

Bennet Planning Commission
Regular Meeting Minutes
July 19, 2023

The Bennet Planning Commission held a regular meeting on Wednesday, July 19, 2023, at 7:00 p.m. at City Hall, 685 Monroe Street in the City. The session was open to the public and proceeded by advance publicized notice duly given in strict compliance with the provisions of the Open Meetings Act, Chapter 84, Article 14, Reissue Revised Statutes of Nebraska by posting at the City Clerk Office, the Post Office, and First Nebraska Bank.

Chairperson Josh Buck called the meeting to order at 7:00 p.m. and announced the Open Meetings Act was posted. Michele Lincoln, City Clerk/Zoning Administrator conducted roll call and recorded the minutes. Roll call: Josh Buck, Greg Pohl, Kevin Hiatt, Marilyn Maney, Boyd Batterman present. Alternate Matthew Tyler absent.

Batterman moved and Pohl seconded a motion to approve the minutes from the June 21, 2023, Regular Meeting. Roll call vote: Buck, Pohl, Maney, Batterman, Hiatt voted YES. Motion carried.

A "Presiding Officer Public Comment Announcement" has been added to the agenda to allow the presiding officer to state which agenda items public comment will be taken on and the amount of time each speaker would be allowed. Buck stated we would allow 3 minutes per speaker.

On July 18th the City Council approved Resolution 2023-7.1, a resolution establishing public participation guidelines during public meetings. Buck presented a brief overview of Resolution 2023-7.1

The Planning Commission discussed the Comprehensive Development Plan/Economic Development Survey. They were concerned that the Planning Commission did not get the change to approve the survey questions prior to dispersal. Buck stated that he was not pleased with the discord of the situation. They also questioned when the closing date was and if the survey could be modified to state the closing date on it. Ed Broening of 4500 S. 80th Street, Lincoln and owner of 625 Madison Street in Bennet, questioned #26 on the survey which questions the preference location of a new downtown in Bennet. He asked if this has already been decided, which it has been discussed but not decided, and he felt that this question was misleading. Stanley Raetz of 730 Spruce Circle, Palmyra suggested an abc. Wendi Raetz of 730 Spruce Circle, Palmyra and owner of a business located in the 625 Madison Street building asked if they will be reaching out to the business owners during the Downtown Revitalization and City Economic Development Plan project. Lincoln stated she believed they had in the other communities where they have done these projects.

Commission member Hiatt requested clarification of Bennet Zoning Ordinance 4.06 #2, which allows more than one principal building if recommended by the Planning Commission and approved by the City Council in specific instances. Keith Marving with Marvin Planning Consultants (MPC) provided a written response which recommended changing the verbiage to require a site plan review as part of a conditional use permit and recommendation by the Planning Commission and approved by the City Council. Hiatt shared 27.06.020 of the Lincoln Municipal Code which allows for more than one building in specific zoning districts when the open space requirement can be met. Pohl moved and Batterman seconded a motion to include the changes to Bennet Zoning Ordinance Section 4.06 as recommended

by Keith Marvin with the other corrections/changes in the following agenda item. Roll call vote: Buck, Pohl, Maney, Batterman, Hiatt voted YES. Motion carried.

The Commission discussed some of changes needed to the new Zoning Map and Zoning Ordinance and agreed to the following:

- Amend Section 4.06 Lot (2) to allow more than one principal building be located upon a tract of land in specific instances after a site plan review as part of a conditional use permit and recommended by the Planning Commission and approved by the City Council.
- Amend Section 4.23 Private Swimming Pools to add 2 (C) Pools that hold at least 18 inches of water shall have at least a 4-foot-high fence with gaps less than 4 inches surrounding them.
- Amend Section 9.04 Fences 1 (A) Unless otherwise provided, no fence shall be built on any lot or tract outside the surveyed lot lines. No fence shall be closer than 2 feet to the sidewalk. Rear yard and side yard setbacks do not apply to fences.
- Amend Section 7.02 (8) The parking requirements herein do not apply to specific parcels within the Flex District: parcels abutting Madison Street from Fir Street to Garden Street; parcels abutting Fir Street from Madison Street to Monroe Street; parcels abutting Garden Street from Madison Street to Monroe Street; parcels west of Monroe Street from Fir Street to Garden Street. Approval of a parking site plan shall be required for the remaining portion of the Flex District.
- Change of Zone for S3, T8, R8 Lots 75 and 76 SE Medium Density Residential (R-2) to General Commercial (C-2)

A Public Hearing for these amendments will be scheduled for the August 16, 2023, meeting.

Buck moved and Hiatt seconded a motion to adjourn at 8:17 p.m. Roll call vote: Buck, Pohl, Maney, Batterman, Hiatt voted YES. Motion carried.

The next regular meeting is scheduled for August 16, 2023, at 7:00 pm at City Hall.

Michele Lincoln, CMC
City Clerk/Zoning Administrator