing - Application of Foreman Properties, LLC for final plat and development agreement of West Oak Addition (Northwest corner of the intersection of U.S. Hwy. 81 and 63 Avenue).**

**NOTICE OF HEARING
TO ALL PARTIES IN INTEREST AND CITIZENS OF
COLUMBUS, NEBRASKA**

You are hereby notified that a public hearing before the Planning Commission of the City of Columbus, Nebraska, will be held on Monday, November 14, 2022, at 7 p.m. in the Council Chambers, 1369 25 Avenue, Columbus, Nebraska, on the final plat and development agreement of West Oak Addition, a tract of land located in the east 500 feet of the SE 1/4 of the SE 1/4 located north of the north right-of-way line of U.S. Highway No. 81 in Section 10, T17N, R1W of the 6th P.M., Platte County, Nebraska, more particularly described as follows: Beginning at the northeast corner of the SE 1/4 of the SE 1/4 of Section 10, T17N, R1W of the 6th P.M., Platte County, Nebraska, and assuming the east line of said SE 1/4 of the SE 1/4 to have a bearing of S 00°30'27" E; thence S 00°30'27" E, on the east line of said SE 1/4 of the SE 1/4, a distance of 1038.50 feet to the north right-of-way line of said highway; thence S 89°29'33" W, on said north right-of-way line, a distance of 33.00 feet; thence S 17°35'28" W, on said north right-of-way line, a distance of 189.37 feet; thence N 50°45'40" W, on said north right-of-way line, a distance of 531.06 feet; thence N 00°30'17" W, a distance of 885.97 feet to the north line of said SE 1/4 of SE 1/4; thence S 89°42'10" E, on the north line of said SE 1/4 of the SE 1/4, a distance of 500.15 feet, to the point of beginning, containing 12.18 acres, more or less (northwest corner of intersection of U.S. Hwy. 81 and 63 Avenue) and at said time and place you may appear and be heard.

In addition, you are hereby notified that at the same time and place, the Planning Commission will hold a separate public hearing as to whether said Addition as above described should be included within the corporate limits of the City of Columbus and become a part of said municipality for all purposes whatsoever, and at said time and place you may appear and be heard.

CITY OF COLUMBUS, NEBRASKA
Janelle Kline, City Clerk

Publish: 11:03:22
Two Affidavits of Publication

**NOTICE OF HEARING
TO ALL PARTIES IN INTEREST AND CITIZENS OF
COLUMBUS, NEBRASKA**

You are hereby notified that a public hearing before the City Council of the City of Columbus, Nebraska, will be held on Monday, November 21, 2022, at 7 p.m. in the Council Chambers, 1369 25th Avenue, Columbus, Nebraska, on the final plat and development agreement of West Oak Addition, a tract of land located in the east 500 feet of the SE 1/4 of the SE 1/4 located north of the north right-of-way line of U.S. Highway No. 81 in Section 10, T17N, R1W of the 6th P.M., Platte County, Nebraska, more particularly described as follows: Beginning at the northeast corner of the SE 1/4 of the SE 1/4 of Section 10, T17N, R1W of the 6th P.M., Platte County, Nebraska, and assuming the east line of said SE 1/4 of the SE 1/4 to have a bearing of S 00°30'27" E; thence S 00°30'27" E, on the east line of said SE 1/4 of the SE 1/4, a distance of 1038.50 feet to the north right-of-way line of said highway; thence S 89°29'33" W, on said north right-of-way line, a distance of 33.00 feet; thence S 17°35'28" W, on said north right-of-way line, a distance of 189.37 feet; thence N 50°45'40" W, on said north right-of-way line, a distance of 531.06 feet; thence N 00°30'17" W, a distance of 885.97 feet to the north line of said SE 1/4 of SE 1/4; thence S 89°42'10" E, on the north line of said SE 1/4 of the SE 1/4, a distance of 500.15 feet, to the point of beginning, containing 12.18 acres, more or less (northwest corner of intersection of U.S. Hwy. 81 and 63 Avenue) and at said time and place you may appear and be heard.

In addition, you are hereby notified that at the same time and place, the City Council will hold a separate public hearing as to whether said Addition as above described should be included within the corporate limits of the City of Columbus and become a part of said municipality for all purposes whatsoever, and at said time and place you may appear and be heard.

CITY OF COLUMBUS, NEBRASKA
Janelle Kline, City Clerk

Publish: 11:10:22
Two Affidavits of Publication

The City of **Columbus**

MEMORANDUM

DATE: November 10, 2022
FROM : Richard J. Bogus, City Engineer
TO: Tara Vasicek, City Administrator
RE: West Oak Addition - Final Plat

RECOMMENDATION:

I recommend the approval of the final plat of West Oak Addition as it is consistent with the Preliminary Plat.

DISCUSSION:

The addition consists of 5 commercial lots which are being rezoned and will be annexed into the city. Access will be from two locations off of 63rd Avenue, the main one will be a roundabout interconnected with an ingress/egress easement. No direct access off of US Hwy 81 (Howard Boulevard). Concrete sidewalks will be required along 63rd Avenue and a concrete trail along US Hwy No. 81.

Individual properties will be required to provide the storm water treatment and detention requirements with overflow connections to 63rd Avenue.

Water, sanitary sewer, paving, and storm on 63rd Avenue by others.

FISCAL IMPACT:

Minor costs for street and utility maintenance.

ALTERNATIVE:

Do not approve.

