

PLATTSMOUTH PLANNING COMMISSION MINUTES
April 17, 2014

Meeting convened at 7:30 p.m. on April 17, 2014 at Plattsmouth City Hall, 136 N. 5TH Street, Plattsmouth, Nebraska. A copy of the agenda for the meeting is attached to these minutes. Notice of the meeting, which communicated the availability of the agenda, was published in *The Plattsmouth Journal*, Plattsmouth, Nebraska, on April 3, 2014, with the Affidavit of Printer as proof of publication attached to these minutes. Notice of the meeting and the agenda were provided to all members in advance. All proceedings were taken while convened with attendance open to the public.

ITEM 1

Chairman Marc Nichols called the meeting to order at 7:30 p.m.

ITEM 2

Nichols announced the location of the Open Meetings Act and of documents pertaining to the planning agenda.

ITEM 3

Answering roll call were Heather Herlick, Angie Minahan, John Baroni, Richard McKinley, Robert Rice, Dewayne Prince, Jeff Kindig, Marc Nichols. Absent were Sharon Kief, Karen Weaver.

Also present was City Inspector Kevin Larson.

ITEM 4

MOTION BY KINDIG, SECONDED BY BARONI, TO APPROVE THE MINUTES OF THE February 20, 2014 MEETING. A voice vote in favor was unanimous, MOTION CARRIED.

ITEM 5

Nichols opened a public hearing at 7:32 p.m. and read from the agenda, "A public hearing regarding a designation of Blighted and Substandard for approximately 49.6 acres of land situated generally in the southeast portion of Plattsmouth, legally described as: A PARCEL OF LAND LOCATED IN THE NORTHEAST AND NORTHWEST QUARTERS OF SECTION 19, TOWNSHIP 12 NORTH, RANGE 14 EAST OF THE SIXTH P.M., CASS COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19; THENCE NORTHERLY ON THE EAST LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 104 FEET, MORE OR LESS; THENCE WESTERLY,

PERPENDICULAR TO SAID EAST LINE, A DISTANCE OF 14 FEET MORE OR LESS; THENCE SOUTHERLY, PARALLEL WITH AND 14 FEET, MORE OR LESS, DISTANT FROM SAID EAST LINE, A DISTANCE OF 71 FEET, MORE OR LESS; THENCE WESTERLY, PARALLEL WITH AND 37 FEET, MORE OR LESS, DISTANT FROM THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 53 FEET, MORE OR LESS; THENCE NORTHERLY, PARALLEL WITH AND 67 FEET MORE OR LESS, DISTANT FROM THE EAST LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 164 FEET, MORE OR LESS; THENCE WESTERLY, PARALLEL WITH AND 196 FEET, MORE OR LESS, DISTANT FROM THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER TO THE EASTERLY RIGHT OF WAY LINE OF WINTERSTEEN ROAD; THENCE NORTHWESTERLY ON SAID EASTERLY RIGHT OF WAY LINE TO THE WEST LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER, THENCE NORTHERLY, ON SAID WEST LINE TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID NORTHEAST QUARTER; THENCE WESTERLY ON SAID NORTH LINE TO THE WEST RIGHT OF WAY LINE OF "A" STREET; THENCE SOUTHERLY ON SAID WEST RIGHT OF WAY LINE TO THE NORTH RIGHT OF WAY LINE 9TH AVENUE; THENCE WESTERLY ON SAID NORTH RIGHT OF WAY LINE TO THE WEST RIGHT OF WAY LINE OF MEADOW DRIVE; THENCE SOUTHERLY ON SAID WEST RIGHT OF WAY LINE TO THE SOUTHEAST CORNER OF LOT 27, MEADOW HEIGHT ESTATES SUBDIVISION AS PLATTED IN THE CITY OF PLATTSMOUTH; THENCE WESTERLY ON THE SOUTH LINE OF SAID LOT 27 TO THE SOUTHWEST CORNER OF SAID LOT 27; THENCE NORTHERLY ON THE WEST LINE OF SAID LOT 27 TO THE EASTERLY EXTENSION OF THE NORTH RIGHT OF WAY LINE OF 11 TH AVENUE; THENCE WESTERLY ON SAID NORTH RIGHT OF WAY LINE TO THE WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE SOUTHERLY ON SAID WEST LINE TO THE SOUTHEAST CORNER OF LOT 1, BLOCK 2, O'NEILL'S ADDITION AS PLATTED IN THE CITY OF PLATTSMOUTH; THENCE WESTERLY ON THE SOUTH LINE OF SAID BLOCK 2 TO THE SOUTHWEST CORNER OF LOT 5 SAID BLOCK 2; THENCE NORTHERLY ON THE WEST LINE OF SAID LOT 5 TO THE NORTH RIGHT OF WAY LINE OF 11 TH AVENUE; THENCE WESTERLY ON SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 332 FEET, MORE OR LESS; THENCE SOUTHERLY PERPENDICULAR TO SAID NORTH RIGHT OF WAY LINE TO THE SOUTH RIGHT OF WAY LINE OF 11 TH AVENUE AND THE NORTH WEST CORNER OF BLOCKS 4 AND 5, LYING EAST OF CREEK, O'NEILL'S ADDITION AS PLATTED IN THE CITY OF PLATTSMOUTH; THENCE SOUTHERLY ON THE WEST LINE OF SAID BLOCKS 4 AND 5 TO THE CENTERLINE OF AN ESTABLISHED CREEK; THENCE SOUTHEASTERLY ON SAID CENTERLINE OF ESTABLISHED CREEK TO THE NORTH RIGHT OF WAY LINE OF 13TH AVENUE; THENCE SOUTHERLY PERPENDICULAR TO SAID NORTH RIGHT OF WAY LINE TO THE SOUTH RIGHT OF WAY LINE OF 13 TH AVENUE; THENCE EASTERLY ON SAID SOUTH RIGHT OF WAY LINE TO THE WESTERLY RIGHT OF WAY LINE OF ROCK BLUFF ROAD; THENCE

