

Planning Commission
Monday, November 8, 2021 7:00 PM
Council Chambers
1369 25 Avenue
Columbus, NE 68601

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 October 11, 2021, meeting.**

PLANNING COMMISSION
October 11, 2021

A meeting of the Planning Commission of the City of Columbus, Nebraska, was convened in open and public session on October 11, 2021, 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 September 29, 2021, 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 Lopez announced that a copy of the Open Meetings Act is available at this meeting. Present were Members Steve Anderson, Colleen Bray, Bob Elsasser, Melissa Goc, Kim Hoefer, Tom Lange, Fernando Lopez, Jr., Josh Mueller, and Tom Pillen. City staff members included City Attorney Gene Schumacher, City Engineer Rick Bogus, Community Development Director Dan Curtis, and Assistant City Clerk Robin Efta. Also present was Mayor James Bulkley.
2. **Minutes of September 13, 2021, meeting:** The minutes were approved as presented with a motion by Elsasser and a second by Bray. Anderson, Bray, Elsasser, Goc, Hoefer, Lange, Lopez, Mueller, and Pillen voted "Aye" and none voted "Nay".
3. **Public hearing - Application of West Wood Addition, LLC for final plat and development agreement of Riverside Third Addition (west of intersection of 17 Street and 49 Avenue):** John Zwingman, Advanced Consulting Engineering Services, on behalf of the applicant, stated the final plat is substantially consistent with the preliminary plat with eleven lots and water, sewer, paving, and storm sewer being extended. No public testimony was heard. The public hearing closed with a motion by Mueller and a second by Elsasser. Anderson, Bray, Elsasser, Goc, Hoefer, Lange, Lopez, Mueller, and Pillen voted "Aye" and none voted "Nay". A recommendation was made with a motion by Anderson and a second by Lange to approve the final plat and development agreement of Riverside Third Addition as it is consistent with the preliminary plat. Anderson, Bray, Elsasser, Goc, Hoefer, Lange, Lopez, Mueller, and Pillen voted "Aye" and none voted "Nay".
- 3.A. **Public hearing - Determine whether Riverside Third Addition should be included within corporate city limits:** No public testimony was heard. The public hearing closed with a motion by Elsasser and a second by Mueller. Anderson, Bray, Elsasser, Goc, Hoefer, Lange, Lopez, Mueller, and Pillen voted "Aye" and none voted "Nay". A recommendation was made with a motion by Mueller and a second by Elsasser that Riverside Third Addition be included within the corporate city limits. Bray, Elsasser, Goc, Hoefer, Lange, Lopez, Mueller, Pillen, and Anderson voted "Aye" and none voted "Nay".
4. **Public hearing - Application of Steven Ramaekers, Granville Custom Homes, Inc., for preliminary plat of Shadylake Meadows 2nd Subdivision (vicinity of 23 Street**

and 57 Avenue): John Zwingman, Advanced Consulting Engineering Services, on behalf of the applicant, explained that this is a re-plat of Shadylake Meadows Addition bought by a new developer with the change from 29 to 31 residential lots and the developer will be responsible for additional water and sewer services. No public testimony was heard. The public hearing closed with a motion by Elsasser and a second by Mueller. Elsasser, Goc, Hoefer, Lange, Lopez, Mueller, Pillen, Anderson, and Bray voted "Aye" and none voted "Nay". A recommendation was made with a motion by Elsasser and a second by Bray to approve the preliminary plat of Shadylake Meadows 2nd Subdivision as it is amenable with the adjacent land use, consistent with the planning of Shadylake Meadows Addition, and is in accordance with the Unified Land Development Ordinance. Goc, Hoefer, Lange, Lopez, Mueller, Pillen, Anderson, Bray, and Elsasser voted "Aye" and none voted "Nay".

5. **Public hearing - Application of Steven Ramaekers, Granville Custom Homes, Inc., for final plat and development agreement of Shadylake Meadows 2nd Subdivision (vicinity of 23 Street and 57 Avenue):** John Zwingman, Advanced Consulting Engineering Services, on behalf of the applicant, stated the final plat is consistent with the preliminary plat. No public testimony was heard. The public hearing closed with a motion by Mueller and a second by Anderson. Hoefer, Lange, Lopez, Mueller, Pillen, Anderson, Bray, Elsasser, and Goc voted "Aye" and none voted "Nay". A recommendation was made with a motion by Mueller and a second by Lange to approve the final plat and development agreement of Shadylake Meadows 2nd Subdivision as it is consistent with the preliminary plat. Lange, Lopez, Mueller, Pillen, Anderson, Bray, Elsasser, Goc, and Hoefer voted "Aye" and none voted "Nay".
6. **Public hearing - Application of NE Columbus PropCo, LLC to rezone property located at 1112 15 Street from "R-3" (Multiple-Family Residential District) to "B-2" (General Commercial District):** Clark Grant, attorney on behalf of the applicant, stated the applicant is the current owner of the property, the property is under contract for sale to the Columbus Rescue Mission, and the intent is to relocate to the new property. Grant noted the potential plan would be an improvement to the neighborhood as the property would be well maintained. Nathan Joslin, Executive Director of the Columbus & Living Water Rescue Mission, explained the property would be triple the size of their current location where they would be able to expand family ministry and provide transitional apartments. Joslin explained the rules for guests. Barton Barcel, 310 41 Road, Bellwood, Nebraska, stated he has served on the Columbus Rescue Mission board for six years, has never received a complaint about any of the tenants, and has seen many lives changed through this mission. Barcel noted he has supported the mission from the time they opened and truly believes in the organization. In response to Jim Euteneuer, 1614 8 Street, Joslin explained that if a person did not pass a drug or alcohol test, they would be asked to leave, have 24 hours before they could return to the mission, and is unaware of where they go after leaving the mission. The public hearing closed with a motion by Mueller and a second by Elsasser. Lopez, Mueller, Pillen, Anderson, Bray, Elsasser, Goc, Hoefer, and Lange voted "Aye" and none voted "Nay". A recommendation was made by Anderson and a second by Mueller to rezone the property located at 1112 15 Street from "R-3" to "B-2". Mueller, Pillen, Anderson, Bray, Elsasser, Goc, Lange, and Lopez voted "Aye" and Hoefer voted "Nay".
7. **Public hearing - Application of NE Columbus PropCo, LLC for special use permit to allow a non-commercial shelter in a "B-2" (General Commercial District) zone at 1112 15 Street:** Clark Grant, attorney on behalf of the applicant, was available for

questions. No public testimony was heard. The public hearing closed with a motion by Elsasser and a second by Anderson. Pillen, Anderson, Bray, Elsasser, Goc, Hoefler, Lange, Lopez, and Mueller voted "Aye" and none voted "Nay". A recommendation was made by Anderson and a second by Mueller to approve the special use permit application of NE Columbus PropCo, LLC. Anderson, Bray, Elsasser, Goc, Lange, Lopez, Mueller, and Pillen voted "Aye" and Hoefler voted "Nay".

8. **Building report for September 2021:** The building report was approved as presented with a motion by Elsasser and a second by Lange. Bray, Elsasser, Goc, Hoefler, Lange, Lopez, Mueller, Pillen, and Anderson voted "Aye" and none voted "Nay".
9. **Adjournment:** The meeting adjourned at 7:37 p.m.

OFFICE OF THE CITY CLERK

: Robin Efta

- 3. Public hearing - Application of Kenneth Armstrong for preliminary plat of Luke Armstrong Subdivision (28 Avenue and 35 Street).**

**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 8, 2021, at 7 p.m. in the Council Chambers, 1369 25th Avenue, Columbus, Nebraska, on the preliminary plat of Luke Armstrong Subdivision, Lots 2, 3, and 4 Whispering Springs 2nd Addition to the City of Columbus, Platte County, Nebraska (28 Avenue and 35 Street) and at said time and place you may appear and be heard.

CITY OF COLUMBUS, NEBRASKA
Janelle Kline, City Clerk

Publish: 10:28:21
Two Affidavits of Publication

The City of **Columbus**

MEMORANDUM

DATE: November 4, 2021
FROM : Richard J. Bogus, City Engineer
TO: Tara Vasicek, City Administrator
RE: Luke Armstrong Subdivision – Preliminary and Final Plat

RECOMMENDATION:

I recommend the approval of the preliminary and final plat of Luke Armstrong Subdivision as it is amenable with the adjacent land use and is in accordance with the Unified Land Development Ordinance.

DISCUSSION:

The subdivision consists of 6 lots from 3 existing lots for the purposes of building townhomes. The subdivision is within the corporate limits.

FISCAL IMPACT:

None

ALTERNATIVE:

Do not approve.

CONCURRENCE:

By:  _____

SIGNATURE:

By:  _____

Approved By:  _____

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

DATE: 10/11/2021

NAME OF SUBDIVISION: Luke Armstrong Subd.

NAME OF PROPERTY OWNER: Kenneth Armstrong

CONTACT INFORMATION:

NAME OF REPRESENTATIVE OR PROPERTY OWNER: Teresa Tremel

ADDRESS OF REPRESENTATIVE OR PROPERTY OWNER: 1 Driftwood Drive


PHONE NUMBER: 402-942-1101

REPRESENTATIVE OR PROPERTY OWNER E-MAIL: teresatremel123@gmail.com

NUMBER OF LOTS IN SUBDIVISION: 6

ADDRESS OF SUBDIVISION: _____

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

Clark Grant
Attorney / Legal Counsel for Applicant

Development Agreement submitted on: _____

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

PRELIMINARY PLAT OF LUKE ARMSTRONG SUBDIVISION

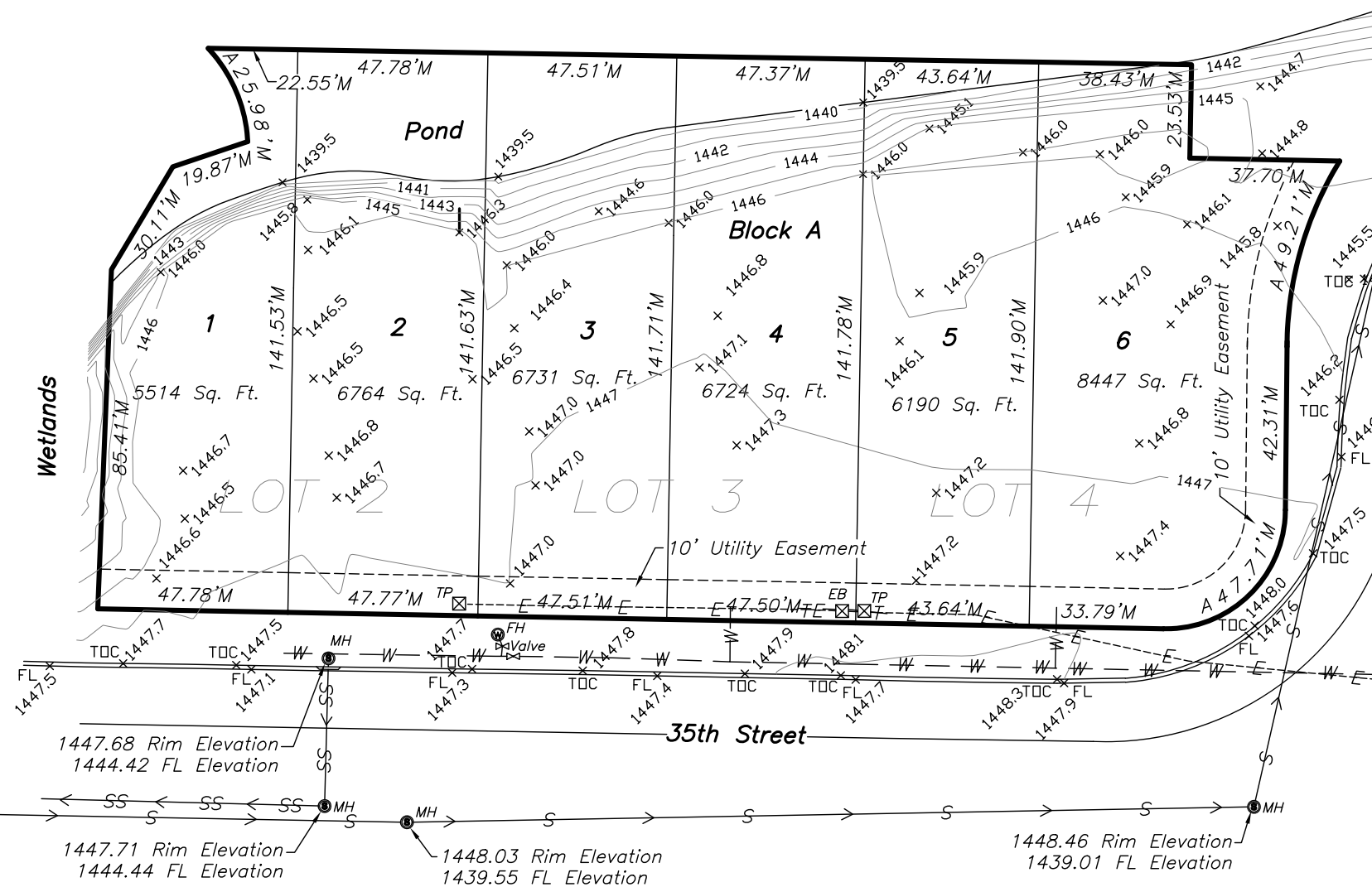
A MAJOR SUBDIVISION TO THE CITY OF COLUMBUS, NEBRASKA

-LEGEND-

- M Measured This Survey
- Valve Water Valve
- MH Manhole
- FH Fire Hydrant
- TP Telephone Pedestal
- EB Electrical Box
- FL Flow Line
- TOC Top of Curb
- E---E---E- Underground Electric
- T---T---T- Underground Cable TV
- SS --- SS 36" Storm Sewer
- S---S---S- Sanitary Sewer
- W---W---W- 12" Water Line

Note: All Bearings are referenced from True North observed at the Northeast Corner, Section 36, T17N, R1W.

