

MINUTES

**PLANNING COMMISSION
REGULAR MEETING
APRIL 16, 2012 – 5:00 P.M.
CITY COUNCIL CHAMBERS**

PRESENT: Chairman Sookram, Members, Barton, Fooker, Emanuel, Sawyer, Synovec, Wiese and Winter, Planning Director Rian Harkins, Chief Building Inspector Marv Hansen and Secretary Deb Pruss

ABSENT: Member Ridder

Chairman Sookram called the meeting to order. Roll Call Vote was taken – 8 present, 1 absent (Ridder). Chairman Sookram read a statement that a copy of the Open Meeting Law is posted continually for public inspection located near the agendas in the City Council Chambers and a Public Notice of this meeting was given in advance by publicized notice in the Fremont Tribune, a copy of which is attached to these minutes and made a part thereto, and on radio KHUB. Also, the agenda was displayed in the lobby of the Municipal Building, Police Station and the Dodge County Courthouse on April 11, 2012 and is open to the public. Moved by Synovec, seconded by Emanuel, to approve the Chairman's Statement that this meeting is now determined to be a legal meeting. Roll Call Vote showed all members present voting aye – 8 ayes. Motion Carried.

It was moved by Fooker, seconded by Sawyer, to dispense with the reading of the Minutes of the March 19, 2012 Regular Meeting and approve as received. Roll Call Vote showed all members present voting aye – 8 ayes. Motion Carried.

Chairman Sookram stated the general public is invited to address the Planning Commission regarding any item on this agenda at this time or wait until discussion of their request is taking place. No public comments were received.

- **Consider request of Chad Stevens to erect accessory building that is not architecturally harmonious with the primary structure at 3560 North Ridge Road Drive as part of a permitted conditional use. Article 704 c 3. RR – Rural Residential District.**

Chairman Sookram stated the applicant requests the approval of a conditional use permit in order to construct a pole barn on the property of the address noted above. The property is located in the RR – Rural Residential Zoning District in the northwest quadrant of the City's Extraterritorial Zoning Jurisdiction and is approximately 4.9 acres in size, which is why the applicant is requesting a conditional use be approved. Chairman Sookram asked if there was anyone here for this request.

Chad Stevens, 3560 North Ridge Road Drive was present and stated he was just requesting a pole barn and had some pictures if needed of the property. Chairman Sookram stated the staff is recommending approval as filed provided the 10' utility easement is maintained. Planning Director Harkins stated the utility easement can be taken out as staff thought we had some utility easements along the property lines but that is not the case. Harkins stated that was information staff found out this morning.

Member Synovec stated he did not feel they needed to see any pictures as the diagram with the aerial view that they had before them works good and he had no questions.

Moved by Synovec, seconded by Barton to recommend approval without the easements. Roll Call Vote showed all members present voting aye – 8 ayes. Motion Carried.

- **Consider request of James Lyle and Sandi Lynn Proskovec to combine Lot 1, Block 7, Day Acres East 2nd Addition, City of Fremont and Lot 19, Block 7, Day Acres East Third Addition, an addition to the City of Fremont, Dodge County, Nebraska into one lot (3240 Applewood Drive). R1 - Single Family Residential District.**

Chairman Sookram stated the applicant is requesting to combine the two lots mentioned above into a single lot of record. Staff recommends approval as filed. Sookram stated the 10' utility easement must be maintained. Several of these have been done in the past.

Moved by Emanuel, seconded by Wiese to recommend approval of the request. Roll Call Vote showed all members present voting aye – 8 ayes. Motion Carried.

- **Consider the request of Fremont Rod & Gun Club to continue, reconstruct and enlarge the non-conforming use Cabin on Site #7 (867 County Road 19) with a variance to the 100' year flood elevation requirements for stairways on a part of the SW ¼ of Section 13, Township 17 North, Range 7 East of the 6th P.M., Dodge County, Nebraska. Section 557, 558, 1104 b. and Section 1105 c. RL – Lake and River Residential District.**

Chairman Sookram stated the applicant requests that the non-conforming use at the property located above be continued with a new, larger cabin that would replace the existing cabin located in the RL – Lake and Rive Residential Zoning District. Sookram stated he believed the applicant was taking down a building. Planning Director Harkins stated he is taking down the existing cabin and then putting up a new one. Applicant has provided a No-Rise Certificate and the applicant is here to speak on his behalf.

Applicant Keith Lallman was present and stated request should have said to consider the request of me as it was on Rod and Gun property but he is the one that is doing this. Chief Building Inspector Hansen stated it belongs to the Rod & Gun and they are the applicant. Mr. Lallman stated the existing cabin, the main part, was probably built in the 40's and then there were two additions after that. He has owned it since the 70's and he has had floodwater in it four times. It is pretty outdated on the inside and he would like to build a new one.