SIGNATURE:

By: Richard J. Bogus

Approved By: [Signature]

**MAJOR APPLICATION
FOR SUBDIVISION OR ADDITION
PRELIMINARY PLAT / FINAL**
(CIRCLE ONE)

DATE: October 24, 2022

NAME OF SUBDIVISION: West Oak Addition

NAME OF PROPERTY OWNER: Foreman Properties LLC

CONTACT INFORMATION:

NAME OF REPRESENTATIVE OR PROPERTY OWNER: Lynn Birkel

ADDRESS OF REPRESENTATIVE OR PROPERTY OWNER: 2670 33rd Avenue, Columbus, NE 68601

PHONE NUMBER: 402-564-2807

REPRESENTATIVE OR PROPERTY OWNER E-MAIL: lbirkel@gilmore-engineering.com

NUMBER OF LOTS IN SUBDIVISION: 4

ADDRESS OF SUBDIVISION: Northwest corner of the intersection of U.S. Hwy. No. 81 and 63rd Avenue

I hereby apply for a Major Subdivision / Addition and have paid \$300.00 application fee plus additional lot review fees - Preliminary Plats will be \$20 per lot and Final Plats will be \$15 per lot.

Lynn Birkel /bo
Owner or Owner's Representative

Tom Maul
Attorney / Legal Counsel for Applicant

Development Agreement submitted on: _____

City Attorney
Neal Valorz – nvalorz@1492law.com
Gene G. Schumacher – gschum@1492law.com

FINAL PLAT
WEST OAK ADDITION

A SUBDIVISION OF PART OF THE SE 1/4, OF THE SE 1/4
OF SECTION 10, T17N, R1W OF THE 6th P.M.,
PLATTE COUNTY, NEBRASKA

INGRESS/EGRESS EASEMENT DESCRIPTION (FRONTAGE ROAD)

A permanent easement for ingress/egress purposes located in the SE 1/4 of the SE 1/4 of Section 10, T17N, R1W of the 6th P.M., Platte County, Nebraska, more particularly described as follows:

Commencing at the northeast corner of the SE 1/4 of the SE 1/4 of Section 10, T17N, R1W of the 6th P.M., Platte County, Nebraska, and assuming the east line of said SE 1/4 of the SE 1/4 to have a bearing of S 00°30'27" E; thence N 89°42'10" W, on the north line of said SE 1/4 of the SE 1/4, a distance of 50.00 feet, to the point of beginning; thence S 00°30'27" W, a distance of 69.39 feet; thence S 89°29'33" W, a distance of 10.00 feet; thence S 00°30'27" E, a distance of 434.62 feet; thence southwesterly on the arc of a 132.00-foot radius curve concave northwesterly, a distance of 171.55 feet, said arc having a long chord bearing of S 36°43'25" W, a distance of 159.73 feet; thence southerly on the arc of a 50.00-foot radius curve concave easterly, a distance of 141.67 feet, said arc having a long chord bearing of S 07°12'53" E, a distance of 98.81 feet; thence S 00°30'27" E, a distance of 32.01 feet; thence northerly on the arc of a 82.00-foot radius curve concave easterly, a distance of 233.52 feet, said arc having a long chord bearing of N 07°37'44" W, a distance of 162.23 feet; thence northeasterly on the arc of a 100.00-foot radius curve concave northwesterly, a distance of 129.96 feet, said arc having a long chord bearing of N 36°43'25" E, a distance of 121.01 feet; thence N 08°24'44" E, a distance of 51.60 feet; thence N 00°30'27" W, a distance of 346.68 feet; thence N 16°37'25" W, a distance of 50.00 feet; thence N 00°30'27" W, a distance of 58.99 feet, to the north line of said SE 1/4 of the SE 1/4; thence S 89°42'10" E on the north line of said SE 1/4 of the SE 1/4, a distance of 47.88 feet, the point of beginning, said easement containing 0.57 acres, more or less.

LEGAL DESCRIPTION

The east 500 feet of the SE 1/4 of the SE 1/4 located north of the north right-of-way line of U.S. Highway No. 81 in Section 10, T17N, R1W of the 6th P.M., Platte County, Nebraska, more particularly described as follows:

Beginning at the northeast corner of the SE 1/4 of the SE 1/4 of Section 10, T17N, R1W of the 6th P.M., Platte County, Nebraska, and assuming the east line of said SE 1/4 of the SE 1/4 to have a bearing of S 00°30'27" E; thence S 00°30'27" E, on the east line of said SE 1/4 of the SE 1/4, a distance of 1038.50 feet to the north right-of-way line of said highway; thence S 89°29'33" W, on said north right-of-way line, a distance of 33.00 feet; thence S 17°35'28" W, on said north right-of-way line, a distance of 189.37 feet; thence N 50°45'40" W, on said north right-of-way line, a distance of 531.06 feet; thence N 00°30'17" W, a distance of 885.97 feet to the north line of said SE 1/4 of the SE 1/4; thence S 89°42'10" E, on the north line of said SE 1/4 of the SE 1/4, a distance of 500.15 feet, to the point of beginning, containing 12.18 acres, more or less.

SURVEYOR'S CERTIFICATE

I, Lynn D. Birkel, Nebraska Registered Land Surveyor No. 497, duly registered under the Land Surveyor's Regulation Act, do hereby certify that I have accurately surveyed or caused to be surveyed, under my direct supervision, WEST OAK ADDITION; and that to the best of my knowledge and belief the above and foregoing is a true and correct survey thereof and that the lots, blocks, streets, avenues, easements, alleys, and commons and other grounds are well and accurately staked off, marked, and correctly designated in accordance with the Land Surveyor's Registration Act as shown on the above and foregoing survey. Dated this 24th day of OCTOBER, 2022.