Owner: Kenneth Armstrong
38459 115th Avenue
Leigh, NE 68643
(402)563-7164



Description:

Lots 2, 3, and 4, Whispering Springs 2nd Addition, a Minor Subdivision of a Portion of the S1/2 of the NE1/4 of the NE1/4 of Section 18, T17N, R1E of the 6th P.M., Platte County, Nebraska, a part of the City of Columbus.

Notes:

- 1) All elevations are referenced to NAVD 1988.
- 2) All bearings are referenced to True North observed at the NE Corner, Sec. 36, T17N, R1W.
- 3) Present and the proposed zoning is R-2.
- 4) This property is shown on FIRM Map, No. 31141C0330E; Effective Date: April 19, 2010. Located in Flood Plain Zone X.

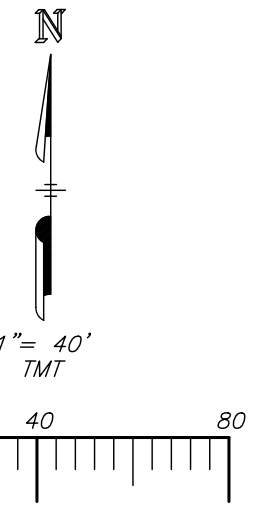
Utilities:

Call 800.642.8434 for the actual location of the utilities before digging.
No Privated Utilities were located unless otherwise shown.
Water/Sewer - City of Columbus (As shown)
Gas - Black Hills Energy (Clear/No Conflict)
Cable TV - Spectrum (As Shown)
Telephone - Allo Communications (Clear/No Conflict)
Electric - Loup River Public Power District (As Shown)

Surveyor's Statement:

I, Thomas A. Tremel, a Registered Land Surveyor in the State of Nebraska, hereby state that this survey was conducted under my direct supervision and is correct to the best of my knowledge and belief.

Thomas A. Tremel
Thomas A. Tremel, L.S. #455
October 18, 2021



PLANNING COMMISSION:

This Preliminary Plat of Luke Armstrong Subdivision to the City of Columbus, Platte County, Nebraska, was approved by the Planning Commission on

___ Day of _____, _____

Chairman

CITY COUNCIL:

This Preliminary Plat of Luke Armstrong Subdivision to the City of Columbus, Platte County, Nebraska, was approved by the City Council on

___ Day of _____, _____

Mayor

City Clerk

**PRELIMINARY PLAT
LUKE ARMSTRONG SUBDIVISION
COLUMBUS, NEBRASKA**

TMT DRAWN	TMT SURVEYED	10/07/2021 DATE
--------------	-----------------	--------------------



No. 1 Driftwood Drive - Columbus, NE 68601
Phone (402) 563-4589 - Fax (402) 563-3922

4. **Public hearing - Application of Kenneth Armstrong for final plat and development agreement of Luke Armstrong Subdivision (28 Avenue and 35 Street).**

**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 8, 2021, at 7 p.m. in the Council Chambers, 1369 25th Avenue, Columbus, Nebraska, on the final plat and development agreement of Luke Armstrong Subdivision, Lots 2, 3, and 4 Whispering Springs 2nd Addition to the City of Columbus, Platte County, Nebraska (28 Avenue and 35 Street) and at said time and place you may appear and be heard.

CITY OF COLUMBUS, NEBRASKA
Janelle Kline, City Clerk

Publish: 10:28:21
Two Affidavits of Publication

The City of **Columbus**

MEMORANDUM

DATE: November 4, 2021
FROM : Richard J. Bogus, City Engineer
TO: Tara Vasicek, City Administrator
RE: Luke Armstrong Subdivision – Preliminary and Final Plat

RECOMMENDATION:

I recommend the approval of the preliminary and final plat of Luke Armstrong Subdivision as it is amenable with the adjacent land use and is in accordance with the Unified Land Development Ordinance.

DISCUSSION:

The subdivision consists of 6 lots from 3 existing lots for the purposes of building townhomes. The subdivision is within the corporate limits.

FISCAL IMPACT:

None

ALTERNATIVE:

Do not approve.

CONCURRENCE:

By:  _____

SIGNATURE:

By:  _____

Approved By:  _____

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

DATE: 10/11/2021

NAME OF SUBDIVISION: Luke Armstrong Subd.

NAME OF PROPERTY OWNER: Kenneth Armstrong

CONTACT INFORMATION:

NAME OF REPRESENTATIVE OR PROPERTY OWNER: Teresa Tremel

ADDRESS OF REPRESENTATIVE OR PROPERTY OWNER: 1 Driftwood Drive

PHONE NUMBER: 402-942-1101

REPRESENTATIVE OR PROPERTY OWNER E-MAIL: terentremel123@gmail.com

NUMBER OF LOTS IN SUBDIVISION: 6

ADDRESS OF SUBDIVISION: _____

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


Attorney / Legal Counsel for Applicant

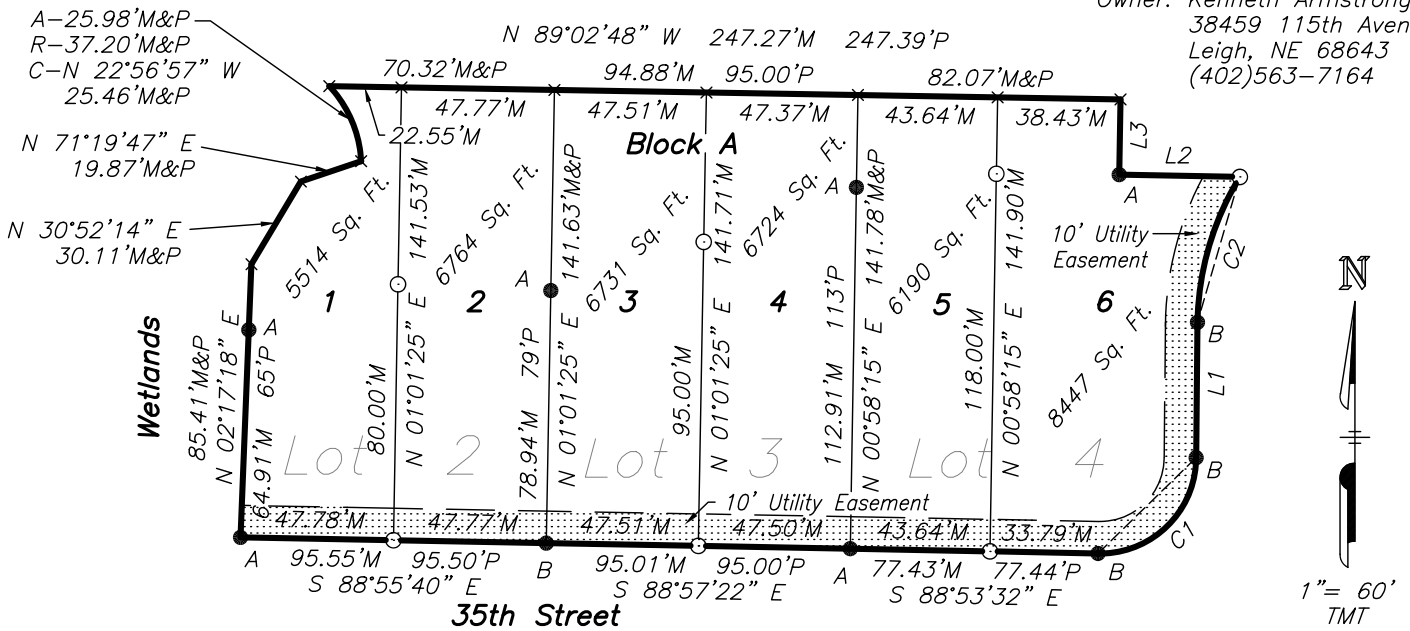
Development Agreement submitted on: _____

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

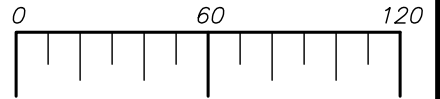
LUKE ARMSTRONG SUBDIVISION

A MAJOR SUBDIVISION TO THE CITY OF COLUMBUS, NEBRASKA

Owner: Kenneth Armstrong
38459 115th Avenue
Leigh, NE 68643
(402)563-7164



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING
C1	30.00'M&P	47.71'M 47.64'P	42.84'M 42.79'P	N 45°41'02" E
C2	90.00'M&P	47.87'M&P	47.31'M&P	N 16°14'35" E



LINE	BEARING	DISTANCE
L1	N 00°34'41" E	42.31'M 42.30'P
L2	S 89°38'57" W	37.70'M&P
L3	N 01°02'02" E	23.53'M 23.46'P

-Legend-

- Found Monument
 - A) 5/8" IB w/P. Cap L.S. #550
 - B) 1" IP w/ Plastic Cap
- Set 5/8" x 24" Rebar w/ Plastic Survey Cap
- × Computed Location
- M Measured this Survey
- P Plat Measurement

Present and Proposed Zoning is R-2.

Note: All Bearings are referenced from True North observed at the Northeast Corner, Section 36, T17N, R1W.

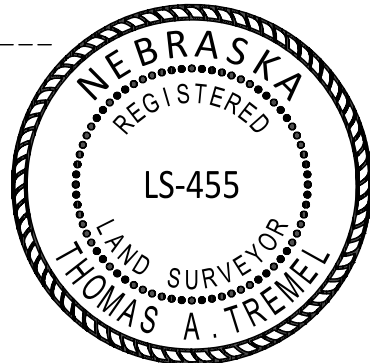
Description:

Lots 2, 3, and 4 Whispering Springs 2nd Addition to the City of Columbus, Platte County, Nebraska.

Surveyor's Statement:

I, Thomas A. Tremel, a Registered Land Surveyor in the State of Nebraska, hereby state that this survey was conducted under my direct supervision and is correct to the best of my knowledge and belief.

Thomas A. Tremel
Thomas A. Tremel, L.S. #455
October 18, 2021



School Board:

This Final Plat of Luke Armstrong Subdivision to the City of Columbus, Platte County, Nebraska, was approved by Columbus School District

on _____ Day of _____, 2021.

Secretary

President

Planning Commission:

This Final Plat of Luke Armstrong Subdivision to the City of Columbus, Platte County, Nebraska, was approved by the Planning Commission

on _____ Day of _____, 2021.

Chairman

City Council:

This Final Plat of Luke Armstrong Subdivision to the City of Columbus, Platte County, Nebraska, was

approved by Resolution _____ by the City Council

on _____ Day of _____, 2021.

