



**PLANNING COMMISSION SPECIAL MEETING
THURSDAY, SEPTEMBER 7TH, 2023
City Council Chambers, 400 East Military Avenue, Fremont NE
5:00 P.M.**

1. Call to Order.
2. Roll Call.
3. Dispense with the reading and approve the minutes of the August 21, 2023 regular Planning Commission meeting minutes as prepared.
4. A request by Myra Katherine Hale for a Conditional Use Permit for a Childcare Center on property located at 45 E 6th St.
5. Adjournment

THIS MEETING WAS PRECEDED BY PUBLICIZED NOTICE IN THE FREMONT TRIBUNE, THE AGENDA DISPLAYED IN THE LOBBY OF THE MUNICIPAL BUILDING AND POSTED ONLINE AT WWW.FREMONTNE.GOV IN ACCORDANCE WITH THE NEBRASKA OPEN MEETINGS ACT, A COPY OF WHICH IS POSTED CONTINUALLY IN THE COUNCIL CHAMBERS FOR PUBLIC INSPECTION, AND SAID MEETING IS OPEN TO THE PUBLIC. A COPY OF THE AGENDA WAS ALSO KEPT CONTINUALLY CURRENT AND AVAILABLE TO THE PUBLIC IN THE PRINCIPLE OFFICE OF THE DEPARTMENT OF PLANNING, 400 EAST MILITARY AVENUE. THE PLANNING COMMISSION RESERVES THE RIGHT TO ADJUST THE ORDER OF ITEMS ON THIS AGENDA.

PLANNING COMMISSION MINUTES

August 21, 2023

5:00 p.m. Meeting

Chairman Jarod Borisow called the meeting to order at 5:00 p.m. He stated that a copy of the Open Meetings Act is posted continually for public inspection located near the entrance door by the agendas. Roll call showed Chairman Borisow and Commissioners, Landholm, Horeis, Nielsen, Sawyer, Carlson, Darling and McKay were present. Commissioner Jaeger was absent. A quorum was established.

Chairman Borisow read the item: Dispense with the reading of the minutes of the July 17, 2023, meeting. Commissioner McKay made a motion to approve the minutes, Commissioner Carlson seconded the motion. By a roll call vote, Borisow, Landholm, Horeis, Nielsen, Sawyer, Carlson, Darling and McKay all voted in favor. Absent was Commissioner Jaeger. The motion carried 8-0, 1 absent.

Chairman Borisow read the item: A request by Brian Wiese on behalf of Apple D Acres for a Change of Zone from R, Rural to LI, Light Industrial on property generally described as Tax Lot 101 generally located at the northeast corner of Prairie Rd. and Judy Rd., Dodge County, Nebraska. Planning Director Dam provided her staff report. Chairman Borisow opened the public hearing. After hearing from the public, Chairman Borisow closed the public hearing. Commissioner Sawyer made a motion to approve the request, seconded by Commissioner Landholm. By a roll call vote, Borisow, Landholm, Horeis, Nielsen, Sawyer, Carlson, Darling and McKay all voted in favor. Absent was Commissioner Jaeger. The motion carried 8-0, 1 absent.

Commented [DJ1]: Need to add: Planning Director Dam provided her staff report. Chairman Borisow opened the public hearing {x people spoke in favor/ y spoke in opposition}. Chairman Borisow closed the public hearing. [If there was PC discussion add a sentence here]. Then you can have the motion and vote. Need to specifically state with each vote for every item who voted against, who abstained and who was absent.

Chairman Borisow read the item: A request by Brian Wiese on behalf of Apple D Acres for a Conditional Use Permit for a self-storage facility on property generally described as Tax Lot 101 generally located at the northeast corner of Prairie Rd. and Judy Rd., Dodge County, Nebraska. Planning Director Dam provided her staff report. Chairman Borisow opened the public hearing. After discussion, Chairman Borisow closed the public hearing. Commissioner Borisow made a motion to approve the request based on the conditions outlined in the staff report, seconded by Commissioner Darling. By a roll call vote, Borisow, Landholm, Horeis, Nielsen, Sawyer, Carlson, Darling and McKay all voted in favor. Absent was Commissioner Jaeger. The motion carried 8-0, 1 absent.