Moved by Winter, seconded by Fooker to recommend approval of the request. Roll Call Vote showed all members present voting aye – 8 ayes. Motion Carried.

- **Consider request of Rainbow Fleet of Lincoln, Inc. and Farmland Fremont Railroad Drainage District to remove existing cabin and erect new residence with attached garage, deck and a storage shed at 1300 West South #12 at Rainbow Lake, located in part of the SE ¼ SW ¼ of Section 22 and part of the E ½ of the NW ¼ of Section 17, all in Township 17 North, Range 8 East of the 6th P.M., Dodge County, Nebraska, as part of a permitted conditional use. Article 4, Table 4-2. RL – Lake and River Residential District.**

Chairman Sookram stated the applicant is requesting approval of a conditional use at the property located in order to construct a new residence that would replace an existing cabin in the R – Lake and River Residential Zoning District.

Applicant Dan Blackburn of 2242 Gaeth, Fremont was present. Chairman Sookram stated staff was recommending approval as filed. Planning Director Harkins stated there are sufficient distances between the proposed structure and other cabin sites and cabins in this area. Also, Rainbow Lake Homeowners Association has recommended approval and they have written a letter of support. The applicant has also been in multiple times to talk with not only Planning but with Building and Permitting to make sure that it is done right.

Moved by Wiese, seconded by Synovec to recommend approval of the request. Roll Call Vote showed all members present voting aye – 8 ayes. Motion Carried.

- **Continued consideration of the Fremont Comprehensive Plan and Long Range Transportation Plan entitled “Blue Print for Tomorrow, Fremont, Nebraska”.**

Chairman Sookram stated there were several things the Planning Commission possibly wanted added onto this. Planning Director Harkins stated he had the PowerPoint presentation from last month’s meeting if any of the members wanted to go back to a particular graphic, land use map or anything like that.

Member Fooker presented a list of possible additions he came up with. They are listed as follows:

1. Add Table of Contents
2. City Organizational Chart
3. Add Airport Plan from Airport Advisory Committee
4. Add Well Field Protection Map
5. Add Public Works Plan (Future Sewer, Water and Electric)
6. Add Annexation Chapter
7. Add Community Redevelopment Authority Section
8. Add Policy Page (puts in writing pecking order)
 - a. Capital Improvement Plan Priorities
 - b. Preeminence of the Comprehensive Plan
 - c. Consistency of Other Plans
 - d. Return on Investment

Items No. 1 thru 7 were discussed with additional discussion given to Item No. 7 pertaining to the Community Redevelopment Authority Section.

City Council Member Jennifer Bixby, 3221 Cherrywood, was present. Ms. Bixby asked questions relating to the CRA.

Planning Director Harkins assured the Planning Commission the amendments would not affect the timing of the passing of the plan.

Moved by Fooker, seconded by Synovec to adopt item numbers 1 thru 7 as an amendment to the City Comp plan. Roll Call Vote showed all members present voting aye – 8 ayes. Motion Carried.

Member Fooker also distributed a sheet entitled Policy Additions Blue Print for Tomorrow, Fremont, Nebraska which consisted of Policy IM 2.1, IM 2.2, IM 2.3 and IM 2.4.

Moved by Fooker, seconded by Wiese to adopt item no. 8 as an amendment to the Comp Plan and forward to the City Council for their consideration to amend the Comp Plan. Roll Call Vote showed all members present voting aye – 8 ayes. Motion Carried.

Moved by Sawyer, seconded by Synovec to approve the Comprehensive Plan as amended. Roll Call Vote showed all members present voting aye – 8 ayes. Motion Carried.

It was also stated that the Planning Commission would like to have a Study Session item reviewing a chapter of the Comprehensive Plan each quarter.

- **Adoption of Planning Commission By-laws.**

Planning Director Harkins stated in doing some background research he was actually asked what the rules of procedure in the by-laws were for the Planning Commission and doing some research over the last few weeks it was discovered they are so old that nobody can find them or we just don't have them so Mr. Harkins rewrote some by-laws and rules of procedure for the Planning Commission. Harkins stated they were fairly straight forward and they could be tweaked or modified. Mr. Harkins stated this was an action he took because State Statutes as well as the Municipal Code talks about establishing Planning Commissions and then there is this little tag along that states you develop your own rules on how you do things and we really don't have any.

Several items in the by-laws were discussed. It was felt the Planning Commission would like additional time to review the information.

Moved by Wiese, seconded by Emanuel to recommend continuing the Planning Commission By-laws until the next regular meeting. Roll Call Vote showed all members present voting aye – 8 ayes. Motion Carried.

Meeting adjourned at 5:52 p.m.