Mayor

City Clerk

FINAL PLAT LUKE ARMSTRONG SUBDIVISION TO THE CITY OF COLUMBUS, NE		
TMT DRAWN	TMT SURVEYED	09/20/2021 DATE



No. 1 Driftwood Drive - Columbus, NE 68601
Phone (402) 563-4589 - Fax (402) 563-3922

Please return to:
Clark J. Grant
1464 27th Ave.
P.O. Box 455
Columbus, NE 68602

**LUKE ARMSTRONG ADDITION
DEVELOPMENT AGREEMENT**

THIS AGREEMENT, made and entered into this ____ day of _____, 2021, by and between KENNETH ARMSTRONG, (hereinafter referred to as "Subdivider") and the CITY OF COLUMBUS, a Municipal Corporation in the State of Nebraska (hereinafter referred to as "City")

WITNESSETH

WHEREAS, Subdivider is the owner of the land included within the proposed plat attached hereto as Exhibit "A", commonly known as Luke Armstrong Addition, a Subdivision of Lots 2, 3, and 4, Whispering Springs 2nd Addition to the City of Columbus, Platte County, Nebraska, (hereinafter referred to as the "Area to be Developed") within the City's zoning and platting jurisdiction; and,

WHEREAS, the CITY requires public improvements in the Area to be Developed; and,

WHEREAS, the Subdivider wishes to connect the system of sanitary sewers, water, and storm sewers to be constructed within the Area to be Developed, to the sanitary sewer, water, and storm sewer systems of the City.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

For the purpose of this Development Agreement, the following words and phrases shall have the following meanings:

The "cost" or "entire cost" of a type of improvement shall be deemed to include all construction costs, engineering fees, attorneys' fees, testing expenses, publication costs; financing costs and miscellaneous costs.

“Property benefited” shall mean property within the Area to be Developed (Exhibit “A”), which will comprise .93 acres of property.

“Street intersections” shall be construed to mean the areas shown in the city policy for the same adopted by Resolution R96-78, which by this reference is made a part hereof.

SECTION I

Subdivider and City covenant that the following public improvements shall be installed and provided by Subdivider as set forth herein, at Subdivider’s expense, subject to the exceptions and clarifications detailed herein:

A. The Subdivider will install water, sanitary and storm sewer systems and street improvements, including sidewalks and trails in accordance with city standards. The Subdivider will be responsible for the design, financing and construction of said public infrastructure improvements as detailed herein.

B. Concrete paving of internal streets, dedicated per plat (Exhibit “A”), all of said paving to be thirty-three (33) feet in width and six (6) inches thick, and shall be constructed according to city standards. The entire cost of paving and storm sewer system improvements except for intersections shall be paid by the Subdivider, with exception of intersection pavement and pavement in excess of thirty-three (33) feet in width and six (6) inches in thickness. In such case, the oversized cost shall be paid for by the City, subject to final approval of plans and specifications by the City.

C. The sanitary sewer system, including, but not limited to: mains, manholes and related appurtenances shall be constructed according to city standards within dedicated right-of-way and easements, per plat (Exhibit “A”), same to be located on sanitary sewer plan prepared by a Nebraska Licensed Civil Engineer. The entire cost of sanitary sewer system improvements shall be paid by the Subdivider, with exception of sanitary sewer mains located in a dedicated right-of-way or easement area that are greater than eight (8) inches. In such case, the cost over 8-inches shall be paid for by the City subject to the final approval of the plans and specifications by the City.

D. The storm water sewer system, including, but not limited to: mains, inlets, manholes, and related appurtenances shall be constructed according to city standards within dedicated right-of-way and easements, per plat (Exhibit "A") to be located on storm water system plan prepared by a Nebraska Licensed Civil Engineer. The Subdivider will be responsible for the design, financing and construction of said storm sewer system improvements. The entire cost of storm sewer improvements shall be paid by the Subdivider, with exception of storm sewer mains located in a dedicated right-of-way or easement area that are greater than 12-inches. In such case, the cost over 12-inches shall be paid for by the City subject to the final approval of plans and specifications by the City.

E. The water distribution system, including, but not limited to: mains, hydrants and valves shall be constructed according to city standards within dedicated right-of-way and easements per plat (Exhibit "A") on water plan prepared by a Nebraska Licensed Civil Engineer. The Subdivider will be responsible for the design, financing and construction of said water distribution improvements. The entire cost of the water distribution improvements shall be paid by the Subdivider, with exception of water mains located in a dedicated right-of-way or easement area that are greater than six (6) inches. In such case, the cost over 6-inches shall be paid for by the City subject to the final approval of plans and specifications by the City.

F. Natural gas distribution mains, if any, shall be located within a dedicated street right-of-way dedicated per plat (Exhibit "A"), which Subdivider will arrange to be installed by the local gas franchisee. Any additional cost participation required by the local gas franchisee for the installation of gas mains, if any, shall be borne by the Subdivider.

G. Subdivider will arrange for underground electrical service to each buildable lot within the Area to be Developed to be provided by Loup Power District at no cost to the City. If any relocation or adjusting of existing electrical mains are required, the costs shall be borne by the Subdivider.

H. Subdivider will arrange for street lighting for public streets dedicated per plat (Exhibit "A") to be provided by Loup Power District at Subdivider's cost and at no cost to the City.

I. Subdivider will install the concrete sidewalk four feet wide and four inches thick in accordance with the American's with Disability Act and per City Code on each lot within the Area to be Developed or shall contract with the builder to construct the same at the time each lot is developed. If Subdivider fails to do so, the lot owner along with the Subdivider shall be responsible for installing the sidewalk. If any lot remains a common area lot or is located adjacent to a designated arterial or collector, Subdivider shall install the sidewalk for said lot(s) as part of the initial construction. Subdivider shall construct sidewalks at 622 and 615 6th Street.

J. Grading for the Area to be Developed shall be completed by the Subdivider at the Subdivider's expense pursuant to the drainage plan elevations to be provided by Merlin Lindahl and submitted with the Final Plat. Post construction storm water management systems shall be

installed and maintained and fully functional in accordance with the City of Columbus Code of Ordinances, Chapter 53, at Subdivider's expense. Subdivider agrees to obtain a Nebraska Department of Environmental Quality, National Pollutant Discharge Elimination System, Construction Storm Water Notice of Intent (NOI), including the Storm Water Pollution Prevention Plan (SWPPP), prior to disturbing more than one acre. The Subdivider shall provide a copy of the NOI and SWPPP along with the name and contact information of the certified person/firm providing the inspections to the City as part of the City's Municipal Storm Sewer Separation System requirements. If less than one acre is disturbed, the Subdivider shall complete a small lot NOI and SWPPP.

SECTION II

Subdivider and City covenant and agree that the Subdivider will abide by and incorporate into all of its construction contracts the provisions required by the regulations of the City pertaining to construction of public improvements, and testing procedures therefor, except as otherwise provided in this Development Agreement.

SECTION III

A. Subject to the conditions and provisions hereinafter specified, the City hereby grants permission to the Subdivider to connect its sewer system to the sewer system of the City in such manner and at such place or places designated on plans submitted by the Subdivider's engineer and approved by the City.

B. Without prior written approval by the City, the Subdivider shall not permit any sewer lines or sewers outside the present boundaries of the Area to be Developed to connect to the sewer or sewer lines of the Area to be Developed, any sewers of the City, any outfall sewer of the City, or any sewage treatment plant of the City. The City shall have exclusive control over connections to its sewers whether inside or outside the boundaries of the Area to be Developed.

C. At all times, all sewage from and through said Area to be Developed into the City sewer system shall be in conformity with the ordinances, regulations, and conditions applicable to sewers and sewage within the City as now existing and as from time to time may be amended.

D. Before any connection from any premises to the sewer system of the Area to be Developed may be made, a permit shall be obtained for said premises, and its connection from the City, it being expressly understood that the City reserves the right to collect all connection charges and fees as required by city ordinances or rules now or hereafter in force; all such connections shall comply with minimum standards prescribed by the City.

E. Notwithstanding any other provisions of this Development Agreement, City retains the right to disconnect the sewer of any industry, or other sewer user within the Area to be Developed, which is discharging into the sewer system in violation of any applicable ordinance, statute, rule or regulations.

SECTION IV

All buildings built in the Area to be Developed, shall be constructed in compliance with the most recent City of Columbus Building Requirements at the time of application for the building permits, in the extent possible.

SECTION V

Installation of entrance signs or related fixtures and any median landscaping and related fixtures, if any, shall be paid by the Subdivider. Plans for such proposed improvements that are to be located in public right-of-way and a proposed maintenance agreement for the improvements must be submitted to the City for review and approval prior to the installation of improvements.

No separate administrative entity or joint venture, among the parties, is deemed created by virtue of the Development Agreement.

The administration of this Development Agreement shall be through the offices of the undersigned officers for their respective entities.

This Development Agreement shall be binding upon parties, their respective successors and assigns.

This Development Agreement replaces and declares void any prior agreements or resolutions regarding the development of the Area to be Developed

This Development Agreement shall be recorded at the Platte County Register of Deeds office, at the Subdivider's expense, within 30 days of final plat approval.

SECTION VI

The Subdivider shall install all public improvements within a time period of two (2) years after the signing of this Development Agreement, except that sidewalks directly in front of houses (if residential) or businesses (if commercial) shall be constructed before the Occupancy Certificate is issued or within four (4) years after the signing of this Development Agreement, whichever comes first. An extension of this time period may be requested by the Subdivider and if said request receives a favorable recommendation of Planning Commission and approval by

the City Council the deadline will be extended pursuant to the new deadline set by the City Council.

IN WITNESS WHEREOF, we the executing parties, by ourselves or our respective duly authorized agents, hereby enter into this Development Agreement:

ATTEST:

CITY OF COLUMBUS

CITY CLERK

MAYOR Date

APPROVED AS TO FORM

CITY ATTORNEY

SUBDIVIDER

Kenneth Armstrong

Dated this ___ day of _____, 2021.

STATE OF NEBRASKA)

) ss:

COUNTY OF PLATTE)

On this ___ day of _____, 2021, before me a Notary Public, duly commissioned and qualified in and for said County, appeared Kenneth Armstrong, who is personally known by me to be the identical person whose name is affixed to the Development Agreement, and acknowledged the execution thereof to be his voluntary act and deed as such officer of said corporation.

Witness my hand and Notarial Seal the day and year last above written.

Notary Public

5. **Public hearing - Application of Granville Custom Homes, Inc. for preliminary plat of Frontier Park 2nd Addition (north of Armory Drive west of Kozy Drive).**

**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 8, 2021, at 7 p.m. in the Council Chambers, 1369 25th Avenue, Columbus, Nebraska, on the preliminary plat of Frontier Park 2nd Addition, a tract of land located in the N 1/2 of the NW 1/4 of the SW 1/4 of Section 15, T17N, R1E of the 6th P.M., Platte County, Nebraska, more particularly described as follows: Commencing at the southeast corner of the N 1/2 of the NW 1/4 of the SW 1/4 of Section 15, T17N, R1E of the 6th P.M., Platte County, Nebraska, and assuming the east line of said N 1/2 to have a bearing of N 00°02'39" W; thence N 00°02'39" W, on said east line of the N 1/2, a distance of 60.00 feet, to the southwest corner of Lot 10, Block A, Armory Subdivision, City of Columbus, Nebraska, said point being the point of beginning; thence S 89°53'53" W, on the north right-of-way line of Armory Drive, a distance of 311.78 feet, to the southeast corner of Lot 14, Block A, Frontier Park Addition, City of Columbus, Nebraska; thence N 00°02'39" W, on the east line of said Lot 14, a distance of 206.76 feet, to the northeast corner of said Lot 14; thence continuing N 00°02'39" W, a distance of 173.22 feet; thence S 89°53'20" W, a distance of 21.10 feet; thence N 00°02'39" W, a distance of 225.03 feet, to a point on the south line of Johannes 2nd Subdivision, City of Columbus, Nebraska; thence N 89°53'20" E, on the south of Johannes 2nd Subdivision, a distance of 332.87 feet, to the northwest corner of Lot 1, Block A, Armory Subdivision, City of Columbus, Nebraska; thence S 00°02'39" E, on the west line of Armory Subdivision, a distance of 605.06 feet, to the point of beginning, containing 4.44 acres, more or less (north of Armory Drive and west of Kozy Drive) and at said time and place you may appear and be heard.

CITY OF COLUMBUS, NEBRASKA
Janelle Kline, City Clerk

Publish: 10:28:21
Two Affidavits of Publication

The City of **Columbus**

MEMORANDUM

DATE: November 4, 2021
FROM : Richard J. Bogus, City Engineer
TO: Tara Vasicek, City Administrator
RE: Frontier Park 2nd Subdivision – Preliminary and Final Plat

RECOMMENDATION:

I recommend the approval of the preliminary and final plat of Frontier Park 2nd Subdivision as it is amenable with the adjacent land use, consistent with the Frontier Park master plan, and is in accordance with the Unified Land Development Ordinance.

