

## MINUTES OF THE PLANNING AND ZONING COMMISSION

A meeting of the Planning and Zoning Commission was held on the 6<sup>th</sup> day of September, 2016 at 6:00 p.m. at the Beatrice Public School Administration meeting room, 320 North 5<sup>th</sup> Street, Beatrice, Nebraska.

Attending: Board members: Riha, Doyle, Mayfield, Seckel, Rodriguez, Hydo

Absent: Board members: Wright, Scholl, Fetty, McGhee

In the absence of Chairman Vaughn Wright and Vice Chair Maria Rodriguez, Mayfield moved, seconded by Doyle, to make Seckel temporary Chairman for the purpose of the meeting.

Roll Call: Yea: Riha, Doyle, Mayfield, Hydo

Nay: None

Abstain: Seckel

MOTION CARRIED

Acting Chairman Martin Seckel 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 August 2, 2016.

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

Roll Call: Yea: Riha, Doyle, Mayfield, Seckel, Hydo

Nay: None

MOTION CARRIED

(Rodriguez arrived after this vote was conducted)

### PUBLIC HEARINGS

**Public Hearing on the rezoning application of Jeffrey Houdek at 616 West Mary Street, for an accessory structure not to exceed 1,360 square feet and also a taller building not to exceed 21 feet, Zoned R-4.**

Rob Mierau, Chief Building Inspector, advised that he has no objection to Houdek's proposed building and that his office did not receive any inquiries of concern from the public. The Notice of Hearing was posted on the property for the required ten (10) days and a notice was published in the paper per ordinance.

Rodriguez arrived at 6:04 p.m. and assumed the role of Chairman.

Moved by Riha, seconded by Rodriquez, that the public hearing be closed at 6:07 p.m.

Roll Call: Yea: Riha, Doyle, Mayfield, Seckel, Hydo, Rodriguez,  
Nay: None

MOTION CARRIED

Moved by Riha, seconded by Mayfield, to approve the Special Use Permit application of Jeffrey Houdek at 616 West Mary Street, for an accessory structure not to exceed 1,360 square feet and also a taller building not to exceed 21 feet, Zoned R-4.

Roll Call: Yea: Riha, Doyle, Mayfield, Seckel, Hydo, Rodriguez  
Nay: None

MOTION CARRIED

### **APPROVAL ITEMS**

#### **Review and recommendation to Beatrice CRA and City Council of the designation of the proposed Redevelopment Area #6 as blighted and substandard.**

City Attorney, Greg Butcher reviewed the Blight and Substandard study for Redevelopment Area #6 that Hanna: Keelan Associates P.C. developed for the City of Beatrice. He explained what the term TIF (Tax Increment Financing) means and how it works. The Commission reviewed the study.

Moved by Hydo, seconded by Riha, to recommend to Beatrice CRA and City Council of the designation of the proposed Redevelopment Area #6 as blighted and substandard.

Roll Call: Yea: Riha, Doyle, Mayfield, Seckel, Hydo, Rodriguez  
Nay: None

MOTION CARRIED

#### **Review and recommendation to Beatrice CRA and City Council of the General Redevelopment Plan for the proposed Redevelopment Area #6, and a finding of conformity with the City's Comprehensive Plan.**

City Attorney, Greg Butcher explained the definition of what is the Community Redevelopment Authority. Butcher explained the general plan, noted and demonstrated its conformity with the current Comprehensive Plan.

Moved by Mayfield, seconded by Doyle, to recommend to Beatrice CRA and City Council of the General Redevelopment Plan for the proposed Redevelopment Area #6, and a finding of conformity with the City's Comprehensive Plan.

Roll Call: Yea: Riha, Doyle, Mayfield, Seckel, Hydo, Rodriguez  
Nay: None

MOTION CARRIED

**ORDINANCES**

**Ordinance to amend Table 4-2 of the Zoning Ordinance, Number 94-13, as such ordinance relates to religious assembly use and primary education use.**

City Attorney, Greg Butcher explained the Update on the Justice Department’s Enforcement of the Religious Land Use and Institutionalized Persons Act: 2010-2016 Report and compared it to the City of Beatrice’s zoning restrictions. Based on recent enforcement actions the City Administration recommended the permitted requirements for “Religious Assembly” under current zoning codes match those allowed for: clubs, colleges, cultural service, day care centers, primary education buildings, public assembly buildings, secondary education buildings, and funeral homes. Based on this analysis, City Administration has recommended the changes to Table 4-2, Ordinance Number 94-13.

Moved by Riha, seconded by Doyle, to recommend to amend Table 4-2 of the Zoning Ordinance, Number 94-13, as such ordinance relates to religious assembly use and primary education use.

Roll Call: Yea: Riha, Doyle, Mayfield, Seckel, Hydo, Rodriguez  
Nay: None

MOTION CARRIED

**ADJOURNMENT**

The next regular Planning and Zoning meeting is scheduled for September 20, 2016 at 7:00 p.m. in the BPS Administration Building Meeting Room, 320 North 5<sup>th</sup> Street, Beatrice, Nebraska.

Moved by Seckel, seconded by Riha, that the meeting be adjourned at 6:34 p.m.

Roll Call: Yea: Riha, Doyle, Mayfield, Seckel, Hydo, Rodriguez  
Nay: None

MOTION CARRIED

**Maria Rodriguez, Vice Chairman**

**Vaughn Wright, Chairman**