

MCCOOK CITY COUNCIL

REGULAR MEETING

Monday, December 11, 2017

5:15 PM - City Council Chambers

Call to Order and Roll Call.

Open Meetings Act Announcement.

Items

1. Approve the minutes of the November 13, 2017 regular Planning Commission meeting.
2. Public Hearings and Regular Agenda.
 - A. Public Hearing - To consider a special exception request from E. Benjamin Nelson and the Omaha Community Foundation to allow for a museum at 608 Norris Avenue, which is in the Residential Medium (RM) Density District.
 - B. Recommend approval of a special exception for property located at 608 Norris Avenue, to allow for a museum in the Residential Medium (RM) Density District, based on special exception considerations A through I.

Adjournment.

**CITY MANAGER'S REPORT
DECEMBER 11, 2017**

ITEM: **3**

RECOMMENDATION:

Approve the minutes of the November 13, 2017 regular meeting.

BACKGROUND:

Receive and approve the minutes.

**FISCAL
IMPACT:** None.

RECOMMENDATION:

Approve the minutes of the November 13, 2017 regular meeting.

APPROVALS:



Lea Ann Doak, City Clerk

December 5, 2017

**MCCOOK PLANNING COMMISSION
REGULAR MEETING**

MINUTES

**Monday - November 13, 2017
5:15 P.M. - City Council Chambers**

Present: Chair Vosburg; Commissioners Harpst, Hilker, Rippen, Shipshock (arrived 5:28 P.M.), Wolford, Bradley; City Manager Schneider; City Attorney Mustion; City Clerk Doak.

Absent: Vice Chair Dueland; Commissioners Lyons, Stevens.

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 October 9, 2017 regular meeting.

Upon a motion by Commissioner Hilker, seconded by Commissioner Wolford, the Commission voted to approve the minutes of the October 9, 2017 meeting. The motion passed upon the following roll call vote: YEA: Vosburg, Harpst, Hilker, Rippen, Wolford, Bradley. NAY: None. ABSENT: Dueland, Lyons, Shipshock, Stevens.

2. Review of Amended Redevelopment Plan for the Clary Village Project.

City Manager Schneider reviewed the following information presented in his City Manager's Report: "In February of 2015, a redevelopment plan was approved for the Clary Village Redevelopment Area, with the goal of strengthening the Redevelopment Area by developing duplex housing units for low income households. The project itself was named the Clary Village Redevelopment Project. The plan was approved and the project was completed. There was a portion of ground included in the Redevelopment Area that was not used to construct duplexes pursuant to the 2015 redevelopment plan. The property at issue is located on the southeast corner of the Redevelopment Area. In 2017, MEDC sold the lots to Jay and Susan Hancock. The Hancock's have started to improve the purchased property and recently subdivided the lots to account for additional duplex units, privately owned and not subject to the Clary Village redevelopment contract/plan. In order to make sure the valuations attributable to the Hancock project/property are not included for property tax recapture purposes, an amended redevelopment plan must be approved. By doing so, Jay and Susan Hancock's lots will not be included in the Clary Village Redevelopment Area, and the real property taxes collected on the Hancock lots will be directed to the appropriate taxing authorities."

Commission discussion included what effect this has on the current EDC TIF Bond.

3. Approve Resolution No. 2017-03 recommending approval of a redevelopment plan amendment of the City of McCook, Nebraska for the Clary Village Project; and approval of related actions.

Upon a motion by Commission Harpst, seconded by Commissioner Vosburg, the Commission voted to approve Resolution No. 2017-03 recommending approval of a redevelopment plan amendment of the City of McCook, Nebraska for the Clary Village Project; and approval of related actions. The motion passed upon the following roll call vote: YEA: Vosburg, Harpst, Hilker, Rippen, Wolford,

Bradley. NAY: None. ABSENT: Dueland, Lyons, Shipshock, Stevens.

▪ **Adjournment.**

With no further business, Chair Vosburg declared the Planning Commission meeting adjourned at 5:30 P.M.