DISCUSSION:

The subdivision consists of 17 residential lots, paving and utility extensions, and will utilize the Frontier Regional Stormwater Treatment Facility.

The subdivision is within the corporate limits.

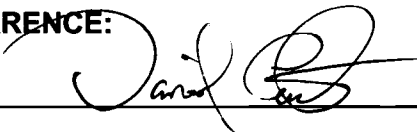
FISCAL IMPACT:

Minor costs for street and utility maintenance.

ALTERNATIVE:


Do not approve.

CONCURRENCE:

By:  _____

SIGNATURE:

By:  _____

Approved By:  _____

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

DATE: October 15, 2021

NAME OF SUBDIVISION: Frontier Park 2nd Addition

NAME OF PROPERTY OWNER: Granville Custom Homes, Inc.

CONTACT INFORMATION:

NAME OF REPRESENTATIVE OR PROPERTY OWNER: Steven Ramaekers

ADDRESS OF REPRESENTATIVE OR PROPERTY OWNER: 4514 Howard Blvd, Columbus, NE 68601

PHONE NUMBER: 402-276-3476

REPRESENTATIVE OR PROPERTY OWNER E-MAIL: steven@granville-homes.com

NUMBER OF LOTS IN SUBDIVISION: 17

ADDRESS OF SUBDIVISION: PID 710016856 Located north of Armory Drive 350' ± west of Kozy Drive

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

Attorney / Legal Counsel for Applicant

Development Agreement submitted on: _____

City Attorney

Neal Valorz – nvalorz@1492law.com

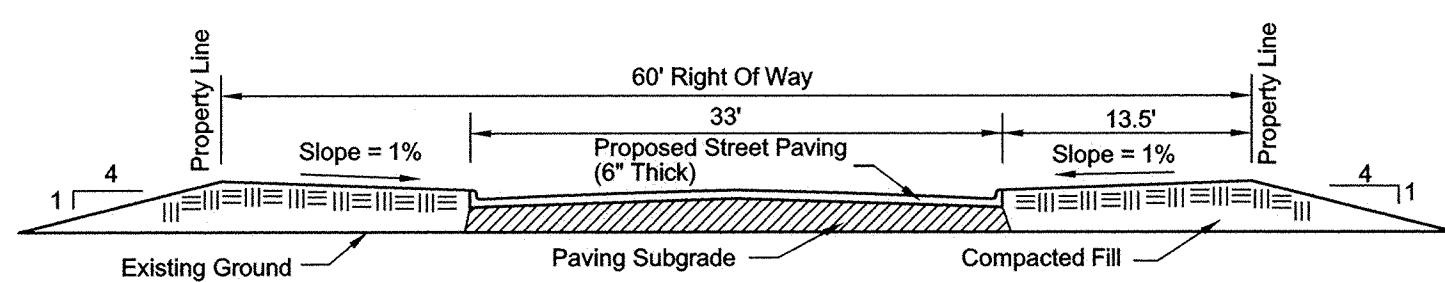
Gene G. Schumacher – gschum@1492law.com

PRELIMINARY PLAT
FRONTIER PARK 2nd ADDITION

TO THE CITY OF COLUMBUS, LOCATED IN THE N1/2 OF THE NW1/4
 OF THE SW1/4, SECTION 15, T17N, R1E OF THE 6th P.M.,
 PLATTE COUNTY, NEBRASKA



KEY MAP
1"=500'



TYPICAL STREET EMBANKMENT CROSS SECTION
NTS

STF Identification Number (Assigned By City)	STF Type	STF Location (Lat./Long.)	Drainage Area (Acres)	Design WQCV (cf)	WQCV (cf) Provided
	Detention Pond	41°26'37" N 97°18'18" W	4.44	7,291	124,498 By City

LEGEND

- Proposed 6" PVC DR18 Water Main
- Proposed 8" Sanitary Sewer Main
- Proposed Storm Sewer Main
- Proposed Drainage
- Proposed Sanitary Sewer Manhole
- Proposed Top Of Integral Curb Elevation
- Proposed Finished Earthwork Elevation
- Proposed Water Valve

LEGAL DESCRIPTION

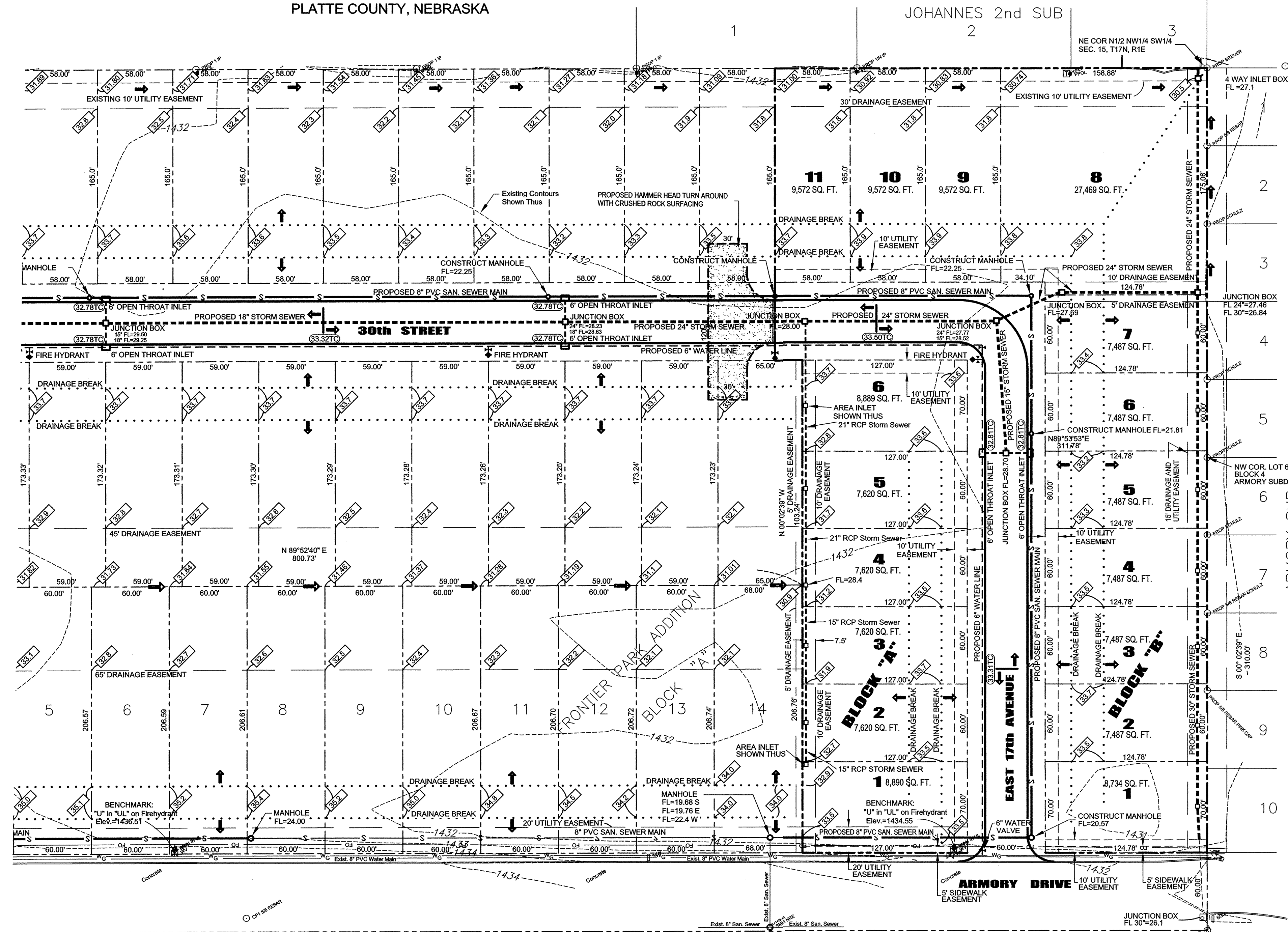
A tract of land located in the N 1/2 of the NW 1/4 of Section 15, T17N, R1E of the 6th P.M., Platte County, Nebraska, more particularly described as follows:
 Commencing at the southeast corner of the N 1/2 of the NW 1/4 of the SW 1/4 of Section 15, T17N, R1E of the 6th P.M., Platte County, Nebraska, and assuming the east line of said N 1/2 to have a bearing of N 00°02'39" W; thence N 00°02'39" W, on said east line of the N 1/2, a distance of 60.00 feet, to the southwest corner of Lot 10, Block A, Armory Subdivision, City of Columbus, Nebraska, said point being the point of beginning; thence S 89°53'53" W, on the north right-of-way line of Armory Drive, a distance of 311.78 feet, to the southeast corner of Lot 14, Block A, Frontier Park Addition, City of Columbus, Nebraska; thence N 00°02'39" W, on the east line of said Lot 14, a distance of 206.76 feet, to the northeast corner of said Lot 14; thence continuing N 00°02'39" W, a distance of 173.22 feet; thence S 89°53'20" W, a distance of 21.10 feet; thence N 00°02'39" W, a distance of 225.03 feet, to a point on the south line of Johannes 2nd Subdivision, City of Columbus, Nebraska; thence N 89°53'20" E, on the south of Johannes 2nd Subdivision, a distance of 332.87 feet, to the northwest corner of Lot 1, Block A, Armory Subdivision, City of Columbus, Nebraska; thence S 00°02'39" E, on the west line of Armory Subdivision, a distance of 605.06 feet, to the point of beginning, containing 4.44 acres, more or less.

SURVEYOR'S CERTIFICATE

I, Lynn D. Birkel, a registered surveyor of the State of Nebraska, hereby certify that this Preliminary Plat of FRONTIER PARK 2nd ADDITION, was made under my direction.



Lynn D. Birkel
 Lynn D. Birkel, Nebraska L.S. #497
 GILMORE & ASSOCIATES, INC.



PLANNING COMMISSION

This preliminary plat of FRONTIER PARK 2nd ADDITION to the City of Columbus, Nebraska, approved by the Planning Commission this ___ day of ___, 2021.

Chairman _____

CITY COUNCIL APPROVAL

This preliminary plat of FRONTIER PARK 2nd ADDITION to the City of Columbus, Nebraska, approved by the City Council this ___ day of ___, 2021.

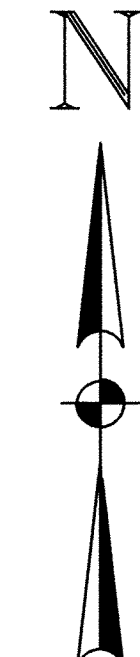
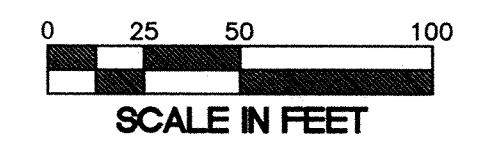
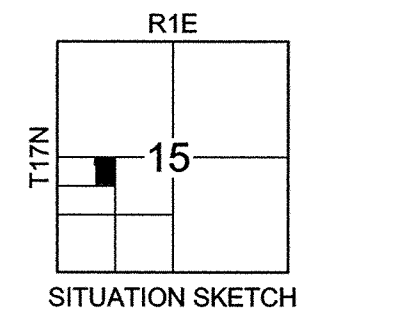
City Clerk _____

Mayor _____

EXISTING ZONING: R-2
 PROPOSED ZONING: R-2

OWNER:
 GRANVILLE CUSTOM HOMES, INC.
 4514 HOWARD BLVD.
 COLUMBUS, NE 68601
 Ph: 402-276-3476
 Email: steven@granville-homes.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



Diggers Hotline of Nebraska 1-800-331-5666

REVISIONS

Phone: (402) 564-2807
 Fax: (402) 564-2808
 Box 565 33rd Avenue
 Columbus, Nebraska 68602-0565

GILMORE & ASSOCIATES INC.
 Engineers - Surveyors

FRONTIER PARK 2nd ADDITION
COLUMBUS, NEBRASKA
PRELIMINARY PLAT

DRN BY: LDB
 DATE: 10/15/2021
 SCALE: 1"=50'
 PROJ.: 211.865
 F.B.:
 SHEET: 1 of 1

6. **Public hearing - Application of Granville Custom Homes, Inc. for final plat and development agreement of Frontier Park 2nd Addition (north of Armory Drive west of Kozy Drive).**