SOUTHEASTERLY ON SAID WESTERLY RIGHT OF WAY LINE TO THE SOUTHEAST CORNER OF LOTS 57 THRU 59, OF WISE'S OUTLOTS AS PLATTED IN THE CITY OF PLATTSMOUTH; THENCE NORTHWESTERLY TO THE SOUTHERLY CORNER OF LOTS 34 AND 35, OF SAID WISE'S OUTLOTS, SAID CORNER ALSO BEING ON THE WEST LINE OF SAID NORTHEAST QUARTER OF SAID SECTION 19; THENCE NORTHERLY ON SAID WEST LINE TO THE SOUTHWEST CORNER OF SUB LOT 1 OF LOT 136 OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE EASTERLY ON THE SOUTH LINE OF SAID SUB LOT 1 TO THE SOUTHEAST CORNER OF SAID SUB LOT 1; THENCE NORTHERLY ON THE EAST LINE OF SAID SUB LOT 1 TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE EASTERLY ON SAID SOUTH LINE TO THE SOUTHEAST CORNER OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE EASTERLY ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19 TO THE POINT OF BEGINNING."

Jeff Ray of JEO Engineering presented the Blighted and Substandard Study.

No one else spoke and Nichols closed the hearing at 7:45 p.m.

ITEM 6

Nichols read from the agenda, "Consider a resolution to the Plattsmouth City Council recommending a designation of Blighted and Substandard for approximately 49.6 acres of land situated generally in the southeast portion of Plattsmouth, legally described as: A PARCEL OF LAND LOCATED IN THE NORTHEAST AND NORTHWEST QUARTERS OF SECTION 19, TOWNSHIP 12 NORTH, RANGE 14 EAST OF THE SIXTH P.M., CASS COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19; THENCE NORTHERLY ON THE EAST LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 104 FEET, MORE OR LESS; THENCE WESTERLY, PERPENDICULAR TO SAID EAST LINE, A DISTANCE OF 14 FEET MORE OR LESS; THENCE SOUTHERLY, PARALLEL WITH AND 14 FEET, MORE OR LESS, DISTANT FROM SAID EAST LINE, A DISTANCE OF 71 FEET, MORE OR LESS; THENCE WESTERLY, PARALLEL WITH AND 37 FEET, MORE OR LESS, DISTANT FROM THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 53 FEET, MORE OR LESS; THENCE NORTHERLY, PARALLEL WITH AND 67 FEET MORE OR LESS, DISTANT FROM THE EAST LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 164 FEET, MORE OR LESS; THENCE WESTERLY, PARALLEL WITH AND 196 FEET, MORE OR LESS, DISTANT FROM THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER TO THE EASTERLY RIGHT OF WAY LINE OF WINTERSTEEN ROAD; THENCE NORTHWESTERLY ON SAID EASTERLY RIGHT OF WAY LINE TO