FIELD NOTES

"A" - Northeast Corner, SE 1/4 SE1/4, Section 10, T17N, R1W - Found 1" Iron Pipe as recorded by Tremel, L.S. #455, January 27, 2020.
56.55' SW to Mag nail in N. face of power pole
55.95' NW to Mag nail in S. face of power pole
33.24' W to 5/8" rebar
32.90' E to 1" iron pipe

"B" - Southeast Corner, Section 10, T17N, R1W - Found 5/8" rebar with aluminum cap as recorded by Tremel, L.S. #455, January 27, 2020.
39.50' E to Mag nail in washer in S. face of power pole
35.10' ENE to Mag nail in washer in S. face of power pole
38.60' WSW to 0.25" drill hole in top of concrete FES
39.02' NW to "X" nails in power pole

"C", "D", and "F" - Found 5/8" rebars with plastic caps as recorded by Tremel, L.S., L.S. #455, dated January 27, 2020.

"E" - Found 1" iron pipe with aluminum cap as recorded by Tremel, L.S., L.S. #455, dated January 27, 2020.

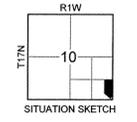
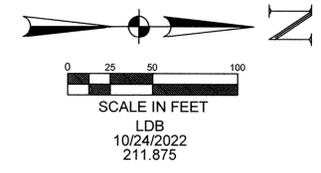
"G" - Calculated point on line "B"-"A" at the deeded distance from "B", not set due to pending road construction.

"H" - Calculated point, not set, falls on top of a right-of-way marker.

INGRESS/EGRESS EASEMENT INFORMATION	
L1	N 89°42'10" W 50.00'
L2	S 00°30'27" E 69.39'
L3	S 89°29'33" W 10.00'
L4	S 00°30'27" E 434.62'
L5	ARC = 171.55', RADIUS = 132.00', CHORD = S 36°43'25" W 159.73'
L6	ARC = 141.67', RADIUS = 50.00', CHORD = S 07°12'53" E 98.81'
L7	S 00°30'27" E 32.01'
L8	ARC = 233.52', RADIUS = 82.00', CHORD = N 07°37'44" W 162.23'
L9	ARC = 129.96', RADIUS = 100.00', CHORD = N 36°43'25" E 121.01'
L10	N 08°24'44" E 51.60'
L11	N 00°30'27" W 346.68'
L12	N 16°37'25" W 50.00'
L13	N 00°30'27" W 58.99'
L14	S 89°42'10" E 47.88'

OWNER / DEVELOPER:
FOREMAN PROPERTIES, LLC
3920 33RD STREET
COLUMBUS, NE 68601
Ph: 402-564-2775
Email: craig@foremanlumber.com

SURVEYOR/ENGINEER:
GILMORE & ASSOCIATES, INC.
2670 33RD AVENUE
P.O. Box 565
COLUMBUS, NE 68601
Ph: 402-564-2807
Email: lbirkel@gilmore-engineering.com



- LEGEND**
- Monument Found
 - Set 5/8" x 24" Rebar w/ Plastic Survey Cap
 - △ Calculated Location
 - R - Recorded Distance
 - M - Measured Distance
 - D - Deeded Distance
 - T - Recorded Distance Tremel, L.S. #455

CITY COUNCIL
STATE OF NEBRASKA)
COUNTY OF PLATTE) ss
CITY OF COLUMBUS)
The foregoing plat approved by the City Council of Columbus, Nebraska, by Resolution No. _____ duly passed by the City Council on the _____ day of _____, 2022.
Attest:

