

## MINUTES OF THE PLANNING AND ZONING COMMISSION

A meeting of the Planning and Zoning Commission was held on the 3<sup>rd</sup> day of January, 2017 at 5:30 p.m. at the BPS Administration Building Board Room, 320 North 5<sup>th</sup> Street, Beatrice, Nebraska.

Attending: Board members: Doyle, Hydo, Riha, Scholl, Wright

Absent: Board members: Fetty, Mayfield, McGhee, Seckel

Chairman Vaughn Wright announced that a copy of the Open Meetings Act is available in the meeting room and is accessible to members of the public and called the meeting to order at 5:44 p.m.

### 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 December 20, 2016.

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

Roll Call: Yea: Doyle, Hydo, Riha, Scholl, Wright

Nay: None

MOTION CARRIED.

### PUBLIC HEARINGS

There were no public hearings.

### APPROVAL ITEMS

**Review and recommendation of approval to the Beatrice CRA and City Council of Plan Modification “R” to Redevelopment Plan for Redevelopment Area No. 6 (Goossen-Covered Bridge Heights 5<sup>th</sup> Addition).**

Greg Butcher, City Attorney, explained where the project is located and what benefits the City will see as part of the project, such as, approximately \$1,000,000 in total City improvements pertaining to new concrete roadway, water, electric, sanitary sewer, ornamental lighting and more.

Moved by Scholl, seconded by Riha, to recommend the Beatrice CRA and City Council approve Plan Modification “R” to Redevelopment Plan for Redevelopment Area No. 6 (Goossen-Covered Bridge Heights 5<sup>th</sup> Addition).

Roll Call: Yea: Doyle, Hydo, Riha, Scholl, Wright  
Nay: None

MOTION CARRIED.

## **ORDINANCES**

### **Recommendation for approval of an ordinance to add Section 18-32 to the Beatrice City Code regarding restrictions on zoning and subdivision application approval to the City Council.**

Greg Butcher, City Attorney explained the ordinance as drafted. The ordinance permits the Commission to delay action or deny approval for properties that have existing violations until said violations have been resolved.

Moved by Riha, seconded by Scholl, to recommend to City Council the approval of an ordinance to add Section 18-32 to the Beatrice City Code regarding restrictions on zoning and subdivision application approval to the City Council.

Roll Call: Yea: Doyle, Hydo, Riha, Scholl, Wright  
Nay: None

MOTION CARRIED.

## **PUBLIC FORUM**

There were no presentations.

## **DISCUSSION/REPORTS**

Commission member Al Fetty arrived at 6:05 p.m.

### **Consideration of a bufferyard requirement for CBD**

Greg Butcher, City Attorney, explained the discussion item to the Commission. Michael and Lesa Arterburn had requested the Commission to consider a bufferyard requirement for CBD. Rob Mierau, Chief Building Inspector, explained current zoning definitions as pertains to CBD, bufferyard, and adjacent properties. Michael Arterburn, 714 Ella Street, reiterated that he and his wife Lesa (not present) are seeking a bufferyard between their residence and the neighboring business, owned by Lammel Plumbing and where a plumbing business is currently operating. Arterburn stated that he does not wish to cause the business any hardship. He asked for a special permit/variance for a bufferyard due to the close proximity of the business and his home. Butcher explained that we could draft something but it would not affect the already established property owned by Lammel Plumbing. If the City required Lammel Plumbing to use a portion of their property to install a bufferyard, the City could be held liable for devaluing the property.

## **ADJOURNMENT**

The next regular Planning and Zoning meeting is scheduled for January 17, 2017 at 7:00 p.m. in the BPS Administration Building Board Room, 320 North 5<sup>th</sup> Street, Beatrice, Nebraska.

Moved by Fetty, seconded by Scholl, that the meeting be adjourned at 6:46 p.m.

Roll Call: Yea: Doyle, Fetty, Hydo, Riha, Scholl, Wright  
Nay: None

MOTION CARRIED.

**Maria Rodriguez, Vice Chairman**

**Vaughn Wright, Chairman**