THE WEST LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER, THENCE NORTHERLY, ON SAID WEST LINE TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID NORTHEAST QUARTER; THENCE WESTERLY ON SAID NORTH LINE TO THE WEST RIGHT OF WAY LINE OF "A" STREET; THENCE SOUTHERLY ON SAID WEST RIGHT OF WAY LINE TO THE NORTH RIGHT OF WAY LINE 9TH AVENUE; THENCE WESTERLY ON SAID NORTH RIGHT OF WAY LINE TO THE WEST RIGHT OF WAY LINE OF MEADOW DRIVE; THENCE SOUTHERLY ON SAID WEST RIGHT OF WAY LINE TO THE SOUTHEAST CORNER OF LOT 27, MEADOW HEIGHT ESTATES SUBDIVISION AS PLATTED IN THE CITY OF PLATTSMOUTH; THENCE WESTERLY ON THE SOUTH LINE OF SAID LOT 27 TO THE SOUTHWEST CORNER OF SAID LOT 27; THENCE NORTHERLY ON THE WEST LINE OF SAID LOT 27 TO THE EASTERLY EXTENSION OF THE NORTH RIGHT OF WAY LINE OF 11 TH AVENUE; THENCE WESTERLY ON SAID NORTH RIGHT OF WAY LINE TO THE WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE SOUTHERLY ON SAID WEST LINE TO THE SOUTHEAST CORNER OF LOT 1, BLOCK 2, O'NEILL'S ADDITION AS PLATTED IN THE CITY OF PLATTSMOUTH; THENCE WESTERLY ON THE SOUTH LINE OF SAID BLOCK 2 TO THE SOUTHWEST CORNER OF LOT 5 SAID BLOCK 2; THENCE NORTHERLY ON THE WEST LINE OF SAID LOT 5 TO THE NORTH RIGHT OF WAY LINE OF 11 TH AVENUE; THENCE WESTERLY ON SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 332 FEET, MORE OR LESS; THENCE SOUTHERLY PERPENDICULAR TO SAID NORTH RIGHT OF WAY LINE TO THE SOUTH RIGHT OF WAY LINE OF 11 TH AVENUE AND THE NORTH WEST CORNER OF BLOCKS 4 AND 5, LYING EAST OF CREEK, O'NEILL'S ADDITION AS PLATTED IN THE CITY OF PLATTSMOUTH; THENCE SOUTHERLY ON THE WEST LINE OF SAID BLOCKS 4 AND 5 TO THE CENTERLINE OF AN ESTABLISHED CREEK; THENCE SOUTHEASTERLY ON SAID CENTERLINE OF ESTABLISHED CREEK TO THE NORTH RIGHT OF WAY LINE OF 13TH AVENUE; THENCE SOUTHERLY PERPENDICULAR TO SAID NORTH RIGHT OF WAY LINE TO THE SOUTH RIGHT OF WAY LINE OF 13 TH AVENUE; THENCE EASTERLY ON SAID SOUTH RIGHT OF WAY LINE TO THE WESTERLY RIGHT OF WAY LINE OF ROCK BLUFF ROAD; THENCE SOUTHEASTERLY ON SAID WESTERLY RIGHT OF WAY LINE TO THE SOUTHEAST CORNER OF LOTS 57 THRU 59, OF WISE'S OUTLOTS AS PLATTED IN THE CITY OF PLATTSMOUTH; THENCE NORTHWESTERLY TO THE SOUTHERLY CORNER OF LOTS 34 AND 35, OF SAID WISE'S OUTLOTS, SAID CORNER ALSO BEING ON THE WEST LINE OF SAID NORTHEAST QUARTER OF SAID SECTION 19; THENCE NORTHERLY ON SAID WEST LINE TO THE SOUTHWEST CORNER OF SUB LOT 1 OF LOT 136 OF THE SOUTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE EASTERLY ON THE SOUTH LINE OF SAID SUB LOT 1 TO THE SOUTHEAST CORNER OF SAID SUB LOT 1; THENCE NORTHERLY ON THE EAST LINE OF SAID SUB LOT 1 TO THE SOUTH LINE OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF SAID SECTION 19; THENCE EASTERLY ON SAID SOUTH LINE TO THE SOUTHEAST CORNER OF SAID

NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE EASTERLY ON THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19 TO THE POINT OF BEGINNING.”

Nichols read a memorandum from City Administrator Ervin Portis recommending approval of the Blighted and Substandard Study.

Nichols read the resolution:

PLANNING COMMISSION RESOLUTION NO. 2014-001

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF PLATTSMOUTH, NEBRASKA RELATED TO THE DESIGNATION OF AN AREA OF THE CITY AS BLIGHTED AND SUBSTANDARD.

WHEREAS, the Mayor and Council have referred to the Planning Commission consideration of the Blight and Substandard Determination Study dated 2014 and prepared by JEO Consulting Group, Inc. (the “Study”), which makes certain determinations concerning the following described area proposed to be declared blighted and substandard:

A PARCEL OF LAND LOCATED IN THE NORTHEAST AND NORTHWEST QUARTERS OF SECTION 19, TOWNSHIP 12 NORTH, RANGE 14 EAST OF THE SIXTH P.M., CASS COUNTY, NEBRASKA, BEING DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 19; THENCE NORTHERLY ON THE EAST LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 104 FEET, MORE OR LESS; THENCE WESTERLY, PERPENDICULAR TO SAID EAST LINE, A DISTANCE OF 14 FEET MORE OR LESS; THENCE SOUTHERLY, PARALLEL WITH AND 14 FEET, MORE OR LESS, DISTANT FROM SAID EAST LINE, A DISTANCE OF 71 FEET, MORE OR LESS; THENCE WESTERLY, PARALLEL WITH AND 37 FEET, MORE OR LESS, DISTANT FROM THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 53 FEET, MORE OR LESS; THENCE NORTHERLY, PARALLEL WITH AND 67 FEET MORE OR LESS, DISTANT FROM THE EAST LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER, A DISTANCE OF 164 FEET, MORE OR LESS; THENCE WESTERLY, PARALLEL WITH AND 196 FEET, MORE OR LESS, DISTANT FROM THE SOUTH LINE OF SAID NORTHEAST QUARTER OF THE NORTHEAST QUARTER TO THE EASTERLY RIGHT OF WAY LINE OF WINTERSTEEN ROAD; THENCE NORTHWESTERLY ON SAID EASTERLY RIGHT OF WAY LINE TO THE WEST LINE OF SAID