Chairman Borisow read the item: A request by Myra Katherine Hale for a Conditional Use Permit for a Childcare Center on property located at 45 E 6th St. Planning Director Dam asked for a continuance. Commissioner Borisow made a motion to approve the request, seconded by Commissioner Sawyer. By a roll call vote, Borisow, Landholm, Horeis, Nielsen, Sawyer, Carlson, Darling and McKay all voted in favor. Absent was Commissioner Jaeger. The motion carried 8-0, 1 absent.

Chairman Borisow read the item: Update by Planning Director regarding timeline for UDC, Affordable Housing Plan and Urban Design planning for the area between Broad, D,

Military and 8th Streets. Planning Director Dam provided an update. No action was required for this informational item.

Motion made by Commissioner Sawyer to adjourn the meeting. Seconded by Commissioner Landholm. By a roll call vote, Borisow, Landholm, Horeis, Nielsen, Sawyer, Carlson, Darling and McKay all voted in favor. Absent was Commissioner Jaeger. The motion carried 8-0, 1 absent.

Meeting adjourned at approximately 5:30 pm.

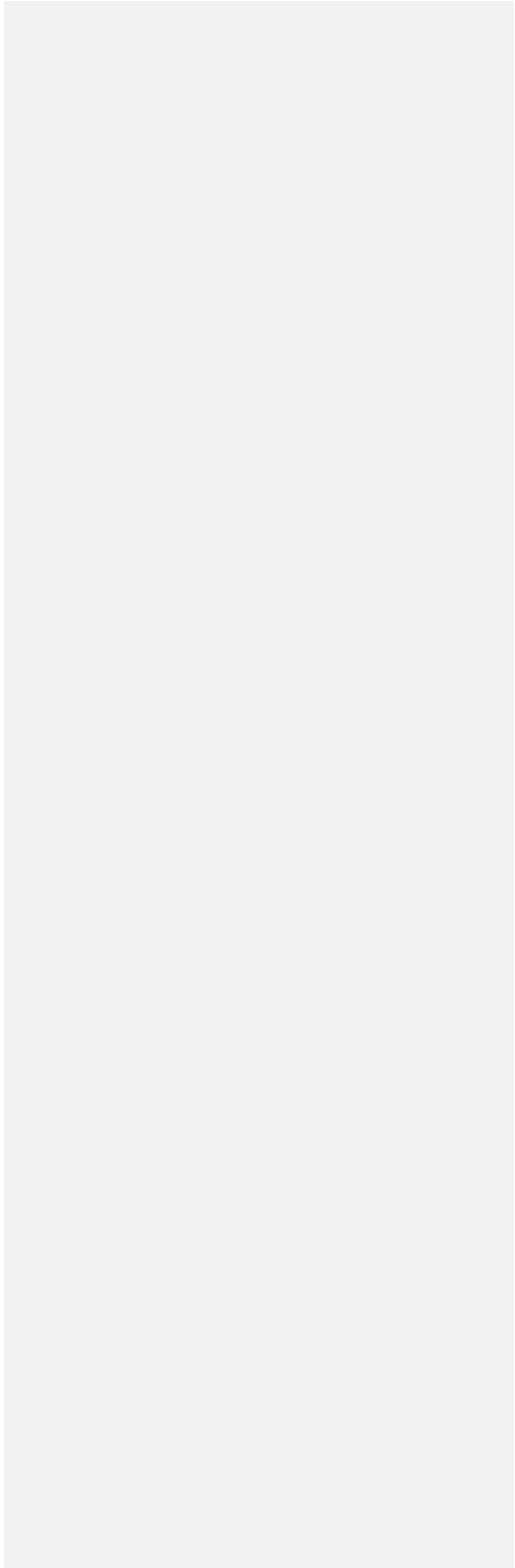
APPROVED

Jarod Borisow, Chairman

ATTEST

Jennifer Dam, Director of Planning

DRAFT



STAFF REPORT

TO: Planning Commission
FROM: Jennifer L. Dam, AICP, Planning Director
DATE: September 7, 2023
SUBJECT: Conditional Use Permit for Child Care Center