City Clerk

Mayor, City of Columbus

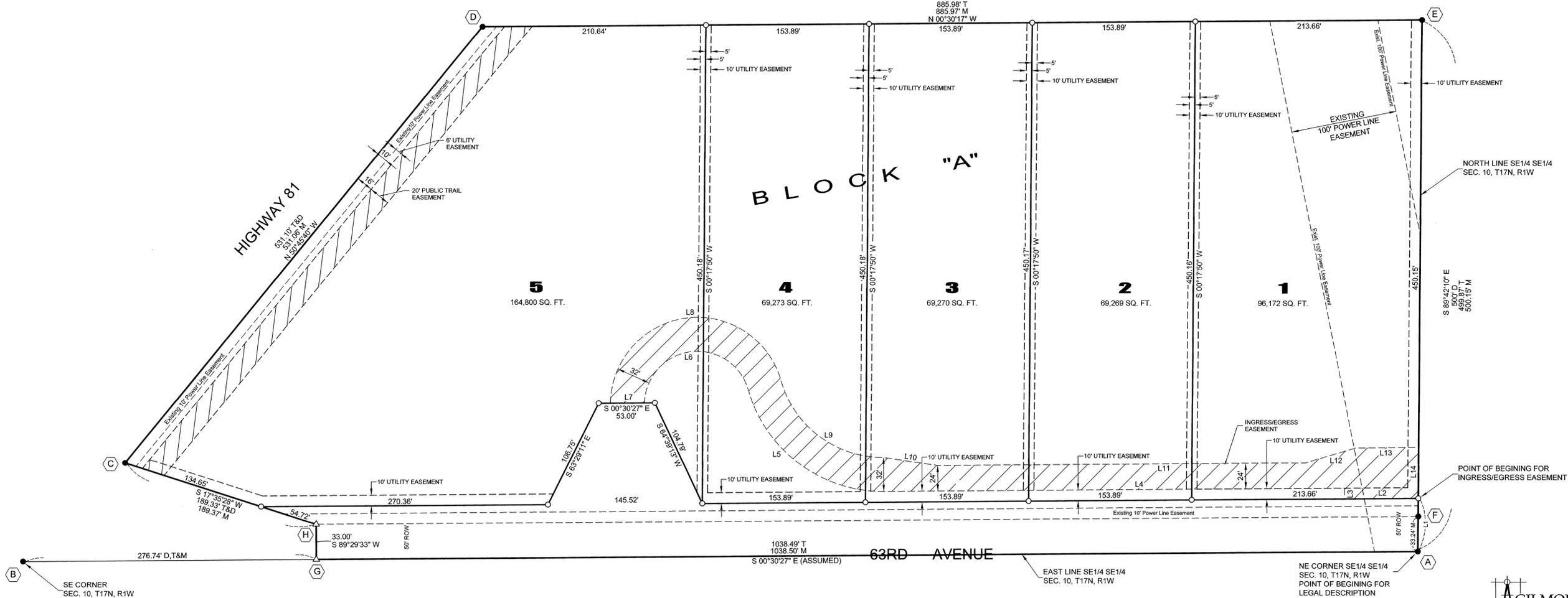
PLANNING COMMISSION
STATE OF NEBRASKA)
COUNTY OF PLATTE) ss
CITY OF COLUMBUS)
This plat of WEST OAK ADDITION to the City of Columbus, Nebraska, approved by the Planning Commission this _____ day of _____, 2022.

Chairman

SCHOOL DISTRICT
STATE OF NEBRASKA)
COUNTY OF PLATTE) ss
CITY OF COLUMBUS)
The above plat approved by School District No. 001, Platte County, Nebraska
Attest:

Secretary

President



- 5.A. Public hearing - Determine whether the portion of West Oak Addition not within corporate city limits should be included.
6. **Public hearing - Application of Foreman Properties LLC to rezone property located at northwest corner of intersection of U.S. Hwy. 81 and 63 Avenue from "ML/C-1" (Light Industrial District) to "B-2" (General Commercial) and amend the Future Land Use Map of the Comprehensive Plan.**

**NOTICE OF HEARING
TO ALL PARTIES IN INTEREST AND CITIZENS OF
COLUMBUS, NEBRASKA**

You are hereby notified that a public hearing before the Planning Commission of the City of Columbus, Nebraska, will be held on Monday, November 14, 2022, at 7 p.m. in the Council Chambers, 1369 25 Avenue, Columbus, Nebraska, on the application to rezone Lots 7, 8, 9, & 10 in Block B, Frontier Park 2nd Addition, to the City of Columbus, Platte County, Nebraska (1642 & 1646 E 30 Street, 3056 & 2994 E 17 Avenue) from "R-2" (Two-Family Residential) to "R-3" (Multiple-Family Residential) and at said hearing, the Planning Commission will consider amending the Future Land Use Map of the Comprehensive Plan to reflect the same change in zoning for said real estate and at said time and place you may appear and be heard.

City of Columbus, Nebraska
Janelle Kline, City Clerk

Publish: 11:03:22
Two Affidavits of Publication

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City of Columbus, Nebraska
Janelle Kline, City Clerk

Publish: 11:10:22
Two Affidavits of Publication

**CITY OF COLUMBUS
MEMORANDUM**

DATE: November 10, 2022
FROM: Andy Woehrer
TO: City Administrator Tara Vasicek
RE: Rezoning property located west of 63rd Ave. and north of Hwy 81 from ML/C-1 to B-2

RECOMMENDATION:

I recommend approval of this rezoning. The proposed B-2 zoning is in conformance with the FUTURE Land Use Map and I believe the proposed use is a good fit for the area.

DISCUSSION:

We have received an application to rezone property west of 63rd Ave. and north of Hwy 81 from ML/C-1 to B-2. If approved, the applicant intends to subdivide into commercial, offices or service uses.

FISCAL IMPACT:

None

ALTERNATIVE:

Deny the Rezoning

SIGNATURE:

By: *Andrew J. Woehrer*

By: *Richard J. Bogus*

Approved By: *[Signature]*

RE-ZONING APPLICATION

The following Application needs to be completed fully and submitted to the City Clerk at least twenty-one (21) calendar days before the Planning Commission Meeting at which the Application will be considered. Please complete the following:

1. Applicant's Name: Foreman Properties, LLC
Applicant's Address: 3920 23rd Street, Columbus, NE 68601

2. Property Owner: Foreman Properties, LLC
Address of Property: Rural Agricultural Property. See map attached.
Legal Description of Property: See Attached Exhibit A.

Present Zoning Classification	ML/C-1 (Light Industrial District)
Requested Zoning Classification	B-2 (General Commercial)

3. Set forth a description of the reason for the Re-zoning Application:
This property is currently being subdivided into commercial lots to be used for commercial, offices or service uses.

Set forth the nature and operating characteristics of the proposed use:

Commercial, office and service business outside of Downtown Columbus.

4. Please attach any graphic information, including site plans, elevations or other drawings, necessary to describe the proposed use to the approving agencies.

See copy of Assessor map attached and subdivision plat and other documentation provided to the City as part of the subdivision process.