**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 8, 2021, at 7 p.m. in the Council Chambers, 1369 25th Avenue, Columbus, Nebraska, on the final plat and development agreement of Frontier Park 2nd Addition, a tract of land located in the N 1/2 of the NW 1/4 of the SW 1/4 of Section 15, T17N, R1E of the 6th P.M., Platte County, Nebraska, more particularly described as follows: Commencing at the southeast corner of the N 1/2 of the NW 1/4 of the SW 1/4 of Section 15, T17N, R1E of the 6th P.M., Platte County, Nebraska, and assuming the east line of said N 1/2 to have a bearing of N 00°02'39" W; thence N 00°02'39" W, on said east line of the N 1/2, a distance of 60.00 feet, to the southwest corner of Lot 10, Block A, Armory Subdivision, City of Columbus, Nebraska, said point being the point of beginning; thence S 89°53'53" W, on the north right-of-way line of Armory Drive, a distance of 311.78 feet, to the southeast corner of Lot 14, Block A, Frontier Park Addition, City of Columbus, Nebraska; thence N 00°02'39" W, on the east line of said Lot 14, a distance of 206.76 feet, to the northeast corner of said Lot 14; thence continuing N 00°02'39" W, a distance of 173.22 feet; thence S 89°53'20" W, a distance of 21.10 feet; thence N 00°02'39" W, a distance of 225.03 feet, to a point on the south line of Johannes 2nd Subdivision, City of Columbus, Nebraska; thence N 89°53'20" E, on the south of Johannes 2nd Subdivision, a distance of 332.87 feet, to the northwest corner of Lot 1, Block A, Armory Subdivision, City of Columbus, Nebraska; thence S 00°02'39" E, on the west line of Armory Subdivision, a distance of 605.06 feet, to the point of beginning, containing 4.44 acres, more or less (north of Armory Drive and west of Kozy Drive) and at said time and place you may appear and be heard.

CITY OF COLUMBUS, NEBRASKA
Janelle Kline, City Clerk

Publish: 10:28:21
Two Affidavits of Publication

The City of **Columbus**

MEMORANDUM

DATE: November 4, 2021
FROM : Richard J. Bogus, City Engineer
TO: Tara Vasicek, City Administrator
RE: Frontier Park 2nd Subdivision – Preliminary and Final Plat

RECOMMENDATION:

I recommend the approval of the preliminary and final plat of Frontier Park 2nd Subdivision as it is amenable with the adjacent land use, consistent with the Frontier Park master plan, and is in accordance with the Unified Land Development Ordinance.

DISCUSSION:

The subdivision consists of 17 residential lots, paving and utility extensions, and will utilize the Frontier Regional Stormwater Treatment Facility.

The subdivision is within the corporate limits.

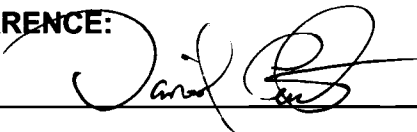
FISCAL IMPACT:

Minor costs for street and utility maintenance.

ALTERNATIVE:

Do not approve.

CONCURRENCE:

By:  _____

SIGNATURE:

By:  _____

Approved By:  _____

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

DATE: October 15, 2021

NAME OF SUBDIVISION: Frontier Park 2nd Addition

NAME OF PROPERTY OWNER: Granville Custom Homes, Inc.

CONTACT INFORMATION:

NAME OF REPRESENTATIVE OR PROPERTY OWNER: Steven Ramaekers

ADDRESS OF REPRESENTATIVE OR PROPERTY OWNER: 4514 Howard Blvd, Columbus, NE 68601

PHONE NUMBER: 402-276-3476

REPRESENTATIVE OR PROPERTY OWNER E-MAIL: steven@granville-homes.com

NUMBER OF LOTS IN SUBDIVISION: 17

ADDRESS OF SUBDIVISION: PID 710016856 Located north of Armory Drive 350' ± west of Kozy Drive

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

Steven Ramaekers

Attorney / Legal Counsel for Applicant

Development Agreement submitted on: 10-15-21

City Attorney

Neal Valorz – nvalorz@1492law.com

Gene G. Schumacher – gschum@1492law.com

Please return to:
Steven Ramaekers
Granville Custom Homes, Inc.
4514 Howard Blvd
Columbus, NE 68601
steven@granville-homes.com
402-276-3476

**FRONTIER PARK 2ND ADDITION
DEVELOPMENT AGREEMENT**

THIS AGREEMENT, made and entered into this ____ day of _____, 2021, by and between GRANVILLE CUSTOM HOMES, INC, (hereinafter referred to as "Subdivider") and the CITY OF COLUMBUS , a Municipal Corporation in the State of Nebraska (hereinafter referred to as "City")

WITNESSETH

WHEREAS, Subdivider is the owner of the land included within the proposed plat attached hereto as Exhibit "A", commonly known as FRONTIER PARK 2nd ADDITION to the City of Columbus, Platte County, Nebraska, (hereinafter referred to as the "Area to be Developed") within the City's zoning and platting jurisdiction; and,

WHEREAS, the CITY requires public improvements in the Area to be Developed; and,

WHEREAS, the Subdivider wishes to connect the system of sanitary sewers, water, and storm sewers to be constructed within, the Area to be Developed, to the sanitary sewer, water, and storm sewer system of the City.

NOW, THEREFORE, IT IS AGREED AS FOLLOWS:

For the purpose of this Development Agreement, the following words and phrases shall have the following meanings:

The "cost" or "entire cost" of a type of improvement shall be deemed to include all construction costs, engineering fees, attorneys' fees, testing expenses, publication costs; financing costs and miscellaneous costs.

“Property benefited” shall mean property within the Area to be Developed (Exhibit “A”), which will comprise 4.08 acres of property.

“Street intersections” shall be construed to mean the areas shown in the city policy for the same adopted by Resolution R96-78, which by this reference is made a part hereof.

SECTION I

Subdivider and City covenant that the following public improvements shall be installed and provided by Subdivider as set forth herein, at Subdivider’s expense, subject to the exceptions and clarifications detailed herein:

A. The Subdivider will install water, sanitary and storm sewer systems and sidewalks in accordance with city standards. The Subdivider will be responsible for the design, financing and construction of said public infrastructure improvements as detailed herein.

B. The sanitary sewer system, including, but not limited to: mains, manholes and related appurtenances shall be constructed according to city standards in dedicated street rights-of-way and easements, per plat (Exhibit “A”), same to be located on sanitary sewer plan prepared by a Nebraska Licensed Civil Engineer. The entire cost of sanitary sewer system improvements shall be paid by the Subdivider, with exception of sanitary sewer mains located in a dedicated right-of-way or easement area that are greater than eight (8) inches. In such case the cost over 8-inches shall be paid for by the City subject to the final approval of the plans and specifications by the City.

C. The storm water sewer system, including, but not limited to: mains, inlets, manholes, and related appurtenances shall be constructed according to city standards in dedicated street rights-of-way and easements, per plat (Exhibit “A”) to be located on storm water system plan prepared by a Nebraska Licensed Civil Engineer. The Subdivider will be responsible for the design, financing and construction of said storm sewer system improvements. The entire cost of storm sewer improvements shall be paid by the Subdivider, with exception of storm sewer mains located in a dedicated right-of-way or easement area that are greater than 12-inches. In such case the, the cost over 12-inches shall be paid for by the City subject to the final approval of plans and specifications by the City.

D. The water distribution system, including, but not limited to: mains, hydrants and valves shall be constructed according to city standards within dedicated street rights-of-way and easement per plat (Exhibit "A") on water plan prepared by a Nebraska Licensed Civil Engineer. The Subdivider will be responsible for the design, financing and construction of said water distribution improvements. The entire cost of the water distribution improvements shall be paid by the Subdivider, with exception of water mains located in a dedicated right-of-way or easement area that are greater than six (6) inches. In such case, the cost over 6-inches shall be paid for by the City subject to the final approval of plans and specifications by the City.

E. Natural gas distribution mains shall be located within dedicated street rights-of-way dedicated per plat (Exhibit "A"), which Subdivider will arrange to be installed by the local gas franchisee. Any additional cost participation required by the local gas franchisee for the installation of gas mains, if any, shall be borne by the Subdivider.

F. Subdivider will arrange for underground electrical service to each buildable lot within the Area to be Developed to be provided by Loup Power District at no cost to the City. If any relocation or adjusting of existing electrical mains are required the costs shall be borne by the Subdivider.

G. Subdivider will arrange for street lighting for public streets dedicated per plat (Exhibit "A") or adjacent to the addition to be provided by Loup Power District at Subdivider's cost and at no cost to the City.

H. Subdivider will install the concrete sidewalk four feet wide and four inches thick in accordance with the American's with Disability Act and per City Code on each lot within the Area to be Developed or shall contract with the builder to construct the same at the time each lot is developed. If Subdivider fails to do so, the lot owner along with the Subdivider shall be responsible for installing the sidewalk. If any lot remains a common area lot, Subdivider shall install the sidewalk for said lot(s) as part of the initial construction.

I. Grading for the Area to be Developed shall be completed by the Subdivider at the Subdivider's expense pursuant to the drainage and grading plan elevations to be provided by Gilmore and Associates and submitted with the Final Plat. Post construction storm water management systems shall be installed and maintained and fully functional in accordance with the City of Columbus Code of Ordinances, Chapter 53, at Subdivider's expense. Subdivider agrees to obtain a Nebraska Department of Environmental Quality, National Pollutant Discharge Elimination System, Construction Storm Water Notice of Intent (NOI), including the Storm Water Pollution Prevention Plan (SWPPP), prior to disturbing more than one acre. The Subdivider shall provide a copy of the NOI, SWPPP, and name and contact information of the certified person/firm providing the inspections to the City as part of the City's Municipal Storm Sewer Separation System requirements. If less than one acre is disturbed, the Subdivider shall complete a Small Lot NOI SWPPP.

J. Subdivider agrees to not object to the creation of a possible Storm Sewer Extension District which would include a regional storm water treatment facility.

SECTION II

Subdivider and City covenant and agree that the Subdivider will abide by and incorporate into all of its construction contracts the provisions required by the regulations of the City pertaining to construction of public improvements, and testing procedures therefor, except as otherwise provided in this Development Agreement.

SECTION III

A. Subject to the conditions and provisions hereinafter specified, the City hereby grants permission to the Subdivider to connect its sewer system to the sewer system of the City in such manner and at such place or places designated on plans submitted by the Subdivider's engineer and approved by the City.

B. Without prior written approval by the City, the Subdivider shall not permit any sewer lines or sewers outside the present boundaries of the Area to be Developed to connect to the sewer or sewer lines of the Area to be Developed, any sewers of the City, any outfall sewer of the City, or any sewage treatment plant of the City. The City shall have exclusive control over connections to its sewers whether inside or outside the boundaries of the Area to be Developed.

C. At all times, all sewage from and through said Area to be Developed into the City sewer system shall be in conformity with the ordinances, regulations, and conditions applicable to sewers and sewage within the City as now existing and as from time to time may be amended.

D. Before any connection from any premises to the sewer system of the Area to be Developed may be made, a permit shall be obtained for said premises, and its connection from the City, it being expressly understood that the City reserves the right to collect all connection charges and fees as required by city ordinances or rules now or hereafter in force; all such connections shall comply with minimum standards prescribed by the City.

E. Notwithstanding any other provisions of this Development Agreement, City retains the right to disconnect the sewer of any industry, or other sewer user within the Area to be Developed, which is discharging into the sewer system in violation of any applicable ordinance, statute, rule or regulations.

SECTION IV

All buildings built in the Area to be Developed, shall be constructed in compliance with the most recent City of Columbus Building Requirements at the time of application for the building permits, in the extent possible.

SECTION V

Installation of entrance signs or related fixtures and any median landscaping and related fixtures, if any, shall be paid by the Subdivider. Plans for such proposed improvements that are to be located in public right-of-way and a proposed maintenance agreement for the improvements must be submitted to the City for review and approval prior to the installation of improvements.

No separate administrative entity or joint venture, among the parties, is deemed created by virtue of the Development Agreement.

The administration of this Development Agreement shall be through the offices of the undersigned officers for their respective entities.

This Development Agreement shall be binding upon parties, their respective successors and assigns.

This Development Agreement replaces and declares void any prior agreements or resolutions regarding the development of the Area to be Developed

This Development Agreement shall be recorded at the Platte County Register of Deeds office, at the Subdivider's expense, within 30 days of final plat approval.