Lea Ann Doak
Recording Secretary

**CITY MANAGER'S REPORT
DECEMBER 11, 2017 PLANNING COMMISSION MEETING**

ITEM: 4A Public Hearing - To consider a special exception request from E. Benjamin Nelson and the Omaha Community Foundation to allow for a museum at 608 Norris Avenue, which is in the Residential Medium (RM) Density District.

ITEM: 4B Recommend approval of a special exception for property located at 608 Norris Avenue, to allow for a museum in the Residential Medium (RM) Density District, based on special exception considerations A through I.

BACKGROUND:

An application has been submitted by E. Benjamin Nelson and the Omaha Community Foundation for a special exception to be issued at 608 Norris Avenue. The special exception would permit the Nelson Home to receive museum status. The attached application describes the project.

During staff review, it was noted that the Norris Avenue area from E Street to H Street is already home to buildings with similar types of uses. Heritage Square has been an attraction for some time now, with the Norris Home and the Franklin Lloyd Wright house in close proximity. Additionally, the property is close to Norris Park and the McCook Public Library, areas that are utilized for recreational purposes. The area is within walking distance of McCook's Downtown.

Reviewing the special exception considerations A - I, it appears the applicants have considered the requirements, and have adequately accounted for these concerns.

Based on these factors, staff believes a special exception is appropriate.

FISCAL IMPACT:

None.

RECOMMENDATIONS:

ITEM: ___ Public Hearing - To consider a special exception request from E. Benjamin Nelson and the Omaha Community Foundation to allow for a museum at 608 Norris Avenue, which is in the Residential Medium (RM) Density District.

ITEM: ___ Recommend approval of a special exception for property located at 608 Norris Avenue, to allow for a museum in the Residential Medium (RM) Density District, based on special exception considerations A through I.

APPROVALS:



Lea Ann Doak, City Clerk

December 4, 2017



Nathan A. Schneider, City Manager

December 4, 2017

**NOTICE OF HEARING
REQUEST FOR
SPECIAL EXCEPTION**

NOTICE IS HEREBY GIVEN that a public hearing will be held on a request for a special exception to allow a museum in a Residential Medium Density (RM) District.

ADDRESS: 608 Norris Avenue

LEGAL DESCRIPTION: Block Nineteen (19), Lot Three (3) and the north twenty feet (20') of Lot Four (4), First Addition to the City of McCook, Red Willow County, Nebraska

PROJECT SPONSOR/
DEVELOPER: E. Benjamin Nelson

LAND OWNER: Nelson Family Foundation/Omaha Community Foundation

Public Hearings will be held on the dates, times, and at the places listed below:

DECEMBER 11, 2017 - 5:15 P.M.
MCCOOK PLANNING COMMISSION
CITY COUNCIL CHAMBERS
505 WEST "C" STREET

DECEMBER 18, 2017 - 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 request will be given an opportunity to be heard. Please direct all inquiries to Barry Mooney, City of McCook Building Official at 308-345-2022 ext. 232.

-s- Lea Ann Doak
City Clerk

Publish: December 1, 2017.
Post: December 1, 2017.
Mail: December 1, 2017.

EXHIBIT #2

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OWNERSHIP LIST FOR MAILING:

