

PLATTSMOUTH PLANNING COMMISSION MINUTES
October 18, 2018

Meeting convened at 7:30 p.m. on October 18, 2018 at the Plattsmouth City Hall, 136 N. 5th Street, Plattsmouth, Nebraska. A copy of the agenda for the meeting is attached to these minutes. Notice of the meeting, which communicated the availability of the agenda, was published in *The Plattsmouth Journal*, Plattsmouth, Nebraska, on October 4, 2018, with the Affidavit of Printer as proof of publication attached to these minutes. Notice of the meeting and the agenda were provided to all members in advance. All proceedings were taken while convened with attendance open to the public.

ITEM 1

Chairman Jeff Kindig called the meeting to order at 7:30 p.m.

ITEM 2

Kindig announced the location of the Open Meetings Act and of documents pertaining to the planning agenda.

ITEM 3

Answering roll call were Angela Minahan, Rich McKinley, Mary Harding, Mike Bowman, Heather Herlick, Jeff Kindig, Dewayne Prince. Karen Weaver arrived at 7:35 p.m. Absent was Robert Rice.

ITEM 4

MOTION BY BOWMAN, SECONDED BY HARDING, TO APPROVE THE MINUTES OF THE SEPTEMBER 20, 2018 MEETING. On roll call, VOTING YES, MCKINLEY, HARDING, BOWMAN, HERLICK, PRINCE, KINDIG, WEAVER, MINAHAN; VOTING NO, NONE; ABSENT AND NOT VOTING, WEAVER, RICE. MOTION CARRIED.

ITEM 5

Kindig opened a public hearing at 7:32 p.m. and read from the agenda, "A public hearing regarding a request by Norris Franzen for a preliminary and final plat of a major subdivision of Copper Corral Estates, located southwest of the intersection of Highway 66 and Highway 75, legally described as Lot "A" and Lots 1 thru 19, inclusive, located in the NE ¼ of the NE ¼ Section 23, Township 12 North, Range 13 East of the 6th P.M., Cass County, Nebraska." Norris Franzen spoke, stating the subdivision would eliminate an equestrian trail surrounding the subdivision and transfer property to adjoining landowners. No one else spoke, and Kindig closed the hearing at 7:35 p.m.

ITEM 6

Kindig read from the agenda, "Consider a recommendation to the Plattsmouth City Council regarding a request by Norris Franzen for a preliminary and final plat of a major subdivision of Copper Corral Estates, located southwest of the intersection of Highway 66 and Highway 75, legally described as Lot "A" and Lots 1 thru 19, inclusive, located in the NE ¼ of the NE ¼ Section 23, Township 12 North, Range 13 East of the 6th P.M., Cass County, Nebraska." Following discussion: MOTION BY MCKINLEY, SECONDED BY WEAVER, TO LAY THE MATTER OVER TO THE NEXT MEETING TO ALLOW STAFF TO CONDUCT FURTHER RESEARCH ON THE MATTER. On roll call: VOTING YES; MCKINLEY: VOTING NO, HARDING, BOWMAN, HERLICK, KINDIG, PRINCE, WEAVER, MINAHAN; ABSTAIN, NONE; ABSENT AND NOT VOTING, RICE. MOTION FAILED.

MOTION BY KINDIG, SECONDED BY BOWMAN, TO RECOMMEND APPROVAL TO THE PLATTSMOUTH CITY COUNCIL REGARDING A REQUEST BY NORRIS FRANZEN FOR A PRELIMINARY AND FINAL PLAT OF A MAJOR SUBDIVISION OF COPPER CORRAL ESTATES, LOCATED SOUTHWEST OF THE INTERSECTION OF HIGHWAY 66 AND HIGHWAY 75, LEGALLY DESCRIBED AS LOT "A" AND LOTS 1 THRU 19, INCLUSIVE, LOCATED IN THE NE ¼ OF THE NE ¼ SECTION 23, TOWNSHIP 12 NORTH, RANGE 13 EAST OF THE 6TH P.M., CASS COUNTY, NEBRASKA WITH THE CONDITION THAT STAFF INVESTIGATE WHETHER A REPLAT IS REQUIRED TO MEET ALL THE CONDITIONS OF A MAJOR SUBDIVISION. On roll call: VOTING YES; BOWMAN, HERLICK, KINDIG, PRINCE, WEAVER, MINAHAN, HARDING: VOTING NO, MCKINLEY: ABSTAIN, NONE: ABSENT AND NOT VOTING, RICE. MOTION CARRIED.