SECTION VI

The Subdivider shall install all public improvements within a time period of two (2) years after the signing of this Development Agreement, except that sidewalks directly in front of houses shall be constructed before the Occupancy Certificate is issued or within four (4) years after the signing of this Development Agreement, whichever comes first. Any extension of this time period shall be made by favorable recommendation of Planning Commission and approval by the City Council.

IN WITNESS WHEREOF, we the executing parties, by ourselves or our respective duly authorized agents, hereby enter into this Development Agreement:

ATTEST:

CITY OF COLUMBUS

CITY CLERK

MAYOR Date

APPROVED AS TO FORM

CITY ATTORNEY

SUBDIVIDER

GRANVILLE CUSTOM HOMES, INC.

By _____
Steven Ramaekers, President

Dated this _____ day of _____, 2021.

STATE OF NEBRASKA)
) ss.
COUNTY OF PLATTE)

On this _____ day of _____, 20____, before me a Notary Public, duly commissioned and qualified in and for said County, appeared _____, who is personally known by me to be the identical person whose name is affixed to the Development Agreement, and acknowledged the execution thereof to be his voluntary act and deed as such officer of said corporation.

Witness my hand and Notarial Seal the day and year last above written.

Notary Public

(My commission expires: _____)

7. **Public hearing - Application of Columbus Community Hospital and City of Columbus for preliminary plat of Sunset Park Subdivision (42 Street east of 48 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 8, 2021, at 7 p.m. in the Council Chambers, 1369 25th Avenue, Columbus, Nebraska, on the preliminary plat of Sunset Park Subdivision, a tract of land located in Part of Lot 1, Block A, Columbus Community Hospital Addition to the City of Columbus, Platte County, Nebraska described as follows: Beginning at the Northeast corner Lot 1, Block A, Columbus Community Hospital Addition to the City of Columbus, Platte County, Nebraska, and assuming the east line of said Lot 1 to have a bearing of S 02°01'45" E; thence S 02°01'45" E and on said east line 1287.89 feet to the Southeast Corner of said Lot 1; thence S 88°19'23" W and on the south line said Lot 1, 79.94 feet to a point; thence N 02°01'45" W and on the southerly extension of the east line of Lot 4, Columbus Community Hospital 4th Subdivision to the City of Columbus, Platte County, Nebraska, 299.87 feet to the Northeast Corner said Lot 4; thence S 88°19'23" W and on the north line said 4th Subdivision, 370.01 feet to a point on the northeasterly line Lot 2, Columbus Community Hospital 5th Subdivision to the City of Columbus, Platte County, Nebraska; thence N 30°37'16" W and on the northwesterly extension of said northeasterly line, 531.25 feet; thence N 84°38'37" W, 297.11 feet; thence N 61°19'42" W, 124.61 feet; thence N 34°10'43" W, 135.65 feet; thence northwesterly, 37.48 feet on a 120.59 foot radius curve concave northeasterly with a chord bearing and distance of, N 25°16'31" W, 37.33 feet; thence northwesterly, 167.18 feet on a 134.24 foot radius curve concave southwesterly with a chord bearing and distance of, N 52°03'01" W, 156.59 feet; thence northwesterly 39.04 feet on a 28.38 foot radius curve concave northeasterly with a chord bearing and distance of N48°19'39" W , 36.03 feet; thence N 08°55'34" W, 110.16 feet; thence N 01°39'42" W, 41.12 feet to a point on the north line said Lot 1; thence N 88°20'15" E and on said north line, 1351.90 feet to the Point of Beginning, containing 21.09 acres more or less (42 Street and east of 48 Avenue) and at said time and place you may appear and be heard.

CITY OF COLUMBUS, NEBRASKA
Janelle Kline, City Clerk

Publish: 10:28:21
Two Affidavits of Publication

The City of **Columbus**

MEMORANDUM

DATE: November 4, 2021
FROM : Richard J. Bogus, City Engineer
TO: Tara Vasicek, City Administrator
RE: Sunset Park Subdivision – Preliminary and Final Plat

RECOMMENDATION:

I recommend the approval of the preliminary and final plat of Sunset Park Subdivision as it is amenable with the adjacent land use and is in accordance with the Unified Land Development Ordinance.

DISCUSSION:

The subdivision consists of 2 lots, one of Sunset Park including Lake Esther and the other is parcel of property owned by the Columbus Community Hospital. The subdivision is within the corporate limits.

FISCAL IMPACT:

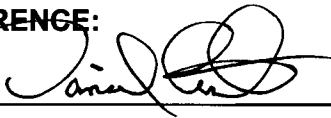
None

ALTERNATIVE:

Do not approve.

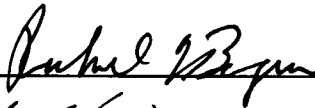
CONCURRENCE:

By: _____

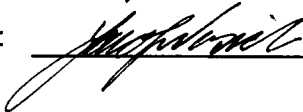


SIGNATURE:

By: _____



Approved By: _____



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

DATE: 10/18/21

NAME OF SUBDIVISION: SUNSET PARK SUBDIVISION

NAME OF PROPERTY OWNER: Columbus Community Hospital/ City of Columbus

CONTACT INFORMATION:

NAME OF REPRESENTATIVE OR PROPERTY OWNER: City of Columbus/Columbus Community Hospital Inc.

ADDRESS OF REPRESENTATIVE OR PROPERTY OWNER: 2424 14th Street Columbus Ne.

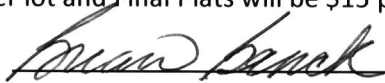
PHONE NUMBER: 402-562-4267

REPRESENTATIVE OR PROPERTY OWNER E-MAIL: _____

NUMBER OF LOTS IN SUBDIVISION: 2

ADDRESS OF SUBDIVISION: 3974 41st Ave.

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

Attorney / Legal Counsel for Applicant

Development Agreement submitted on: _____

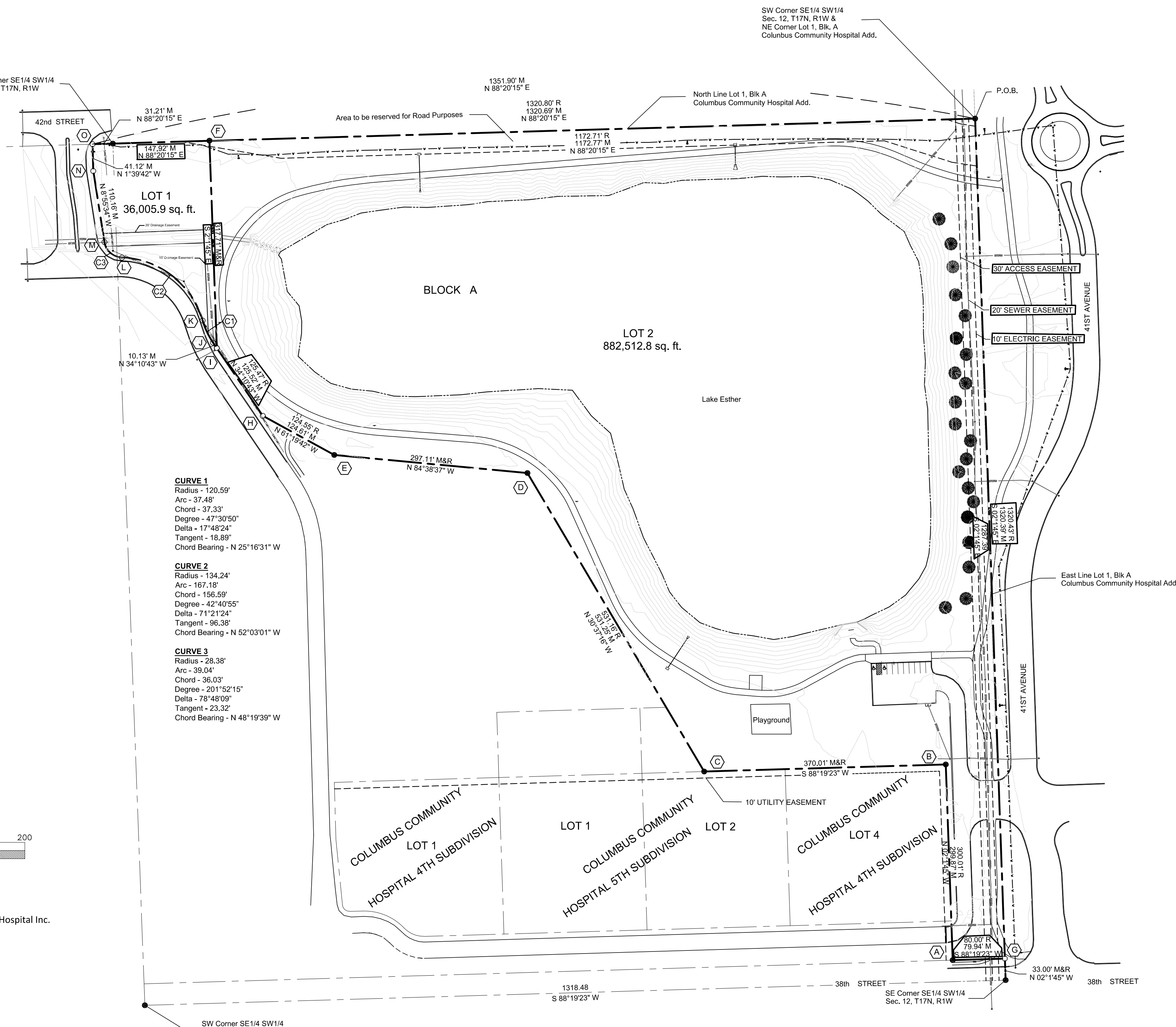
City Attorney

Neal Valorz – nvalorz@1492law.com

Gene G. Schumacher – gschum@1492law.com

**PRELIMINARY PLAT
SUNSET PARK SUBDIVISION**

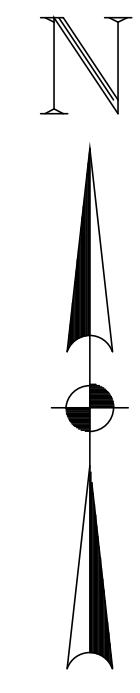
A Subdivision of Part of Lot 1, Block A,
Columbus Community Hospital Addition,
A Subdivision of Part of Lot 1, Block A,



SURVEYOR'S CERTIFICATE

I, Brian D. Benck, a Registered Surveyor of the State of Nebraska, hereby certify that this Preliminary Plat of SUNSET PARK SUBDIVISION was made under my direction.

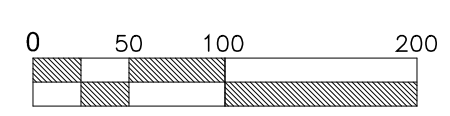
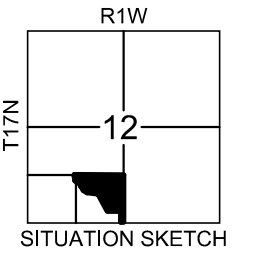
Brian D. Benck, Nebraska L.S. #536



1" = 100'
10/15/21
BDB
DWG
F.B.