Recommendation: Approval contingent upon State Licensure

Background:

This is a request by Myra Katherine Hale for a Conditional Use Permit for a childcare center on property generally located at 445 E 6th Street.

The property is zoned DC, Downtown Commercial, which requires a conditional use permit for this use.

The site is at the edge of the downtown commercial district. The properties to the north and west are zoned DC, Downtown Commercial. They are developed with parking lots, church facilities, commercial properties and the post office. The Salem Little Saints Child Care Center is one block north of the site.

The properties to the east and south are zoned AR, Auto-Urban Residential. They are developed with residential uses and a parking lot. Bergan Early Childhood Education Center is a block to the south on Union Street. Trinity Lutheran Early Childhood Center is three blocks south on C Street.

Section 11-504.02.E of the UDC states:

Child Care Centers are conditionally permitted provided that:

1. Child Care Centers in the R, SR, AR or UR districts may only be permitted in places of public assembly that provide adequate area for off-street circulation, drop-off and parking.
2. In all instances the site is 300 feet from a MH, LI, GI, AV or PO district as measured from the boundary lines nearest each other, unless separated from such district by a type B bufferyard or a collector or arterial roadway;
3. Primary access to the site is from a collector or arterial roadway
4. Adequate precautions have been taken on behalf of the operator so as not to create an undue burden on neighboring properties via traffic, parking and noise; and
5. The application shall be accompanied by the following information

- a. The number of children and number of staff members on the largest shift;
- b. A physical description of the facility and a site plan drawn to scale that includes, but is not limited to, property boundaries, structures on the site, the location and arrangement of parking spaces, the traffic circulations pattern, loading and unloading areas, fencing, landscaping, play area, and entrances/exits to such facility.
- c. Prior to occupancy, such facilities shall comply with all applicable state and local laws and regulations.

The site is located next to a City owned parking lot that can be used for staff parking. There are three drop-off/pick-up spaces in front of the building.

The site is not within 300 feet of a MH, LI, GI, AV or PO district.

The site is accessed by a collector street on the downtown grid. 6th Street is one-way east bound from Broad St. to Bell St. It carries significant traffic through the downtown. The Salem Child Care center also takes access from 6th Street.

The proposed re-use of the building as a child care center provides a nice transition between commercial and residential areas.

The proposed facility will be in operation from 5:30 am to 6:30 p.m. The anticipated licensing capacity of the center will be 48 infants and children with up to 10 staff at any given time.

The place is located behind the building and is fenced.

