

## City of Fort Calhoun - Planning Commission

December 7, 2009

Chairperson Carter called the regular meeting of the Fort Calhoun Planning Commission to order at 7:01 P.M. Monday, December 7, 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 December 4, 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, Rich Johnson, Carmine Pane, and Sam Ruma. Eric Herbert absent.

Planning Consultant Chris Solberg, AICP, with TSA was present.

Member Pane made a motion seconded by Member Ruma to approve the November 2, 2009 minutes as published. With members Johnson, Pane, Carter, and Ruma voting "Aye", and member Herbert absent, motion carried.

**Public Hearings:** None

### **Committee Reports:**

1. **Capital Improvement Committee:** Nothing to report.
2. **Housing and Code:** The "Substandard Housing Complaint Inspection" form was returned back to the committee, from City Council, suggesting that some descriptions of the categories listed be reworded because some of them are too vague. Another form called the "Code Compliance Request" form, which is an abbreviated version of the inspection form was created and presented to the Planning Committee for review. After review and discussion of both forms, the committee unanimously agreed that the substandard category descriptions on the inspection form should stay the way they are, and that both; the Substandard Housing Inspection and the Code Compliance Request forms be sent to City Council for approval. The Code Compliance Request form will be available for the public to fill out, and staff will use the inspection checklist.
3. **Downtown Design Standards:** Final revision document discussed in item NO. 1 under Unfinished Business.
4. **Land Use Committee:** City Council Member Darin Wilson asked the committee to discuss amending the regulations that would allow accessory buildings to return to the front yard setback, with a certain amount of distance from the primary building. After review and discussion, the committee decided a work meeting will be scheduled to continue review and discussion.

### **Unfinished Business:**

1. Member Johnson made a motion, seconded by Member Pane to recommend approval to City Council, the Design Guidelines for Fort Calhoun, Nebraska document, developed by the Land Use Committee. With members Johnson, Pane, Carter, and Ruma, voting "Aye", and member Herbert absent, motion carried.

City of Fort Calhoun - Planning Commission

2. Member Pane made a motion, seconded by Member Ruma, to recommend approval to City Council, AN ORDINANCE AMENDING ARTICLES 3 "USE TYPES", AND 6 "SUPPLEMENTAL USE REGULATIONS", OF THE FORT CALHOUN, NEBRASKA ZONING REGULATIONS, TO MODIFY REGULATIONS RELATED TO BED AND BREAKFAST USE TYPES.
  - Revision to Article 3 "Use Types" 307(c) changing structure or group of structures to "single family dwelling", from ten lodging units to eight, which must be occupied by the owner or residential manager, rather than owner of the premises, and limiting food service to breakfast and light fare, rather than breakfast and incidental services.
  - Article 6 "Supplemental Use Regulation" 605 (d) current regulations state; Bed and Breakfasts in TC District, must provide sleeping facilities only above street level, except for lodging units reserved for the handicapped. With this amendment, Bed and Breakfasts shall maintain a residential exterior appearance, with the stipulation that rooms may not be rented for more than 7 consecutive days and no more than 14 days per person in any 30 day period. Breakfast must be served on premises, included in the room charge, and is the only meal served.

With members Pane, Carter, Ruma, and Johnson, voting "Aye", and member Herbert absent, motion carried.

3. Member Pane made a motion, seconded by Member Johnson, to recommend approval to City Council, AN ORDINANCE AMENDING ARTICLES SIX "SUPPLEMENTAL USE REGULATIONS", OF THE FORT CALHOUN, NEBRASKA ZONING REGULATIONS TO MODIFY REGULATIONS RELATED TO TOWN CENTER RESIDENTIAL USES.
  - Section 603(e) Multi-Family and Group Residential in TC District is being amended as Downtown Residential and Group Residential in TC District, which allows residential units on street level providing they stay within the following guidelines:
    - The main access is in the rear yard of the building opposite of the front, as designated by the Planning Commission.
    - The residential unit cannot utilize more than 50% of the net floor area on street-level, and it must be located in the rear of the building.
    - The residential unit cannot be visible from within the front of the building, nor from within the "USE" on the front of the structure.
    - Residents must be informed that the "USE" on the front end of the structure, takes precedence over residential uses.
    - All proposed residential units in the TC District are subject to approval of a "Special Permit", by the City Council with the recommendation of the Planning Commission.

With members Carter, Ruma, Johnson, and Pane, voting "Aye", and member Herbert absent, motion carried.

4. Member Pane made a motion, seconded by Member Ruma, to table the ORDINANCE AMENDING ARTICLE 3 "PROCEDURES AND ADMINISTRATION", OF THE FORT CALHOUN, NEBRASKA SUBDIVISION

## City of Fort Calhoun - Planning Commission

REGULATIONS TO INCLUDE REGULATIONS RELATED TO RE-PLATS. After review and discussion of suggested changes submitted by Gary Tinkham, prior to the start of the meeting, some revisions will be made to the ordinance, and rescheduled for approval at the January 4, 2010 Planning Meeting. With members Ruma, Johnson, Pane, and Carter, voting "Aye", and member Herbert absent, motion carried.

### **New Business:**

1. Member Johnson made a motion, seconded by Member Carter to recommend approval to City Council, the Planning Commissions Annual Review of the Comprehensive Plan Goals and Priorities document. Planning Consultant, Chris Solberg congratulated the committee members on their accomplishments throughout the year. Jeannie Knight asked the committee why they weren't working with Gateway Development on the Economic Development Certification, and only one member of the City Council is? Linda Welsher, CMC and Planning Consultant, Chris Solberg explained that we are just in the beginning stages of the Economic Development Certification application process, and if we qualify, then the committee will get involved. With members Pane, Carter, Ruma, and Johnson, voting "Aye", and member Herbert absent, motion carried.
2. Chairperson Carter thanked Member Rich Johnson and Member Carmine Pane for their participation and dedication, and for asked for their consideration of re-appointment for 2010 - 2012 term. Both Members Johnson and Pane agreed to re-appointment. Chairperson Carter recommends approval to City Council, for the re-appointment of both members Johnson and Pane.
3. Chairperson Carter noted the following permits issued November 1, 2009 through November 30, 2009:  
(Building Permit) - Family Child Care Home II (708 N 14th St. - Lots 11 & 12, BLK 56) erect a 4' picket fence.

**Public Comments:** None

**Future Agenda Requests:** Revisions to the Planning Commission By-Laws.

**Adjourn:** Member Pane made a motion seconded by Member Carter to adjourn, with all members voting "Aye", and member Herbert absent, the meeting adjourned at 8:32 P.M.