I, the undersigned, am the property owner of the property owner's authorized agent for the purposed of the filing of this Application.

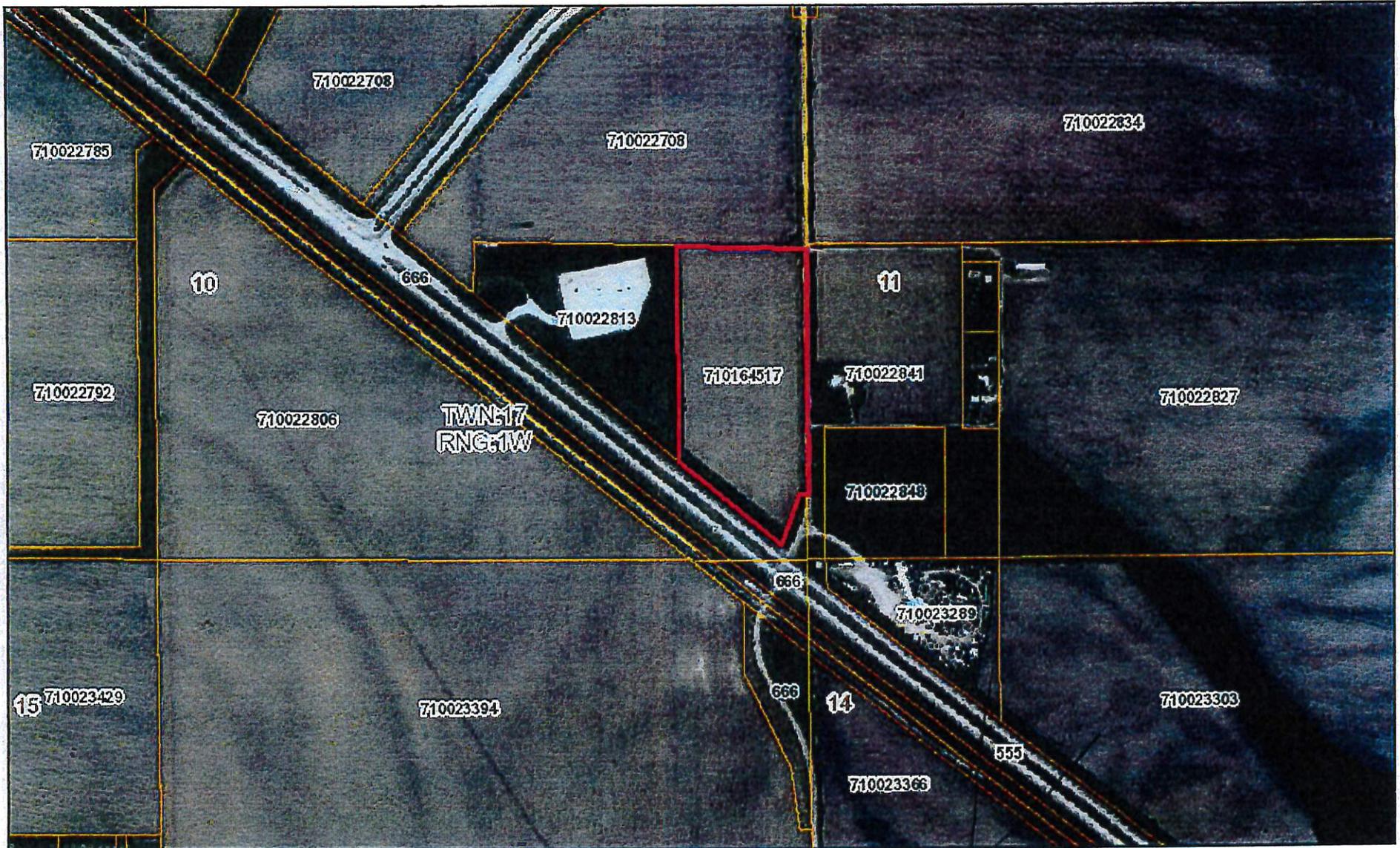
Dated this 20th day of October, 2022.