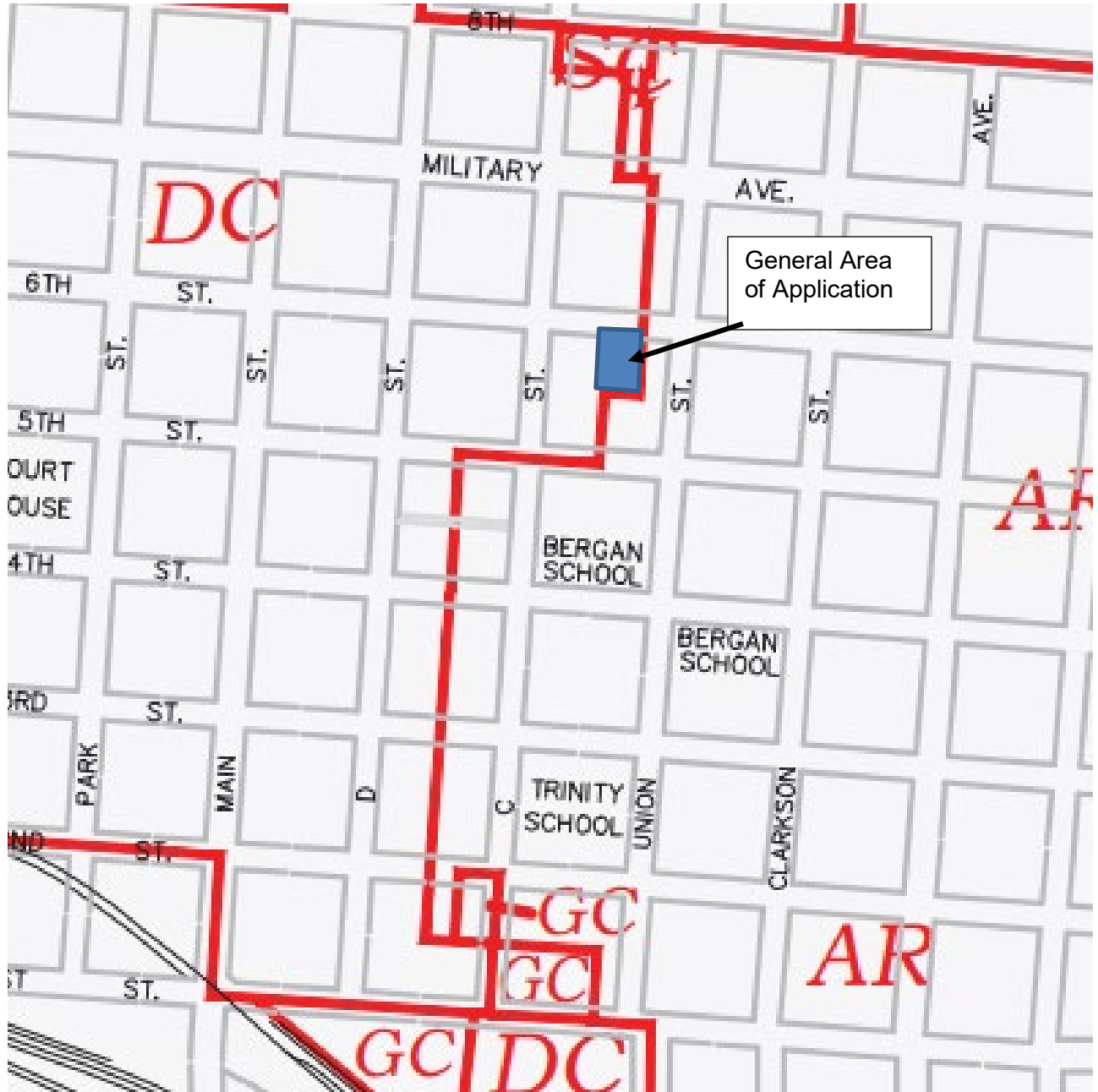
Building permits are required for interior alterations.

A State license is required prior to commencing operation.

Vicinity Map



Surrounding Zoning



Rock Hill Real Estate, LLC has a purchase agreement with the owner of 445 E 6th street. This property is zoned downtown commercial. This is the proposed location for Pearl Academy, a childcare center that serves 6 weeks to age 13.

Drop off will be on the north side of the building facing 6th street. Parents and staff will use the Fremont Public Parking lot on the south side of the building.

Operating hours are 5:30 a.m.-6:30 p.m. Monday-Friday.

Site improvements include:

Repair broken fence boards.

Add ADA compliant bathroom.

Add security cameras.

Add a three bay commercial sink.

Add two sinks to the infant room.

Replace current doors with doors that close automatically.

Install a code-lock on the doors.

Add tire mulch to the playground

Taking out closets to add room space.

