

August 3, 2009

Chairperson Carter called the regular meeting of the Fort Calhoun Planning Commission to order at 7:03 P.M. Monday, August 3, 2009. Notice of the meeting was given in advance thereof by publication or posting, said forms of notice being designated methods for giving notice, an affidavit of publication or a certification of posting being attached to these minutes.

The agenda packets were distributed to the Chair and Board Members on July 31, 2009. Meetings are open to the public. Chairperson Carter announced a copy of the open meetings law is posted continually for public inspection on the wall in the Council Chambers/Library.

The following answered roll: Ralph Carter, Eric Herbert, Rich Johnson, and Carmine Pane.

Senior Planner Bruce Fountain, AICP, with TSA attended the meeting in place of Chris Solberg, AICP, with TSA.

Member Herbert made a motion seconded by Member Johnson to approve the July 6, 2009 minutes as published. With members, Herbert, Johnson, Pane, and Carter voting "Aye", motion carried.

Public Hearings:

At 7:05 P.M. Chairperson Carter stated in accordance with the published notice, it was not time to conduct the public hearing relative to hearing support of or protest against the proposed amendments to the Comprehensive Development Plan, the Zoning Regulations revisions, Property Annexations, and Capital Improvement document, presented in the following order:

1. AN ORDINANCE AMENDING ARTICLE 2 "DEFINITIONS", SECTION 218 OF THE FORT CALHOUN, NEBRASKA ZONING REGULATIONS TO INCLUDE OUTDOOR STORAGE CONTAINERS.

Chairperson Carter asked if there were any written or public comments. There being none, the public hearing was closed at 7:06 P.M.

2. AN ORDINANCE AMENDING ARTICLE 6 "SUPPLEMENTAL USE REGULATIONS", OF THE FORT CALHOUN, NEBRASKA ZONING REGULATIONS TO ALLOW FOR THE USE OF OUTDOOR STORAGE CONTAINERS.

Chairperson Carter asked if there were any written or public comments. There being none, the public hearing was closed at 7:07 P.M.

3. AN ORDINANCE AMENDING ARTICLE 12 "ADMINISTRATION AND PROCEDURES", OF THE FORT CALHOUN, NEBRASKA ZONING REGULATIONS TO INCLUDE "CIVIC" TO THE LIST OF USES REQUIRING SITE PLAN REVIEWS.

Chairperson Carter asked if there were any written or public comments. There being none, the public hearing was closed at 7:08 P.M.

4. AN ORDINANCE AMENDING THE FORT CALHOUN COMPREHENSIVE PLAN TO FIX ERRORS TO THE CITY LIMITS DEPICTED IN THE ANNEXATION PHASING MAP.

Chairperson Carter asked if there were any written or public comments. Nick Schuler asked if this had anything to do with any of the properties being annexed. Bruce Fountain, Senior Planner stated that this correction is to correct one of the city limits boundary lines in the Comprehensive Plan, not for any of the proposed annexation properties we are discussing. There being no other comments, the public hearing was closed at 7:12 P.M.

5. **AN ORDINANCE TO ANNEX TAX LOTS 79, 154, AND 172 (11-17-12). PROPERTIES LOCATED EAST OF NORTH 13TH STREET.**
6. **AN ORDINANCE TO ANNEX TAX LOT 94 (11-17-12). PROPERTY LOCATED ADJACENT TO THE ABIDING FAITH BAPTIST CHURCH.**
7. **AN ORDINANCE TO ANNEX TAX LOTS 164, 165, 131, 129, 143, AND 125 (11-17-12). PROPERTIES LOCATED ON THE WEST END OF MONROE STREET.**

Chairperson Carter asked if there were any written or public comments. All of the property owners for the above, except LOT 94, voiced their concerns and reasons why they opposed the proposed annexation. The opposition by several of the property owners generally rested on the argument that they do not want to pay city taxes, nor be forced to hook up to the sewer. The committee and Senior Planner, Bruce Fountain, explained that the Comprehensive Plans emphasis is to identify certain areas where annexation would help ensure the City's orderly growth. Annexation is the lifeblood of a growing community. After that very lengthy discussion, Chairperson Carter closed the hearing at 8:34 P.M.