LEGEND

- - Monument Found
- - Set 5/8" x 3/8" I.B. with Survey Cap
- R - Recorded Distance
- M - Measured Distance



OWNER:
COLUMBUS Community Hospital Inc.
4580 38th Street
P.O. Box 1800
Columbus, NE 68602

OWNER:
City of Columbus
2424 14th Street
P.O. Box 1677
Columbus, NE 68602

SURVEYOR:
Brian D. Benck
City of Columbus
2424 14th Street
P.O. Box 1677
Columbus, NE 68602

PROPOSED ZONING: UC
PRESENT ZONING: UC

PLANNING COMMISSION APPROVAL

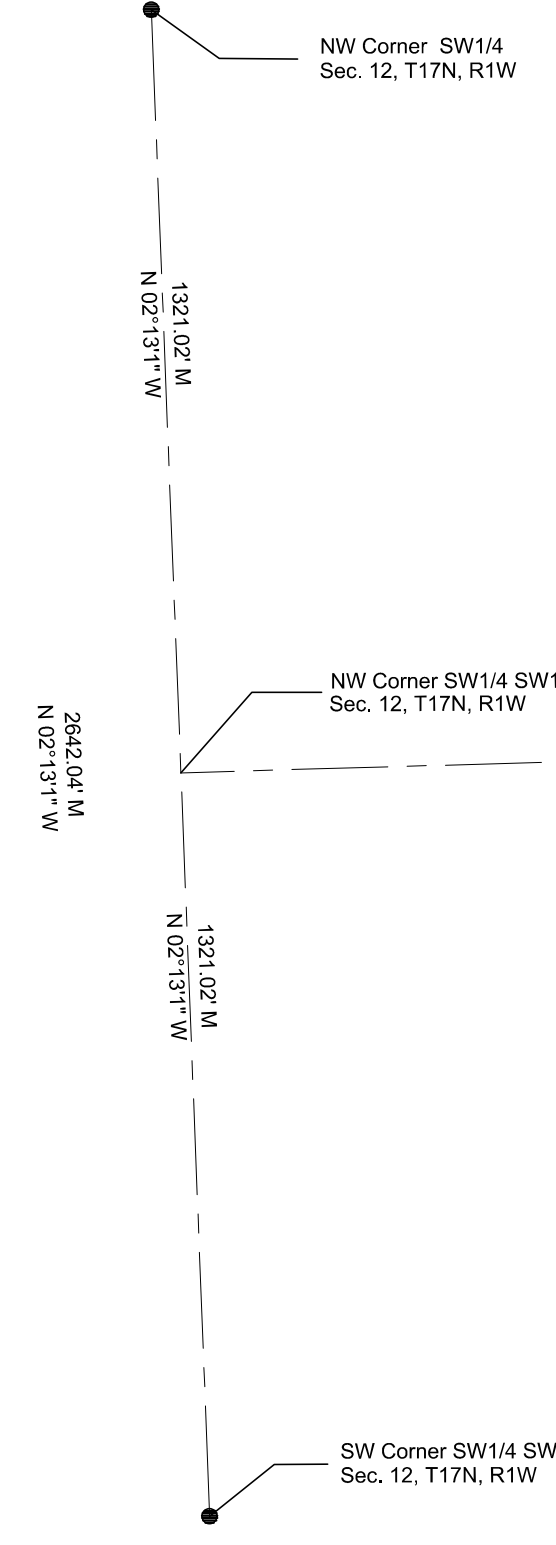
This Preliminary Plat of SUNSET PARK SUBDIVISION to the City of Columbus, Nebraska, approved by the Planning Commission this ____ day of _____, 2021.

Chairman _____

CITY COUNCIL APPROVAL

This Preliminary Plat of SUNSET PARK SUBDIVISION to the City of Columbus, Nebraska, approved by the City Council this ____ day of _____, 2021.

City Clerk _____ Mayor _____



This plat was prepared at the request of Columbus Community Hospital Inc.

Field Notes

- NW Corner SW1/4 Sec. 12 T17N R1W:** Found Mag Nail in washer in concrete as recorded by Thomas A. Tremel, L.S. #455. 58.60' NW to the southwest corner bridge deck 58.16' NE to the southeast corner bridge deck 44.35' SE to "X" nails in power pole On centerline 48th Avenue north-south
- NW Corner SW1/4 SW1/4 Sec. 12 T17N R1W:** Set Magg Nail in washer in concrete midway and online between 1/4 section corners. 64.97' ESE to center sanitary sewer manhole lid 74.58' NNW to center storm sewer manhole lid 100.25' NNE to center sanitary sewer manhole In centerline 48th Avenue north-south
- SW Corner SW1/4 SW1/4 Sec. 12 T17N R1W:** Found "Survey Mark" in concrete on the south side of monument well. 19.58' NW to center of water valve 24.82' SSE to center sanitary sewer manhole 48.30' SE to "X" nails in power pole On centerline 48th Avenue north-south
- NW Corner SE1/4 SW1/4 Sec. 12 T17N R1W:** Found 1" iron pipe with plastic cap as recorded on survey by Thomas A. Tremel, L.S. #455 dated June 27, 2003. 21.76' N to "X" nails in fence post 7.23' E to "X" nails in fence post 0.45' W to "X" nails in fence post On range of fence line east-west
- NE Corner SE1/4 SW1/4 Sec. 12 T17N R1W:** Found 1" iron pipe with plastic cap as recorded on survey by Thomas A. Tremel, L.S. #455 dated June 27, 2003. 3.74' S to "X" nails in corner fence post 4.65' N to "X" nails in fence post On range of fence line west
- SW Corner SE1/4 SW1/4 Sec. 12 T17N R1W:** Found rebar with aluminum cap in monument well as recorded by Thomas A. Tremel. 28.99' SW to "Survey Mark" in top of curb 43.48' SE to "Survey Mark" in top of curb 22.51' NE to "Survey Mark" in top of curb 9.3' E to centerline 45th Avenue south
- SE Corner SE1/4 SW1/4 Sec. 12 T17N R1W:** Found "Survey Mark" in washer in concrete as recorded by Thomas A Tremel L.S. #455. 32.12' S to "X" nails in power pole 33.30' NW to chiseled "X" in concrete south of manhole 6.7' W to range of power poles east-west 86.67' NW to rebar with plastic cap
- At "A" thru "F" found rebar with plastic cap as recorded on survey by Thomas A. Tremel., L.S. #455 dated June 17, 2008. At "G" thru "O" set 5/8" rebar with plastic cap at distances shown.

LEGAL DESCRIPTION

A tract of land located in Part of Lot 1, Block A, Columbus Community Hospital Addition to the City of Columbus, Platte County, Nebraska described as follows:

Beginning at the Northeast corner Lot 1, Block A, Columbus Community Hospital Addition to the City of Columbus, Platte County, Nebraska and assuming the east line of said Lot 1 to have a bearing of S 02°01'45" E; thence S 02°01'45" E and on said east line 1287.89 feet to the Southeast Corner of said Lot 1; thence S 88°19'23" W and on the south line said Lot 1, 79.94 feet to a point; thence N 02°01'45" W and on the southerly extension of the east line of Lot 4, Columbus Community Hospital 4th Subdivision to the City of Columbus, Platte County, Nebraska, 299.87 feet to the Northeast Corner said Lot 4; thence S 88°19'23" W and on the north line said 4th Subdivision, 370.01 feet to a point on the northeasterly line Lot 2, Columbus Community Hospital 5th Subdivision to the City of Columbus, Platte County, Nebraska; thence N 30°37'16" W and on the northwesterly extension of said northeasterly line, 531.25 feet; thence N 84°38'37" W, 297.11 feet; thence N 61°19'42" W, 124.61 feet; thence N 34°10'43" W, 135.65 feet; thence northwesterly, 37.48 feet on a 120.59 foot radius curve concave northeasterly with a chord bearing and distance of, N 25°16'31" W, 37.33 feet; thence northwesterly, 167.18 feet on a 134.24 foot radius curve concave southwesterly with a chord bearing and distance of, N 52°03'01" W, 156.59 feet; thence northwesterly 39.04 feet on a 28.38 foot radius curve concave northeasterly with a chord bearing and distance of N48°19'39" W, 36.03 feet; thence N 08°55'34" W, 110.16 feet; thence N 01°39'42" W, 41.12 feet to a point on the north line said Lot 1; thence N 88°20'15" E and on said north line, 1351.90 feet to the Point of Beginning, containing 21.09 acres more or less.

City of Columbus
2424 14th Street
P.O. Box 1677
Columbus, NE 68602



PRELIMINARY PLAT
SUNSET PARK SUBDIVISION
to the City of Columbus
Platte County, Nebraska

DRN BY	BDB
DATE	10/15/21
SCALE	1=100
PROJ.	
F.B.	
SHEET	1 of 1

8. **Public hearing - Application of Columbus Community Hospital and City of Columbus for final plat of Sunset Park Subdivision (42 Street east of 48 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 8, 2021, at 7 p.m. in the Council Chambers, 1369 25th Avenue, Columbus, Nebraska, on the final plat and development agreement of Sunset Park Subdivision, a tract of land located in Part of Lot 1, Block A, Columbus Community Hospital Addition to the City of Columbus, Platte County, Nebraska described as follows: Beginning at the Northeast corner Lot 1, Block A, Columbus Community Hospital Addition to the City of Columbus, Platte County, Nebraska, and assuming the east line of said Lot 1 to have a bearing of S 02°01'45" E; thence S 02°01'45" E and on said east line 1287.89 feet to the Southeast Corner of said Lot 1; thence S 88°19'23" W and on the south line said Lot 1, 79.94 feet to a point; thence N 02°01'45" W and on the southerly extension of the east line of Lot 4, Columbus Community Hospital 4th Subdivision to the City of Columbus, Platte County, Nebraska, 299.87 feet to the Northeast Corner said Lot 4; thence S 88°19'23" W and on the north line said 4th Subdivision, 370.01 feet to a point on the northeasterly line Lot 2, Columbus Community Hospital 5th Subdivision to the City of Columbus, Platte County, Nebraska; thence N 30°37'16" W and on the northwesterly extension of said northeasterly line, 531.25 feet; thence N 84°38'37" W, 297.11 feet; thence N 61°19'42" W, 124.61 feet; thence N 34°10'43" W, 135.65 feet; thence northwesterly, 37.48 feet on a 120.59 foot radius curve concave northeasterly with a chord bearing and distance of, N 25°16'31" W, 37.33 feet; thence northwesterly, 167.18 feet on a 134.24 foot radius curve concave southwesterly with a chord bearing and distance of, N 52°03'01" W, 156.59 feet; thence northwesterly 39.04 feet on a 28.38 foot radius curve concave northeasterly with a chord bearing and distance of N48°19'39" W , 36.03 feet; thence N 08°55'34" W, 110.16 feet; thence N 01°39'42" W, 41.12 feet to a point on the north line said Lot 1; thence N 88°20'15" E and on said north line, 1351.90 feet to the Point of Beginning, containing 21.09 acres more or less (42 Street and east of 48 Avenue) and at said time and place you may appear and be heard.

CITY OF COLUMBUS, NEBRASKA
Janelle Kline, City Clerk

Publish: 10:28:21
Two Affidavits of Publication

The City of **Columbus**

MEMORANDUM

DATE: November 4, 2021
FROM : Richard J. Bogus, City Engineer
TO: Tara Vasicek, City Administrator
RE: Sunset Park Subdivision – Preliminary and Final Plat

RECOMMENDATION:

I recommend the approval of the preliminary and final plat of Sunset Park Subdivision as it is amenable with the adjacent land use and is in accordance with the Unified Land Development Ordinance.

DISCUSSION:

The subdivision consists of 2 lots, one of Sunset Park including Lake Esther and the other is parcel of property owned by the Columbus Community Hospital. The subdivision is within the corporate limits.

FISCAL IMPACT:

None

ALTERNATIVE:

Do not approve.

CONCURRENCE:

By:  _____

SIGNATURE:

By:  _____

Approved By:  _____

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

DATE: 10/18/21

NAME OF SUBDIVISION: SUNSET PARK SUBDIVISION

NAME OF PROPERTY OWNER: Columbus Community Hospital/ City of Columbus

CONTACT INFORMATION:

NAME OF REPRESENTATIVE OR PROPERTY OWNER: City of Columbus/Columbus Community Hospital Inc.

ADDRESS OF REPRESENTATIVE OR PROPERTY OWNER: 2424 14th Street Columbus Ne.

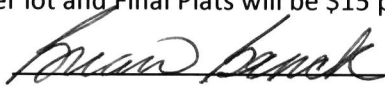
PHONE NUMBER: 402-562-4267

REPRESENTATIVE OR PROPERTY OWNER E-MAIL: _____

NUMBER OF LOTS IN SUBDIVISION: 2

ADDRESS OF SUBDIVISION: 3974 41st Ave.