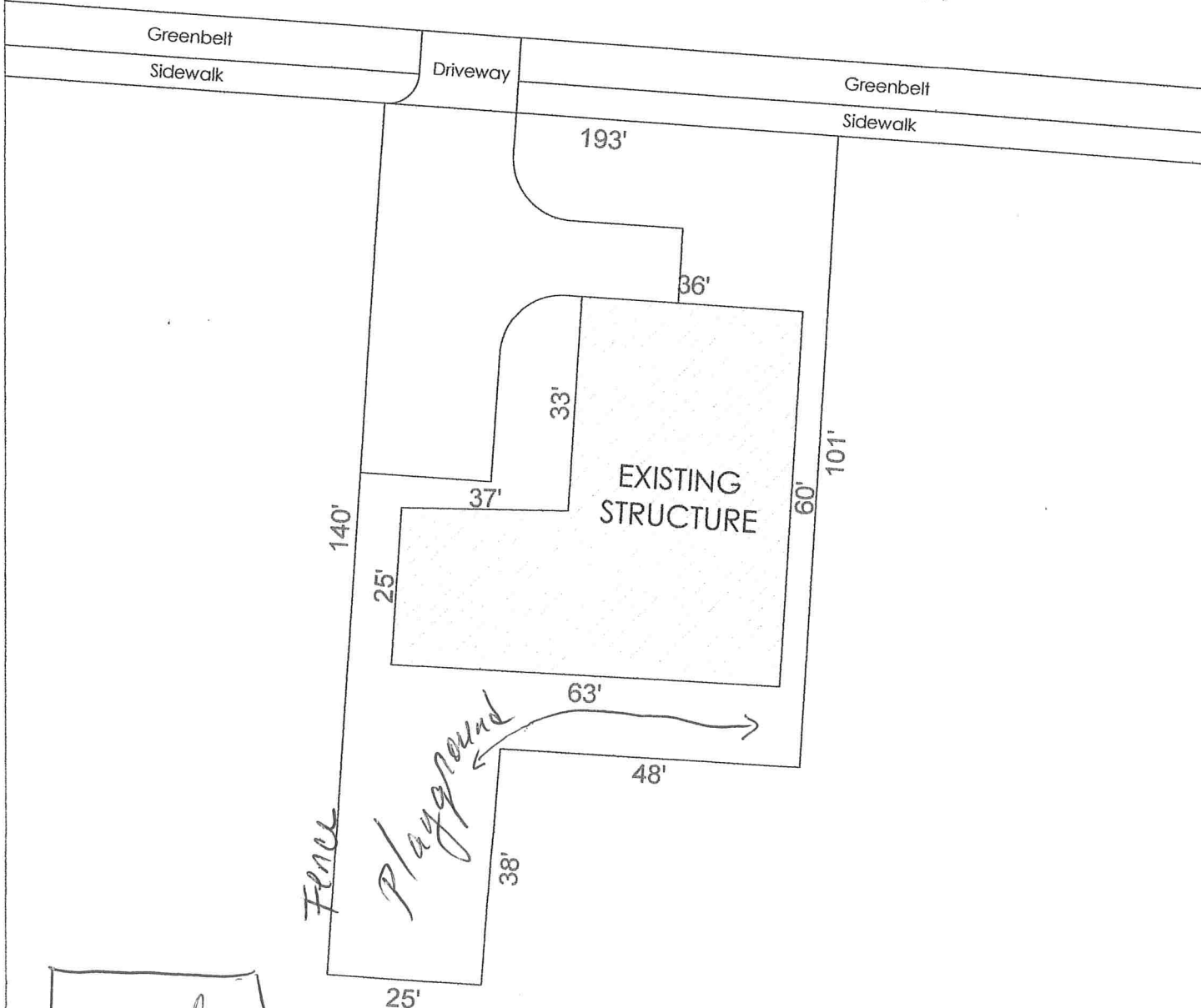
Taking out two walls to add room space.

SITE PLAN



445 E 6th St in Fremont,
NE

E 6th Street, Fremont



Fremont
Public Lot