Committee Reports:

- Capital Improvement Committee: (Item 8 of Unfinished Business)
- Housing and Code: Nothing new to report.
- Downtown Design Standards: (Item 2 of New Business)
- Land Use Committee: Nothing new to report.

Unfinished Business:

1. Recommendation of Ordinances for the revision of the Comprehensive Plan, Zoning Regulations, Annexations, and Capital Improvement document for the following:
 - Member Herbert made a motion seconded by Member Pane to make recommendation to City Council for the approval of amending Article 2 "Definitions", Section 218 of the Fort Calhoun, Nebraska Zoning Regulations to include Outdoor Containers. With members, Herbert, Johnson, Pane, and Carter voting "Aye", motion carried.
 - Member Herbert made a motion seconded by Member Johnson to make recommendation to City Council for the approval of amending Article 6 "Supplemental Use Regulations", of the Fort Calhoun, Nebraska Zoning Regulations to allow for the use of Outdoor Storage Containers, with one grammatical correction to 617 - D. Condition - change otherwise "maintains" to otherwise "maintained". With members, Johnson, Pane, Carter, and Herbert voting "Aye", motion carried.
 - Member Johnson made a motion seconded by Member Herbert to make recommendation to City Council for the approval of amending Article 12 "Administration and Procedures", of the Fort Calhoun, Nebraska Zoning Regulations to include "Civic" to the list of uses requiring site plan reviews. With members, Pane, Carter, Herbert, and Johnson voting "Aye", motion carried.
 - Member Herbert made a motion seconded by Member Johnson to make recommendation to City Council for approval of amending the Fort Calhoun Comprehensive Plan errors depicted in the Annexation Phasing Map. With members, Carter, Herbert, Johnson, and Pane voting "Aye", motion carried.

- Member Pane made a motion seconded by Member Herbert recommendation to table for further study the annexation of TAXLOTS 172, 79, and 154 (11-17-12). With members, Pane, Carter, Herbert, and Johnson, motion carried.
- Member Johnson made a motion seconded by Member Herbert to make recommendation to City Council for the approval of annexation of TAXLOT 94 (11-17-12). With members, Johnson, Pane, Herbert, and Carter voting "Aye", motion carried.
- Member Pane made a motion seconded by Member Johnson recommendation to table for further study annexation of TAXLOTS 164, 165, 131, 132, 129, 143, and 125 (1117-12). With members, Carter, Johnson, Pane, voting "Aye", and Member Herbert opposed, motion carried.
- Member Johnson made a motion seconded by Member Herbert to make recommendation to City Council for the approval of the Fort Calhoun Capital Improvements Program 2010 - 2015 document. With members, Herbert, Carter, Pane, and Johnson, voting "Aye", motion carried.

New Business:

1. Chairperson Carter noted the following permits issued July 1, 2009 through July 31, 2009:
 - **Building:**
 - Fort Calhoun High School (1506 Lincoln St.) 20'x40' addition to the existing weight room.
 - Donald Welchert contractor for Leo Welchert (311 E. Calhoun Dr.) new concrete siding and all new windows and doors.
 - Donald Welchert contractor for Chuck Bradburn (305 N.9th St.) new concrete siding, windows, and repair or replace roof.
 - Curt & Anita Shull (513 S. 17th St. - Southern Heights) erect a 10'x13' shed on additional lot. PENDING: this is on hold until lot consolidation request approval through Planning Commission and City Council.
 - **Electrical/Plumbing:** NONE
 - **Fence:** NONE
 - **Sign:** NONE
2. Downtown Design Guidelines document is being finalized and will be sent out to the commission for review before the meeting next month.
3. Chairperson Carter requested a letter of appreciation be sent to the property owners who have completed the cleanup of their property.

Public Comments: None

Future Agenda Requests: None

Adjourn: Member Herbert made a motion seconded by Member Johnson to adjourn, with all members voting "Aye", the meeting adjourned at 9:05 P.M.