

City of Fort Calhoun – Planning Commission Meeting

February 1, 2010

Chairperson Carter called the regular meeting of the Fort Calhoun Planning Commission to order at 7:02 P.M. Monday, February 1, 2010. 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 January 29, 2010. 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, Carmine Pane, and Sam Ruma.

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

Member Herbert made a motion, seconded by Member Pane to approve the January 4, 2010 minutes as published. With members, Herbert, Johnson, Pane, Carter, and Ruma voting “Aye”, motion carried.

Public Hearing: NONE

Committee Reports:

- **Capital Improvement Committee:** Nothing to report.
- **Housing and Code:** The Code Compliance Complaint Request Form has been updated per City Council request addition of “Safety” codes along with the Nuisance and Zoning codes. A revised form will be submitted for City Council approval at the February 15, 2010 meeting.
- **Downtown Design Standards:** Nothing to report.
- **Land Use Committee:** Discussion/review under Unfinished Business.

Unfinished Business:

Member Pane made a motion, seconded by Member Ruma to recommend approval to the City Council, the amendments to Article 2 “Definitions”, that would include Principal Structure and Principal Use, and to modify Accessory Structure, in the Zoning Regulations. With members, Pane, Carter, Ruma, Herbert, and Johnson, voting “Aye”, motion carried.

Member Pane made a motion, seconded by Member Carter to recommend approval to the City Council, the amendments to Article 7 “Supplemental Site Development” of the Zoning Regulations 706(b) **Front Yards: No Accessory building may be located between the front building line of the principal building and the front property line**, to include; ***“Where the lot size is a half acre or greater, the accessory building can be located in front of the front building line if maintaining a distance of twenty (20) feet beyond the front setback defined in Table 4-3”***, and the removal of section 706(i) “Effect on Adjacent Properties.” With members, Carter, Ruma, Herbert, Johnson, and Pane, voting “Aye”, motion carried.

Member Johnson made a motion, seconded by Member Carter to recommend approval to the City Council, the amendment to Article 4 "Zoning District Regulations", Table 4-3 "Summary of Site Development Regulations", changing the Minimum Rear Yard in the TA District from 65 feet to 35 feet, so it is the same as AG. With members, Ruma, Herbert, Johnson, Pane, and Carter, voting "Aye", motion carried.

Member Herbert made a motion, seconded by Member Ruma to recommend approval to the City Council, the amendment to Article 3 "Procedures and Administration", Subdivision Regulations to include regulations related to Re-Plats. This process will allow the City to waive the separate submission requirements for the preliminary and final plats, in order to expedite the re-subdivision review process. With members, Herbert, Johnson, Pane, Carter, and Ruma voting "Aye", motion carried.

New Business:

Mr. Luis Hernandez and Mr. Dan Williams were present to discuss locations in Fort Calhoun to set up their temporary seasonal firework sales stand for Wild Willy's Fireworks. After a lengthy discussion Member Pane made a motion, seconded by Member Ruma to recommend approval to City Council, amending the language in the last sentence of the first paragraph of ARTICLE III – FIREWORKS, Section 7-304: SALES AND STORAGE; LOCATIONS PERMITTED, SAFETY, to say; Such temporary structure or stand may be erected, licensed and used for such purposes by Special Use Permit only in the UC, GC, and GI Zoning Districts. Also amending Table 4-2 Permitted Uses by Zoning District to include Firework Sales by Special Use Permit within the UC, GC, and GI District. With members, Carter, Ruma, Herbert, and Johnson voting "Aye", and Pane "Nay", motion carried.

Chairperson Carter noted there were no permits issued January 1, 2010 through January 31, 2010.

Public Comments: Jeannie Knight asked what zone Classic Marble and the car wash become, if rezoned. Currently zoned as R-3, it will become UC.

Future Agenda Requests:

- ✓ Rezoning request for Classic Marble & Car Wash
- ✓ Annexation – March 1, 2010
- ✓ Discuss/review Planning Commission By-law revisions – Second Quarter 2010
- ✓ NPZA Meeting February 24 - 26

Member Pane made a motion seconded by Member Johnson to adjourn, with all members present voting "Aye", the meeting adjourned at 8:35 P.M.

Joy Ruma, Planning and Zoning Administrative Assistant