Thomas M. Maul/Authorized Agent

APPLICATION FILED BY:
THOMAS M. MAUL, ATTORNEY REPRESENTING OWNER/AGENT
SEND COPIES OF NOTICES TO ATTORNEY



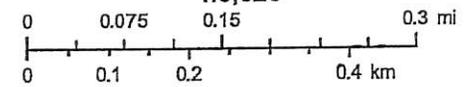


December 10, 2020

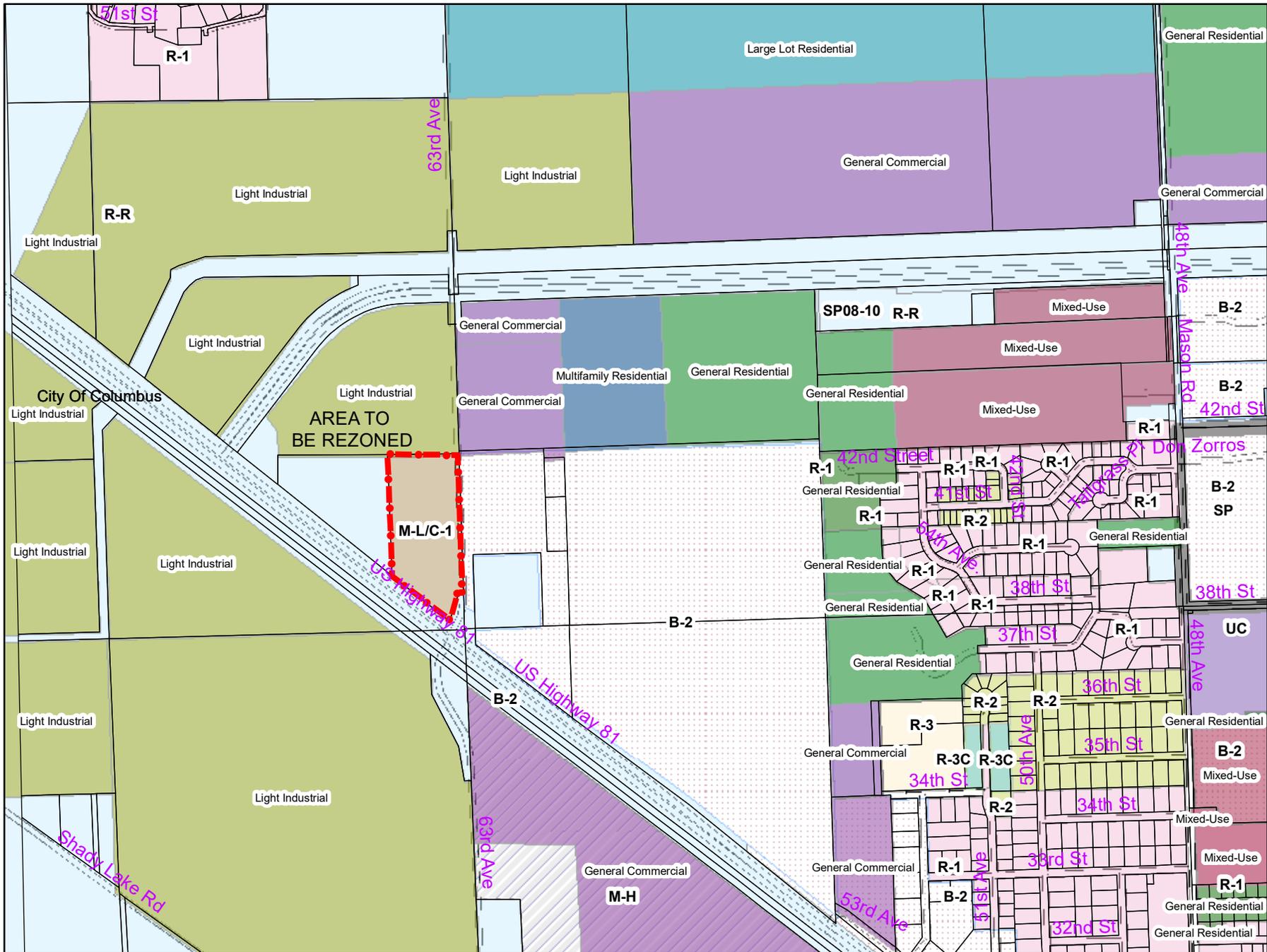
DISCLAIMER: This map is not intended for conveyances, nor is it a legal survey. The information is presented on a best-efforts basis, and should not be relied upon for making financial, survey, legal or other commitments.

1:9,028

- Lot Lines
- Sections
- Parcels
- Townships



City Of Columbus
West Oak Rezoning



7. **Public hearing - Application of Granville Custom Homes, Inc. to rezone property located at 1642 & 1646 E 30 Street, 3056 & 2994 E 17 Avenue from "R-2" (Two-Family Residential) to "R-3" (Multiple-Family Residential) and amend the Future Land Use Map of the Comprehensive Plan.**

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City of Columbus, Nebraska
Janelle Kline, City Clerk

Publish: 11:04:22
Two Affidavits of Publication

**NOTICE OF HEARING
TO ALL PARTIES IN INTEREST AND CITIZENS OF
COLUMBUS, NEBRASKA**

You are hereby notified that a public hearing before the City Council of the City of Columbus, Nebraska, will be held on Monday, November 21, 2022, at 7 p.m. in the Council Chambers, 1369 25 Avenue, Columbus, Nebraska, on the application to rezone the east 500 feet of the SE 1/4 of the SE 1/4 located north of the north right-of-way line of U.S. Highway No. 81 in Section 10, T17N, R1W of the 6th P.M., Platte County, Nebraska, more particularly described as follows: Beginning at the northeast corner of the SE 1/4 of the SE 1/4 of Section 10, T17N, R1W of the 6th P.M., Platte County, Nebraska, and assuming the east line of said SE 1/4 of the SE 1/4 to have a bearing of S 00°30'27" E; thence S 00°30'27" E, on the east line of said SE 1/4 of the SE 1/4, a distance of 1038.50 feet to the north right-of-way line of said highway; thence S 89°29'33" W, on said north right-of-way line, a distance of 33.00 feet; thence S 17°35'28" W, on said north right-of-way line, a distance of 189.37 feet; thence N 50°45'40" W, on said north right-of-way line, a distance of 531.06 feet; thence N 00°30'17" W, a distance of 885.97 feet to the north line of said SE 1/4 of SE 1/4; thence S 89°42'10" E, on the north line of said SE 1/4 of the SE 1/4, a distance of 500.15 feet, to the point of beginning, containing 12.18 acres, more or less (northwest corner of intersection of U.S. Hwy. 81 and 63 Avenue) from "ML/C-1" (Light Industrial District) to "B-2" (General Commercial) and at said hearing, the Planning Commission will consider amending the Future Land Use Map of the Comprehensive Plan to reflect the same change in zoning for said real estate and at said time and place you may appear and be heard.