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

Attorney / Legal Counsel for Applicant

Development Agreement submitted on: _____

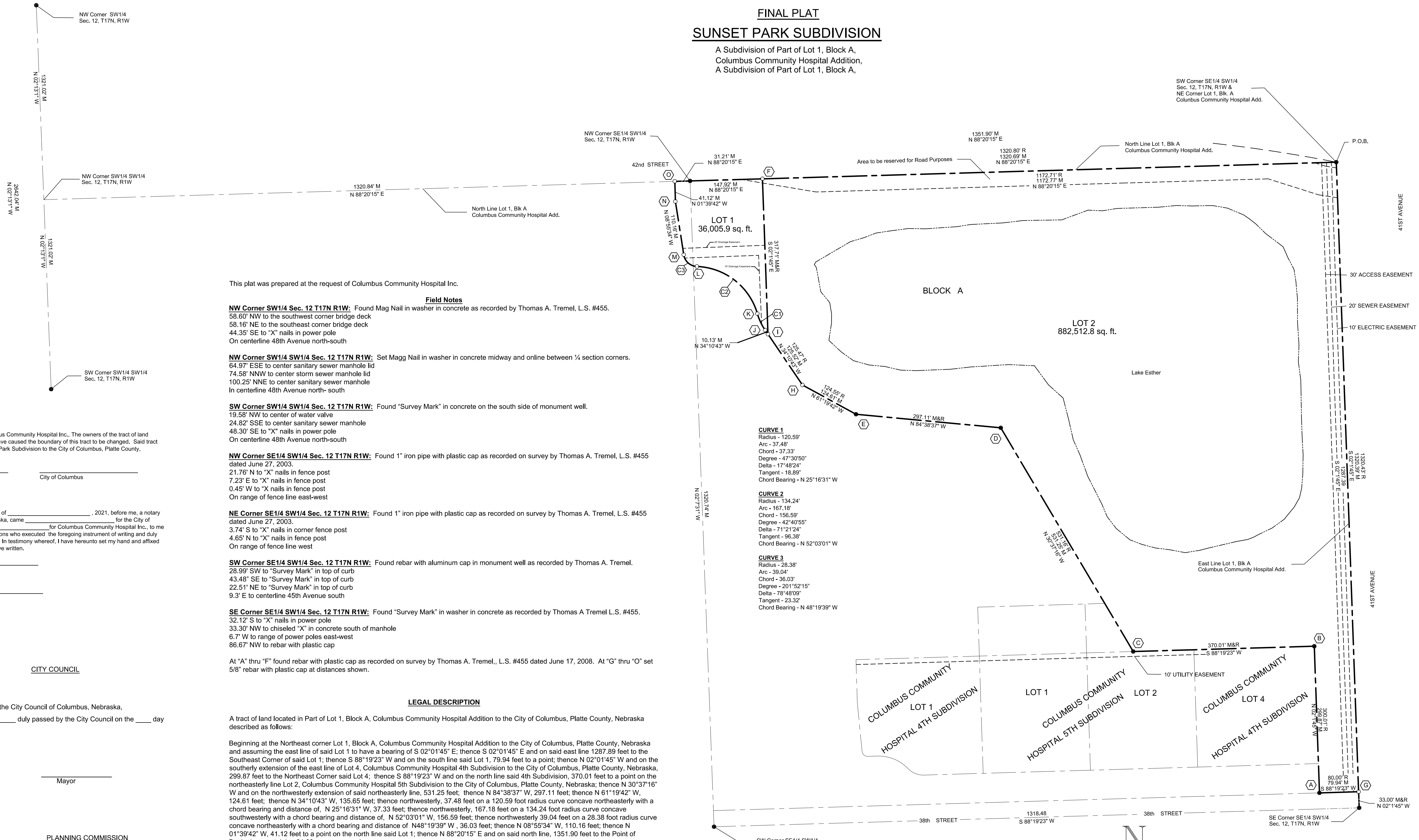
City Attorney

Neal Valorz – nvalorz@1492law.com

Gene G. Schumacher – gschum@1492law.com

FINAL PLAT
SUNSET PARK SUBDIVISION

A Subdivision of Part of Lot 1, Block A,
Columbus Community Hospital Addition,
A Subdivision of Part of Lot 1, Block A,



This plat was prepared at the request of Columbus Community Hospital Inc.

Field Notes

NW Corner SW1/4 Sec. 12 T17N R1W: Found Mag Nail in washer in concrete as recorded by Thomas A. Tremel, L.S. #455.
58.60' NW to the southwest corner bridge deck
58.16' NE to the southeast corner bridge deck
44.35' SE to "X" nails in power pole
On centerline 48th Avenue north-south

NW Corner SW1/4 SW1/4 Sec. 12 T17N R1W: Set Magg Nail in washer in concrete midway and online between 1/4 section corners.
64.97' ESE to center sanitary sewer manhole lid
74.58' NNW to center storm sewer manhole lid
100.25' NNE to center sanitary sewer manhole
In centerline 48th Avenue north-south

SW Corner SW1/4 SW1/4 Sec. 12 T17N R1W: Found "Survey Mark" in concrete on the south side of monument well.
19.58' NW to center of water valve
24.82' SSE to center sanitary sewer manhole
48.30' SE to "X" nails in power pole
On centerline 48th Avenue north-south

NW Corner SE1/4 SW1/4 Sec. 12 T17N R1W: Found 1" iron pipe with plastic cap as recorded on survey by Thomas A. Tremel, L.S. #455 dated June 27, 2003.
21.76' N to "X" nails in fence post
7.23' E to "X" nails in fence post
0.45' W to "X" nails in fence post
On range of fence line east-west

NE Corner SE1/4 SW1/4 Sec. 12 T17N R1W: Found 1" iron pipe with plastic cap as recorded on survey by Thomas A. Tremel, L.S. #455 dated June 27, 2003.
3.74' S to "X" nails in corner fence post
4.65' N to "X" nails in fence post
On range of fence line west

SW Corner SE1/4 SW1/4 Sec. 12 T17N R1W: Found rebar with aluminum cap in monument well as recorded by Thomas A. Tremel.
28.99' SW to "Survey Mark" in top of curb
43.48' SE to "Survey Mark" in top of curb
22.51' NE to "Survey Mark" in top of curb
9.3' E to centerline 45th Avenue south

SE Corner SE1/4 SW1/4 Sec. 12 T17N R1W: Found "Survey Mark" in washer in concrete as recorded by Thomas A Tremel L.S. #455.
32.12' S to "X" nails in power pole
33.30' NW to chiseled "X" in concrete south of manhole
6.7' W to range of power poles east-west
86.67' NW to rebar with plastic cap

At "A" thru "F" found rebar with plastic cap as recorded on survey by Thomas A. Tremel., L.S. #455 dated June 17, 2008. At "G" thru "O" set 5/8" rebar with plastic cap at distances shown.

LEGAL DESCRIPTION

A tract of land located in Part of Lot 1, Block A, Columbus Community Hospital Addition to the City of Columbus, Platte County, Nebraska described as follows:

Beginning at the Northeast corner Lot 1, Block A, Columbus Community Hospital Addition to the City of Columbus, Platte County, Nebraska and assuming the east line of said Lot 1 to have a bearing of S 02°01'45" E; thence S 02°01'45" E and on said east line 1287.89 feet to the Southeast Corner of said Lot 1; thence S 88°19'23" W and on the south line said Lot 1, 79.94 feet to a point; thence N 02°01'45" W and on the southerly extension of the east line of Lot 4, Columbus Community Hospital 4th Subdivision to the City of Columbus, Platte County, Nebraska, 239.87 feet to the Northeast Corner said Lot 4; thence S 88°19'23" W and on the north line said 4th Subdivision, 370.01 feet to a point on the northeasterly line Lot 2, Columbus Community Hospital 5th Subdivision to the City of Columbus, Platte County, Nebraska; thence N 30°37'16" W and on the northwesterly extension of said northeasterly line, 531.25 feet; thence N 84°38'37" W, 297.11 feet; thence N 61°19'42" W, 124.61 feet; thence N 34°10'43" W, 135.65 feet; thence northwesterly, 37.48 feet on a 120.59 foot radius curve concave northeasterly with a chord bearing and distance of, N 25°16'31" W, 37.33 feet; thence northwesterly, 167.18 feet on a 134.24 foot radius curve concave southwesterly with a chord bearing and distance of, N 52°03'01" W, 156.59 feet; thence northwesterly 39.04 feet on a 28.38 foot radius curve concave northeasterly with a chord bearing and distance of N 48°19'39" W, 36.03 feet; thence N 08°55'34" W, 110.16 feet; thence N 01°39'42" W, 41.12 feet to a point on the north line said Lot 1; thence N 88°20'15" E and on said north line, 1351.90 feet to the Point of Beginning, containing 21.09 acres more or less.

SURVEYOR'S CERTIFICATE

STATE OF NEBRASKA)
COUNTY OF PLATTE) ss
CITY OF COLUMBUS)

I, Brian D. Benck, a Registered Land Surveyor of Nebraska, hereby certify that I have accurately surveyed SUNSET PARK SUBDIVISION to the City of Columbus, Nebraska, and that the above and foregoing plat 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 and marked and correctly designated and shown on the above and foregoing survey.

Dated this _____ day of _____, 2021.

Brian D. Benck, Nebraska LS# 536

STATE OF NEBRASKA)
COUNTY OF PLATTE) SS

The above plat approved by Columbus Public School District No. 71-0001, Platte County, Nebraska

Attest:

Secretary _____ President _____

We the City of Columbus and Columbus Community Hospital Inc., The owners of the tract of land described on this plat, have caused have caused the boundary of this tract to be changed. Said tract shall hereinafter be known as Sunset Park Subdivision to the City of Columbus, Platte County, Nebraska.

Columbus Community Hospital Inc. _____ City of Columbus _____
State of Nebraska)
County of Platte)

Be it remembered on this _____ day of _____, 2021, before me, a notary public in and for Platte County, Nebraska, came _____ for the City of Columbus and _____ for Columbus Community Hospital Inc., to me personally known to be the same persons who executed the foregoing instrument of writing and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notarial seal the day and year above written.

My Commission expires _____

Notary Public _____

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 _____, 2021.

Attest:

City Clerk _____ Mayor _____

STATE OF NEBRASKA)
COUNTY OF PLATTE) SS
CITY OF COLUMBUS)

This plat of SUNSET PARK SUBDIVISION to the City of Columbus, Platte County, Nebraska, approved by the Planning Commission this _____ day of _____, 2021.

Chairman

City of Columbus
2424 14th Street
P.O. Box 1677
Columbus, NE 68602



FINAL PLAT
SUNSET PARK SUBDIVISION
to the City of Columbus
Platte County, Nebraska

DRN BY BDB
DATE 10/15/21
SCALE 1=100
PROJ
F.B.
SHEET
1 of 1

LEGEND
● - Monument Found
○ - Set 5/8" x 30" I.B. with Survey Cap
R - Recorded Distance
M - Measured Distance

OWNER: City of Columbus
2424 14th Street
P.O. Box 1677
Columbus, NE 68602

SURVEYOR: Brian D. Benck
City of Columbus
2424 14th Street
P.O. Box 1677
Columbus, NE 68602

OWNER: COLUMBUS Community Hospital Inc.
4680 38th Street
P.O. Box 1800
Columbus, NE 68602

REVISIONS

9. **Building report for October 2021.**

City of Columbus Building Department Monthly Report

	October 2021			October 2020		
	Count	Permit Fees	Value	Count	Permit Fees	Value
Accessory Structure	1	\$219.15	\$35280.00	3	\$568.50	\$104440.00
Com Addition	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Com Alteration	2	\$61.88	\$3000.00	0	\$0.00	\$0.00
Com New Construction	1	\$0.00	\$26201578.00	0	\$0.00	\$0.00
Com Plumbing	2	\$38.00	\$1510000.00	0	\$0.00	\$0.00
Commercial Construction	0	\$0.00	\$0.00	4	\$2470.21	\$609586.00
Deck	5	\$424.48	\$55420.00	0	\$0.00	\$0.00
Demolition	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Fence	17	\$432.50	\$83610.50	0	\$0.00	\$0.00
Plumbing	0	\$0.00	\$0.00	25	\$258.00	\$1293600.00
Res Addition	3	\$692.50	\$122203.00	0	\$0.00	\$0.00
Res Alteration	8	\$680.09	\$94000.00	0	\$0.00	\$0.00
Res New Construction	18	\$14714.53	\$4241435.00	0	\$0.00	\$0.00
Res Plumbing	28	\$1786.00	\$292400.00	0	\$0.00	\$0.00
Res Pool	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Residential Construction	0	\$0.00	\$0.00	31	\$10109.34	\$4151066.00
Signs	0	\$0.00	\$0.00	7	\$210.00	\$31640.00
Sprinklers	0	\$0.00	\$0.00	0	\$0.00	\$0.00
Water Softner/RO System	0	\$0.00	\$0.00	0	\$0.00	\$0.00
YEAR TOTAL	85	\$19049.13	\$32638926.50	70	\$13616.05	\$6190332.00

Population: All Records
 Permit.DateIssued Between 10/1/2020 12:00:00 AM
 AND 10/31/2021 12:00:00 AM

10. Adjournment.