NORTHEAST QUARTER OF THE NORTHEAST QUARTER, THENCE NORTHERLY, ON SAID WEST LINE TO THE NORTH LINE OF THE NORTHWEST QUARTER OF SAID NORTHEAST QUARTER; THENCE WESTERLY ON SAID NORTH LINE TO THE WEST RIGHT OF WAY LINE OF "A" STREET; THENCE SOUTHERLY ON SAID WEST RIGHT OF WAY LINE TO THE NORTH RIGHT OF WAY LINE 9TH AVENUE; THENCE WESTERLY ON SAID NORTH RIGHT OF WAY LINE TO THE WEST RIGHT OF WAY LINE OF MEADOW DRIVE; THENCE SOUTHERLY ON SAID WEST RIGHT OF WAY LINE TO THE SOUTHEAST CORNER OF LOT 27, MEADOW HEIGHT ESTATES SUBDIVISION AS PLATTED IN THE CITY OF PLATTSMOUTH; THENCE WESTERLY ON THE SOUTH LINE OF SAID LOT 27 TO THE SOUTHWEST CORNER OF SAID LOT 27; THENCE NORTHERLY ON THE WEST LINE OF SAID LOT 27 TO THE EASTERLY EXTENSION OF THE NORTH RIGHT OF WAY LINE OF 11TH AVENUE; THENCE WESTERLY ON SAID NORTH RIGHT OF WAY LINE TO THE WEST LINE OF SAID NORTHWEST QUARTER OF THE NORTHEAST QUARTER; THENCE SOUTHERLY ON SAID WEST LINE TO THE SOUTHEAST CORNER OF LOT 1, BLOCK 2, O'NEILL'S ADDITION AS PLATTED IN THE CITY OF PLATTSMOUTH; THENCE WESTERLY ON THE SOUTH LINE OF SAID BLOCK 2 TO THE SOUTHWEST CORNER OF LOT 5 SAID BLOCK 2; THENCE NORTHERLY ON THE WEST LINE OF SAID LOT 5 TO THE NORTH RIGHT OF WAY LINE OF 11 TH AVENUE; THENCE WESTERLY ON SAID NORTH RIGHT OF WAY LINE A DISTANCE OF 332 FEET, MORE OR LESS; THENCE SOUTHERLY PERPENDICULAR TO SAID NORTH RIGHT OF WAY LINE TO THE SOUTH RIGHT OF WAY LINE OF 11 TH AVENUE AND THE NORTH WEST CORNER OF BLOCKS 4 AND 5, LYING EAST OF CREEK, O'NEILL'S ADDITION AS PLATTED IN THE CITY OF PLATTSMOUTH; THENCE SOUTHERLY ON THE WEST LINE OF SAID BLOCKS 4 AND 5 TO THE CENTERLINE OF AN ESTABLISHED CREEK; THENCE SOUTHEASTERLY ON SAID CENTERLINE OF ESTABLISHED CREEK TO THE NORTH RIGHT OF WAY LINE OF 13TH AVENUE; THENCE SOUTHERLY PERPENDICULAR TO SAID NORTH RIGHT OF WAY LINE TO THE SOUTH RIGHT OF WAY LINE OF 13 TH AVENUE; THENCE EASTERLY ON SAID SOUTH RIGHT OF WAY LINE TO THE WESTERLY RIGHT OF WAY LINE OF ROCK BLUFF ROAD; THENCE SOUTHEASTERLY ON SAID WESTERLY RIGHT OF WAY LINE TO THE SOUTHEAST CORNER OF LOTS 57 THRU 59, OF WISE'S OUTLOTS AS PLATTED IN THE CITY OF PLATTSMOUTH; THENCE NORTHWESTERLY TO THE SOUTHERLY CORNER OF LOTS 34 AND 35, OF SAID WISE'S OUTLOTS, SAID CORNER ALSO BEING ON THE WEST LINE OF SAID NORTHEAST QUARTER OF SAID SECTION 19; THENCE NORTHERLY ON SAID

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NOW, THEREFORE, BE IT RESOLVED that based on the Study, it is the recommendation of the Planning Commission that the Mayor and Council find, determine and declare that the Area described above is an area which meets the criteria for designation as blighted and substandard in need of redevelopment under the terms of *Neb. Rev. Stat. § 18- 2103 (10) and (11)* in that such real estate is affected by conditions as set forth in the Study.

PASSED AND APPROVED this 18TH day of April 2014.

Following discussion:

MOTION BY KINDIG, SECONDED BY BARONI TO ADOPT PLANNING COMMISSION RESOLUTION NO. 2014-001. On roll call: voting yes, Herlick, Minahan, Baroni, McKinley, Rice, Prince, Kindig, Nichols; voting no, none; absent and not voting, Kief, Weaver. MOTION CARRIED.

ITEM 7

MOTION BY BARONI, SECONDED BY PRINCE TO ADJOURN. A voice vote in favor was unanimous, MOTION CARRIED. Meeting adjourned at 8:02 p.m.

Dewayne Prince
Secretary

Minutes recorded and typed by Kevin Larson