ITEM 7

Kindig opened a public hearing at 8 p.m. and read from the agenda, "A public hearing regarding a rezoning request by Ronald Grothe, agent for JW Congregation Support Inc., from R1 (Urban Residential Large Lot) to UC (Urban Corridor) on property located at 1408 8th Avenue, Plattsmouth, legally described as Oakmont Estates 3rd Subdivision Lot 3 (1.08 acres)." Adam Meyer, a neighbor of the subject property, asked about the purpose for the rezoning and was told the proposed use of the existing church was to be funeral services. No one else spoke, and the hearing was closed at 8:01 p.m.

ITEM 8

Kindig read from the agenda, "Consider a recommendation to the Plattsmouth City Council regarding a rezoning request by Ronald Grothe, agent for JW Congregation Support Inc., from R1 (Urban Residential Large Lot) to UC (Urban Corridor) on property located at 1408 8th Avenue, Plattsmouth, legally described as Oakmont Estates 3rd Subdivision Lot 3 (1.08 acres)." City Inspector Kevin Larson spoke to the history of the property. McKinley asked if the size of the building would be increase and was told by Brian Harvey of Harvey Funeral Home that a

new garage was planned. Following discussion: MOTION BY MCKINLEY, SECONDED BY PRINCE, TO RECOMMEND APPROVAL TO THE PLATTSMOUTH CITY COUNCIL OF A REZONING REQUEST BY RONALD GROTHE, AGENT FOR JW CONGREGATION SUPPORT INC., FROM R1 (URBAN RESIDENTIAL LARGE LOT) TO UC (URBAN CORRIDOR) ON PROPERTY LOCATED AT 1408 8TH AVENUE, PLATTSMOUTH, LEGALLY DESCRIBED AS OAKMONT ESTATES 3RD SUBDIVISION LOT 3 (1.08 ACRES). On roll call: VOTING YES; HERLICK, KINDIG, PRINCE, WEAVER, MINAHAN, MCKINLEY, HARDING, BOWMAN: VOTING NO; NONE: ABSTAIN; NONE: ABSENT AND NOT VOTING; RICE. MOTION CARRIED.

ITEM 9

Kindig read from the agenda, "Discussion regarding Article 11 (non-conforming uses) of the Land Development Ordinance for the City of Plattsmouth." City Attorney Stephen Preston spoke of ambiguous language in the Land Development Ordinance for the City of Plattsmouth regarding non-conforming use, and presented two options for considering changes of non-conforming uses. The first option was creating a special use procedure relating to non-forming uses, and the second option was making specific findings for compatible uses. He also discussed creating a matrix of uses and categorizing the uses to aid in determining compatible uses. The commission directed Preston and staff to develop special use procedures and language related to non-conforming uses and to further investigate procedures related to non-conforming structures.

ITEM 10

MOTION BY PRINCE, SECONDED BY WEAVER TO ADJOURN. On roll call: VOTING YES, KINDIG, PRINCE, WEAVER, MINAHAN, MCKINLEY, HARDING, BOWMAN, HERLICK; VOTING NO, NONE; ABSENT AND NOT VOTING, RICE. MOTION CARRIED.

Meeting adjourned at 8:45 p.m.

Dewayne Prince
Secretary

Minutes recorded and typed by Kevin Larson