

MINUTES OF THE PLANNING AND ZONING COMMISSION

A meeting of the Planning and Zoning Commission was held on the Monday, June 18, 2018 at 5:00 PM in the BPS Administration Building Board Room 320 North 5th Street, Beatrice, Nebraska.

Present: Fetty, Hydo, Mayfield, Robertson, Scholl
Absent: Mayfield, Riha, Rodriguez, Seckel, Wright

Commission member Fetty announced that a copy of the Open Meetings Act is available in the meeting room and is accessible to members of the public.

CONSENT AGENDA

- a. Approve agenda as submitted.
- b. Receive and place on file all notices pertaining to this meeting.
- c. Receive and place on file all materials having any bearing on this meeting.
- d. Approval of minutes of regular Planning and Zoning Commission meeting on May 7, 2018.

Moved by Hydo, seconded by Mayfield, that the items listed under the consent agenda be approved, accepted, and/or ratified as presented.

Roll Call: Yea: Fetty, Hydo, Mayfield, Robertson, Scholl
Nay: None

MOTION CARRIED.

PUBLIC HEARINGS

Public Hearing to amend Table 4-2 relating to the permissibility of restaurant drive-throughs in the Limited Commercial district and warehousing in the General Commercial district; to amend Section 222 relating to definitions, to amend Section 707 relating to swimming pools; to add Section 708 relating to storage containers; to amend Section 703(B) relating to exceptions to the openness of required yards, to amend Section 706(C) relating to residential fences; to add Section 709 relating to appeals; and to amend Section 302(A) of the Subdivision Ordinance of the City of Beatrice, Ordinance Number 98-6, relating to administrative subdivisions.

Abigail Stark, City Attorney, reviewed the proposed amendments with the Commission members noting that the request to include drive-through restaurants in the Limited Commercial (LC) district is in preparation for future development of the former Store Kraft site. Stark explained the amendment to include warehousing in the General Commercial (GC) district was a housekeeping process as several warehouses are already present in GC areas and this change will bring those in to compliance as well as allow future warehousing.

Stark explained the proposed amendment regarding swimming pools, indicating pools that could hold over twenty-four inches (24") of water would not be permitted to be in the required front

yard setback or street side yard setback, must comply with setback requirements of five (5) feet from the interior side yard lot line or rear lot line if set back sixty (60) feet or more from the front lot line, and pools capable of holding more than twenty-four inches (24") must comply with the requirements for enclosures as set forth in Section 7-31 of the Beatrice City code.

Stark reviewed the proposed changes relating to the storage containers stating the redline provided would be changed to state businesses in GC zoning districts would be permitted to have two (2) storage containers instead of zero (0), and all residential districts would not permit storage containers unless they were being used in association with an active construction project and then only with a proper permit from the Building Inspections office. Several Commission members indicated that they did not want review the submitted redline because it would be changing and requested for a new redline to be submitted once it was ready.

Stark reviewed the proposed changes to the fence regulations pertaining to the openness of required yards indicating the proposed changes would lessen the restrictions, in many cases, for those with corners lots allowing owners to install privacy fence on a larger area of their lot with a few exceptions and provide the Chief Building Inspector, City Engineer, and City Administrator some discretion to approve exceptions for privacy fences.

Stark indicated the proposed amendment for Administrative Subdivision would lessen restrictions for those existing lots that are already non-conforming to be permitted to be administratively subdivided. Stark stated the currently regulations had criteria that was impossible for non-conforming lots to meet in order to qualify for an administrative subdivision and she did not thin it necessary to force property owners into a plat process for such small areas.

Moved by Scholl, seconded by Hydo to close the public hearing.

Roll Call: Yea: Fetty, Hydo, Mayfield, Robertson, Scholl
 Nay: None

MOTION CARRIED.

APPROVAL ITEMS

There were no approval items.

ORDINANCES

Ordinance amending Table 4-2 of the Zoning Ordinance of the City of Beatrice, Ordinance Number 94-13 relating to the permissibility of restaurant drive-throughs in Limited Commercial districts and warehousing in General Commercial districts.

Moved by Mayfield, seconded by Robertson, to find the proposed amendments and additions to Table 4-2 in Ordinance Number 94-13 to be in conformity with the City's Comprehensive Development Plan and to recommend said ordinance for approval by the Beatrice City Council.

Roll Call: Yea: Fetty, Hydo, Mayfield, Robertson, Scholl
Nay: None

MOTION CARRIED.

Ordinance amending Section 222 and Section 707 of the Zoning Ordinance of the City of Beatrice, Ordinance Number 94-13, relating to definitions and swimming pools.

Moved by Scholl, seconded by Hydo, to find the proposed amendments and additions to Section 222 and Section 707 in Ordinance Number 94-13 to be in conformity with the City's Comprehensive Development Plan and to recommend said ordinance for approval by the Beatrice City Council.

Roll Call: Yea: Fetty, Hydo, Mayfield, Robertson, Scholl
Nay: None

MOTION CARRIED.

Ordinance amending Section 222 and adding Section 708 of the Zoning Ordinance of the City of Beatrice, Ordinance Number 94-13, relating to definitions and storage containers.

Commission member Scholl reiterated that he did not believe they should be making a recommendation without an updated redline for the proposed storage container regulations with Commission member Fetty in agreement. The Commission members present were all in agreement to wait and requested Abigail Stark, City Attorney, bring the updated redline back to them for review once it was complete.

Ordinance amending Section 703(B) and 706(C) and adding Section 709 of the Zoning Ordinance of the City of Beatrice, Ordinance Number 94-13, relating to exceptions to the openness of required yards, residential fences, and appeals.

Moved by Hydo, seconded by Robertson, to find the proposed amendments and additions to Section 703(B) and 706(C) and Section 709 in Ordinance Number 94-13 to be in conformity with the City's Comprehensive Development Plan and to recommend said ordinance for approval by the Beatrice City Council.

Roll Call: Yea: Fetty, Hydo, Mayfield, Robertson, Scholl
Nay: None

MOTION CARRIED.

Ordinance amending Section 302(A) of the Subdivision Ordinance of the City of Beatrice, Ordinance Number 98-6 relating to administrative subdivisions.

Moved by Scholl, seconded by Mayfield, to find the proposed amendments and additions to Section 302(A) in Ordinance Number 94-13 to be in conformity with the City's

Comprehensive Development Plan and to recommend said ordinance for approval by the Beatrice City Council.

Roll Call: Yea: Fetty, Hydo, Mayfield, Robertson, Scholl
Nay: None

MOTION CARRIED.

PUBLIC FORUM

No one appeared at public forum.

DISCUSSIONS/REPORTS

There were no discussions/reports.

ADJOURNMENT


The next regular Planning & Zoning meeting is August 6, 2018 at 5:00 p.m. in the BPS Administration Building Board Room, Beatrice, Nebraska.

Moved by Hydo, seconded by Scholl, that the meeting be adjourned at 5:50 pm.

Roll Call: Yea: Fetty, Hydo, Mayfield, Robertson, Scholl
Nay: None

MOTION CARRIED.


Chair


Vice Chair/Secretary