NELSON FAMILY FOUNDATION A
NEBRASKA NON-PROFIT CORP
9738 FIELDCREST DRIVE
OMAHA NE 68114

CHRISTIAN SCIENCE CHURCH
PO BOX 763
MCCOOK NE 69001-0763

TERRI L COLLING & BRENDA J O'NEAL
P O BOX 2572
KEARNEY NE 68848-2572

REX A COLE
609 WEST 1ST
MCCOOK NE 69001

CHAD F WILLIAMS
14153 N 109TH STREET
SCOTTSDALE AZ 85255-1600

JAMES L JUMPS
703 WEST 1ST
MCCOOK NE 69001-3108

DELTON N & VICKY C YOUNG
1010 WEST 1ST STREET
MCCOOK NE 69001

DONALD B & JACKIE B GRASSIA
PO BOX 652
MCCOOK NE 69001-0652

SHANE M & TRACY A BURKEY
610 NORRIS AVENUE
MCCOOK NE 69001

JAMES L JONES
FUNERAL SERVICES INC
PO BOX 247
CAMBRIDGE NE 69022-0247

CITY OF MCCOOK
PO BOX 1059
MCCOOK NE 69001-1059

RED WILLOW COUNTY
C/O TAMI TEEL
502 NORRIS AVENUE
MCCOOK, NE 69001

JANET K KORELL TRUST
602 NORRIS AVE
MCCOOK NE 69001

TERRY M & JANA G SIDES
603 WEST 1ST
MCCOOK NE 69001

JOHN & PATRICIA MCCONVILLE
607 WEST 1ST ST
MCCOOK NE 69001

STEVE & MIKE CADY
611 WEST 1ST STREET
MCCOOK NE 69001

STEVEN L KEENE, & ANA PATRICIA
GILLMORE KEENE
512 PARK AVENUE
MCCOOK NE 69001

NE STATE HISTORICAL SOCIETY
706 NORRIS AVE
MCCOOK NE 69001-0000

DEAN D & RHONDA M HILKER
1810 WEST Q
MCCOOK NE 69001

LORINDA KAY SPULAK
612 NORRIS AVENUE
MCCOOK NE 69001-3139

LOIS E BEATTIE
611 NORRIS AVENUE #1
MCCOOK NE 69001

LEE E & LINDSAY L MCCONVILLE
39341 RD 707
DANBURY NE 69026

TOM BREDVICK, PRESIDENT
MCCOOK PUBLIC SCHOOLS
600 WEST 7TH STREET
MCCOOK, NE 69001

EXHIBIT #3

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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: NELSON HERITAGE HOME

Description of Project: To make the Nelson Home at 608 Norris Ave., available to Visitor Tours and support McCook Community College Nelson Fellows to do research on Southwest Nebraska for college credit. To have the home as part of McCook's Heritage Square to add to the attractions currently provided by the other residences of Governors and Senator Norris. To enhance and to increase interest in Heritage Square as a Tourist Attraction. A potential increase in tourism will increase tourism dollars to area governments. In addition to parking availability on Norris Ave., there are several parking stalls behind the home accessible via the alley.

Project sponsor or developer:

Name: E, Benjamin Nelson

Address: 9738 Fieldcrest Drive, Omaha, NE 68114

Phone number: 402-658-7300

Fax number: _____

E-mail Address: ebenjaminnelson@gmail.com

Land owner or owners:

Name: Omaha Community Foundation

Address: 302 S 36th St. #100, Omaha, NE 68131

Phone number: 402-342-3458

Fax number: _____

E-Mail Address: omahafoundation.org

EXHIBIT #4

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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;

_____ 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.)
To Assure that it is an approved Article 24 Special Exception to any and all zone restrictions and/or city ordinances.

To assure that it is included as an Article 24 Special Exception consistent with any existing required exception granted to the Norris Home which is in close proximity to the Nelson Home in the Heritage Square vicinity.

_____ 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: It is merely an addition to the existing Tourist Attractions already part of Heritage Square and is not a standalone attraction. Any increase in traffic will be incremental and minimal.

- A. Ingress and Egress to property (Existing Structure) on Norris Avenue on front and alley at rear; parking spaces off alley to property; no direct effect to current pedestrian and traffic flow.
- B. Off-Street parking at rear.
- C. Trash bin in alley
- D. Utilities
- E. No exceptional screening or buffering necessary.
- F. No exterior lighting
- G. N/A
- H. Single family structure in single family neighborhood..

← FST

NORRIS AVE

EST →

PARKING

608 NORRIS AVE

RESIDENCE

GARAGE

PARKING
SPACES
GRAVEL
LOT

TRASH
BIN

← FST

ALLEY

EST →

FINDINGS AND DETERMINATIONS OF MCCOOK CITY COUNCIL

CASE NO. _____

SIGNED: _____
Mayor

DATE _____

ATTEST: _____
City Clerk

<u>SPECIAL EXCEPTION CONSIDERATIONS:</u>	<u>YES</u>	<u>NO</u>
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- | | | |
|--|-------|-------|
| 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.