City of Columbus, Nebraska
Janelle Kline, City Clerk

Publish: 11:10:22
Two Affidavits of Publication

**CITY OF COLUMBUS
MEMORANDUM**

DATE: November 10, 2022
FROM: Andy Woehrer
TO: City Administrator Tara Vasicek
RE: Rezoning lots 7,8,9 & 10 in Block B Frontier Park 2nd Addition from R-2 to R-3

RECOMMENDATION:

If the Planning Commission & City Council believe this proposal is the best use for the property the rezoning should be approved. If approved, the future land use map be amended accordingly.

DISCUSSION:

We have received an application to rezone lots 7,8,9 & 10 in Block B, Frontier Park 2nd Addition. If approved, the applicant intends on constructing a multi-family building.

FISCAL IMPACT:

None

ALTERNATIVE:

Deny the Rezoning

CONCURRENCE:

By: Richard J. Bogus

SIGNATURE:

By: Andrew J. Woehrer

Approved By: [Signature]

REZONING APPLICATION

An application for a rezoning may be filed with the Community Development Director's Office. Any such application will not be deemed submitted until all of the stated information is included. It is the responsibility of the applicant to provide all of the requested information. Incomplete applications WILL NOT be placed on the Planning Commission Agenda until all such missing information is provided. Such completed application shall be submitted to the Community Development Director's Office at least 21 calendar days (including holidays) before the Planning Commission meeting at which time the public hearing on the application will be held.

APPLICANT/PROPERTY OWNER NAME: _____

APPLICANT MAILING ADDRESS: _____

APPLICANT PHONE NUMBER: _____

APPLICANT EMAIL ADDRESS: _____

ATTORNEY/FIRM: _____

ATTORNEY PHONE NUMBER: _____

ATTORNEY E-MAIL ADDRESS: _____

ADDRESS OF PROPERTY TO BE REZONED: _____

LEGAL DESCRIPTION OF PROPERTY:

PRESENT ZONING CLASSIFICATION: _____

REQUESTED ZONING CLASSIFICATION: _____

DESCRIPTION OF THE REASON FOR THE REZONING APPLICATION:

NATURE AND OPERATING CHARACTERISTICS OF THE PROPOSED USE: (Include aerial image of proposed development on property and existing surrounding zoning classifications, any graphic information, including site plans, elevations or other drawings, necessary to describe the proposed use)

I hereby apply for a Rezoning Application and have paid the \$500 application fee.

DATED THIS _____ DAY OF _____, _____.



Owner or Owner's Representative



Zoned R1

Zoned R2

Zoned R1

Zoned R2

Proposed R3 from R2

This lot will likely not be part of the multi-family; will be single family home

This lot will likely not be part of the multi-family; will be single family home

710094269

710094276

710094283

710165315

710155620

710165266

710094248

710094255

710094262

710155613

710155676

710162179

710162186

710162193

710167667

710167660

710162200

710167611

710167653

710162207

710167604

710167646

710162214

710167597

710167639

710162221

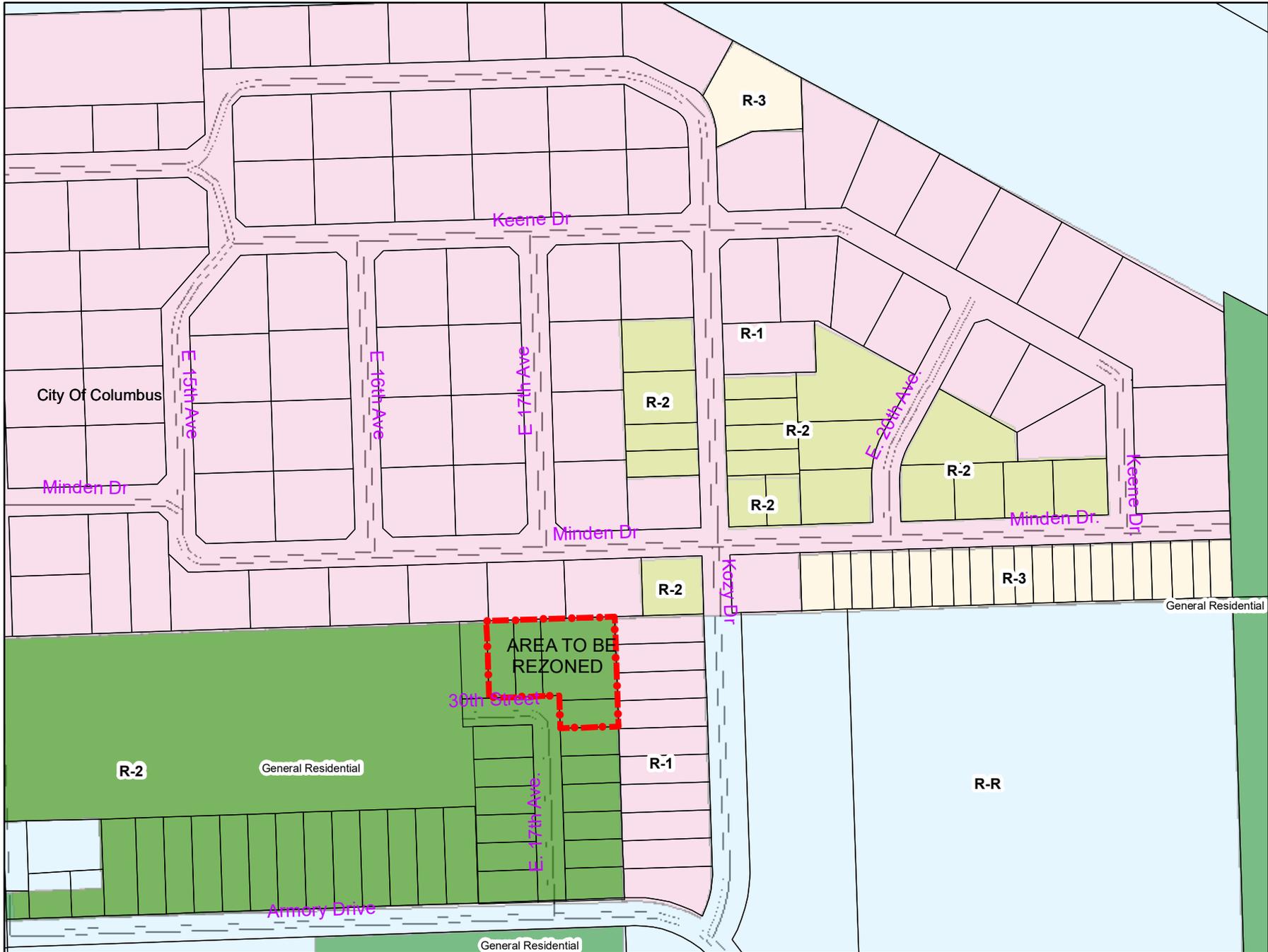
710167590

710167632

710162228

710162571

City Of Columbus
Frontier Park 2nd Addition Rezoning



8. **Building report for September and October.**

City of Columbus
Building Department Monthly Report

10/07/2022

SEPTEMBER 2022 2021

	SEPTEMBER 2022			SEPTEMBER 2021		
	Count	Permit Fees	Value	Count	Permit Fees	Value
Accessory Structu	8	\$2005.67	\$458120.00	5	\$415.90	\$65300.00
Com Addition	0	\$0.00	\$0.00	2	\$815.63	\$174500.00
Com Alteration	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Com New Constr	0	\$0.00	\$0.00	1	\$2400.00	\$970000.00
Com Plumbing	0	\$0.00	\$0.00	3	\$818.00	\$722000.00
Deck	2	\$109.07	\$13050.00	9	\$476.39	\$59570.00
Demolition	1	\$27.50	\$2500.00	3	\$75.00	\$18000.00
Fence	17	\$485.50	\$78200.00	18	\$425.00	\$66461.00
Gas line	35	\$1118.00	\$17500.00	0	\$0.00	\$0.00
Gas Piping	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Res Addition	1	\$353.93	\$65000.00	3	\$678.46	\$132320.00
Res Alteration	5	\$504.16	\$70001.91	6	\$637.01	\$100874.86
Res New Construc	1	\$506.61	\$101841.00	13	\$14059.58	\$5035721.00
Res Plumbing	14	\$447.00	\$99500.00	21	\$910.00	\$170000.00
Res Pool	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Signs	6	\$210.00	\$54100.00	9	\$270.00	\$26215.00
Sprinklers	16	\$332.00	\$4000.00	0	\$0.00	\$0.00
Water Softner/RC	0	\$0.00	\$0.00	5	\$80.00	\$0.00
YEAR TOTAL	106	\$6099.44	\$963812.91	98	\$22060.97	\$7540961.86

Population: All Records
Permit.DateIssued Between 9/1/2021 12:00:00 AM
AND 9/30/2022 12:00:00 AM

City of Columbus
Building Department Monthly Report

11/02/2022

October 2022 2021

	October 2022			October 2021		
	Count	Permit Fees	Value	Count	Permit Fees	Value
Accessory Structu	8	\$933.08	\$283049.92	1	\$219.15	\$35280.00
Com Addition	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Com Alteration	0	\$0.00	\$0.00	2	\$61.88	\$3000.00
Com New Constr	3	\$11713.60	\$4782646.00	1	\$0.00	\$26201578.00
Com Plumbing	0	\$0.00	\$0.00	2	\$38.00	\$1510000.00
Com Pool	1	\$0.00	\$200000.00	0	\$0.00	\$0.00
Deck	9	\$440.00	\$45850.00	5	\$424.48	\$55420.00
Demolition	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Fence	16	\$430.50	\$100819.65	17	\$432.50	\$83610.50
Gas line	5	\$150.00	\$2600.00	0	\$0.00	\$0.00
Gas Piping	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Res Addition	1	\$438.63	\$85000.00	3	\$692.50	\$122203.00
Res Alteration	6	\$705.84	\$104744.00	8	\$680.09	\$94000.00
Res New Construc	8	\$6130.90	\$1673426.00	18	\$14714.53	\$4241435.00
Res Plumbing	17	\$729.00	\$117000.00	28	\$1786.00	\$292400.00
Res Pool	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Signs	4	\$177.00	\$7800.00	0	\$0.00	\$0.00
Sprinklers	17	\$325.00	\$75500.00	0	\$0.00	\$0.00
Water Softner/RC	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Wireless Tower	1	\$154.00	\$25000.00	0	\$0.00	\$0.00
YEAR TOTAL	96	\$22327.55	\$7503435.57	85	\$19049.13	\$32638926.50

Population: All Records
Permit.DateIssued Between 10/1/2021 12:00:00 AM
AND 10/31/2022 12:00:00 AM

9. Adjournment.